

(iii) When the opt-in source becomes an affected unit under §72.6 of this chapter; or

(iv) When the opt-in source fails to renew its opt-in permit.

(2) An opt-in allowance may not be deducted under paragraph (a)(1) of this section from any Allowance Tracking System Account other than the account of the opt-in source allocated such allowance:

(i) After the Administrator has completed the process of recordation as set forth in §73.34(a) of this chapter following the deduction of allowances from the opt-in source's compliance subaccount for the year for which such allowance may first be used; or

(ii) If the opt-in source includes in the annual compliance certification report estimates of any reduction in heat input resulting from improved efficiency under §74.44(a)(1)(i), after the Administrator has completed action on the confirmation report concerning such estimated reduction pursuant to §74.44(c)(2)(iii)(E)(3), (4), and (5) for the year for which such allowance may first be used.

(b) *Method of deduction.* The Administrator will deduct allowances beginning with those allowances with the latest recorded date of transfer out of the opt-in source's unit account.

(c) *Notification of deduction.* When allowances are deducted, the Administrator will send a written notification to the authorized account representative of each Allowance Tracking System account from which allowances were deducted. The notification will state:

(1) The serial numbers of all allowances deducted from the account,

(2) The reason for deducting the allowances, and

(3) The date of deduction of the allowances.

(d) *Amount of deduction.* The Administrator may deduct allowances in accordance with paragraph (a) of this section in an amount required to offset any excess emissions in accordance with part 77 of this chapter and when an opt-in source does not hold allowances equal in number to and with the same or earlier compliance use date for the calendar years specified under §74.46(b)(1) (i) through (iv) in an

amount required to be deducted under §74.46(b)(1) (i) through (iv).

[60 FR 17115, Apr. 4, 1995, as amended at 63 FR 18842, Apr. 16, 1998]

## Subpart F—Monitoring Emissions: Combustion Sources

### §74.60 Monitoring requirements.

(a) *Monitoring requirements for combustion sources.* The owner or operator of each combustion source shall meet all of the requirements specified in part 75 of this chapter for the owners and operators of an affected unit to install, certify, operate, and maintain a continuous emission monitoring system, an excepted monitoring system, or an approved alternative monitoring system in accordance with part 75 of this chapter.

(b) *Monitoring requirements for opt-in sources.* The owner or operator of each opt-in source shall install, certify, operate, and maintain a continuous emission monitoring system, an excepted monitoring system, an approved alternative monitoring system in accordance with part 75 of this chapter.

### §74.61 Monitoring plan.

(a) *Monitoring plan.* The designated representative of a combustion source shall meet all of the requirements specified under part 75 of this chapter for a designated representative of an affected unit to submit to the Administrator a monitoring plan that includes the information required in a monitoring plan under §75.53 of this chapter. This monitoring plan shall be submitted as part of the combustion source's opt-in permit application under §74.14 of this part.

(b) [Reserved]

## Subpart G—Monitoring Emissions: Process Sources [Reserved]

## PART 75—CONTINUOUS EMISSION MONITORING

### Subpart A—General

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APPENDIX A TO PART 75—SPECIFICATIONS AND TEST PROCEDURES

APPENDIX B TO PART 75—QUALITY ASSURANCE AND QUALITY CONTROL PROCEDURES

APPENDIX C TO PART 75—MISSING DATA ESTIMATION PROCEDURES

APPENDIX D TO PART 75—OPTIONAL SO<sub>2</sub> EMISSIONS DATA PROTOCOL FOR GAS-FIRED AND OIL-FIRED UNITS

APPENDIX E TO PART 75—OPTIONAL NO<sub>x</sub> EMISSIONS ESTIMATION PROTOCOL FOR GAS-FIRED PEAKING UNITS AND OIL-FIRED PEAKING UNITS

APPENDIX F TO PART 75—CONVERSION PROCEDURES

APPENDIX G TO PART 75—DETERMINATION OF CO<sub>2</sub> EMISSIONS

APPENDIX H TO PART 75—REVISED TRACEABILITY PROTOCOL NO. 1 [RESERVED]

APPENDIX I TO PART 75—OPTIONAL F—FACTOR/FUEL FLOW METHOD [RESERVED]

APPENDIX J TO PART 75—COMPLIANCE DATES FOR REVISED RECORDKEEPING REQUIREMENTS AND MISSING DATA PROCEDURES [RESERVED]

## Environmental Protection Agency

## § 75.3

AUTHORITY: 42 U.S.C. 7601 and 7651K, and 7651K note.

SOURCE: 58 FR 3701, Jan. 11, 1993, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 75 appear at 67 FR 40476, June 12, 2002.

### Subpart A—General

#### § 75.1 Purpose and scope.

(a) *Purpose.* The purpose of this part is to establish requirements for the monitoring, recordkeeping, and reporting of sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and carbon dioxide (CO<sub>2</sub>) emissions, volumetric flow, and opacity data from affected units under the Acid Rain Program pursuant to sections 412 and 821 of the CAA, 42 U.S.C. 7401-7671q as amended by Public Law 101-549 (November 15, 1990) [the Act]. In addition, this part sets forth provisions for the monitoring, recordkeeping, and reporting of NO<sub>x</sub> mass emissions with which EPA, individual States, or groups of States may require sources to comply in order to demonstrate compliance with a NO<sub>x</sub> mass emission reduction program, to the extent these provisions are adopted as requirements under such a program.

(b) *Scope.* (1) The regulations established under this part include general requirements for the installation, certification, operation, and maintenance of continuous emission or opacity monitoring systems and specific requirements for the monitoring of SO<sub>2</sub> emissions, volumetric flow, NO<sub>x</sub> emissions, opacity, CO<sub>2</sub> emissions and SO<sub>2</sub> emissions removal by qualifying Phase I technologies. Specifications for the installation and performance of continuous emission monitoring systems, certification tests and procedures, and quality assurance tests and procedures are included in appendices A and B to this part. Criteria for alternative monitoring systems and provisions to account for missing data from certified continuous emission monitoring systems or approved alternative monitoring systems are also included in the regulation.

(2) Statistical estimation procedures for missing data are included in appendix C to this part. Optional protocols for estimating SO<sub>2</sub> mass emissions from gas-fired or oil-fired units and

NO<sub>x</sub> emissions from gas-fired peaking or oil-fired peaking units are included in appendices D and E, respectively, to this part. Requirements for recording and recordkeeping of monitoring data and for quarterly electronic reporting also are specified. Procedures for conversion of monitoring data into units of the standard are included in appendix F to this part. Procedures for the monitoring and calculation of CO<sub>2</sub> emissions are included in appendix G of this part.

[58 FR 3701, Jan. 11, 1993; 58 FR 34126, June 23, 1993; 58 FR 40747, July 30, 1993; 63 FR 57498, Oct. 27, 1999; 67 FR 40421, June 12, 2002]

#### § 75.2 Applicability.

(a) Except as provided in paragraphs (b) and (c) of this section, the provisions of this part apply to each affected unit subject to Acid Rain emission limitations or reduction requirements for SO<sub>2</sub> or NO<sub>x</sub>.

(b) The provisions of this part do not apply to:

(1) A new unit for which a written exemption has been issued under § 72.7 of this chapter (any new unit that serves one or more generators with total nameplate capacity of 25 MWe or less and burns only fuels with a sulfur content of 0.05 percent or less by weight may apply to the Administrator for an exemption); or

(2) Any unit not subject to the requirements of the Acid Rain Program due to operation of any paragraph of § 72.6(b) of this chapter; or

(3) An affected unit for which a written exemption has been issued under § 72.8 of this chapter and an exception granted under § 75.67 of this part.

(c) The provisions of this part apply to sources subject to a State or federal NO<sub>x</sub> mass emission reduction program, to the extent these provisions are adopted as requirements under such a program.

[58 FR 3701, Jan. 11, 1993, as amended at 58 FR 15716, Mar. 23, 1993; 60 FR 26516, May 17, 1995; 63 FR 57499, Oct. 27, 1998]

#### § 75.3 General Acid Rain Program provisions.

The provisions of part 72, including the following, shall apply to this part:

(a) § 72.2 (Definitions);