



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 11 2003

OFFICE OF
AIR AND RADIATION

William L Eastman
Director, Environmental Services
Westar Energy
818 South Kansas Avenue
P.O. Box 889
Topeka, KS 66601

Re: Petition to Extend Opacity Monitor Certification Deadline for Neosho Energy
(Facility ID (ORISPL) 1243), Unit 7

Dear Mr. Eastman:

This is in response to your December 30, 2002 petition under § 75.66(a) in which Westar Energy (Westar) requested that EPA grant an extension of the certification deadline for a continuous opacity monitoring system (COMS) installed on Unit 7 at the Neosho Energy Center. EPA approves the petition, for the reasons discussed below.

Background

Unit 7 at the Neosho Energy Center is an affected unit under the Acid Rain Program. Unit 7 is capable of combusting either natural gas or residual oil. Prior to 2001, the unit had met the definition of "gas-fired" in § 72.2 of the Acid Rain Program regulations. However, in 2001, fuel oil combustion in Unit 7 increased significantly, and the unit lost its gas-fired status. Section 75.14(c) states that whenever a gas-fired unit loses its gas-fired status, a continuous opacity monitoring system (COMS) must be installed and certified by December 31 of the following year, unless the unit is reclassified as "diesel-fired" under § 72.2, in which case it would be exempted from opacity monitoring. Unit 7 lost its gas-fired status at the end of 2001, and since the unit burns residual oil, it could not be reclassified as diesel-fired. Therefore, the deadline for installing and certifying a COMS on Unit 7 was December 31, 2002.

To certify a COMS, § 75.20(c)(8)(i) specifies that the requirements of Performance Specification 1 (PS-1) in Appendix B of 40 CFR Part 60 must be met. Upon installation of a COMS, PS-1 requires a series of field audit tests to be performed, followed by a 168-hour "operational test period", during which a 7-day calibration drift test must be done. The unit must be in operation for at least 50% of the hours in the operational test period. Westar was unable to

meet these requirements by December 31, 2002, because Unit 7 only operated for two brief periods in 2002, for a total of 7.25 hours. Therefore, in the December 30, 2002 petition, Westar requested an extension of the COMS certification deadline, to allow the 168-hour operational test period to be completed. Westar also proposed that EPA consider waiving the requirement for the unit to be operating for 50% of the hours in the operational test period and allowing the 7-day calibration drift test to be performed with the unit off-line.

EPA's Determination

In view of the extremely limited operation of Unit 7 in 2002, it was not possible for Westar to meet the operational test period requirements of PS-1 by the December 31, 2002 COMS certification deadline. In order to define a 168-hour operational test period with the unit in operation for at least 50% of the hours, Unit 7 would have had to have been in operation for at least 84 hours. However, Unit 7 only operated for 7.25 hours in 2002. Therefore, an extension of the COMS certification deadline for Unit 7 is appropriate.

EPA approves a 6-month extension of the Unit 7 COMS certification deadline, i.e. until June 30, 2003. In light of the limited time that the unit seems to be operated, the Agency waives the requirement of PS-1 for the unit to be operating for 50% of the hours in the operational test period. Notwithstanding this waiver, EPA expects Westar to make every effort to include as many unit operating hours as possible in the operational test period. However, in the event that Unit 7 does not operate at all in the first six months of 2003, Westar may perform the required 7-day calibration drift test with the unit off-line, in order to meet the June 30, 2003 certification deadline.

EPA's determination relies on the accuracy and completeness of the information provided by Westar in the December 30, 2002 petition and is appealable under Part 78. If you have any questions or concerns about this matter, please contact Robert Vollaro of my staff at (202) 564-9116. Thank you for your continued cooperation.

Sincerely,



Sam Napolitano, Acting Director
Clean Air Markets Division

cc: Jon Knodel, EPA Region VII
Mindy Bowman, Kansas Department of Health & Environment
Robert Vollaro, EPA, CAMD