

## § 75.23

(i) Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;

(ii) Approves the use of an equivalent method; or

(iii) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

(2) Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under Section 114 of the Act.

[58 FR 3701, Jan. 11, 1993, as amended at 60 FR 26528, May 17, 1995; 64 FR 28600, May 26, 1999; 67 FR 40433, June 12, 2002; 67 FR 53505, Aug. 16, 2002; 70 FR 28679, May 18, 2005; 73 FR 4345, Jan. 24, 2008; 76 FR 17310, Mar. 28, 2011]

## § 75.23 Alternatives to standards incorporated by reference.

(a) The designated representative of a unit may petition the Administrator for an alternative to any standard incorporated by reference and prescribed in this part in accordance with § 75.66(c).

(b) [Reserved]

[60 FR 26528, May 17, 1995]

## § 75.24 Out-of-control periods and adjustment for system bias.

(a) If an out-of-control period occurs to a monitor or continuous emission monitoring system, the owner or operator shall take corrective action and repeat the tests applicable to the "out-of-control parameter" as described in appendix B of this part.

(1) For daily calibration error tests, an out-of-control period occurs when the calibration error of a pollutant concentration monitor exceeds the applicable specification in section 2.1.4 of appendix B to this part.

(2) For quarterly linearity checks, an out-of-control period occurs when the error in linearity at any of three gas concentrations (low, mid-range, and high) exceeds the applicable specification in appendix A to this part.

(3) For relative accuracy test audits, an out-of-control period occurs when the relative accuracy exceeds the applicable specification in appendix A to this part.

(b) When a monitor or continuous emission monitoring system is out-of-control, any data recorded by the mon-

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itor or monitoring system are not quality-assured and shall not be used in calculating monitor data availabilities pursuant to § 75.32 of this part.

(c) When a monitor or continuous emission monitoring system is out-of-control, the owner or operator shall take one of the following actions until the monitor or monitoring system has successfully met the relevant criteria in appendices A and B of this part as demonstrated by subsequent tests:

(1) Apply the procedures for missing data substitution to emissions from affected unit(s); or

(2) Use a certified backup monitoring system or a reference method for measuring and recording emissions from the affected unit(s); or

(3) Adjust the gas discharge paths from the affected unit(s) with emissions normally observed by the out-of-control monitor or monitoring system so that all exhaust gases are monitored by a certified monitor or monitoring system meeting the requirements of appendices A and B of this part.

(d) When the bias test indicates that an SO<sub>2</sub> monitor, a flow monitor, a NO<sub>x</sub>-diluent continuous emission monitoring system, or a NO<sub>x</sub> concentration monitoring system used to determine NO<sub>x</sub> mass emissions, as defined in § 75.71(a)(2), is biased low (*i.e.*, the arithmetic mean of the differences between the reference method value and the monitor or monitoring system measurements in a relative accuracy test audit exceed the bias statistic in section 7 of appendix A to this part), the owner or operator shall adjust the monitor or continuous emission monitoring system to eliminate the cause of bias such that it passes the bias test or calculate and use the bias adjustment factor as specified in section 2.3.4 of appendix B to this part.

(e) The owner or operator shall determine if a continuous opacity monitoring system is out-of-control and shall take appropriate corrective actions according to the procedures specified for State Implementation Plans, pursuant to appendix M of part 51 of this chapter. The owner or operator shall comply with the monitor data availability requirements of the State. If the State has no monitor data availability requirements for continuous

opacity monitoring systems, then the owner or operator shall comply with the monitor data availability requirements as stated in the data capture provisions of appendix M, part 51 of this chapter.

[58 FR 3701, Jan. 11, 1993, as amended at 60 FR 26528, May 17, 1995; 64 FR 28600, May 26, 1999; 67 FR 40433, June 12, 2002; 70 FR 28680, May 18, 2005; 76 FR 17311, Mar. 28, 2011]

### Subpart D—Missing Data Substitution Procedures

#### § 75.30 General provisions.

(a) Except as provided in § 75.34, the owner or operator shall provide substitute data for each affected unit using a continuous emission monitoring system according to the missing data procedures in this subpart whenever the unit combusts any fuel and:

(1) A valid, quality-assured hour of SO<sub>2</sub> concentration data (in ppm) has not been measured and recorded for an affected unit by a certified SO<sub>2</sub> pollutant concentration monitor, or by an approved alternative monitoring method under subpart E of this part, except as provided in paragraph (d) of this section; or

(2) A valid, quality-assured hour of flow data (in scfh) has not been measured and recorded for an affected unit from a certified flow monitor, or by an approved alternative monitoring system under subpart E of this part; or

(3) A valid, quality-assured hour of NO<sub>x</sub> emission rate data (in lb/mmBtu) has not been measured or recorded for an affected unit, either by a certified NO<sub>x</sub>-diluent continuous emission monitoring system or by an approved alternative monitoring system under subpart E of this part; or

(4) A valid, quality-assured hour of CO<sub>2</sub> concentration data (in percent CO<sub>2</sub>, or percent O<sub>2</sub> converted to percent CO<sub>2</sub> using the procedures in appendix F to this part) has not been measured and recorded for an affected unit, either by a certified CO<sub>2</sub> continuous emission monitoring system or by an approved alternative monitoring method under subpart E of this part; or

(5) A valid, quality-assured hour of NO<sub>x</sub> concentration data (in ppm) has not been measured or recorded for an affected unit, either by a certified NO<sub>x</sub>

concentration monitoring system used to determine NO<sub>x</sub> mass emissions, as defined in § 75.71(a)(2), or by an approved alternative monitoring system under subpart E of this part; or

(6) A valid, quality-assured hour of CO<sub>2</sub> or O<sub>2</sub> concentration data (in percent CO<sub>2</sub>, or percent O<sub>2</sub>) used for the determination of heat input has not been measured and recorded for an affected unit, either by a certified CO<sub>2</sub> or O<sub>2</sub> diluent monitor, or by an approved alternative monitoring method under subpart E of this part; or

(7) A valid, quality-assured hour of moisture data (in percent H<sub>2</sub>O) has not been measured or recorded for an affected unit, either by a certified moisture monitoring system or an approved alternative monitoring method under subpart E of this part. This requirement does not apply when a default percent moisture value, as provided in §§ 75.11(b) or 75.12(b), is used to account for the hourly moisture content of the stack gas; or

(8) A valid, quality-assured hour of heat input rate data (in mmBtu/hr) has not been measured and recorded for a unit from a certified flow monitor and a certified diluent (CO<sub>2</sub> or O<sub>2</sub>) monitor or by an approved alternative monitoring system under subpart E of this part.

(b) However, the owner or operator shall have no need to provide substitute data according to the missing data procedures in this subpart if the owner or operator uses SO<sub>2</sub>, CO<sub>2</sub>, NO<sub>x</sub>, or O<sub>2</sub> concentration, flow rate, percent moisture, or NO<sub>x</sub> emission rate data recorded from either a certified redundant or regular non-redundant backup CEMS, a like-kind replacement non-redundant backup analyzer, or a backup reference method monitoring system when the certified primary monitor is not operating or is out-of-control. A redundant or non-redundant backup continuous emission monitoring system must have been certified according to the procedures in § 75.20 prior to the missing data period. Non-redundant backup continuous emission monitoring system must pass a linearity check (for pollutant concentration monitors) or a calibration error test (for flow monitors) prior to each period of use of the certified backup monitor