April 30, 2002

John Robson
Authorized Account Representative
Piney Creek LP
428 Power Lane
Clarion, PA 16214

Re: Petition for Approval of a Certification Deadline Extension for Piney Creek LP Unit 031

Dear Mr. Robson:

This is in response to your letter, dated April 15, 2002, in which Piney Creek Limited Partnership ("Piney Creek") requested an extension of the May 1, 2002 deadline for certifying a new nitrogen oxides (NO_x) monitoring system that will be used at Unit 031 to measure NO_x mass emissions under the NO_x Budget Trading Program. Piney Creek also requested permission to continue reporting data from the unit's currently-installed NO_x monitor, until certification of the new NO_x monitor is completed. The installed NO_x monitor was unable to pass its most recent relative accuracy test audit (RATA), in the first quarter of 2002. For the reasons discussed below, EPA approves the request for an extension of the NO_x monitor certification deadline, but denies the request to continue using the currently-installed NO_x monitor for reporting purposes.

Background

Piney Creek owns and operates a fluidized bed boiler, Unit 031, at its Clarion, Pennsylvania facility. Unit 031 burns waste bituminous coal (known as "gob"). The unit is subject to the continuous emission monitoring and reporting provisions of 25 Pa. Code Chapter 145, which requires that NO_x mass emissions and heat input be monitored and reported, starting on May 1, 2002, using the methods prescribed in 40 CFR Part 75.

Unit 031 has an installed NO_x monitor, which was certified for use under the Ozone Transport Commission (OTC) NO_x Budget Trading Program. Under that program, the monitor was required to achieve a relative accuracy standard of 20.0%. Piney Creek had planned to use this NO_x monitor to comply with the NO_x Budget Trading Program (25 Pa. Code Chapter 145), which requires certification of monitoring systems to measure NO_x mass emissions and heat input, no later than May 1, 2002. The monitoring systems must meet the performance specifications of Part 75. The Part 75 relative accuracy specification for a NO_x monitoring system is 10.0%.

Piney Creek attempted to meet the May 1, 2002 monitor certification deadline by

performing a RATA of the NO_x monitoring system in the first quarter of 2002. However, the monitor was unable to meet the 10.0% relative accuracy specification of Part 75. Consequently, Piney Creek ordered a replacement NO_x analyzer. Delivery of the new analyzer is expected in the second week of May, 2002.

Piney Creek petitioned for an extension of the May 1, 2002 deadline for certifying the NO_X monitoring system. Piney Creek also requested permission to use the old NO_x monitor to report NO_x mass emissions data until the new analyzer is received and tested for certification. According to Piney Creek, Unit 031 is scheduled for a maintenance outage from May 3 through May 13, 2002, and it is likely that the new analyzer will be installed during the outage. Therefore, the old NO_x analyzer would be used to report data for only a few days at the beginning of May.

EPA's Determination

In view of the efforts made by Piney Creek to meet the May 1, 2002 monitor certification deadline, EPA approves the request for an extension of that deadline, for the NO_x monitoring system installed on Unit 031. The revised certification deadline is June 30, 2002.

However, EPA denies the petition to continue using the old NO_x monitor to report emissions data until the new monitoring system is certified. Since the monitor failed to meet the Part 75 relative accuracy specification in its most recent RATA, the monitor does not meet the requirements of 25 Pa. Code Chapter 145 and is therefore considered uncertified and unsuitable for reporting NO_x mass emissions data under the NO_x Budget Trading Program.

Until a NO_x monitoring system has been certified in accordance with Part 75, Piney Creek must report substitute data for NO_x in accordance with § 75.31 (b)(2), for the purposes of the NO_x Budget Trading Program. In particular, the maximum potential NO_x emission rate (as defined in 40 CFR § 72.2) must be reported for every hour of operation of Unit 031 until the required monitor has been certified. To minimize the amount of substitute NO_x data that must be reported, EPA recommends that Piney Creek consider using the conditional data validation procedures of § 75.20 (b)(3) during the certification of the new NO_x monitoring system.

EPA's determination in this letter relies on the accuracy and completeness of the information provided by Piney Creek in theApril 15, 2002 petition and is appealable under Part 78. If you have any questions or concerns about this determination, please contact Robert Vollaro, at (202) 564-9116. Thank you for your continued cooperation.

Sincerely,

/s/
Peter Tsirigotis, Acting Director
Clean Air Markets Division

cc: Renee McLaughlin, EPA Region III
Joseph Nazzaro, Pennsylvania DEP
Robert Vollaro, CAMD