

## Environmental Protection Agency

## § 75.5

fuel is installed and the required certification tests for excepted monitoring systems are completed by no later than 30 unit operating days after the first date after January 1, 1995 that the unit combusts emergency fuel. For all unit operating hours that the unit combusts emergency fuel after January 1, 1995 until the owner or operator installs a flowmeter for emergency fuel and successfully completes all required certification tests, the owner or operator shall determine and report SO<sub>2</sub> mass emission data using either:

(1) The maximum potential fuel flow rate, as described in appendix D of this part, and the maximum sulfur content of the fuel, as described in section 2.1.1.1 of appendix A of this part;

(2) Reference methods under § 75.22(b) of this part; or

(3) Another procedure approved by the Administrator pursuant to a petition under § 75.66.

(h) [Reserved]

(i) In accordance with § 75.20, the owner or operator of each affected unit at which SO<sub>2</sub> concentration is measured on a dry basis or at which moisture corrections are required to account for CO<sub>2</sub> emissions, NO<sub>x</sub> emission rate in lb/mmBtu, heat input, or NO<sub>x</sub> mass emissions for units in a NO<sub>x</sub> mass reduction program, shall ensure that the continuous moisture monitoring system required by this part is installed and that all applicable initial certification tests required under § 75.20(c)(5), (c)(6), or (c)(7) for the continuous moisture monitoring system are completed no later than the following dates:

(1) April 1, 2000, for a unit that is existing and has commenced commercial operation by January 2, 2000;

(2) For a new affected unit which has not commenced commercial operation by January 2, 2000, 90 unit operating days or 180 calendar days (whichever occurs first) after the date the unit commences commercial operation; or

(3) For an existing unit that is shut-down and is not yet operating by April 1, 2000, 90 unit operating days or 180 calendar days (whichever occurs first) after the date that the unit recommences commercial operation.

(j) If the certification tests required under paragraph (b) or (c) of this sec-

tion have not been completed by the applicable compliance date, the owner or operator shall determine and report SO<sub>2</sub> concentration, NO<sub>x</sub> emission rate, CO<sub>2</sub> concentration, and flow rate data for all unit operating hours after the applicable compliance date in this paragraph until all required certification tests are successfully completed using either:

(1) The maximum potential concentration of SO<sub>2</sub>, as defined in section 2.1.1.1 of appendix A to this part, the maximum potential NO<sub>x</sub> emission rate, as defined in § 72.2 of this chapter, the maximum potential flow rate, as defined in section 2.1.4.1 of appendix A to this part, or the maximum potential CO<sub>2</sub> concentration, as defined in section 2.1.3.1 of appendix A to this part;

(2) Reference methods under § 75.22(b); or

(3) Another procedure approved by the Administrator pursuant to a petition under § 75.66.

[60 FR 17131, Apr. 4, 1995, as amended at 60 FR 26516, May 17, 1995; 63 FR 57499, Oct. 27, 1998; 64 FR 28588, May 26, 1999; 67 FR 40421, June 12, 2002; 73 FR 4340, Jan. 24, 2008; 76 FR 17306, Mar. 28, 2011; 76 FR 50132, Aug. 12, 2011]

### § 75.5 Prohibitions.

(a) A violation of any applicable regulation in this part by the owners or operators or the designated representative of an affected source or an affected unit is a violation of the Act.

(b) No owner or operator of an affected unit shall operate the unit without complying with the requirements of §§ 75.2 through 75.75 and appendices A through G to this part.

(c) No owner or operator of an affected unit shall use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained the Administrator's prior written approval in accordance with §§ 75.23, 75.48 and 75.66.

(d) No owner or operator of an affected unit shall operate the unit so as to discharge, or allow to be discharged, emissions of SO<sub>2</sub>, NO<sub>x</sub> or CO<sub>2</sub> to the atmosphere without accounting for all such emissions in accordance with the provisions of §§ 75.10 through 75.19.

## § 75.6

## 40 CFR Ch. I (7-1-14 Edition)

(e) No owner or operator of an affected unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording SO<sub>2</sub>, NO<sub>x</sub>, or CO<sub>2</sub> emissions discharged to the atmosphere, except for periods of recertification, or periods when calibration, quality assurance, or maintenance is performed pursuant to § 75.21 and appendix B of this part.

(f) No owner or operator of an affected unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, the continuous opacity monitoring system, or any other approved emission monitoring system under this part, except under any one of the following circumstances:

(1) During the period that the unit is covered by an approved retired unit exemption under § 72.8 of this chapter that is in effect; or

(2) The owner or operator is monitoring emissions from the unit with another certified monitoring system or an excepted methodology approved by the Administrator for use at that unit that provides emissions data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(3) The designated representative submits notification of the date of recertification testing of a replacement monitoring system in accordance with §§ 75.20 and 75.61, and the owner or operator recertifies thereafter a replacement monitoring system in accordance with § 75.20.

[58 FR 3701, Jan. 11, 1993, as amended at 58 FR 40747, July 30, 1993; 60 FR 26517, May 17, 1995; 64 FR 28589, May 26, 1999]

### § 75.6 Incorporation by reference.

The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they existed on the date of approval, and a notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for pur-

chase at the corresponding address noted below and are available for inspection at the Public Information Reference Unit of the U.S. EPA, 401 M St., SW., Washington, DC and at the Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(a) The following materials are available for purchase from the following address: American Society for Testing and Material (ASTM) International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania, 19428-2959, phone: 610-832-9585, [http://www.astm.org/DIGITAL\\_LIBRARY/index.shtml](http://www.astm.org/DIGITAL_LIBRARY/index.shtml).

(1) ASTM D129-00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), for appendices A and D of this part.

(2) D240-00, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, for appendices A, D and F of this part.

(3) ASTM D287-92 (Reapproved 2000), Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method), for appendix D of this part.

(4) ASTM D388-99, Standard Classification of Coals by Rank, incorporation by reference for appendix F of this part.

(5) [Reserved]

(6) ASTM D1072-06, Standard Test Method for Total Sulfur in Fuel Gases by Combustion and Barium Chloride Titration, for appendix D of this part.

(7) ASTM D1217-993 (Reapproved 1998), Standard Test Method for Density and Relative Density (Specific Gravity) of Liquids by Bingham Pycnometer, for appendix D of this part.

(8) ASTM D1250-07, Standard Guide for Use of the Petroleum Measurement Tables, for appendix D of this part.

(9) ASTM D1298-99, Standard Test Method for Density, Relative Density (Specific Gravity) or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method, for appendix D of this part.