

Article 2.0000 Air Pollution Control Regulations and Procedures

Section 2.0600 Monitoring: Recordkeeping: Reporting

2.0601 Purpose and Scope

- (a) The purpose of this Section is to set forth the requirements of the Director for monitoring air pollution emissions and filing reports covering their discharge into the outdoor atmosphere of the County.
- (b) This Section shall apply to all persons subject to the provisions of this Ordinance.
- (c) Monitoring, recordkeeping, and reporting may also be required by other Regulations including MCAPCO Regulations 2.0524 - “New Source Performance Standards”, 2.1110 - “National Emission Standards for Hazardous Air Pollutants, or 2.1111 - “Maximum Achievable Control Technology”.

*History Note: Filed as a Temporary Amendment Eff. March 8, 1994 for a Period of 180 Days or Until the Permanent Rule is Effective, whichever is sooner;
Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4);
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2.0602 Definitions

For the purpose of this Section, the following definitions apply:

- (1) **“Applicable requirement”** means any Regulation, standard, or requirement of this Ordinance, or Article 21 of the North Carolina General Statutes.
- (2) **“Calendar quarter”** means:
 - (A) the time period from January 1 through March 31;
 - (B) the time period from April 1 through June 30;
 - (C) the time period from July 1 through September 30; or
 - (D) the time period from October 1 through December 31.
- (3) **“Capacity factor”** means the ratio of the average load on a machine or equipment for the time period considered to the capacity rating of the machine or equipment.
- (4) **“Distillate oils”** means fuel oil, including recycled oil, that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D-396, “Standard Specification for Fuel Oils”.
- (5) **“Emission standard”** means a Regulation setting forth an allowable rate of emissions, level of opacity, or prescribing equipment, fuel specifications, workplace standards, or material usage that result in control of air pollution emissions.
- (6) **“Excess emissions”** means emissions of an air pollutant in excess of an emission standard.
- (7) **“Fossil fuel-fired steam generator”** means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.
- (8) **“Nitric acid plant”** means any facility producing nitric acid 30 to 70 percent in strength by either the pressure or atmospheric pressure process.
- (9) **“Permit condition”** means:
 - (A) a condition set to comply with or to avoid any applicable requirement; or
 - (B) a condition set to maintain compliance with toxic air pollutant acceptable ambient levels or ambient air quality standards.
- (10) **“Petroleum refinery”** means any facility engaged in producing gasoline, kerosene, distillate oils, residual oils, lubricants, or other products through the distillation of petroleum, or through the redistillation, cracking, or reforming of unfinished petroleum derivatives.
- (11) **“Residual oils”** means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, or all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D-396, “Standard Specification for Fuel Oils”.
- (12) **“Sulfuric acid plant”** means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66;
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2.0604 Exceptions to Monitoring and Reporting Requirements

(a) Unless a specific Regulation specifies otherwise, the owner or operator of a source shall not be required to monitor during a period of monitoring system malfunction or report emissions during a period of monitoring system malfunction if the owner or operator of the source shows, to the satisfaction of the Director, that the malfunction was unavoidable, is being repaired as expeditiously as practicable, and no applicable requirements are violated. The owner or operator of the source shall provide the Director documentation of continuous monitoring system performance when system repairs or adjustments have been made if the Director requests proof. Malfunctions of the monitoring system that result from inadequate or poor operation and maintenance practices shall not be exempted.

(b) The owner or operator of a source that operates less than 30 days per 12-month period shall not be required to monitor emissions from that source. However, the owner or operator shall maintain records to document that the source is operated less than 30 days per 12-month period.

(c) The owner or operator of a source exempted from needing a permit by MCAPCO Regulation 1.5211 - "Applicability" shall not be required to monitor emissions from that source unless;

- (1) required by a specific MCAPCO Regulation, or
- (2) required as a part of an enforcement settlement.

However, the owner or operator shall maintain records to document that the source qualifies for the permit exemption.

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2.0605 General Recordkeeping and Reporting Requirements

(a) The owner or operator of a source subject to a requirement of this Ordinance, except for MCAPCO Section 1.5700 - "Toxic Air Pollutant Procedures", shall maintain:

- (1) records detailing all malfunctions under MCAPCO Regulation 2.0535 - "Excess Emissions Reporting and Malfunctions",
- (2) records of all testing conducted under Regulations in MCAPCO Article 2.0000 - "Air Pollution Control Regulations and Procedures",
- (3) records of all monitoring conducted under Regulations in this Ordinance,
- (4) records detailing activities relating to any compliance schedule in MCAPCO Article 2.0000 - "Air Pollution Control Regulations and Procedures", and
- (5) for unpermitted sources, records necessary to determine compliance with Regulations of this Ordinance, except for MCAPCO Section 1.5700 - "Toxic Air Pollutant Procedures".

(b) The Director shall specify in the facility's permit:

- (1) the type of monitoring required and the frequency of the monitoring,
 - (2) the type of records to be maintained, and
 - (3) the type of reports to be submitted and the frequency of submitting these reports,
- as necessary to determine compliance with Regulations in this Ordinance, or with an emission standard or permit condition.

(c) If the Director has evidence that a source is violating an emission standard or permit condition, the Director may require that the owner or operator of any facility subject to the requirements of this Ordinance, submit to the Director any information necessary to determine the compliance status of the source.

(d) The owner or operator of a source of excess emissions which last for more than four hours and which results from a malfunction, a breakdown of process or control equipment, or any other abnormal conditions shall report excess emissions in accordance with the requirements of MCAPCO Regulation 2.0535 - "Excess Emissions Reporting and Malfunctions".

(e) Copies of all records and reports generated in response to the requirements of this Section shall be retained by the owner or operator for a period of two years after the date on which the record was made or the report submitted, except that the Director may extend the retention period in particular instances when necessary to comply with other Department or federal requirements or when compliance with a particular standard requires documentation for more than two years.

(f) All records and reports generated in response to the requirements of this Section shall be made available to personnel of the Department for inspection.

(g) The owner or operator of a source subject to the requirements of this Section shall comply with the requirements of this Section at his own cost.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215-65; 143-215.66; 143-215.1078(a)(4);
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Section 2.0606 Sources Covered by Appendix P of 40 CFR Part 51

(a) The following sources shall be monitored as described in Paragraph 2 of Appendix P of 40 CFR Part 51:

- (1) fossil fuel-fired steam generators,
- (2) nitric acid plants,
- (3) sulfuric acid plants, and
- (4) petroleum refineries.

Sources covered by MCAPCO Regulation 2.0524 - "New Source Performance Standards" are exempt from this Regulation.

(b) The monitoring systems required under Paragraph (a) of this Regulation shall meet the minimum specifications described in Paragraphs 3.3 through 3.8 of Appendix P of 40 CFR Part 51.

(c) The excess emissions recorded by the monitoring systems required to be installed under this Regulation shall be reported no later than 30 days after the end of the quarter to the Department in the manner described in Paragraphs 4 and 5.1 through 5.3.3 of Appendix P of 40 CFR Part 51 except that a six-minute time period shall be deemed as an appropriate alternative opacity averaging period as described in Paragraph 4.2 of Appendix P of 40 CFR Part 51. The owner or operators of any sources subject to this Regulation that are required to monitor emissions of sulfur dioxide or nitrogen oxides under any other state or federal regulation with continuous emission monitoring systems shall monitor compliance with the sulfur dioxide emission standard in MCAPCO Regulation 2.0516 - "Sulfur Dioxide Emissions from Combustion Sources" and the nitrogen oxide emission standard in MCAPCO Regulation 2.0519 - "Control of Nitrogen Dioxide and Nitrogen Oxides Emissions" or MCAPCO Section 2.1400 - "Nitrogen Oxides" with a continuous emission monitoring system. Compliance with sulfur dioxide and nitrogen oxide emission standards shall be determined by averaging hourly continuous emission monitoring system values over a 24-hour block period beginning at midnight. To compute the 24-hour block average, the average hourly values shall be summed, and the sum shall be divided by 24. A minimum of four data points, equally spaced, is required to determine a valid hour value unless the continuous emission monitoring system is installed to meet the provisions of 40 CFR Part 75. If a continuous emission monitoring system is installed to meet the provisions of 40 CFR Part 75, the minimum number of data points shall be determined by 40 CFR Part 75.

(d) For emissions of sulfur dioxide, fuel analysis may be used in place of a continuous emissions monitoring system if the source is not required to monitor emissions of sulfur dioxide using a continuous emissions monitoring system under another state or federal rule. If fuel analysis is used as an alternative method to determine emissions of sulfur dioxide, the test methods described in Parts (c)(4)(A) and (B) of MCAPCO Regulation 2.0501 - "Compliance With Emission Control Standards" shall be used except that gross or composite samples, gross caloric value, moisture content, and sulfur content shall be determined per shipment. The sulfur dioxide emission rate shall also be determined using fuel analysis data. Sulfur retention credit

shall be granted and used for computing sulfur dioxide emission rates if a source, on a case-by-case basis, quantitatively and empirically demonstrates the sulfur retention.

(e) Wherever the language of the referenced portion of Appendix P of 40 CFR Part 51 speaks of the “state” or “state plan”, the requirements described therein shall apply to those sources to which the requirements pertain.

(f) The owner or operator of the source shall conduct a daily zero and span check of the continuous opacity monitoring system following the manufacturer’s recommendations and shall comply with the requirements of MCAPCO Regulation 2.0613 - “Quality Assurance Program”.

(g) The owner or operator of the source shall report to the Director no later than 30 days following the end of the quarter the following information:

- (1) for fuel analysis per shipment:
 - (A) the quantity and type of fuels burned,
 - (B) the Btu value,
 - (C) the sulfur content in percent by weight, and
 - (D) the calculated sulfur dioxide emission rates expressed in the same units as the applicable standard.
- (2) for continuous monitoring of emissions:
 - (A) the daily calculated sulfur dioxide and nitrogen oxide emission rates expressed in the same units as the applicable standard for each day, and
 - (B) other information required under Appendix P of 40 CFR Part 51.

(h) If emission testing for compliance with the sulfur dioxide emission standard is required, the testing shall be done according to 40 CFR Part 60, Appendix A, Method 6.

(i) If emission testing for compliance with the nitrogen oxide emission standard is required, the testing shall be done according to 40 CFR Part 60, Appendix A, Method 7.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4);
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2.0607 Large Wood and Wood-Fossil Fuel Combination Units

(a) This Regulation applies to wood-fired steam generator units with a heat input from wood fuels (or the sum of the heat inputs from wood fuels and liquid or solid fossil fuels for generators not covered by MCAPCO Regulations 2.0524 - “New Source Performance Standards” or 2.0606 - “Sources Covered by Appendix P of 40 CFR Part 51”) that exceeds 250 million Btu per hour and with an annual average capacity factor greater than 30 percent as demonstrated to the Director by the owner or operator of the source.

(b) The owner or operator of a wood-fired steam generator unit covered under this Regulation shall install, calibrate, maintain, and operate, as specified in 40 CFR Part 60 Appendix B Performance Specification 1, opacity continuous emission monitoring systems on all stacks discharging the flue gases from one or more steam generator units covered under this Regulation.

(c) The owner or operator of the source shall conduct a daily zero and span check of the opacity continuous emission monitoring system following the manufacturer’s recommendations and shall comply with the requirements of MCAPCO Regulation 2.0613 - “Quality Assurance Program”.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(5);

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Section 2.0608 Program Schedule

(a) The owner or operator of any fuel burning unit shall determine sulfur dioxide emissions into the ambient air if the unit:

- (1) burns coal or residual oil;
- (2) is not required to monitor sulfur dioxide emissions by MCAPCO Regulations 2.0524 - "New Source Performance Standards" or 2.0606 - "Sources Covered by Appendix P of 40 CFR Part 51".
- (3) has a total heat input of more than 250 million Btu per hour from coal and residual oil; and
- (4) has an annual average capacity factor greater than 30 percent as determined from the three most recent calendar year reports to the Federal Power Commission or as otherwise demonstrated to the Director by the owner or operator. (If the unit has not been in existence for three calendar years, its three-calendar-year average capacity factor shall be determined by estimating its annual capacity factors for enough future years to allow a three-calendar-year average capacity factor to be computed. If this three-calendar-year average capacity factor exceeds 30 percent, the unit shall be monitored. If this three-calendar-year average capacity factor does not exceed 30 percent, the unit need not be monitored.)

(b) Once the unit is being monitored in accordance with Paragraph (a) of this Regulation, it shall continue to be monitored until its most recent three-calendar-year average capacity factor does not exceed 25 percent. Once the unit is not being monitored in accordance with Paragraph (a) of this Regulation, it need not be monitored until its most recent three-calendar-year average capacity factor exceeds 35 percent.

(c) If units required to be monitored have a common exhaust or if units required to be monitored have a common exhaust with units not required to be monitored, then the common exhaust may be monitored, and the sulfur dioxide emissions need not be apportioned among the units with the common exhaust.

(d) The owner or operator of the source shall determine sulfur dioxide emissions by:

- (1) an instrument for continuous monitoring and recording of sulfur dioxide emissions, or
- (2) analyses of representative samples of fuels to determine Btu value and percent sulfur content.

(e) The owners or operators of any sources subject to this Regulation that are required to monitor emissions of sulfur dioxide under any other state or federal rule with continuous emission monitoring systems shall monitor compliance with the sulfur dioxide emission standard in MCAPCO Regulation 2.0516 - "Sulfur Dioxide Emissions from Combustion Sources" with a continuous emission monitoring system. Compliance with sulfur dioxide emission standards

shall be determined by averaging hourly continuous emission monitoring system values over a 24-hour block period beginning at midnight. To compute the 24-hour block average, the average hourly values shall be summed, and the sum shall be divided by 24. A minimum of four data points, equally spaced, is required to determine a valid hour value unless the continuous emission monitoring system is installed to meet the provisions of 40 CFR Part 75. If a continuous emission monitoring system is installed to meet the provisions of 40 CFR Part 75, the minimum number of data points shall be determined by 40 CFR Part 75.

(f) For emissions of sulfur dioxide, fuel analysis may be used in place of a continuous emissions monitoring system if the source is not required to monitor emissions of sulfur dioxide using a continuous emissions monitoring system under another state or federal rule. If fuel analysis is used as an alternative method to determine emissions of sulfur dioxide, then:

- (1) for coal, the test methods described in MCAPCO Regulation 2.0501 - "Compliance With Emission Control Standards" Part (c)(4)(A) shall be used except that gross or composite samples, gross caloric value, moisture content, and sulfur content shall be determined per shipment. The sulfur dioxide emission rate shall also be determined using fuel analysis data. Sulfur retention credit shall be granted and used for computing sulfur dioxide emission rates if a source, on a case-by-case basis, quantitatively and empirically demonstrates the sulfur retention.
- (2) for residual oil, the test methods described in MCAPCO Regulation 2.0501 - "Compliance With Emission Control Standards" Part(c)(4)(B) shall be used except that sulfur content shall be determined per shipment. Residual oil shall be collected in accordance with ASTM D4177 or D4057.

(g) The owner or operator of the source shall report to the Director no later than 30 days following the end of the quarter the following information:

- (1) for fuel analysis per shipment:
 - (A) the quantity and type of fuels burned,
 - (B) the Btu value,
 - (C) the sulfur content in percent by weight, and
 - (D) the calculated sulfur dioxide emission rates expressed in the same units as the applicable standard.
- (2) for continuous monitoring of emissions:
 - (A) the daily calculated sulfur dioxide emission rates expressed in the same units as the applicable standard for each day, and
 - (B) other information required under Appendix P of 40 CFR Part 51.

(h) The owner or operator of the source shall conduct a daily zero and span check of the continuous emission monitoring system following the manufacturer's recommendations and shall comply with the requirements of MCAPCO Regulation 2.0613 - "Quality Assurance Program".

(i) If emission testing for compliance with the sulfur dioxide emission standard is required, the testing shall be done according to 40 CFR Part 60, Appendix A, Method 6.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4);
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Section 2.0610 Delegation Federal Monitoring Requirements

(a) The owner or operator of sources subject to monitoring, recordkeeping, or reporting requirements contained in:

- (1) 40 CFR Part 60, New Source Performance Standards (NSPS);
- (2) 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP);
- (3) 40 CFR Part 63, Maximum Achievable Control Technology (MACT); or
- (4) 40 CFR Part 75, Acid Rain;

shall comply with these requirements.

(b) An air pollutant from sources covered under Paragraph (a) of this Regulation for which monitoring is not required under Paragraph (a) of this Regulation shall comply with the requirements covered in MCAPCO Regulation 2.0611 - “Monitoring Emissions From Other Sources” if the pollutant from this source is subject to an emission standard.

(c) Sources that are not subject to any monitoring, recordkeeping, or reporting requirements contained in Paragraph (a) of this Regulation shall comply with the requirements contained in MCAPCO Regulation 2.0611 - “Monitoring Emissions From Other Sources”. The Director is authorized to exercise all functions necessary to administer this Section and to delegate any or all such functions, except that he shall not delegate below the level of Program Manager

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.3(a)(4); 143-215.65; 143-215.66; 143-215.107(a)(4);
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2.0611 Monitoring Emissions from Other Sources

(a) This Regulation applies to sources or air pollutants, including toxic air pollutants, from sources that are not covered under MCAPCO Regulations 2.0606 - “Sources Covered by Appendix P of 40 CFR Part 51”, 2.0607 - “Large Wood and Wood-Fossil Fuel Combination Units”, 2.0608 - “Other Large Coal or Residual Oil Burners”, or 2.0610 - “Delegation Federal Monitoring Requirements” Paragraph (a).

(b) The owner or operator of a source shall maintain records of production rates, throughputs, material usage, and other process operational information as is necessary to determine compliance with the facility’s permit and all applicable requirements. The Director shall specify in the facility’s permit according to MCAPCO Regulation 2.0605 - “General Recordkeeping and Reporting Requirements” the types of records that the owner or operator shall maintain.

(c) If the Director finds that the records maintained under Paragraph (b) of this Regulation are inadequate to determine compliance with the facility’s permit and all applicable requirements, the Director may require the owner or operator to use monitoring instruments. If the Director determines that monitoring instruments are necessary to demonstrate compliance with Regulations of this Ordinance or with an emission standard or permit condition, the owner or operator of a source shall:

- (1) install, calibrate, operate, and maintain, in accordance with applicable performance specifications in 40 CFR Part 60 Appendix B, process and control equipment monitoring instruments or procedures as necessary to demonstrate compliance with the emission standards of this Ordinance;
- (2) comply with the requirements of MCAPCO Regulation 2.0613 - “Quality Assurance Program”;
- and
- (3) maintain, in writing, data and reports of any monitoring instruments or procedures necessary to comply with Subparagraph (1) of this Paragraph that will document the compliance status of the sources or control equipment.

(d) If the Director determines that monitoring instruments are necessary to demonstrate good operation and maintenance, the owner or operator of a source shall:

- (1) install, calibrate, operate, and maintain, in accordance with applicable performance specifications in 40 CFR Part 60 Appendix B, process and control equipment monitoring instruments or procedures as necessary to demonstrate good operation and maintenance;
- (2) comply with the requirements of MCAPCO Regulation 2.0613 - “Quality Assurance Program” unless otherwise specified in any other applicable Regulation including 40 CFR Part 75 and 40 CFR 60.13. The Director may find that compliance with the quality assurance provisions of 40 CFR Part 51, Appendix P, is adequate to assure the quality of the data;
- and

- (3) maintain, in writing, data and reports of any monitoring instruments or procedures necessary to comply with Subparagraph (1) of this Paragraph that will document that good operation and maintenance is being achieved.

History Note Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4); Eff. April 1, 1999.

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2.0613 Quality Assurance Program

(a) Any person required to operate a monitoring device by this Ordinance shall develop and implement a quality assurance program for the monitoring device.

(b) The Director may require the owner or operator of a facility required to operate a monitoring device by this Ordinance to submit a quality assurance program if:

- (1) The maximum actual emission rate is more than 75 percent of the applicable emission standard;
- (2) The facility has violated an emission standard or a permit condition; or
- (3) The facility has failed to obtain quality assured data.

The quality assurance program shall be submitted to the Director within 60 days upon receipt of request.

(c) Except for gaseous continuous emission monitoring systems, the quality assurance program required by Paragraph (a) or (b) of this Regulation shall include, if applicable:

- (1) procedures and frequencies for calibration,
- (2) standards traceability,
- (3) operational checks,

- (4) maintenance,
- (5) auditing,
- (6) data validation, and
- (7) a schedule for implementing the quality assurance program.

Continuous opacity monitoring systems may satisfy the requirements of Paragraph (a) of this Regulation by complying with 40 CFR Part 51, Appendix M, Method 203, as proposed in 57 FR 46114. Except for opacity monitors and gaseous continuous emission monitoring systems, a manufacturer's recommended quality assurance procedure may be used as a quality assurance program if it provides an adequate quality assurance program.

(d) Owners or operators that operate continuous emission monitoring systems for a gaseous pollutant may satisfy the requirements of Paragraphs (a) or (b) of this Regulation by developing and implementing a written quality assurance program containing information required by 40 CFR Part 60, Appendix F, Section 3, Quality Assurance Procedures.

(e) The owner or operator of a facility shall certify all opacity and gaseous continuous emission monitoring systems following applicable performance specifications in 40 CFR Part 60, Appendix B, within 60 days of monitor installation unless otherwise specified in permit or any other applicable Regulations. The owner or operator of a facility required to install an opacity or gaseous continuous emission monitoring system shall notify the Director at least 60 days before installation unless otherwise specified in permit or in 40 CFR Part 60, 61, 63, or 75. The notification shall include plans or schematic diagrams of the proposed monitor location.

(f) Quality assurance programs for ambient monitors shall comply with the requirements in 40 CFR Part 58.

(g) A quality assurance program shall be available on-site for inspection within 30 days of monitor certification.

(h) The Director shall approve the quality assurance program within 30 days of submittal if he finds that the quality assurance program will assure that the precision and accuracy of the data for the pollutants being measured are within the design limits of the instruments being used. If the Director finds that the proposed quality assurance program does not meet the requirements of this Paragraph he shall notify the owner or operator of the facility of any deficiencies in the proposed quality assurance program. The owner or operator shall have 30 days after receiving written notification from the Director to correct the deficiencies.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4);
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