

Section 14.0 Source Surveillance
14.1 Emission Reports and Record keeping
14.2 Testing, enforcement, inspection and complaints

- (1) A request for designation as a synthetic minor source shall include:
- (a) The identification and description of all existing emission units at the source;
 - (b) The calculation of each emission unit's maximum annual and maximum monthly emissions of regulated air pollutants for all operating scenarios to be permitted, including any existing federally-enforceable limits established by a mechanism other than this rule;
 - (c) Proposed federally enforceable conditions which:
 - (i) Limit source-wide emissions to below major source thresholds; and
 - (ii) Are permanent, quantifiable, and otherwise enforceable as a practical matter;
 - (d) Proposed federally enforceable conditions to impose monitoring, record keeping, and reporting requirements sufficient to determine compliance;
 - (e) Any additional information requested by the Air Quality Program; and
 - (f) Certification by a responsible official that the contents of the request are true, accurate, and complete.
- (2) The owner or operator of a major source who chooses to request synthetic minor source status shall make such a request within the following timeframes:
- (a) For any major source that is operating or is scheduled to commence operating on the effective date of this TIP, the owner or operator shall request synthetic minor source status no later than 60 days from the effective date of this Plan.
 - (b) For any major source that commences operating after the effective date of this TIP, the owner or operator shall request synthetic minor source status no later than 180 days prior to commencing operation.
- (3) The Air Quality Program shall determine if the request for synthetic minor status is complete within 30 days of receipt, unless a longer period of time is agreed upon by the Air Quality Program and the source's owner or operator.
- (4) Federally-enforceable conditions enabling a source to become a synthetic minor source shall be identified as federally enforceable and included in a source's operating permit issued by the Air Quality Program, and shall be:
- (a) Permanent, quantifiable, and practically enforceable permit conditions, including any operational limitations or conditions, which limit the source's potential to emit to below major source thresholds;
 - (b) Monitoring, record keeping, and reporting conditions sufficient to determine on-going compliance with the emission limits; and

14.3 Continuous Emissions Monitoring

14.1 Emission Reports and Record keeping

(1) Emission Reports shall include the following:

(a) Certification by a duly authorized representative. A duly authorized representative must sign a form provided by the Department to verify the truth, accuracy, and completeness of the emission statement. This certification shall state that, based on information and belief formed after reasonable inquiry by the duly authorized representative, the statements and information in the document are true, accurate, and complete. The certification shall include the full name, title, original signature, date of signature and telephone number of the duly authorized representative.

(b) Facility level information, consisting of:

- (i) verification of full name of facility;
- (ii) verification of parent company name;
- (iii) verification of street address (physical location) of the facility;
- (iv) verification of four digit SIC Plan(s) for the facility;
- (v) calendar year reportable emissions;
- (vi) total facility fuel use and fuel sulfur content and heat value (for combustion installations); and
- (vii) fugitive emissions.

(c) Emission point level information, consisting of:

- (i) average hours of operation per day (peak ozone and carbon monoxide seasons);
- (ii) average days of operation per week (peak ozone and carbon monoxide seasons);
- (iii) weeks of operation per year (seasonal and annual);
- (iv) hours of operation per year;
- (v) percentage annual throughput (percentage of annual activity by season); and
- (vi) verification of latitude and longitude.

(d) Process level information, consisting of:

- (i) maximum heat input (for combustion installations);
- (ii) quantity of fuels consumed (for combustion installations);
- (iii) estimated actual annual reportable emissions, for each air regulated air pollutant emitted, (in units of pounds per year);
- (iv) estimated emissions method (see subdivision 202-2.4(b) of this subsection);

- (v) emission factor(s) (if used to determine actual emissions);
- (vi) primary and secondary control equipment identification Plan(s);
- (vii) control efficiencies achieved by the control equipment. The control efficiency should reflect the total control efficiency from all control equipment for a specific criteria group (e.g., VOCs and NOx). If the actual control efficiency is unavailable, the design efficiency or the control efficiency limit imposed by a permit shall be used;
- (viii) annual process rate;
- (ix) peak ozone season daily process rate.

(e) Petroleum, volatile organic liquid, and fuel storage and distribution facilities must provide the following additional information:

- (i) tank capacity (including maximum and average liquid height, and working volume);
- (ii) throughput associated with tanks and loading racks (including turnovers per year).

(2) Emission Reporting Methods and Procedures.

Emission reports shall be submitted to the Air Quality Program on or before March 1 each year for emissions of the previous calendar year. Emissions estimates shall be based on the owner or operator's use of the following methods. If a source owner or operator is required to use a specific monitoring method to demonstrate compliance with other applicable requirements, the Air Quality Program may require that the emission estimates for the corresponding processes be based on information obtained from that monitoring method. The Air Quality Program may reject use of a proposed method for a particular process if it can be demonstrated that the method does not represent actual emissions.

- (a) stack samples or other emission measurements;
- (b) material balance using knowledge of the process;
- (c) US EPA Air Pollution-42 emission factors; and
- (d) best engineering judgment (including manufacturers' guarantees).

(3) Record keeping

The owner or operator of any facility subject to this Section must maintain all required records on-site for a period of five years and make them available to representatives of the Air Quality Program upon request. Program representatives must be granted access to any facility regulated by this Section, during normal operating hours, for the purpose of determining compliance with this and any other tribal and federal air pollution control requirements, regulations or law.

14.2 Testing, enforcement, inspection and complaints

(1) For the purpose of ascertaining compliance or non-compliance with any air pollution control Plan, rule or regulation, the Air Quality Program requires the source owner or operator to submit an acceptable report of measured emissions within 30 days of testing. The source owner or operator shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the Air Quality Program within the stated time shall be sufficient reason for the Air Quality Program to suspend or deny an operating permit. In the event a source owner or operator can demonstrate to the Air Quality Program such time is not sufficient, he may request an extension in writing and be granted a 30-day extension.

(2) A source owner or operator who is required to submit a stack test report shall notify the Air Quality Program, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used for the stack test including sampling and analytical procedures. The source owner or operator shall allow the Air Quality Program, or a representative, free access to observe the stack testing being conducted. No person shall conceal an emission by the use of air or other gaseous diluent to achieve compliance with an emission standard, which is based on the concentration of a contaminant in the gases, emitted through a stack.

(3) Emission testing, sampling and analytical determinations to ascertain compliance with this Section shall be conducted in accordance with test methods acceptable to the Air Quality Program. The Reference Methods contained in 40 CFR Section 60 Appendix A and 40 CFR Section 61 Appendix B shall be considered as acceptable test methods for those sources and contaminants for which they are expressly applicable.

(4) Enforcement of these rules and regulations shall be performed by the St. Regis Mohawk Conservation Officers. The Conservation Officers will also be responsible for inspecting the facilities based on any complaints received. Findings shall be recorded and a copy given to both the facility and the Air Quality Program. Air Quality Program representatives will be responsible for annual facility inspections and any unannounced audits.

(5) For the purpose of ascertaining compliance or noncompliance with any air pollution control Plan, rule or regulation, the Air Quality Program may conduct separate or additional emission tests on behalf of the Tribe. A source owner or operator shall provide sampling holes, scaffolding and other pertinent equipment required for emission testing. The facility shall bear the costs of such equipment.

14.3 Continuous Emissions Monitoring

(1) The owner and operator of any source subject to this section shall be required to install and operate CEMS on each affected unit at the source, and to quality assure the data for sulfur dioxide, nitrogen oxides, opacity and volumetric flow at each such unit.

(2) CEM is the continuous measurement of pollutants emitted into the atmosphere in exhaust gases from combustion or industrial processes. CEM systems include:

- (a) An SO₂ pollutant concentration monitor;
- (b) A NO_x pollutant concentration monitor;
- (c) A volumetric flow monitor;
- (d) An opacity monitor;
- (e) A diluent gas (O₂ or CO₂) monitor; or
- (f) A computer-based data acquisition and handling system for recording and performing calculations with the data.

(3) All units over 25 megawatts and new units under 25 megawatts that use fuel with a sulfur content greater than 0.05 percent by weight are required to measure and report emissions under this Section. The new units under 25 megawatts using clean fuels are required to certify their eligibility for an exemption every five years. The following is monitoring methods requirements and options:

(a) All existing coal-fired units serving a generator greater than 25 megawatts and all new coal units must use CEMs for SO₂, NO_x, flow and opacity.

(b) Units burning natural gas may determine SO₂ mass emissions by:

- (1) measuring heat input with a gas flow meter and using a default emission rate;
- (2) sampling and analyzing gas daily for sulfur and using the volume of gas combusted; or
- (3) using CEMs.

(c) Units burning oil may monitor SO₂ mass emissions by one of the following methods:

- (i) Daily manual oil sampling and analysis plus oil flow meter;
- (ii) Sampling and analysis of diesel fuel oil as delivered plus oil flow meter;
- (iii) Automatic continuous oil sampling plus oil flow meter;
- (iv) SO₂ and flow CEMs.

(d) Gas-fired and oil-fired base-loaded units must use NO_x CEMs.

(e) Gas-fired peaking units and oil-fired peaking units may either estimate NO_x emissions by using site-specific emission correlations and periodic stack testing to verify continued representativeness of the correlations, or use NO_x CEMs.

(f) All gas-fired units using natural gas for at least 90 percent of their annual heat input and units burning diesel fuel oil are exempt from opacity monitoring.

(g) For CO₂ all units can use either (i) a mass balance estimation or (ii) CO₂ CEMs or (iii) O₂ CEMs in order to estimate CO₂ emissions.

If a unit's operation or fuel use changes so that accepted monitoring methods no longer apply, the unit would become subject to CEMS monitoring requirements in the following calendar year.

Not later than thirty-six months after enactment of the TIP, the owner or operator of each affected unit under Section 13.3.3, shall install and operate CEMS, quality assure the data, and keep records and reports in accordance with the regulations issued under subsections 13.3.1, 13.3.4, 13.3.5, and 13.3.6 of this Section.

(4) Emissions Calculated for Periods of Missing Data

Annual Availability (%) of Monitor or System*	Number of Hours Missing (N)	Value Substituted for Each Missing Hour
Greater than or equal to 95%	N is less than or equal to 24 hours	Average of the hours recorded before and after missing period
	N is greater than 24 hours	90th percentile value recorded in previous 30 days of service or the before/after value, whichever is greater
Less than 95% but greater than or equal to 90%	N is less than or equal to 8 hours	Average of the hours recorded before and after missing period
	N is greater than 8 hours	95th percentile value recorded in previous 30 days of service or the before/after value, whichever is greater
Less than 90%	N is greater than 0 hours	Maximum value recorded in previous 30** days of service

(5) Certification Requirements

The TIP requires the following performance certification tests for CEM systems:

- (a) A 7-day calibration error test for each monitor;
- (b) A linearity check for each pollutant concentration monitor;
- (c) A relative accuracy test audit for each monitor;
- (d) A bias test for each SO₂ pollutant concentration monitor, flow monitor, and the NO_x CEM system;
- (e) A cycle time test for each pollutant concentration monitor;
- (f) A daily interference test for flow monitors;
- (g) An accuracy test is required for fuel flow meters; and
- (h) A stack test is required for a NO_x emission correlation for gas- and oil-fired peaking unit.

(6) Quality Assurance/Quality Control