

emission limit for NO₂ shall be determined by using valid data that is quality assured in accordance with the requirements of this paragraph. (ii) If a valid NO_x pounds per hour or heat input is not available for any hour for a unit, that heat input and NO_x pounds per hour shall not be used in the calculation of the unit-wide rolling 30 successive boiler operating day average. Each unit shall obtain at least 90 percent hours of data over each calendar quarter. 40 CFR part 60 Appendix A Reference Methods may be used to supplement the part 75 monitoring.

(iii) Upon the effective date of the unit-wide NO_x limit, the owner or operator shall have installed CEMS software that meets with the requirements of this section for measuring NO₂ pounds per hour and calculating the unit-wide 30 successive boiler operating day average as required in paragraph (f)(2) of this section.

(iv) Upon the completion of installation of ammonia injection on any of the three units, the owner or operator shall install, and thereafter maintain and operate, instrumentation to continuously monitor and record levels of ammonia consumption for that unit.

(5) *Notifications.* (i) The owner or operator shall notify EPA within two weeks after completion of installation of combustion controls or ammonia injection on any of the units subject to this section.

(ii) The owner or operator shall also notify EPA of initial start-up of any equipment for which notification was given in paragraph (f)(5)(i) of this section.

(6) *Equipment Operations.* After completion of installation of ammonia injection on any of the three units, the owner or operator shall inject sufficient ammonia to minimize the NO_x emissions from that unit while preventing excessive ammonia emissions.

(7) *Recordkeeping.* The owner or operator shall maintain the following records for at least five years: (i) For each unit, CEMS data measuring NO_x in lb/hr, heat input rate per hour, the daily calculation of the unit-wide 30 successive boiler operating day rolling lb NO₂/MMBtu emission rate as required in paragraph (f)(2) of this section. (ii) Records of the relative accu-

racy test for NO_x lb/hr measurement and hourly heat input

(iii) Records of ammonia consumption for each unit, as recorded by the instrumentation required in paragraph (f)(4)(iv) of this section.

(8) *Reporting.* Reports and notifications shall be submitted to the Director of Enforcement Division, U.S. EPA Region IX, at 75 Hawthorne Street, San Francisco, CA 94105. Within 30 days of the end of each calendar quarter after the effective date of this section, the owner or operator shall submit a report that lists the unit-wide 30 successive boiler operating day rolling lb NO₂/MMBtu emission rate for each day. Included in this report shall be the results of any relative accuracy test audit performed during the calendar quarter.

(9) *Enforcement.* Notwithstanding any other provision in this implementation plan, any credible evidence or information relevant as to whether the unit would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed, can be used to establish whether or not the owner or operator has violated or is in violation of any standard or applicable emission limit in the plan.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 67 FR 6133, Feb. 8, 2002; 69 FR 54019, Sept. 7, 2004; 77 FR 17341, Mar. 26, 2012; 77 FR 50951, Aug. 23, 2012]

§ 52.1489 Particulate matter (PM-10) Group II SIP commitments.

(a) On March 29, 1989, the Air Quality Officer for the State of Nevada submitted a revision to the State Implementation Plan for Battle Mountain that contains commitments, for implementing all of the required activities including monitoring, reporting, emission inventory, and other tasks that may be necessary to satisfy the requirements of the PM-10 Group II SIPs.

(b) The Nevada Division of Environmental Protection has committed to comply with the PM-10 Group II, State Implementation Plan (SIP) requirements.

[55 FR 18111, May 1, 1990]