

10 CSR 10-6.280 Compliance Monitoring Usage

(1) Applicability. This regulation applies to air pollution sources throughout Missouri.

(2) Definitions. (Not Applicable)

(3) General Provisions.

(A) Compliance Certifications. Regardless of any other provision in any plan approved by the administrator, for the purpose of submission of compliance certificates the owner or operator may use the following in addition to any specified compliance methods:

1. Monitoring methods outlined in 40 CFR 64 promulgated as of July 1, 2018 is hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington DC 20414. This rule does not incorporate any subsequent amendments or additions;

2. Monitoring method(s) approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

3. Any other monitoring methods approved by the director.

(B) Enforcement. Regardless of any other provision in the state implementation plan, any credible evidence may be used for the purpose of establishing whether a source or facility has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:

1. Monitoring methods outlined in 40 CFR 64, as incorporated by reference in paragraph (3) (A)1. of this rule;

2. A monitoring method approved for the source pursuant to 10 CSR 10-6.065 Operating Permits, and incorporated into an operating permit; and

3. Compliance test methods specified in this rule cited as the authority for the emission limitations.

(4) Reporting and Record Keeping. (Not Applicable)

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(5) Test Methods. The following testing, monitoring, or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:

(A) Applicable monitoring or testing methods, cited in: 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources; 10 CSR 10-6.040 Reference Methods; 10 CSR 10-6.070 New Source Performance Standards; 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations; and 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants; or

(B) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method in subsection (3) (B) or subsection (5) (A).

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)
 FRM: 84 FR 46892 (09/06/2019) effective 10/7/2019
 PRM: 84 FR 26047 (6/5/2019)
 State Submission: 2/15/2019
 State Final: effective date 2/28/2019; 10 C.S.R. 10-6 (1/29/2019)
 APDB File: MO-411; EPA-R07-OAR-2019-0315
 Description: This revision clarifies that there are no definitions specific to the rule; adds language clarifying the date of an incorporation by reference (IBR) and where the public can get a copy of the IBR; adds a state rule to the list of state rules that presumptively identify credible testing, monitoring, or information gathering methods; and makes other minor edits. These revisions are administrative in nature and do not impact the stringency of the SIP or air quality.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 67 FR 54961 (08/27/2002)
 PRM: 67 FR 54993 (08/27/2002)
 State Submission: 04/16/2002
 State Final: 10 C.S.R. 10-6 (02/28/2002)
 APDB File: MO-197
 Description: The rule was revised to delete the reference to 10 C.S.R. 10-6.290 and to add the reference to 40 C.F.R. part 64. The rule was also revised to conform to a standard rule format.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 66 FR 27028 (5/16/01)
 PRM: 61 FR 4391 (2/6/96)
 State Submission: 3/15/95
 State Final: 10 C.S.R. 10-6 (10/31/00)
 APDB File: MO-97
 Description: The EPA approved a rule to clarify that any credible evidence may be used to establish compliance or noncompliance with applicable requirements of the Missouri air pollution control regulations under the authority of applicable provisions in section 110(a) of the CAA.

Difference Between the State and EPA-Approved Regulation

None.