

# Allowance for Process Monitors and Service Outage Time

Draft

## Introduction

Part 64 of the Code of Federal Regulations (CFR), as defined in the CAM Rule, requires monitoring, compliance certification, periodic reporting, and recordkeeping information collections by owners and operators of Title V sources [57 Fed. Reg. 32250-32312] (1992) (codified at 40 C.F.R. part 70) with controlled pollutant specific emissions units that have a pre-control potential to emit major amounts of regulated air pollution. Title V directs the Agency to implement monitoring and compliance certification requirements through the operating permits program. Section 503(b)(2) requires at least annual certifications of compliance with permit requirements and prompt reporting of deviations from permit requirements. Section 504(a) mandates that owners or operators submit to the permitting authority the results of any required monitoring at least every six months. This section also requires permits to include “such other conditions as are necessary to assure compliance with applicable requirements” of the Act. Section 504(b) of the Act also allows the Agency to prescribe, by rule, methods and procedures for determining compliance, and states that continuous emission monitoring systems need not be required if other methods or procedures provide sufficiently reliable and timely information for determining compliance. Under Section 504(c), each operating permit must “set forth inspection, entry, monitoring, compliance certification, and reporting requirements to assure compliance with the permit terms and conditions.”

Obtaining ongoing compliance under CAM includes monitoring by sources to determine continued assurance that the source’s control measures, once installed or otherwise employed, are properly operated and maintained so that they do not deteriorate to the point where the owner or operator fails to remain in compliance with applicable requirements. Among other things CAM establishes monitoring to document continued operation of the control measures within ranges of specified indicators of performance (such as emissions, control device parameters and process parameters) that are designed to provide a reasonable assurance of compliance with applicable requirements;

The EPA does not provide specific data availability requirements for parametric monitoring. However there are examples throughout EPA regulations and guidance documents that might suggest that data availability for continuous compliance range from 1 second for thermocouples to 75% uptime for mercury CEMs. Some states have also addressed the issue of periodic monitoring uptime and we have found there is a range of service time requirements.

### **Applicability**

Owners and/or operators of any permitted source operation that is required by the Department to demonstrate compliance using a process monitor.

### **Definitions:**

Process Monitor (PM): a permit required non-certified device that monitors, senses, and records (a) process parameter(s). Examples include, but are not limited to, the following: scrubber flowrate monitors, temperature monitors, feed rate monitors.

Service outage time: Time the process monitor is not operating while the permitted process is operating. This may also be referred to as downtime or when data is not available. This includes but may not be limited to quality assurance, routine maintenance activities, and other periods of downtime.

### **Requirements:**

The following operational and notification requirements must be complied with:

Process monitors must be operated at all times when the associated process equipment is operating except during service outage time not to exceed 24 hours per calendar quarter . The owner and/or operator must keep a service log on all process monitors and maintain a current summed quarterly service outage time in minutes. The log must include the date, time and length the PM was out of service. If the process monitor exceeds the quarterly service outage time the owner and/or operator must note the exceedence in the service log and notify the Regional Enforcement Office. At no time during any downtime shall the emission source be in violation of an emission standard or create an N.J.A.C. 7:27-5 violation

If required by the permit, the process monitor must be operated in accordance with a quality assurance program (protocol) approved by the Department.