

Question 1.5

Topic: Exemptions From Part 60 Requirements

Question: My facility is subject to continuous monitoring requirements under both 40 CFR Part 60 and 40 CFR Part 75. Part 75 allows us to claim limited exemptions from linearity testing of our gas monitors for quarters in which the unit operates for fewer than 168 hours. May I obtain a similar exemption from the Part 60, Appendix F quality assurance provisions for quarterly cylinder gas audits (which are similar to Part 75 linearity checks) for quarters in which the unit operates for fewer than 168 hours?

Answer: You may only obtain an exemption from the Part 60 cylinder gas audit (CGA) requirement if the regulations allow it or if the permitting authority allows it.

Generally speaking, the sources that are subject to the CEM quality assurance requirements of both Part 75, Appendix B and Part 60, Appendix F are fossil fuel-fired electricity generating units (EGUs) regulated under the Acid Rain Program (or the Clean Air Interstate Rule (CAIR)) and under NSPS Subpart Da or Db.

In past years, sources subject to both the Part 60 and Part 75 CEMS quality assurance provisions were required to meet the both sets of QA requirements unless, on a case-by-case basis the permitting authorities made exceptions. However, on June 13, 2007, EPA published the following revisions to Subparts Da and Db, harmonizing certain CEM provisions of Subparts Da and Db with Part 75 (see 72 FR 32710, et. seq., June 13, 2007):

- _ Subparts Da and Db now clearly allow the use of data from certified Part 75 monitoring systems to document compliance with the Part 60 SO₂ and NO_x emission limits.

- _ Part 75 monitor span values may be used in lieu of the Part 60 spans.

- _ With certain exceptions, the QA provisions in Part 75, Appendix B may be followed instead of Part 60, Appendix F. Among other things, this means that for SO₂ and NO_x monitors with span values > 30 ppm, and for all diluent gas monitors, Part 75 linearity checks may be performed instead of Part 60 CGAs.

- _ For SO₂ and NO_x monitors with span values ≤ 30 ppm, CGAs are still required, even though Part 75 linearity checks are not required for these span values.

Along with the revisions to Subparts Da and Db, an important change was made to the CGA provisions in Section 5.1.4 of Appendix F, Procedure 1 on June 13, 2007. The requirement to perform CGAs has been waived in non-operating quarters (i.e., calendar quarters with zero unit operating hours).

(Note: In the June 13, 2007 Federal Register notice, there were two typographical errors regarding the use of Part 75 QA in lieu of Part 60 QA, for daily calibrations of the CEMS. In §60.49Da(w)(2) of Subpart Da, the words "span values greater than 100 ppm" should have read, "span

values greater than *or equal to* 100 ppm". In §60.47b(e)(4)(i) of Subpart Db, the words "span values less than 100 ppm" should have read, "span values *greater than or equal to* 100 ppm". These errors were subsequently corrected in a January 28, 2009 Federal Register notice. See 54 FR 5083 and 5087. The corrections will first appear in the next CFR volume i.e., the one revised as of July 1, 2009).

References: 40 CFR §§ 60.49Da(b) – (d), 60.49Da(i)(3), 60.49Da(w), 60.47b(a), 60.48b(b), 60.48b(e), 60.47b(e); Part 60, Appendix F; Part 75, Appendix B, Section 2.2.3(f)

History: First published in March 2000, Update #12; revised in October 2003 Revised Manual; revised in 2013 Manual