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approved by the Administrator, in consultation with the permitting authority.

(2) Notwithstanding paragraph (h)(1) of this section, petitions requesting an alternative to a requirement concerning any additional CEMS required solely to meet the common stack provisions of § 75.72 shall be submitted to the permitting authority and the Administrator and shall be governed by paragraph (h)(3)(ii) of this section. Such a petition shall meet the requirements of § 75.66 and any additional requirements established by an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart.

(3)(i) The designated representative of an affected unit that is not subject to an Acid Rain emissions limitation may submit a petition to the permitting authority and the Administrator requesting an alternative to any requirement of this subpart. Such a petition shall meet the requirements of § 75.66 and any additional requirements established by an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart.

(ii) Use of an alternative to any requirement of this subpart is in accordance with this subpart only to the extent that it is approved by the Administrator and by the permitting authority if required by an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart.

[63 FR 57507, Oct. 27, 1998, as amended at 64 FR 28624, May 26, 1999; 67 FR 40444, June 12, 2002]

§ 75.71 Specific provisions for monitoring NO_x and heat input for the purpose of calculating NO_x mass emissions.

(a) *Coal-fired units.* The owner or operator of a coal-fired affected unit shall either:

(1) Meet the general operating requirements in § 75.10 for a NO_x-diluent continuous emission monitoring system (consisting of a NO_x pollutant concentration monitor, an O₂ or CO₂ diluent gas monitor, and a data acquisition and handling system) to measure NO_x emission rate and for a flow monitoring system and an O₂ or CO₂ diluent gas monitoring system to measure heat input rate, except as provided in accordance with subpart E of this part; or

(2) Meet the general operating requirements in § 75.10 for a NO_x concentration monitoring system (consisting of a NO_x pollutant concentration monitor and a data acquisition and handling system) to measure NO_x concentration and for a flow monitoring system. In addition, if heat input is required to be reported under the applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart, the owner or operator also must meet the general operating requirements for a flow monitoring system and an O₂ or CO₂ monitoring system to measure heat input rate. These requirements must be met, except as provided in accordance with subpart E of this part.

(b) *Moisture correction.* (1) If a correction for the stack gas moisture content is needed to properly calculate the NO_x emission rate in lb/mmBtu (e.g., if the NO_x pollutant concentration monitor in a NO_x-diluent monitoring system measures on a different moisture basis from the diluent monitor), or to calculate the heat input rate, the owner or operator of an affected unit shall account for the moisture content of the flue gas on a continuous basis in accordance with § 75.12(b).

(2) If a correction for the stack gas moisture content is needed to properly calculate NO_x mass emissions in tons, in the case where a NO_x concentration monitoring system which measures on a dry basis is used with a flow rate monitor to determine NO_x mass emissions, the owner or operator of an affected unit shall account for the moisture content of the flue gas on a continuous basis in accordance with § 75.11(b) except that the term “SO₂” shall be replaced by the term “NO_x.”

(3) If a correction for the stack gas moisture content is needed to properly calculate NO_x mass emissions, in the case where a diluent monitor that measures on a dry basis is used with a flow rate monitor to determine heat input rate, which is then multiplied by the NO_x emission rate, the owner or

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operator shall install, operate, maintain, and quality assure a continuous moisture monitoring system, as described in § 75.11(b).

(c) *Gas-fired nonpeaking units or oil-fired nonpeaking units.* The owner or operator of an affected unit that, based on information submitted by the designated representative in the monitoring plan, qualifies as a gas-fired or oil-fired unit but not as a peaking unit, as defined in § 72.2 of this chapter, shall either:

(1) Meet the requirements of paragraph (a) of this section and, if applicable, paragraph (b) of this section; or

(2) Meet the general operating requirements in § 75.10 for a NO_x-diluent continuous emission monitoring system, except as provided in accordance with subpart E of this part, and use the procedures specified in appendix D to this part for determining hourly heat input rate. However, for a common pipe configuration, the heat input rate apportionment provisions in section 2.1.2 of appendix D to this part shall not be used to meet the NO_x mass reporting provisions of this subpart, unless all of the units served by the common pipe are affected units and have similar efficiencies; or

(3) Meet the requirements of the low mass emission excepted methodology under paragraph (e)(2) of this section and under § 75.19, if applicable.

(d) *Gas-fired or oil-fired peaking units.* The owner or operator of an affected unit that qualifies as a peaking unit and as either gas-fired or oil-fired, as defined in § 72.2 of this chapter, based on information submitted by the designated representative in the monitoring plan, shall either:

(1) Meet the requirements of paragraph (c) of this section; or

(2) Use the procedures in appendix D to this part for determining hourly heat input and the procedure specified in appendix E to this part for estimating hourly NO_x emission rate. However, for a common pipe configuration, the heat input apportionment provisions in section 2.1.2 of appendix D to this part shall not be used to meet the NO_x mass reporting provisions of this subpart unless all of the units served by the common pipe are affected units and have similar efficiencies. In addition,

if after certification of an excepted monitoring system under appendix E to this part, the operation of a unit that reports emissions on an annual basis under § 75.74(a) of this part exceeds a capacity factor of 20.0 percent in any calendar year or exceeds an annual capacity factor of 10.0 percent averaged over three years, or the operation of a unit that reports emissions on an ozone season basis under § 75.74(b) of this part exceeds a capacity factor of 20.0 percent in any ozone season or exceeds an ozone season capacity factor of 10.0 percent averaged over three years, the owner or operator shall meet the requirements of paragraph (c)(1) or (c)(2) of this section by no later than December 31 of the following calendar year. If the required CEMS are not installed and certified by that date, the owner or operator shall report hourly NO_x mass emissions as the product of the maximum potential NO_x emission rate (MER) and the maximum hourly heat input of the unit (as defined in § 72.2 of this chapter), starting with the first unit operating hour after the deadline and continuing until the CEMS are provisionally certified.

(e) *Low mass emissions units.* Notwithstanding the requirements of paragraphs (c) and (d) of this section, for an affected unit using the low mass emissions (LME) unit under § 75.19 to estimate hourly NO_x emission rate, heat input and NO_x mass emissions, the owner or operator shall calculate the ozone season NO_x mass emissions by summing all of the estimated hourly NO_x mass emissions in the ozone season, as determined under § 75.19 (c)(4)(ii)(A), and dividing this sum by 2000 lb/ton.

(f) *Other units.* The owner or operator of an affected unit that combusts wood, refuse, or other materials shall comply with the monitoring provisions specified in paragraph (a) of this section and, where applicable, paragraph (b) of this section.

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