

June 7, 2005

James Wetzel
Alternate AAR
Northeastern Power Company
P.O. Box 7
McAdoo, PA 18237

Re: Request for an Extension of the Deadline to Perform 3-Load Flow RATA
on Unit 031 at the Northeastern Power Company (Facility ID (ORISPL)
50039)

Dear Mr. Wetzel:

This is in response to your April 26, 2005 petition under §75.66, in which Northeastern Power Company (Northeastern) requested an extension of the deadline to perform a 3-load relative accuracy test audit (RATA) of the flow monitor on Unit 031 at its Schuylkill County, Pennsylvania facility. EPA approves the petition, in part, and with conditions, as discussed below.

Background

Northeastern owns and operates an electric generating facility in Schuylkill County, Pennsylvania. The facility includes a circulating fluidized bed boiler, Unit 031, which is subject to NO_x Budget Program under 25 Pa. Code Chapter 145. Under Chapter 145, Northeastern is required to continuously monitor and report NO_x mass emissions and heat input for Unit 031, in accordance with 40 CFR Part 75, beginning on May 1, 2002. To satisfy the monitoring requirements of Chapter 145, Northeastern has installed and certified continuous monitoring systems to measure nitrogen oxides (NO_x), stack gas volumetric flow rate, and oxygen (O₂). The certification testing was approved by the Pennsylvania Department of Environmental Protection (PADEP).

However, EPA recently discovered that the certification testing of the flow monitor did not fully satisfy the relative accuracy test audit (RATA) requirements of §75.20(c)(2)(ii)(B). Section 75.20(c)(2)(ii)(B) requires a 3-load RATA of each flow monitor for initial certification, but this test was not performed for the flow monitor on Unit 031. Rather, the flow monitor was tested only at the normal (high) load level, in accordance with the terms of a February 15, 2002 settlement agreement with PADEP. Paragraph 1(f) of that agreement states that “Any Appellant that has previously received approval from the DEP for RATA demonstrations performed at single loadwill not be required to obtain a second approval for this approach under the monitoring requirements of 25 Pa. Code Chapter 145. Each Appellant which has previously received approval

from the DEP is required to continue to demonstrate annually that operating loads justify and are consistent with the single load point at which the RATA demonstration is performed, consistent with the original approval.”

Since Northeastern had received prior approval from PADEP to perform single-load flow RATAs under the OTC NO_x Budget Program (which was superseded by the Chapter 145 regulations), Northeastern believed that multiple-load flow RATAs would not be necessary, as long as the requirements of paragraph 1(f) of the February 15, 2002 settlement agreement continued to be met. According to Northeastern, since 2003, the historical flow rate data for Unit 031 have been consistent with paragraph 1(f) of the settlement agreement and provide a basis for justifying single-load RATA testing.

Nevertheless, EPA informed Northeastern that the terms of paragraph 1(f) of the settlement agreement do not take precedence over the certification test requirements of §75.20(c)(2)(ii)(B). In view of this, in the April 26, 2005 petition Northeastern requested that EPA grant an extension of the 3-load flow RATA deadline from May 1, 2002 to June 30, 2005. Northeastern further requested that the flow rate data for the 2003 and 2004 ozone seasons be accepted as quality-assured, on the basis that: (a) load distribution data (submitted with the April 26, 2005 petition) show that for those two ozone seasons, more than 90% of the flow rate data were at high load; and (b) pre-ozone season flow RATAs were performed and passed at high load in 2003 and 2004.

Unit 031 went into an extended maintenance outage at the end of March, 2005. Therefore, the annual RATA testing of Unit 031, which is normally done in April, was tentatively re-scheduled for the week of May 23, 2005. However, on May 4, 2005, Northeastern informed EPA by E-mail that due to an electrical fault in the generator, Unit 031 is not expected to return to service until the third quarter and the RATA testing will likely be delayed until August, 2005.

EPA's Determination

EPA conditionally approves Northeastern's request for an extension of the deadline for performing a 3-load RATA of the flow monitor installed on Unit 031, but not the June 30, 2005 deadline proposed by Northeastern (see condition (1), below). Further, EPA accepts Northeastern's reported flow rate data for the 2003 and 2004 ozone seasons as quality-assured.

The basis for this approval is two-fold. First, Northeastern has acted in good faith in complying with the flow monitor certification and quality-assurance requirements described in paragraph 1(f) of the settlement agreement with PADEP. Second, more than 90% of the flow rate data recorded in the 2003 and 2004 ozone seasons were recorded at high load, and successful pre-season flow RATAs were performed in 2003 and 2004 at high load.

The conditions of this approval are as follows:

- (1) When Unit 031 returns to service from its extended maintenance outage, Northeastern shall perform a 3-load RATA of the flow monitor, as part of the scheduled annual RATA testing for 2005. The procedures in section 6.5.2(a) in Appendix A of Part 75 shall be followed;
- (2) Once the initial 3-load flow RATA described in condition (1), above, has been successfully completed, Northeastern shall revise the electronic monitoring plan for Unit 031 as follows. In the electronic data report (EDR) for the calendar quarter following the quarter in which the 3-load RATA is done, Northeastern shall remove the code "S" from column 19 of EDR record type 535;
- (3) In subsequent years, Northeastern shall perform flow RATAs at each load level required by sections 2.3.1.3 (c)(1) through (c)(4) of Part 75, Appendix B; and
- (4) If, in any subsequent year, Unit 031 qualifies for a single-load flow RATA in accordance with section 2.3.1.3(c)(3) of Part 75, Appendix B, Northeastern shall submit the appropriate single-load flow RATA claim in the quarterly electronic data report (EDR), using EDR record type 695.

EPA's determination in this letter relies on the accuracy and completeness of the information provided by Northeastern in the April 26, 2005 petition and in the May 4, 2005 E-mail notification and is appealable under Part 78. If you have any questions about this determination, please contact Robert Vollaro, at (202) 343-9116. Thank you for your continued cooperation.

Sincerely,

/s/

Sam Napolitano, Director
Clean Air Markets Division

cc: Jerry Curtin, EPA Region III
Charles Zadakis, Pennsylvania DEP
Robert Vollaro, CAMD