

# Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial Number  
(850) 425-2359

January 8, 2010

RECEIVED-FPSC  
10 JAN - 8 PM 2:50  
COMMISSION  
CLERK

100025-EI

## BY HAND DELIVERY

Ann Cole  
Director, Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: ~~Docket No. 100007-EI~~  
Petition of Progress Energy Florida for Approval of Cost Recovery for New  
Environmental Program

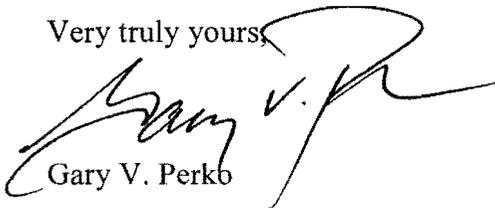
Dear Ms. Cole:

On behalf of Progress Energy Florida, Inc. ("PEF"), enclosed for filing in the above docket are the original and fifteen copies of PEF's Petition for Approval of Cost Recovery for New Environmental Program.

By copy of this letter, the enclosed documents have been furnished to the parties on the certificate of service attached to the Petition.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please give me a call at 425-2359.

Very truly yours,



Gary V. Perko

COM \_\_\_\_\_  
APA 3  
ECR 2  
GCL 2  
RAD 1  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
CLK \_\_\_\_\_

GVP/dg  
Enclosures

[CLK Note: DN moved  
to 100025-EI, per DN  
01102-10.] *numefan*

DOCUMENT NUMBER-DATE

00200 JAN-8-10

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

DOCKET NO. 100007-EI

100025-EI

FILED: January 8, 2010

**PETITION OF PROGRESS ENERGY FLORIDA, INC.  
FOR APPROVAL OF COST RECOVERY FOR  
NEW ENVIRONMENTAL PROGRAM**

Progress Energy Florida, Inc. ("PEF" or "Company"), pursuant to Section 366.8255, Florida Statutes, and Florida Public Service Commission ("Commission") Order Nos. PSC-94-0044-FOF-EI and PSC-99-2513-FOF-EI, hereby petitions the Commission for approval for recovery through the Environmental Cost Recovery Clause ("ECRC") of costs associated with PEF's compliance with an information collection request from the U.S. Environmental Protection Agency ("U.S. EPA") to support development of Maximum Achievable Control Technology ("MACT") standards for Coal and Oil-Fired Steam Electric Generating Units. In support, PEF states:

1. Petitioner. PEF is a public utility subject to the regulatory jurisdiction of the Commission under Chapter 366, Florida Statutes. The Company's principal offices are located at 299 First Avenue North, St. Petersburg, Florida.

2. Service. All notices, pleadings and other communications required to be served on the petitioner should be directed to:

Gary V. Perko  
Hopping Green & Sams, P.A.  
119 S. Monroe St., Suite 300  
P.O. Box 6526 (32314)  
Tallahassee, FL 32301

John T. Burnett  
Associate General Counsel  
Progress Energy Services Co., LLC  
299 First Avenue North  
St. Petersburg, FL 33701

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

3. Cost Recovery Eligibility. As discussed more fully below, PEF will incur costs for complying with the U.S. EPA's Information Collection Request (ICR) related to development of MACT standards of Coal and Oil-Fired Steam Electric Generating Units. As shown below, the new program meets the criteria for cost recovery established by the Commission in Order No. PSC-94-0044-FOF-EI in that:

- (a) all expenditures will be prudently incurred after April 13, 1993;
- (b) the activities are legally required to comply with a governmentally imposed environmental regulation that was created, became effective, or whose effect was triggered after the company's last test year upon which rates are based; and
- (c) none of the expenditures are being recovered through some other cost recovery mechanism or through base rates.

The information provided below for each program satisfies the minimum filing requirements established in Part VI of Order No. PSC-99-2513-FOF-EI.

4. Regulatory Requirement. In 2009, the U.S. EPA initiated efforts to develop an ICR in support of development of MACT standards for Coal- and Oil-fired Electric Utility Steam Generating Units under Section 112(d) of the Clean Air Act. *See 74 Fed. Reg.* 31725 (July 2, 2009) and *74 Fed. Reg.* 58012 (Nov. 10, 2009). Pursuant to those efforts, by letter dated December 24, 2009, the U.S. EPA formally requested that PEF comply with certain data collection and emissions testing requirements for several of its steam electric generating units. (A copy of the U.S. EPA letter is provided as Exhibit "A" hereto). Collection and submittal of the requested information is mandatory under Section 114 of the Clean Air Act. The Commission has previously held that costs of complying with the ICR are recoverable under the ECRC. *See Order No. PSC-09-0759-FOF-EI*, issued in Docket No. 090007-EI (Nov. 18, 2009).

5. New Environmental Compliance Activities. The U.S. EPA’s letter outlines a phased approach to collection and submission of the requested information. First, PEF is required to collect and submit existing information on all affected units such as installation dates, any modifications made to the units, and configuration information. Additionally, PEF is required to conduct site-specific emissions testing on several units. These requirements are summarized by facility in the following table.

State	Facility	Unit to be Tested	Surrogate Category for Testing
FL	Anclote	1	Comprehensive Oil-Fired Testing
FL	Anclote	2	Comprehensive Oil-Fired Testing
FL	Crystal River	1	Acid Gases
FL	Crystal River	1	Non-Dioxin/Furan Organic HAP and Dioxin / Furan HAPs
FL	Crystal River	1	Mercury and Metals
FL	Crystal River	5	Acid Gases
FL	Suwannee	2	Comprehensive Oil-Fired Testing
FL	Suwannee	3	Comprehensive Oil-Fired Testing

The U.S. EPA letter states that initial submittal of existing information must be made within 90 days and that the remaining data must be submitted within 8 months.

6. No Base Rates Recovery of Program Costs. PEF seeks approval to recover through the ECRC all costs incurred to comply with the ICR. None of the costs for which PEF seeks recovery were included in the MFRs that PEF filed in its last ratemaking proceeding Docket No. 050078-EI or PEF’s pending ratemaking proceeding in Docket No. 090079-EI. Therefore, the costs are not recovered in PEF’s base rates; nor will they be under the rates to be set in Docket No. 090079-EI.

7. 2010 Cost Estimates. PEF estimates the total project costs to be approximately \$854,000 for 2010. Such estimates are based on the costs estimates published by EPA. Actual costs will depend upon finalization of plans with U.S. EPA and selection of qualified contractors.

8. Future-Year Cost Estimates. PEF currently anticipates that all costs for complying with the ICR will be incurred in 2010.

9. Prudence of Expenditures. In order to ensure that the costs incurred to comply with the ICR are prudent and reasonable, PEF has initiated a competitive bidding process to identify qualified outside contractors to assist internal PEF in collecting and processing the required information.

10. No Change in Current ECRC Factors. PEF does not seek to change the ECRC factors established for 2010 in Order PSC-09-0759-FOF-EI. The Company proposes to include in its estimated/actual true-up filing for 2010 all program costs incurred subsequent to the filing of this petition through the end of 2010. PEF expects that all of these costs will be subject to audit by the Commission and that the appropriate allocation of program costs to rate classes will be addressed in connection with those subsequent filings.

11. No Material Facts in Dispute. PEF is not aware of any dispute regarding any of the material facts contained in this petition. The information provided in this petition demonstrates that the environmental compliance program for which approval is requested meets the requirements of Section 366.8255 and applicable Commission orders for recovery through the ECRC.

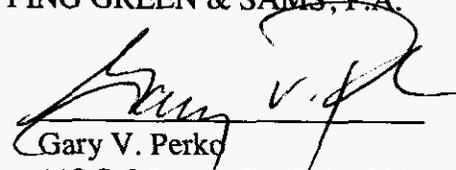
WHEREFORE, Progress Energy Florida, Inc., requests that the Commission approve for recovery through the ECRC the costs incurred after the date of this petition in complying with the U.S. EPA's ICR for Coal and Oil-Fired Steam Electric Generating Units.

RESPECTFULLY SUBMITTED this 8<sup>th</sup> day of January, 2010.

John T. Burnett  
Associate General Counsel  
Progress Energy Services Co., LLC  
299 First Avenue North  
St. Petersburg, FL 33701  
[john.burnett@pgnmail.com](mailto:john.burnett@pgnmail.com)

HOPPING GREEN & SAMS, P.A.

By:

  
Gary V. Perko  
119 S. Monroe St., Suite 300  
P.O. Box 6526 (32314)  
Tallahassee, FL 32301  
(850) 425-2359  
[gperko@hgslaw.com](mailto:gperko@hgslaw.com)

Attorneys for PROGRESS ENERGY FLORIDA, INC.

**AFFIDAVIT**

STATE OF FLORIDA     )  
                                          )  
COUNTY OF PINELLAS    )

The undersigned Patricia Q. West, first being duly sworn, deposes and says:

1. I am employed as Manager of Environmental Services for Progress Energy Florida, Inc.
  
2. I have reviewed the above Petition of Progress Energy Florida, Inc. for Approval of Cost Recovery for New Environmental Program and the facts stated in that petition are true and correct to the best of my knowledge, information and belief.

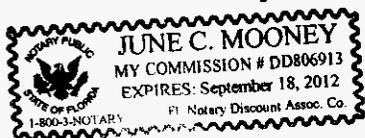
Patricia Q. West  
Patricia Q. West

Sworn to and subscribed before me by Patricia Q. West, who:

is personally known to me

presented Florida Drivers License Number \_\_\_\_\_ as identification

this 8<sup>th</sup> day of January, 2010.



June C. Mooney  
Notary Public

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel of record and interested parties as listed below by hand-delivery (\*) or regular U.S. mail this 8<sup>th</sup> day of January, 2010.

Martha Carter Brown (\*)  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Florida Power & Light Co.  
Mr. Wade Litchfield  
215 S. Monroe Street, Suite 810  
Tallahassee, FL 32301

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley Law Firm  
P.O. Box 391  
Tallahassee, FL 32302

Gulf Power Company  
Susan Ritenour  
One Energy Place  
Pensacola, FL 32520-0780

Joseph McGlothlin, Esq.  
Charlie Beck, Esq.  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Rm. 812  
Tallahassee, FL 32399

Tampa Electric Company  
Paula K. Brown  
Regulatory Affairs  
P.O. Box 111  
Tampa, FL 33601-0111

Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane Law Firm  
P.O. Box 12950  
Pensacola, FL 32591-2950

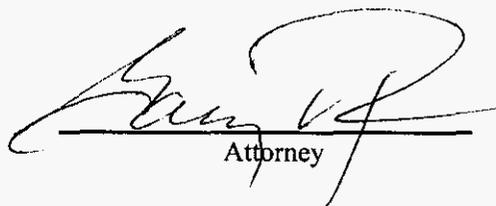
R. Alexander Glenn  
Deputy General Counsel - Florida  
Progress Energy Service Company, LLC  
P.O. Box 14042  
St. Petersburg, FL 33733

Florida Industrial Power Users Group  
John W. McWhirter, Jr.  
c/o McWhirter Law Firm  
P.O. Box 3350  
Tampa, FL 33601-3350

John T. Burnett  
Associate General Counsel - Florida  
Progress Energy Service Company, LLC  
P.O. Box 14042  
St. Petersburg, FL 33733

Florida Power & Light Co.  
John T. Butler, Esq.  
700 Universe Blvd.  
Juno Beach, FL 33408-0420

Paul Lewis, Jr.  
Progress Energy Florida, Inc.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301-7740

  
\_\_\_\_\_  
Attorney



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

[OMB Control No. 2060-0631]

December 24, 2009

Ms. Patricia West  
Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, FL 33733

Dear Ms. West:

Pursuant to the U.S. Environmental Protection Agency's (EPA's) authority under Section 114 of the Clean Air Act (CAA), as amended, the Agency is requesting that owners/operators of all coal- and oil-fired electric utility steam generating units provide information that will allow EPA to assess the emissions of hazardous air pollutants (HAP) from each such unit. This information, along with other information, will assist the Administrator of EPA in developing national emission standards for hazardous air pollutants (NESHAP) under CAA Section 112. All information submitted to EPA as part of this request will be made available to the public unless a satisfactory showing is made that public access to such information would divulge methods or processes entitled to protection as Confidential Business Information (CBI) or trade secrets.

The purpose of this letter is to request that Progress Energy Florida, Inc. provide the information required in Enclosure 1 of this letter. Tables 1 and 2 of this letter list the units for which this information is required. It is also important to note that there are detailed footnotes in Table 2 discussing EPA's stance concerning substitution for units chosen for testing within certain test groups. If your company is considering a possible unit substitution, please consult the information contained in the footnotes of Table 2 to determine if the unit you wish to use as a substitute meets the eligible requirements of substitution for similar units. Enclosure 2 provides additional information and instructions for completing the Information Collection Request (ICR), and submitting data electronically.

CAA Section 112(a)(8) defines "electric utility steam generating unit" as follows:

"The term 'electric utility steam generating unit' means any fossil fuel-fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. A unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale shall be considered an electric utility steam generating unit."

The authority for EPA's information gathering is included in CAA Section 114 (42 U.S.C. 7414). Enclosure 3 contains a summary of this authority. The EPA is requiring this information under an ICR approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act. The OMB Control No. is 2060-0631.

The EPA has contracted RTI International\* (RTI) (Contract No. EP-D-06-118) to obtain information pertinent to the industry. Thus, as noted in Enclosure 4, EPA has designated RTI as an authorized representative of the Agency; therefore, RTI has the rights previously discussed and the ones that appear in Enclosure 3. Accordingly, RTI will have access to information provided to EPA in response to this ICR. As a designated representative of the Agency, RTI is subject to the provisions of 42 U.S.C. 7414(c) respecting confidentiality of methods or processes entitled to protection as trade secrets.

The EPA does not believe that any of the information subject to this request is confidential; however, if you believe that disclosure of specific pieces of information that you submit would reveal a trade secret, then you should clearly identify such pieces of information as "confidential." Please do not label an entire response as "confidential" if only certain portions consist of material that you claim to be trade secret information. Please refer to Enclosure 3 for the information that EPA may require, at a later time, to support your confidentiality claims. Any information determined to constitute a trade secret will be protected under 18 U.S.C. 1905. If no claim of confidentiality accompanies the information when it is received by EPA, then EPA will make the information available to the public without further notice to your company pursuant to 40 CFR part 2.203(a). CAA Section 114(c) exempts emissions data from claims of confidentiality; therefore, the emissions data that you provide will be made available to the public. A clarification of what EPA considers to be emissions data is contained in Enclosure 5. You should not mark your emissions data as CBI. Information that you claim to be confidential should be submitted under a separate cover to Mr. Roberto Morales at the address below.

If you are submitting CBI, please mail a separate CD or DVD containing only the CBI portion of your data under a separate cover to the following address and contact:

U.S. Environmental Protection Agency  
Office of Air Quality Planning and Standards  
U.S. EPA Mailroom (C404-02)  
Attention: Mr. Roberto Morales, Document Control Officer  
109 T.W. Alexander Drive  
Research Triangle Park, NC 27711

Enclosure 6 summarizes Office of Air Quality Planning and Standards's policies and procedures for handling privileged information and describes EPA's contractor commitments and procedures for use of confidential materials. It is EPA's policy that compliance by an authorized representative with the requirements detailed in Enclosure 6 provides sufficient protection for the rights of submitters of privileged information. Additional information about mailing CBI submittals is provided in Enclosure 7.

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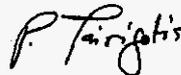
\* RTI International is a trade name of Research Triangle Institute.

EPA believes that it is highly advisable for each facility (subject to emissions testing under Part III of the ICR) to devise a Quality Assurance Test Plan that is specific to each facility. Such a plan could include the project elements as enumerated in Chapter 3 of EPA's Quality Assurance Document which is available on the Web (see Enclosure 8). The existence of such a plan would also provide a means to verify that the quality assurance protocols as contained in the various test methods are met. However, it is important to note that EPA will not review or approve these Quality Assurance Test Plans.

It is also advisable that companies with facilities whose units that are subject to emissions testing under Part III of the ICR become familiar with the requirements of EPA's Electronic Reporting Tool (ERT) (Version 3) by reading the ERT User's Guide. The same companies should also acquaint themselves with the ERT's data entry requirements before any emissions testing is planned or initiated.

If you have any questions or concerns about this request, please contact Mr. William Maxwell of EPA at (919) 541-5430 by January 21, 2010.

Sincerely,



Peter Tsirigotis  
Director

Sector Policies and Programs Division

8 Enclosures

cc: Ahmed Amanullah, AFS Compliance Manager, US EPA, Region 4 (9T25), Atlanta, GA  
(without enclosures)

Ms. Diane Spingler, FL Department of Environmental Protection, Tallahassee, FL  
(without enclosures)

### **Instructions for Tables 1 and 2**

1. The units identified in **Table 1** of this enclosure are required to complete Parts I and II of the ICR (Enclosure 1 of this letter) according to the procedures described in Enclosure 1 of this letter. Responses to this request are to be submitted as noted within 90 days of receipt of this letter.

2. The units identified in **Table 2** of this enclosure are required to complete the designated portions of Part III of the ICR (Enclosure 1 of this letter) according to the procedures described in Enclosure 1 of this letter. Responses to this request are to be submitted as noted within 8 months of receipt of this letter. EPA is requiring that 60 percent of a company's units submit its data within 6 months of receipt of this letter, 80 percent within 7 months of receipt, and all of the data within 8 months of receipt. Companies, through certification by a Responsible Official as defined in 40 CFR 70.2, must identify to EPA, within 21 days of receipt of this letter, which of their units they will place in each 6th, 7th, or 8th month submittal category. Companies with three or fewer units selected for testing may submit their data at any time during the 8-month period. Also, companies with units listed in **Table 2** are required to notify their designated permitting authority and the following EPA Regional contact person at least 21 days before the requested stack tests are scheduled to begin.

Ahmed Amanulah  
AFS Compliance Manager  
US EPA, Region 4 (9T25)  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

**Table 1: Units required to complete Parts I and II of the ICR**

<b>ORIS Facility ID Code</b>	<b>Facility Name</b>	<b>City</b>	<b>State</b>	<b>Unit/Boller ID</b>
8048	Anclote	Tarpon Springs	FL	1
8048	Anclote	Tarpon Springs	FL	2
628	Crystal River	Crystal River	FL	1
628	Crystal River	Crystal River	FL	2
628	Crystal River	Crystal River	FL	4
628	Crystal River	Crystal River	FL	5
634	P L Bartow	St Petersburg	FL	1
634	P L Bartow	St Petersburg	FL	2
634	P L Bartow	St Petersburg	FL	3
638	Suwannee River	Live Oak	FL	1
638	Suwannee River	Live Oak	FL	2
638	Suwannee River	Live Oak	FL	3

**Table 2: Units required to complete designated testing under Part III of the ICR <sup>1,2</sup>**

ORIS Facility ID Code	Facility Name	City	State	Unit/Boiler ID	Type of Test Required (3,4,5)			
					Acid gas HAP	Non-mercury metallic HAP	Dioxin/furan HAPs	Non-dioxin/furan organic HAP
8048	Anclote	Tarpon Springs	FL	1	X	X	X	X
8048	Anclote	Tarpon Springs	FL	2	X	X	X	X
628	Crystal River	Crystal River	FL	1	X	X	X	X
628	Crystal River	Crystal River	FL	5	X			
638	Suwannee River	Live Oak	FL	2	X	X	X	X
638	Suwannee River	Live Oak	FL	3	X	X	X	X

1 EPA is amenable to allowing alternative units be allowed for the 50 randomly selected units (either the coal-fired units listed in Attachment 9 of the ICR, "List of coal-fired electric utility steam generating units selected for dioxin/furan organic HAP testing" or the coal-fired units listed in Attachment 13 of the ICR, "List of 50 additional coal-fired electric utility steam generating units not chosen in Attachments 8 through 11 selected for HCl/HF/HCN acid gas HAP, non dioxin/furan organic HAP, and mercury and other non-mercury metallic HAP testing") as long as such substitutions, within each table, are similar in coal rank, boiler type and size, and emission control. The company is responsible for notifying EPA of any substitutions within 3 weeks of receipt of the CAA section 114 letter and EPA must approve the alternative selection(s).

2 EPA will consider requests to select alternative oil-fired units on a case-by-case basis within Attachment 12 of the ICR entitled, "List of all oil-fired electric utility steam generating units selected for HCl/HF/HCN acid gas HAP, dioxin/furan organic HAP, non dioxin/furan organic HAP, and mercury and other non-mercury metallic HAP testing." EPA encourages companies making such requests to provide potential alternative units to test if feasible, as units will be required to test if no comparable alternative can be identified. Such requests must be made, by a Responsible Official as defined in 40 CFR 70.2, within 3 weeks of receipt of the CAA section 114 letter. In addition, as noted elsewhere, EPA is amenable to companies within broader organizations finding alternative oil-fired units outside their company but within the organization as long as the units are comparable and EPA is informed of, and agrees to, the substitution.

3 The test(s) should be conducted at a load and with a fuel, including blends, that reflects typical operations at the facility.

4 All tests should be conducted at the outlet of all air pollution control devices. However, units selected for testing in the acid gas and/or non-mercury metallic HAP groups that share an emission control system upon which the selection process was based (e.g., FGD or PM control, respectively) with another unit, testing after the emission control system will be allowed.

5 See Enclosure 1 to this letter for specific testing requirements, a detailed list of acceptable methods, and reporting requirements for each type of test. Measurements of O<sub>2</sub>/CO<sub>2</sub>, for correction purposes, shall be made during each test run conducted.

**ELECTRIC UTILITY STEAM GENERATING UNIT  
HAZARDOUS AIR POLLUTANT EMISSIONS INFORMATION COLLECTION EFFORT**

**BURDEN STATEMENT**

Preliminary estimates of the public burden associated with this information collection effort indicate a total of 125,098 hours and \$75,972,758. This is the estimated burden for 537 facilities to provide information on their boilers, fuel oil types and/or coal rank, 1,332 units to provide hazardous air pollutant (HAP) emissions data and 12 months of fuel analyses, and 512 units to conduct emissions testing.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal Agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is sent to ten or more persons unless it displays a currently valid Office of Management and Budget (OMB) control number.

**GENERAL INSTRUCTIONS**

[NOTE: It is EPA's intent for the final version of this questionnaire to be in electronic format. The final format will include all questions noted herein.]

Please provide the information requested in the following forms. If you are unable to respond to an item as it is stated, please provide any information you believe may be related. Use additional copies of the request forms for your response.

If you believe the disclosure of the information requested would compromise confidential business information (CBI) or a trade secret, clearly identify such information as discussed in the cover letter. Any information subsequently determined to constitute CBI or a trade secret under EPA's CBI regulations at 40 CFR part 2, subpart B, will be protected pursuant to those regulations and, for trade secrets, under 18 U.S.C. 1905. If no claim of confidentiality

accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice pursuant to EPA regulations at 40 CFR 2.203. Because Clean Air Act (CAA) section 114(c) exempts emission data from claims of confidentiality, the emission data you provide will be made available to the public notwithstanding any claims of confidentiality. A definition of what the EPA considers emissions data is provided in 40 CFR 2.301(a)(2)(i).

The following section is to be completed by all facilities:

- **Part I - General Facility Information:** once for each facility. A copy of Part I should be completed and returned to the address noted below within 90 days of receipt.

The following section is to be completed by all facilities meeting the section 112(a)(8) definition of an electric utility steam generating unit:

- **Part II - Fuel Analyses and Emission Data:** Additional copies of certain pages may be necessary for a complete response. A copy of Part II responses should be completed and returned to the address noted below within 90 days of receipt.

The following section is to be completed by all facilities selected for stack testing:

- **Part III – Emissions Test Data:** One emissions test (consisting of three runs). A copy of the emissions test report should be completed and returned to the address noted below within 6 - 8 months of receipt. Note the discussion in Part III as to when in the 6 to 8 month period the tested facilities results must be submitted.

Detailed instructions for each part follow.

Questions regarding this information request should be directed to Mr. William Maxwell at (919) 541-5430.

Return this information request and any additional information to:

U.S. Environmental Protection Agency  
Office of Air Quality Planning and Standards  
Sector Policies and Programs Division  
U.S. EPA Mailroom (D205-01)  
Attention: Peter Tsirigotis, Director  
109 T.W. Alexander Drive  
Research Triangle Park, NC 27711

**PART I: GENERAL FACILITY INFORMATION**

**Process Information**

**NOTE:** If any rank of coal or any grade of oil (including petroleum coke [pet coke]), in any amount, is fired, complete Parts I and II and return to the address noted earlier. If NO coal or oil is fired, complete only Part I and return to the address noted earlier.

1. Name of legal owner of facility: \_\_\_\_\_

\_\_\_\_\_

2. Name of legal operator of facility, if different from legal owner: \_\_\_\_\_

\_\_\_\_\_

3. Address of \_\_\_\_ legal owner or \_\_\_\_ operator: \_\_\_\_\_

\_\_\_\_\_

4a. Plant Name (as reported on U.S. DOE/EIA Form-860 (2007), "Annual Electric Generator Report," schedule 2, line 1, page 37, question 1) OR Plant Name (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 2, page 1, question 1):

\_\_\_\_\_

4b. EIA Plant Code (as reported on U.S. DOE/EIA Form-860 (2007), schedule 2, line 1, page 37, question 2) OR Plant ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), schedule 2, page 1, question 2): \_\_\_\_\_

5. Complete street address of facility (physical location): \_\_\_\_\_

\_\_\_\_\_

6. Provide mailing address if different: \_\_\_\_\_

\_\_\_\_\_

7. Name and title of contact(s) able to answer technical questions about the completed survey: \_\_\_\_\_

8. Contact(s) telephone number(s): \_\_\_\_\_  
 and e-mail address(es): \_\_\_\_\_

9. Is this facility considered to be owned or operated by a small entity as defined by the Regulatory Flexibility Act?  Yes  No  Don't know

10. Which of the following fossil fuels or other material(s) are fired in any steam generating unit at this facility?

- coal  oil (including pet coke)  natural gas  
 other (specify in question 14 below)

11. Which of the following fossil fuels or other material(s) are permitted<sup>1</sup> to be fired in any steam generating unit at this facility?

- coal  oil (including pet coke)  natural gas  
 other (specify in question 14 below)

12. If coal or solid fuel, as described below, derived from a fossil source is fired, indicate which rank of coal or solid fuel was utilized during the previous 12 months prior to the receipt of this ICR:<sup>2,3</sup>

- lignite (% )  subbituminous (% )  
 bituminous (% )  anthracite (% )  
 coal refuse (including gob, culm, and subbituminous-derived coal refuse) (% )  
 synfuel (including, but not limited to, briquettes, pellets, or extrusions which are formed by binding materials, or processes that recycle materials) (% )  
 (please specify the type or form of synfuel used \_\_\_\_\_)  
 petroleum coke (% )

13. If oil is fired, indicate which type of oil was utilized during the previous 12 months prior to the receipt of this ICR:<sup>4</sup>

<sup>1</sup> "Permitted," in this context, refers to refers to the fuels that the permit anticipates will be combusted that the facility.

<sup>2</sup> If the boiler is fired by a blend of coal ranks, please specify percentage (separately, on both a mass and on a Btu basis) of each coal rank (e.g., 85% subbituminous/15% bituminous).

<sup>3</sup> In reference to footnote 1, if necessary, a notation can be added to a utilized fuel type that is not listed in the operating permit noting the reason the fuel type was combusted (e.g., "the permitting agency allowed this fuel to be combusted for special testing and research purposes").

\_\_ distillate (% \_\_\_\_ )                      \_\_ residual or bunker C (% \_\_\_\_ )  
\_\_ other (specify \_\_\_\_\_) (% \_\_\_\_ )

14a. If "other" was checked in questions 10 or 11 above indicating that any non-fossil fuel or other material (including, but not limited to, plastics, treated wood, rubber belting or gaskets, whole tires, tire-derived fuel, boiler cleaning solutions, animal wastes, etc.) is either utilized or permitted to be used, please indicate below what materials are combusted in the boiler and in what quantities (specify whether this quantity is on a weight percentage or heat [Btu] basis). Also indicate (yes/no) whether you are permitted<sup>5</sup> to burn non-fossil fuel(s) or other material(s) even if you do not actually burn them.

Other Material	Permitted to burn	Actually burn	Quantity/year
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

14b. If "other" was checked in questions 10 or 11 above indicating that any non-fossil fuel or other material (including, but not limited to, plastics, treated wood, rubber belting or gaskets, whole tires, tire-derived fuel, boiler cleaning solutions, animal wastes, etc.) is either utilized or permitted to be used, were such material to be classified as "solid waste" under the Resource Conservation and Recovery Act and, thus, make the utilizing unit subject to CAA section 129, would you continue to utilize (i.e., use as a fuel) the material? \_\_ Yes \_\_ No

Explain: \_\_\_\_\_

<sup>4</sup> If the boiler is fired by a blend of fuel oil ranks, please specify percentage (separately, on both a volume and on a Btu basis) of each fuel oil rank (e.g., 85% residual oil/15% distillate).

<sup>5</sup> If necessary, a notation can be added to a utilized fuel type that is not listed in the operating permit noting the reason the fuel type was combusted (e.g., "the permitting agency allowed this fuel to be combusted for special testing and research purposes").

15. Identification (or designation) of all coal- and oil-fired steam generating units (boilers) (as defined by Clean Air Act section 112(a)(8)) located at this facility.

Boiler ID <sup>6</sup>	Original design fuel (i.e. coal rank or type of oil)	Design heat input, (MMBtu/hr) <sup>7</sup>	Present maximum heat input, (MMBtu/hr) <sup>8</sup>	MW <sub>e</sub> Gross capacity summer	MW <sub>e</sub> Net capacity summer	Original design gross efficiency (%), HHV)	Present operating gross efficiency (%), HHV)	Design steam pressure (psig)	Operating steam pressure (psig)	Design steam temperature (°F)	Operating steam temperature (°F)	Design steam reheat temperature (°F) <sup>9</sup>	Operating steam reheat temperature (°F) <sup>10</sup>	Fuel <sup>11</sup>	Hours/year operated <sup>12</sup>	Average annual capacity factor for the past 3 years	Applicable NSPS	Estimated year of retirement <sup>13</sup>

<sup>6</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

<sup>7</sup> Per fuel burned in the boiler. Report this based on higher heating value (HHV).

<sup>8</sup> Per fuel burned in the boiler. Report this based on higher heating value (HHV).

<sup>9</sup> Please indicate if more than one steam reheat cycle is utilized, and, if so, please provide information for both.

<sup>10</sup> Please indicate if more than one steam reheat cycle is utilized, and, if so, please provide information for both.

<sup>11</sup> Indicate the fuels utilized for the indicated boiler, and percentages, as indicated in questions 11 - 13.

<sup>12</sup> The "hours/year operated" would be the average of the actual number of hours the unit operated in 1 year based on the last 3 years of operation.

<sup>13</sup> This can be treated as CBI and can be submitted through the proper CBI procedure if desired.

Emission Control Technology

16. For each boiler noted in Part I, question 15, provide the following information for each current emission control device installed and operating and/or planned (please designate the order of the emission controls – 1 for first control following the boiler, 2 for second control following the boiler, etc.):

Boiler ID <sup>14</sup>	Type <sup>15</sup>	NO <sub>x</sub> control <sup>16</sup>	SO <sub>2</sub> control <sup>17</sup>	PM control <sup>18</sup>	Other control <sup>19</sup>

<sup>14</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

<sup>15</sup> Examples: tangential-fired; cyclone; wall-fired; circulating fluidized bed (CFB)

<sup>16</sup> Examples: low-NO<sub>x</sub> burners; selective catalytic reduction (SCR); selective non-catalytic reduction (SNCR); over-fire air (OFA). Include specific date that control went online or planned operational date for new installation. If this boiler's control configuration utilizes a SCR, please include the type of material from which the catalyst is manufactured and the type of reductant used in with the SCR (e.g., anhydrous ammonia, aqueous ammonia, urea, other). Also, please note if the catalyst is specifically designed to reduce SO<sub>3</sub> formation?

<sup>17</sup> Examples: wet flue gas desulfurization (FGD; any type); dry scrubbing (any type); specify whether calcium- or sodium-based. Include specific date that control went online or planned operational date for new installation.

<sup>18</sup> Examples: fabric filter; cold-side electrostatic precipitator (ESP); hot-side ESP; cyclone or multiclone; venturi scrubber. Include specific date that control went online or planned operational date for new installation.

<sup>19</sup> Please indicate systems installed specifically to control any other pollutants (e.g., Hg, SO<sub>3</sub>, etc.). Examples: activated carbon injection (ACI); Powerspan ECO<sup>®</sup>; dry sorbent injection or wet ESP for SO<sub>3</sub> control; flue gas conditioning to control opacity (e.g., SO<sub>3</sub> injection, ammonia, other); additive use for mercury control (e.g., bromine; scrubber additives). Include specific date that control went online or planned operational date for new installation. Also include any pollutants controlled by this other technology (e.g., control technology [pollutant controlled]).

17. For each boiler noted in Part I, question 15, provide the company (prime vendor) name and company contact information for each HAP-specific (e.g., mercury, hydrogen chloride) control technology that you have either contracted for, are installing, or have installed for the purpose of participating in a control technology demonstration project<sup>20</sup> (e.g., U.S. Department of Energy program, consent decree, etc.).

Boiler ID <sup>21</sup>	Company (vendor) name	Company (vendor) contact information		
		Name	Telephone	Address

<sup>20</sup> A control technology demonstration project is defined as a U.S. Government (e.g., U.S. Department of Energy program) sponsored (in whole or in part) project or mandate (e.g., as a result of a consent decree) that adds a HAP control technology to a facility's unit to demonstrate the technology's HAP removal performance.

<sup>21</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

18. For the control technologies identified in Part I, question 17, provide the date of actual start-up of the demonstration (if the control is currently operating), the date of expected or projected start-up, the date the demonstration was completed, the type of HAP control installed (e.g., sorbent and type; pre-combustion boiler chemical additive; combustion boiler chemical additive), the desired HAP emission reduction or rate (if any), and the coal rank(s) in use or fuel type upon which the demonstration was conducted. Please specify the format of the target HAP emission reduction or rate (e.g., lb/MWh, lb/TBtu, percent reduction, etc.). If the format of the target end-point is percent reduction, provide (1) an estimate of what an equivalent emission rate would be (and specify the format of the equivalent emission rate), and (2) the basis for calculating the percent reduction (i.e., where the “inlet” and “outlet” are).

Boiler ID <sup>22</sup>	Demonstration activity actual start-up date	Demonstration activity projected start-up date	Demonstration activity end-date or projected end-date	Type of control (e.g., sorbent and type; chemical additive <sup>23</sup> )	Desired HAP emission reduction (%) or emission rate	Coal rank(s) in use

<sup>22</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), “Annual Electric Generator Report,” schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), “Power Plant Operations Report,” schedule 5, part A, page 8).

<sup>23</sup> If additive is used, please indicate injection point.

19. For each boiler noted in Part I, question 15, provide the company (prime vendor) name and company contact information for each HAP (e.g., mercury, hydrogen chloride, etc.) control technology that you have either contracted for, are installing, or have installed for the purpose of providing a non-demonstration, full-scale operating system.

Boiler ID <sup>24</sup>	Company (vendor) name	Company (vendor) contact information		
		Name	Telephone	Address

<sup>24</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

20. For the control technologies identified in Part I, question 19, provide the date of actual start-up (if the control is currently operating), the date of expected or projected start-up, the type of HAP control installed (e.g., sorbent and type; pre-combustion boiler chemical additive; combustion boiler chemical additive), the guaranteed HAP emission reduction or emission rate, the sorbent feed rate upon which the guarantee is based, and the coal rank(s) or fuel type upon which the guarantee is based. Please specify the format of the guarantee (e.g., lb/MWh, lb/TBtu, percent reduction, etc.). If the format of the guarantee is percent reduction, provide (1) an estimate of what an equivalent emission rate would be (and specify the format of the equivalent emission rate), and (2) the basis for calculating the percent reduction (i.e., where the “inlet” and “outlet” are).

Boiler ID <sup>25</sup>	Actual start-up date	Expected or projected start-up date	Type of control (e.g., sorbent and type; chemical additive) <sup>26</sup>	Guaranteed HAP emission reduction (%) or emission rate	Sorbent or additive feed rate on which guarantee is based	Coal rank(s) upon which guarantee is based

<sup>25</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), “Annual Electric Generator Report,” schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), “Power Plant Operations Report,” schedule 5, part A, page 8).

<sup>26</sup> If additive is used, please indicate injection point.

21. For each boiler noted in Part I, question 15, provide the following information:

Boiler ID <sup>27</sup>	Permitted emission limit (indicate type of permit and format of emission limit and averaging period)										
	PM <sup>28</sup>	PM <sub>10</sub> <sup>(29)</sup>	PM <sub>2.5</sub> <sup>(30)</sup>	SO <sub>2</sub>	HCl and/or HF	HCN	Metal HAP <sup>31</sup>	Hg	CO	Other organics (specify)	Other pollutant (specify)

<sup>27</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

<sup>28</sup> If the boiler has separate permitted emission limits for filterable and condensable PM, respectively, please include those separate limits. Also include the compliance test method utilized.

<sup>29</sup> List the compliance test method utilized.

<sup>30</sup> List the compliance test method utilized.

<sup>31</sup> Metal HAP include compounds of antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel and selenium; indicate permit level for all metal HAP for which a permit limit is in place.

22. For each boiler noted in Part I, question 15, provide the following information:

Boiler ID <sup>32</sup>	Most recent guaranteed emission rate for each pollutant for which there is a permitted emission limit										
	PM <sup>33</sup>	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	HCl and/or HF	HCN	Metal HAP <sup>34</sup>	Hg	CO	Other organics (specify)	Other pollutant (specify)

23. Was any other guarantee level sought or offered? Yes \_\_\_\_\_ No \_\_\_\_\_ Please elaborate. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<sup>32</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

<sup>33</sup> If the boiler has separate guaranteed emission rate for filterable and condensable PM, respectively, please include those separate emission rates.

<sup>34</sup> Metal HAP include compounds of antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel and selenium; indicate permit level for all metal HAP for which a permit limit is in place.

24. For each boiler noted in Part I, question 15, provide the following information:

Boiler ID <sup>35</sup>	Required monitoring, recordkeeping, and reporting requirements for each pollutant for which there is a permitted emission limit									
	PM <sup>36</sup>	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	HCl and/or HF	HCN	Metal HAP <sup>37</sup>	Hg	CO	Other organics (specify)

<sup>35</sup> Boiler ID (as reported on U.S. DOE/EIA Form EIA-860 (2007), "Annual Electric Generator Report," schedule 6, part A, line 1, page 53, [for plants equal to or greater than 10 MW but less than 100 MW] or on schedule 6, part B, line 1, page 54, [for plants greater than 100 MW]) OR Generator ID (as reported on U.S. DOE/EIA Form EIA-923 (2008), "Power Plant Operations Report," schedule 5, part A, page 8).

<sup>36</sup> If the boiler's monitoring, recordkeeping, and reporting requirements require your company to monitoring, keep records, and report filterable and condensable PM separately, please describe the separate actions required.

<sup>37</sup> Metal HAP include compounds of antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel and selenium; indicate permit level for all metal HAP for which a permit limit is in place.

25. For the control technologies identified in Part I, questions 17 and 19, provide the cost information requested.<sup>38</sup>

Facility Name / Unit No.: _____		Retrofit to existing boiler? ____	Installation on new boiler? ____
Total Capital Investment:		\$: _____	
Total Annual Operating and Maintenance Costs:		\$: _____ (Include base year for operating costs [e.g., 2006])	

26. Are any other means of emission control (for any pollutant) employed on any boiler noted in Part I, question 15 (e.g., low-ash coal, coal or oil with low trace constituents, etc.)? Please specify.

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<sup>38</sup> This can be treated as CBI and can be submitted through the proper CBI procedure if desired.

**PART II: FUEL ANALYSIS AND EMISSION DATA**

**Fuel Analysis**<sup>39</sup>

Each facility should provide the following information for each coal and oil shipment received during the preceding 12 calendar months.

- 1a. Plant or facility name from Part I, question 4a: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- 1b. Plant or facility code from Part I, question 4b: \_\_\_\_\_

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<sup>39</sup> The respondent should reply to this ICR with separate pages 18 through 24 (Part II) for each of their facilities.





4. Were the data provided in Part II, question 3 above, acquired pursuant to:
- permit requirements
  - contractual obligations
  - standard operational procedures
  - other (please specify \_\_\_\_\_)
5. Analyses provided in Part II, question 3 above, supplied by
- Fuel supplier (name and address) \_\_\_\_\_  
\_\_\_\_\_
  - Other (name and address) \_\_\_\_\_  
\_\_\_\_\_
6. Name and address of laboratory performing analyses: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. In addition to the analyses required in Part II, question 3 above, for samples for which analyses of chlorine and/or any of the HAP metals were conducted, please provide copies of any analyses conducted over the preceding 12 calendar months for (a) complete proximate and ultimate analyses, (b) additional trace metals, and (c) the mineralogy of the ash that are readily available for the oil(s) or coal(s) listed in Part II, question 2 above. The Agency is requesting these data only as they may already be available; no additional sampling or analyses are required to provide these data.

Emission Data

8a. What emission test report(s), parametric monitoring data, and other data or monitoring are available for the boilers noted in Part I, question 15, for tests conducted since January 1, 2005. Please consider reports prepared for all testing and monitoring programs, for all pollutants, including (but not limited to) those required under Title V, compliance with State or local requirements, fulfillment of contractual obligations, U.S. Department of Energy (DOE) programs, etc. (NOTE: EPA is not requesting copies of the test reports or data at this time; however we may request actual copies in the future.) Use additional pages as necessary.

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8b. Please indicate the date(s) and types (e.g., stack, fuel, parametric, etc.) of the test(s) and the constituents (including criteria and hazardous air pollutants) sampled for.

Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____
Date: _____	Type: _____	Constituents: _____

8c. Do any of these test reports reflect testing at a location upstream of any emission control devices?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please note which reports and provide a detailed description of the location of the emissions sampling point(s). \_\_\_\_\_

8d. Were any of these test reports conducted when use of other material(s) or non-fossil fuels were fired in the boiler? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please note which reports and identify the other material(s) or non-fossil fuels used. \_\_\_\_\_

8e. Do any of these test reports reflect testing during periods of startup, shutdown, and malfunction? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please note which reports. \_\_\_\_\_

8f. Did the unit's control configuration differ from that shown in Part I, question 16, at the time of these test results? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please list the unit's complete control configuration at time of testing in a similar format to Part I, question 16. \_\_\_\_\_

8g. Do any of these test reports reflect testing at a location upstream of a post combustion SO<sub>2</sub> emission control device (e.g., FGD, SDA, Dry Scrubber)? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please note which reports and, in addition to the detailed description of the location of the sampling point(s) (question 8c above), include detail about how much, if any, bypass of unscrubbed flue gas was utilized at the time of testing (including percentage of total scrubber exhaust gas flow). Note by diagram where sampling ports were located in relation to the bypass ductwork. \_\_\_\_\_

9. What type of deviation reporting is required for violations of permit requirements?

10. Are deviation reports available for malfunctions or other periods of noncompliance with permit terms and conditions? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please note which reports.

11. Are continuous emissions monitoring system (CEMS) data available (e.g., mercury, continuous opacity monitoring systems) that are not already being provided to the U.S. EPA or permit authority, even if from short-term testing? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes<sup>46</sup>, please note for which pollutants CEMS data are available and the period of time (both total period and calendar period) for which data are available. If CEMS data are being provided to EPA, please note to which Office the data are being provided. \_\_\_\_\_

12. For each boiler noted in Part I, question 15, provide the following information:

Boiler ID	Emissions test results (indicate format of emission data) <sup>47,48</sup>							Other organics (specify)
	Date of test	PM <sup>49</sup>	SO <sub>2</sub>	HCl/HF/HCN	Metal HAP <sup>50</sup>	Hg <sup>51</sup>	CO	

<sup>46</sup> Where units are monitored by CEMS (either following CAMR, State, or NIST QA/QC procedures), and where data are available, EPA requests that these CEMS data be submitted by the respondent. The respondent should also mark the periods of start up, shut down and malfunction events (SSM) in the data sets.

<sup>47</sup> Provide emission test data for all tests conducted since January 1, 2005. Please include test data acquired both before and after any control device. Use additional pages as necessary. EPA may, at some future date, request a copy of one or more emission test reports. Data generated to fulfill both Federal and State requirements must be provided. Note that data generated pursuant to CAA Title V must be maintained and available for 5 years. Also include averaging times and measurement units for all pollutants.

<sup>48</sup> For each emissions test run the respondent should provide the following process information: Unit Load (MW), Net generation during run (MWh net), Flue gas moisture content (%), Flue gas flow rate (dscfm or Nm<sup>3</sup>/hr), Flue gas oxygen content (% dry), Flue gas carbon dioxide content (% dry), Flue gas temperature at sampling point (°F), Flue gas pressure at sampling point (atm), Standard temperature (°F), Standard pressure (atm).

<sup>49</sup> If emission testing recorded the emissions of filterable and condensable PM, separately, please include those separate emission results. Also, please include separate emission results for total PM, PM<sub>10</sub>, and PM<sub>2.5</sub>.

<sup>50</sup> Metal HAP include compounds of antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel and selenium; indicate emission level for all metal HAP for which an emission test has been conducted.

<sup>51</sup> Please provide separate results for total Hg, elemental Hg, oxidized Hg, and particulate Hg, as available. If the emissions testing recorded the amount of unburned carbon in fly ash (as reflected by the "Loss on Ignition" [L.O.I.]) at the time of any Hg testing, please include these data.

### **PART III: EMISSIONS TESTING**

For units identified in Part B of the Supporting Statement, testing is to be performed for the identified HAP on a one-time basis after the last control device (i.e., after the last control device or at the stack if the last control device is not shared with one or more other units). Facilities are to use the test procedures noted in Enclosure 1 ("Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Procedures, Methods, and Reporting Requirements") for both the stack and fuel sampling. Each test is to consist of at least three separate runs for each pollutant at the sampling location.

Companies with multiple units identified on the Attachments to Part B of the Supporting Statement will be required to notify EPA within 3 weeks of receipt of the CAA section 114 letter which units representing 60 percent of their required data will be submitted within 6 months of receipt of the letter and which units representing an additional 20 percent of their required data (i.e., a total of 80 percent of their required data) will be submitted within 7 months of receipt of the letter. Companies will also be notified of this requirement in the cover letter specifying the test requirements.

## Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Procedures, Methods, and Reporting Requirements

This document provides an overview of approved methods, target pollutant units of measure, and reporting requirements for the coal- and oil-fired electric utility steam generating unit test plan. The document is organized as follows:

- 1.0 Stack Testing Procedures and Methods**
- 2.0 Fuel Analysis Procedures and Methods**
- 3.0 How to Report Data**
- 4.0 How to Submit Data**
- 5.0 Definitions**
- 6.0 Contact Information for Questions on Test Plan and Reporting**

### *1.0 Stack Testing Procedures and Methods*

The EPA coal- and oil-fired electric utility steam generating unit test program includes stack test data requests for several pollutants, including specific hazardous air pollutants (HAP) and potential surrogate groups. If you operate a coal- or oil-fired electric utility steam generating unit, you were selected to perform a stack test for some combination of the following pollutants or potential surrogate groups (i.e., simultaneous or overlapping measurements per group):

- Non-dioxin/furan organic HAP: Carbon monoxide (CO), total hydrocarbons (THC), methane (CH<sub>4</sub>), formaldehyde, oxygen (O<sub>2</sub>), carbon dioxide (CO<sub>2</sub>), volatile and semi-volatile organic HAP
- Dioxin/furan: dioxins/furans (D/F), O<sub>2</sub>, CO<sub>2</sub>
- Acid gas HAP: hydrogen chloride (HCl), hydrogen fluoride (HF), hydrogen cyanide (HCN), oxides of nitrogen (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), O<sub>2</sub>, CO<sub>2</sub>
- Mercury and non-mercury metallic HAP: mercury (Hg), non-Hg HAP metals (including antimony (Sb), arsenic (As), beryllium (Be), cadmium (Cd), chromium (Cr), cobalt (Co), lead (Pb), manganese (Mn), nickel (Ni), and selenium (Se)), particulate matter (PM<sub>2.5</sub> (filterable and condensable); total solids; O<sub>2</sub>, CO<sub>2</sub>

Refer to Table 2 of the section 114 letter you received for the specific combustion unit and pollutants on which we are requesting that you perform emission tests. You may have submitted test data for some of these pollutants already.

#### *1.1 How to Select Sample Location and Gas Composition Analysis Methods*

U.S. EPA Method 1 of Appendix A of Part 60 must be used to select the locations and number of traverse points for sampling. See <http://www.epa.gov/ttn/emc/methods/method1.html> for a copy of the method and guidance information.

Analysis of flue gas composition, including oxygen concentration, must be performed using U.S. EPA Methods 3A or 3B of Appendix A of Part 60. See <http://www.epa.gov/ttn/emc/methods/method3a.html> for Method 3A or <http://www.epa.gov/ttn/emc/methods/method3b.html> for Method 3B information.

### ***1.2 Coal- and Oil-fired Electric Utility Steam Generating Unit Test Methods and Reporting***

Table 1.2 presents a summary of the recommended test methods for each pollutant and possible alternative methods. If you would like to use a method not on this list, and the list does not meet the definition of "equivalent" provided in the definitions section of this document, please contact EPA for approval of an alternative method.

For copies of the recommended U.S. EPA methods and additional information, please refer to EPA's Emission Measurement Center website: <http://www.epa.gov/ttn/emc/>. For copies of the US EPA's SW-846 sampling and analysis methods (such as EPA Method 0010 and EPA Method 8270D), please refer to EPA's SW-846 Online website, which is available at the following internet address: <http://www.epa.gov/waste/hazard/testmethods/sw846/online/index.htm>.

Report pollutant emission data as specified in Tables 1.2a through 1.2d below. Each test should be comprised of at least three valid test runs. All pollutant concentrations should be corrected to 7 percent oxygen (or as otherwise directed by a specific method) and should be reported on the same moisture basis (dry). Report the results of the stack tests according to the instructions in Section 3.0 of this enclosure. During a 30 day period that includes emissions testing and fuel analysis reporting, you should collect the following process information: Total heat input; feed rate; steam output; gross electric output; net electric output; emissions control devices in use during the test; control device operating or monitoring parameters (including, as appropriate to the control device, flue gas flow rate, pressure drop, scrubber liquor pH, scrubber liquor flow rate, sorbent type and sorbent injection rate), and process parameters (such as oxygen). In addition to the emission test data, you should report the above process information as daily averages.

The owner/operator of the EGU must certify that the fuel that was fired during testing is representative of the fuel that is burned routinely at the EGU. The owner/operator of the EGU must also certify that it operated all of the pollution control equipment in accordance with manufacturers' specifications and requirements for proper operation during the emissions testing. Finally, the owner/operator of the EGU must certify that it operated its pollution control equipment to optimize reduction of the pollutants for which the equipment is designed.

**Table 1.2a: Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Methods and Alternative Methods for Non-dioxin / furan organic HAP**

Pollutant	Recommended Method	Alternative Method	Target Reported Units of Measure
CO	U.S. EPA Method 10, 10A, or 10B. Collect a minimum volume of 1.7 cubic meters and have a minimum sample time of 2 hours per run.	None	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
Formaldehyde	U.S. EPA Method 320. Use a minimum test run time of 2 hours.	RCRA Method 0011. Collect a minimum volume of 1.7 cubic meters and have a minimum sample time of 2 hours per run.	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
THC	U.S. EPA Method 25A. Use a minimum sampling time of 2 hours per run. Calibrate the measuring instrument with a mixture of the organic compounds being emitted or with propane, and report as propane.	None	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
CH <sub>4</sub>	U.S. EPA Method 18. Use a minimum sample time of 2 hours per run.	U.S. EPA Method 320.	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
Speciated Volatile Organic HAP	U.S. EPA Method 0031 with SW-846 Method 8260B. Collect a minimum of 4 sets of sorbent traps for analysis per each 2 hour run. Each set of sorbent traps should be run for 20 minutes at an approximate flow rate of one liter per minute.	None	lb/MMBtu and µg/dscm @ 7% O <sub>2</sub>
Speciated Semi-volatile Organic HAP	U.S. EPA Method 0010 with SW-846 Method 8270D. Collect a minimum volume of 1.7 cubic meters and have a minimum sample time of 2 hours per run. Use high resolution GCMS for the analytical finish.	None	lb/MMBtu and µg/dscm @ 7% O <sub>2</sub>
SO <sub>2</sub> ***	U.S. EPA Method 6C	U.S. EPA Method 6	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
O <sub>2</sub> /CO <sub>2</sub> ***	U.S. EPA Method 3A	U.S. EPA Method 3B	%
Moisture	U.S. EPA Method 4	None	%

\*\*\*If a combustion unit has CEMS installed for CO, NO<sub>x</sub> and/or SO<sub>2</sub>, the unit can report daily averages from 30 days of CEMS data in lieu of conducting a CO, NO<sub>x</sub> and/or SO<sub>2</sub> stack test. In order to correlate these emissions with other stack test emissions, a portion of the CEMS data should contain emissions data collected during performance of the other requested stack tests. The CEMS must meet the requirements of the applicable Performance Specification: CO – Performance Specification 4; NO<sub>x</sub> and SO<sub>2</sub> – Performance Specification 2 and 40 CFR part 60.13 or the CEMS accuracy and ongoing QA/QC requirements of 40 CFR part 75.

**Table 1.2b: Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Methods and Alternative Methods for Dioxin / furan HAP**

Pollutant	Recommended Method	Alternative Method	Target Reported Units of Measure
D/F, PCB**	U.S. EPA Method 23. Collect a minimum volume of 8.5 cubic meters and have a minimum sample time of 8 hours per run. Use high resolution GCMS for the analytical finish.	None	lb/MMBtu and ng/dscm @ 7% O <sub>2</sub>
O <sub>2</sub> /CO <sub>2</sub> ***	U.S. EPA Method 3A	U.S. EPA Method 3B	%
Moisture	U.S. EPA Method 4	None	%

\*\*Just the 12 "dioxin-like" PCB congeners (IUPAC Numbers PCB-77, -81, -105, -114, -118, -123, -126, -156, -157, -167, -169, and -189)

\*\*\*If a combustion unit has CEMS installed for CO, NO<sub>x</sub> and/or SO<sub>2</sub>, the unit can report daily averages from 30 days of CEMS data in lieu of conducting a CO, NO<sub>x</sub> and/or SO<sub>2</sub> stack test. In order to correlate these emissions with other stack test emissions, a portion of the CEMS data should contain emissions data collected during performance of the other requested stack tests. The CEMS must meet the requirements of the applicable Performance Specification: CO – Performance Specification 4; NO<sub>x</sub> and SO<sub>2</sub> – Performance Specification 2 and 40 CFR part 60.13 or the CEMS accuracy and ongoing QA/QC requirements of 40 CFR part 75.

**Table 1.2c: Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Methods and Alternative Methods for Acid gas HAP**

Pollutant	Recommended Method	Alternative Method	Target Reported Units of Measure
HCl and HF	U.S. EPA Method 26A. Collect a minimum volume of 2.5 cubic meters and have a minimum sample time of 3 hours per run.	U.S. EPA Method 26 or U.S. EPA Method 320 if there are no entrained water droplets in the sample.	lb/MMBtu
HCN	U.S. EPA Conditional Test Method 033 (CTM-033)	U.S. EPA Method 26A combined with the analysis procedures from CTM-033, or U.S. EPA Method 26 combined with the analysis procedures from CTM-033 or U.S. EPA Method 320 if there are no entrained water droplets in the sample.	lb/MMBtu
NO <sub>x</sub> ***	U.S. EPA Method 7E	U.S. EPA Method 7, 7A, 7B, 7C, or 7D	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
SO <sub>2</sub> ***	U.S. EPA Method 6C	U.S. EPA Method 6	lb/MMBtu and ppmvd @ 7% O <sub>2</sub>
O <sub>2</sub> /CO <sub>2</sub> ***	U.S. EPA Method 3A	U.S. EPA Method 3B	%
Moisture	U.S. EPA Method 4	None	%

\*\*\*If a combustion unit has CEMS installed for CO, NO<sub>x</sub> and/or SO<sub>2</sub>, the unit can report daily averages from 30 days of CEMS data in lieu of conducting a CO, NO<sub>x</sub> and/or SO<sub>2</sub> stack test. In order to correlate these emissions with other stack test emissions, a portion of the CEMS data should contain emissions data collected during performance of the other requested stack tests. The CEMS must meet the requirements of the applicable Performance Specification: CO – Performance Specification 4; NO<sub>x</sub> and SO<sub>2</sub> – Performance Specification 2 and 40 CFR part 60.13 or the CEMS accuracy and ongoing QA/QC requirements of 40 CFR part 75.

**Table 1.2d: Summary of Coal- and Oil-fired Electric Utility Steam Generating Unit Test Methods and Alternative Methods for Mercury and Non-mercury metallic HAP**

Pollutant	Recommended Method	Alternative Method	Target Reported Units of Measure
Hg	U.S. EPA Method 30B. Use a minimum sample time of 2 hours per run.	None	lb/MMBtu
Metals	U.S. EPA Method 29. Collect a minimum volume of 3.4 cubic meters and have a minimum sample time of 4 hours per run. Determine total filterable PM emissions according to §8.3.1.1. Use ICAP/MS for the analytical finish.	None	lb/MMBtu
PM <sub>2.5</sub> (filterable) from stacks without entrained water droplets (e.g., not from units with wet scrubbers)	U.S. EPA Other Test Method 27 (OTM 27). Include cyclone catch as filterable PM. Collect a minimum volume of 3.4 cubic meters and have a minimum sample time of 4 hours per run.	None	lb/MMBtu
PM <sub>2.5</sub> (filterable) from stacks with entrained water droplets  AND  Total Dissolved Solids (TDS) and Total Suspended Solids (TSS) from wet scrubber recirculation liquid	U.S. EPA Method 5 with a filter temperature of 320°F +/- 25°F. Collect a minimum volume of 3.4 cubic meters and have a minimum sample time of 4 hours per run.  AND  ASTM D5907	For TDS and TSS, Standard Methods of the Examination of Water and Wastewater Method 2540B for solids in scrubber recirculation liquid	lb/MMBtu for PM;  AND  mg solids liter of scrubber recirculation liquid*
PM <sub>2.5</sub> (condensable)	U.S. EPA Other Test Method 28 (OTM 28). Collect a minimum volume of 3.4 cubic meters and have a minimum sample time of 4 hours per run.	None	lb/MMBtu
O <sub>2</sub> /CO <sub>2</sub> **	U.S. EPA Method 3A	U.S. EPA Method 3B	%
Moisture	U.S. EPA Method 4	None	%

\*Also report scrubber recirculation liquid flow rate in liters/min and fuel feed rate in MMBTU/hr.

\*\*If a combustion unit has CEMS installed for CO, NO<sub>x</sub> and/or SO<sub>2</sub>, the unit can report daily averages from 30 days of CEMS data in lieu of conducting a CO, NO<sub>x</sub> and/or SO<sub>2</sub> stack test. In order to correlate these emissions with other stack test emissions, a portion of the CEMS data should contain emissions data collected during performance of the other requested stack tests. The CEMS must meet the requirements of the applicable Performance Specification: CO – Performance Specification 4; NO<sub>x</sub> and SO<sub>2</sub> – Performance Specification 2 and 40 CFR part 60.13 or the CEMS accuracy and ongoing QA/QC requirements of 40 CFR part 75.

## *2.0 Fuel Analysis Procedures and Methods*

The EPA coal- and oil-fired electric utility steam generating unit test program is requesting fuel variability data for fuel-based HAP. The fuel analyses requested include: mercury, chlorine, fluorine, and metals (e.g., antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel, and selenium) for any coal- and oil-fired electric utility steam generating unit that is selected to conduct a stack test.

You will need to collect at least three samples of the fuel combusted during each metals, mercury, particulate matter, acid gas, and dioxin / furan emissions test run; composite these samples; and then analyze and report each composited sample. Only chlorine and fluorine analyses are required during acid gas emissions testing. Should you have an oil-fired unit that is subject to emissions testing and that is fed from just one fuel tank whose content is uniform and is sufficient to complete the emissions testing campaign, you may contact us with a request to reduce fuel sampling requirements. Your request should identify the characteristics of your site, your proposed alternative fuel sampling procedure, and anticipated impact on emissions of using your proposed approach.

Refer to page 1 of the Section 114 letter you received for the specific types of fuel analyses we are requesting from your facility. Directions for collecting, compositing, preparing, and analyzing fuel analysis data are outlined in Sections 2.1 through 2.4.

### *2.1 How to Collect a Fuel Sample*

Table 2.1 outlines a summary of how samples should be collected. Alternately, you may use the procedures in ASTM D2234-00 (for coal) to collect the sample.

**Table 2.1: Summary of Sample Collection Procedures**

<b>Sampling Location</b>	<b>Sampling Procedures</b>	<b>Sample Collection Timing</b>
<b>Solid Fuels</b>		
Belt or Screw Feeder	<p>Stop the belt and withdraw a 6- inch wide sample from the full cross-section of the stopped belt to obtain a minimum two pounds of sample. Collect all the material (fines and coarse) in the full cross-section.</p> <p>Transfer the sample to a clean plastic bag for further processing as specified in Sections 2.2 through 2.5 of this document.</p>	Each composite sample will consist of a minimum of three samples collected at approximately equal intervals during the testing period.
Fuel Pile or Truck	<p>For each composite sample, select a minimum of five sampling locations uniformly spaced over the surface of the pile.</p> <p>At each sampling site, dig into the pile to a depth of 18 inches. Insert a clean flat square shovel into the hole and withdraw a sample, making sure that large pieces do not fall off during sampling.</p> <p>Transfer all samples to a clean plastic bag for further processing as specified in Sections 2.2 through 2.5 of this document.</p>	
<b>Liquid Fuels</b>		
Manual Sampling	Follow collection methods outlined in ASTM D 4057	
Automatic Sampling	Follow collection methods outlined in ASTM D4177	
<b>Fuel Supplier Analysis</b>		
Fuel Supplier	If you will be using fuel analysis from a fuel supplier in lieu of site specific sampling and analysis, the fuel supplier must collect the sample as specified above and prepare the sample according to methods specified in Sections 2.2 through 2.5 of this document.	

**2.2 Create a Composite Sample for Solid Fuels**

Follow the seven steps listed below to composite each sample:

- (1) Thoroughly mix and pour the entire composite sample over a clean plastic sheet.
- (2) Break sample pieces larger than 3 inches into smaller sizes.
- (3) Make a pie shape with the entire composite sample and subdivide it into four equal parts.
- (4) Separate one of the quarter samples as the first subset.
- (5) If this subset is too large for grinding, repeat step 3 with the quarter sample and obtain a one-quarter subset from this sample.
- (6) Grind the sample in a mill according to ASTM E829-94, or for selenium sampling according to SW-846-7740.
- (7) Use the procedure in step 3 of this section to obtain a one quarter subsample for analysis. If the quarter sample is too large, subdivide it further using step 3.

### 2.3 Prepare Sample for Analysis

Use the methods listed in Table 2.2 to prepare your composite samples for analysis.

**Table 2.2: Methods for Preparing Composite Samples**

Fuel Type	Method
Solid	SW-846-3050B or EPA 3050 for total selected metal preparation
Liquid	SW-846-3020A or any SW-846 sample digestion procedures giving measures of total metal
Coal	ASTM D2013-04
Biomass	ASTM D5198-92 (2003) or equivalent, EPA 3050, or TAPPI T266 for total selected metal preparation

### 2.4 Analyzing Fuel Sample

Table 2.3 outlines a list of approved methods for analyzing fuel samplings. If you would like to use a method not on this list, and the list does not meet the definition of “equivalent” provided in Section 5 of this document, please contact EPA for approval of an alternative method.

**Table 2.3: List of Analytical Methods for Fuel Analysis**

Analyte	Fuel Type	Method	Target Reported Units of Measure
Higher Heating Value	Coal	ASTM D5865-04, ASTM D240, ASTM E711-87 (1996)	Btu/lb
	Biomass	ASTM E711-87 (1996) or equivalent, ASTM D240, or ASTM D5865-04	
	Other Solids	ASTM-5865-03a, ASTM D240, ASTM E711-87 (1997)	
	Liquid	ASTM-5865-03a, ASTM D240, ASTM E711-87 (1996)	
Moisture	Coal, Biomass, Other Solids	ASTM-D3 173-03, ASTM E871-82 (1998) or equivalent, EPA 160.3 Mod., or ASTM D2691-95 for coal.	%
Mercury Concentration	Coal	ASTM D6722-01, EPA Method 1631E, SW-846-1631, EPA 821-R-01-013, or equivalent	ppm
	Biomass	SW-846-7471A, EPA Method 1631E, SW-846-1631, ASTM D6722-01, EPA 821-R-01-013, or equivalent	
	Other Solids	SW-846-7471A, EPA Method 1631E, SW-846-1631, EPA 821-R-01-013, or equivalent	
	Liquid	SW-846-7470A, EPA Method 1631E, SW-846-1631E, SW-846-1631, EPA 821-R-01-013, or equivalent	

Analyte	Fuel Type	Method	Target Reported Units of Measure
Total Selected Metals Concentration	Coal	SW-846-6010B, ASTM D3683-94 (2000), SW-846-6020, -6020A or ASTM D6357-04 (for arsenic, beryllium, cadmium, chromium, lead, manganese, and nickel in coal) ASTM D4606-03 or SW-846-7740 (for Se) SW-846-7060 or 7060A (for As)	ppm
	Biomass	SW-846-6010B, ASTM D6357-04, SW-846-6020, -6020A, EPA 200.8, or ASTM E885-88 (1996) or equivalent, SW-846-7740 (for Se) SW-846-7060 or -7060A (for As)	
	Other Solids	SW-846-6010B, EPA 200.8 SW-846-7060 or 7060A for As	
	Liquid	SW-846-6020, -6020A, , SW-846-6010B, SW-846-7740 for Se, SW-846-7060 or -7060A for As	
Chlorine Concentration	Coal	SW-846-9250 or ASTM D6721-01 or equivalent, SW-846-5050, -9056, -9076, or -9250, ASTM E776-87 (1996)	ppm
	Biomass, Other Solids, Liquids	ASTM E776-87 (1996), SW-846-9250, SW-846-5050, -9056, -9076, or -9250	
Fluorine Concentration	Coal	ASTM D3761-96(2002), D5987-96 (2002)	ppm

Report the results of your fuel analysis according to the directions provided in section 3.0 of this enclosure.

### 3.0 How to Report Data

The method for reporting the results of any testing and monitoring requests depend on the type of tests and the type of methods used to complete the test requirements. This section discusses the requirements for reporting the data.

#### 3.1 Reporting stack test data

If you conducted a stack test using one of the methods listed in Table 3.1, shown below, you must report your data using the EPA Electronic Reporting Tool (ERT) Version 3. ERT is a Microsoft® Access database application. Two versions of the ERT application are available. If you are not a registered owner of Microsoft® Access, you can install the runtime version of the ERT Application. Both versions of the ERT are available at [http://www.epa.gov/ttn/chief/ert/ert\\_tool.html](http://www.epa.gov/ttn/chief/ert/ert_tool.html). The ERT supports an Excel spreadsheet application (which is included in the files downloaded with the ERT) to document the collection of the field sampling data. After completing the ERT, you will also need to attach an electronic copy of the emission test report (PDF format preferred) to the Attachments module of the ERT.

**Table 3.1: List of Test Methods Supported by ERT**

<b>Test Methods Supported by ERT</b>
Methods 1 through 4
Method 7E
Method 6C
Method 5
Method 3A
Method 29
Method 26A
Method 25A
Method 23
Method 202
Method 201A
Method 17
Method 101A
Method 101
Method 10
CT Method 40
CT Method 39
OTM 27
OTM 28

If you conducted a stack test using a method not currently supported by the ERT, you must report the results of this test in a Microsoft® Excel Emission Test Template. The Excel templates are specific to each pollutant and type of unit and they can be downloaded from the Electric Utility MACT ICR 2009 website (<http://utilitymacticr.rti.org>). You must report the results of

each test on the appropriately labeled worksheet corresponding to the specific tests requested at your combustion unit. If more than one unit at your facility conducted a stack test using methods not currently supported by the ERT, you must make a copy of the worksheet and update the combustor ID in order to distinguish between each separate test. After completing the worksheet, you must also submit an electronic copy of the emission test report (PDF format preferred).

If you have CO CEMS that meets performance specification-4 or a SO<sub>2</sub> and/or NO<sub>x</sub> CEMS that meets performance specification-2 and 40 CFR part 60.13 or the CEMS accuracy and ongoing QA/QC requirements of 40 CFR part 75 installed at your combustion unit, and you used CEMS data to meet CO, SO<sub>2</sub> and/or NO<sub>x</sub> test requirements at your facility, you must report daily averages from 30 days of CEMS data in a Microsoft<sup>®</sup> Excel CEMS Template. The Excel templates are specific to each pollutant and type of unit and they can be downloaded from the Electric Utility MACT ICR 2009 website (<http://utilitymacticr.epa.gov>).

### 3.2.1 Reporting measured values below the detection level

Identify the status of measured values relative to detection levels on the spreadsheet or in the ERT using the following descriptions:

- **BDL** (below detection level) – all analytical values used to calculate and report an in-stack emissions value are less than the laboratory's reported detection level(s);
- **DLL** (detection level limited) – at least one but not all values used to calculate and report an in-stack emissions value are less than the laboratory's reported detection level(s); or
- **ADL** (above detection level) – all analytical values used to calculate and report an in-stack emissions value are greater than the laboratory's reported detection level(s).

For each reported emissions value, insert the appropriate flag (BDL, DLL, or ADL) in the *Note* line of Excel emission test spreadsheet template or in the *Comments* line of the Electronic Reporting Tool (ERT).

When reporting and calculating individual test run data:

- For analytical data reported from the lab as “nondetect” or “below detection level;”
  - Include a brief description of the procedures used to determine the analytical detection and in-stack detection levels:
    - In the *Note* line of Excel emission test spreadsheet template; or
    - In the *Comments* line of Lab Data tab in the Run Data Details in the ERT.
  - Describe these procedures completely in a separate attachment including the measurements made, the standards used, and the statistical procedures applied.
  - Calculate in-stack emissions rate for any analytical measurement below detection level using the relevant detection level as the “real” value.
  - Report the calculated emissions concentration or rate result:

- As a bracketed “less than” detection level value (e.g., [ $<0.0105$ ]) in the Excel emission test spreadsheet template and include the appropriate flag in the Note line; or
  - As a “real” value in the ERT with the appropriate flag in the Comments line.
- Report as “real” values (i.e., no brackets or  $<$  symbol) any analytical data measured above the detection level including any data between the analytical detection level and a laboratory-specific reporting or quantification level (i.e., flag as ADL).
- Apply these reporting and calculation procedures to measurements made with **Method 23**:
  - Report data in the Excel emission test spreadsheet template for each of the D/F congeners measured with Method 23 below the detection level as [ $<$  detection level]
  - Do not report emissions as zero as described in the method
- For pollutant measurements composed of multiple components or fractions (e.g., Hg and other metals sampling trains) when the result for the value for any component is measured below the analytical detection level;
  - Calculate in-stack emissions rate or concentrations as outlined above for each component or fraction;
  - Sum the measured and detection level values as outlined above using the in-stack emissions rate or concentrations for all of the components or fractions; and
  - Report the sum of all components or fractions:
    - As a bracketed “less than” detection level value (e.g., [ $<0.0105$ ]) in the Excel emission test spreadsheet template and include the appropriate flag in the Note line; or
    - As a “real” value in the ERT with the appropriate flag in the Comments line.
  - Report also the individual component or fraction values for each run if the Excel emission test spreadsheet template or ERT format allows; if not (i.e., the format allows reporting only a single sum value):
    - For the Excel emission test spreadsheet template, next to the sum reported as above report in the *Notes* line the appropriate flag along with the values for the measured or detection level value for each component or fraction as used in the calculations (e.g., 0.036, [ $<0.069$ ], 1.239, [ $<0.945$ ] for a four fraction sample)
    - For the ERT, next to the sum reported as above, report on the *Comments* line the appropriate flag and the measured or detection level value for each component or fraction as used in the calculations (e.g., 0.036, [ $<0.069$ ], 1.239, [ $<0.945$ ] for a four fraction sample)
- For measurements conducted using instrumental test methods (e.g., Methods 3A, 6C, 7E, 10, 25A)

- Record gaseous concentration values **as measured** including negative values and flag as ADL; do not report as BDL
  - Calculate and report in-stack emissions rates using these measured values
  - Include relevant information relative to calibration gas values or other technical qualifiers for measured values in *Comments* line in the ERT
- When reporting and calculating average emissions rate or concentration for a test when some results are reported as BDL
    - Sum all of the test run values including those indicated as BDL or DLL as “real” values
    - Calculate the average emissions rate or concentration (e.g., divide the sum by 3 for a three-run test)
    - Report the average emissions rate or concentration average:
      - As a bracketed “less than” detection level value (e.g., [ $<20.06$ ]) in the Excel emission test spreadsheet template and include the appropriate flag in the Note line
      - As a “real” value in the ERT and include the appropriate flag in the Comments line.

### ***3.2 Reporting Fuel Analysis Data***

If you conducted a fuel analysis, you must report the analysis results separately for each of the composited samples in a Microsoft © Excel Fuel Analysis Template. This Excel template can be downloaded from the Electric Utility MACT ICR 2009 website (<http://utilitymacticr.rti.org>). If you conducted fuel analysis on more than one type of fuel used during testing, or for more than one combustion unit, you must make a copy of the worksheet and update the combustor ID and fuel type in each worksheet order to distinguish between the separate fuel analyses.

### ***3.3 Required Fields for ERT Reporting***

This section outlines the required data entry fields for the ERT in order to satisfy the requirements of this ICR test program. The list of fields within the ERT with the notes whether or not the field is required or optional can be found at <http://utilitymacticr.rti.org>.

#### *4.0 How to Submit Data*

You may submit your data by using the Electric Utility MACT ICR 2009 website. To avoid duplicate data keep all data for a particular facility together, we request that you submit all of the data requested from your facility the same way. To submit your data:

- Use the Electric Utility MACT ICR 2009 website referenced below and follow the directions listed below.
- If you are submitting Confidential Business Information (CBI), you must mail a separate CD or DVD containing only the CBI portion of your data to the EPA address shown in your Section 114 letter.

#### **Instructions for Uploading Part III**

##### **1. Open the Web site**

Open the Electrical Utility MACT ICR 2009 Web site, located at the following address:  
<http://utilitymacticr.rti.org>

##### **2. Log in, or register – It is assumed that the respondent has registered and logged into the website previously for entry of Part I and II data.**

##### **3. Go to the "Upload Part III" page**

- a. Click on the "Upload" menu item within the menu bar at the top of the screen to go to the "Upload" page.
- b. Click on the "Upload Part III" link.

##### **4. Upload your completed ERT Database and Excel Spreadsheets**

- a. Go to the tabbed section of the "Upload Part III" page.
- b. The first tab is the "Upload Checklist" tab.

Answer all questions, then click on the "Continue" button. Your answers to the "Upload Checklist" questions will assist in guiding you correctly through the upload process.

- c. The next tab is the "Upload ERT Database" tab.
  - i. Enter a description for the upload, or any comments. Note that the description and comments entered at this point are primarily for your own reference when referring back to the files you have uploaded (refer to 4.e).

- ii. Select the name(s) of the Facility(s) that the ERT Database applies to.
- iii. Select the name(s) of the Unit(s) that the ERT Database applies to.
- iv. Browse to the ERT Database file that you wish to upload.
- v. After selecting the file, click on the "Upload" link. The file's upload progress will be displayed. Uploading may take a few seconds or minutes depending on the size of the file you are attempting to upload, and your internet connection speed.

Please be aware that the only file types that will be accepted for the ERT Database upload are ".zip" and ".acddr" (the file type of the ERT Database originally supplied to you). It is recommended that you zip your completed ERT Database prior to uploading it, particularly if it is over 200MB in size.

- d. After the ERT Database upload has completed, click on the "Continue" button.
- e. If you answered "Yes" to the checklist question regarding Additional Excel data(Microsoft<sup>®</sup> Excel Emission Test Template and/or Microsoft<sup>®</sup> Excel Fuel Analysis Template), the next tab will be the "Upload Additional Excel Data" tab.

Follow the same process outlined in 4.c.

Note that the only file types that will be accepted for the Excel data upload are ".xls" and ".xlsx".

- f. After the Excel data upload has completed, click on the "Continue" button.
- g. The final tab is the "View uploaded files" tab. This will display a list of the files you have uploaded.
  - i. Next to each file will be links to "Delete" and "Download" the file.
    1. You can click on the "Delete" link if you wish to remove the file in order to upload a new version.
    2. If you would like to check the file that is currently uploaded, click on the "Download" link to download a copy of it.
  - ii. At the bottom of the "View uploaded files" tab, there is a "Finalize uploads" button.
    1. Click on this button when you are sure you have uploaded the final copy of your completed ERT Database.
    2. Once you have finalized uploads for Part III you will no longer be able to upload further files for that part of the ICR.

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OMB Control No. 2060-0631  
Approval Expires 12/31/2012

Also at the bottom of the "View uploaded files" tab, there is a button titled "Upload another file".

Click on this button if you would like to start the upload process again, for another completed ERT Database

## 5.0 Definitions

*The following definitions apply to the coal- and oil-fired electric utility steam generating unit test plan methods:*

*Equivalent means:*

- (1) An equivalent sample collection procedure means a published voluntary consensus standard or practice (VCS) or EPA method that includes collection of a minimum of three composite fuel samples, with each composite consisting of a minimum of three increments collected at approximately equal intervals over the test period.
- (2) An equivalent sample compositing procedure means a published VCS or EPA method to systematically mix and obtain a representative subsample (part) of the composite sample.
- (3) An equivalent sample preparation procedure means a published VCS or EPA method that: Clearly states that the standard, practice or method is appropriate for the pollutant and the fuel matrix; or is cited as an appropriate sample preparation standard, practice or method for the pollutant in the chosen VCS or EPA determinative or analytical method.
- (4) An equivalent procedure for determining heat content means a published VCS or EPA method to obtain gross calorific (or higher heating) value.
- (5) An equivalent procedure for determining fuel moisture content means a published VCS or EPA method to obtain moisture content. If the sample analysis plan calls for determining metals (especially the mercury, selenium, or arsenic) using an aliquot of the dried sample, then the drying temperature must be modified to prevent vaporizing these metals. On the other hand, if metals analysis is done on an "as received" basis, a separate aliquot can be dried to determine moisture content and the metals concentration mathematically adjusted to a dry basis.
- (6) An equivalent pollutant (mercury, TSM, or total chlorine) determinative or analytical procedure means a published VCS or EPA method that clearly states that the standard, practice, or method is appropriate for the pollutant and the fuel matrix and has a published detection limit equal to or lower than the methods listed in this test plan.

*Voluntary Consensus Standards or VCS* mean technical standards (e.g., materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. EPA/OAQPS has by precedent only used VCS that are written in English. Examples of VCS bodies are: American Society of Testing and Materials (ASTM), American Society of Mechanical Engineers (ASME), International Standards Organization (ISO), Standards Australia (AS), British Standards (BS), Canadian Standards (CSA), European Standard (EN or CEN) and German Engineering Standards (VDI). The types of standards that are not considered VCS are standards developed by: the U.S. States, such as California (CARB) and Texas (TCEQ); industry groups, such as American Petroleum Institute (API), Gas Processors Association (GPA), and Gas Research Institute (GRI); and other branches of the U.S. government, such as Department of Defense (DOD) and Department of Transportation (DOT).

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**This does not preclude EPA from using standards developed by groups that are not VCS bodies within their rule. When this occurs, EPA has done searches and reviews for VCS equivalent to these non-EPA methods.**

*6.0 Contact Information for Questions on Test Plan and Reporting*

**For questions on how to report data using the ERT, contact:**

Ron Myers  
U.S. EPA  
(919) 541-5407  
[myers.ron@epa.gov](mailto:myers.ron@epa.gov)

or

Barrett Parker  
U.S. EPA  
(919) 541-5635  
[parker.barrett@epa.gov](mailto:parker.barrett@epa.gov)

**For questions on the test methods contact:**

Peter Westlin  
U.S. EPA  
(919) 541-1058  
[westlin.peter@epa.gov](mailto:westlin.peter@epa.gov)

OR

Gary McAlister  
U.S. EPA  
(919) 541-1062  
[mcAlister.gary@epa.gov](mailto:mcAlister.gary@epa.gov)

**For questions on the coal- and oil-fired electric utility steam generating unit test plan, including units selected to test and reporting mechanisms other than the ERT, contact:**

William Maxwell  
U.S. EPA  
(919) 541-5430  
[maxwell.bill@epa.gov](mailto:maxwell.bill@epa.gov)

**For questions on uploading files to the HTTP site, Please visit <http://utilitymactier.rti.org> and use the toll free technical support hotline or technical support email address.**

## **Instructions and Information for Submitting Part I and II Data Electronically**

### **What services will EPA have available to aid in ICR data entry?**

EPA is making available to the respondent an alternative to the hard copy questionnaire. The electronic ICR is a database application written in MS Access format and is downloadable from the EU MACT ICR web site (mentioned below) in either a runtime version (not requiring MS Access being present on the respondent's computer) or as a smaller-sized file for use on computers with MS Access already installed.

There will also be an electronic ICR user's guide available for download from the web site that will guide the respondent through the application data entry screens, the application's completeness checks (accessible prior to upload), and the electronic ICR file upload via the web site (discussed below). The web site will have a section devoted to frequently asked questions (FAQ) to help address questions that could affect multiple respondents. The web site will also have an email system in its secure upload area so respondents can ask questions of EPA or needing help with data collection or web site issues. Finally, EPA authorized contractors will maintain a toll-free hotline to answer questions and aid respondents in their data submissions.

### **What steps will EPA take to address data security?**

The following security steps are used by the EU MACT ICR web site to prevent any unauthorized access to uploaded electronic ICR data:

- Respondents who will be uploading data will first need to register on the Web site to obtain a user account.
- All registrants to the site will be screened before their user account is granted access to the upload section of the site.
- Authorized users will need to enter their user name and password before they can access the upload section of the site.
- Authorized users will only be able to view the uploads that they have made to the site; however, they will not have access to view other users' data.
- The data uploaded to the Web site will be transmitted using Secure Sockets Layer or SSL (also known as Transport Layer Security or TLS), i.e. the URL to the website will start with "https" and will display the padlock symbol next to the browser's address bar. Data sent using SSL is encrypted.
- Uploaded data will be stored as Binary Large Objects (BLOBs) within a holding database, rather than within the file system of the Web server hosting the Web site. Only EPA authorized contractor staff who have access to the administrator user name and password of the database will be able to directly access the data. In addition, files contained within BLOBs cannot be opened and viewed directly within the database; a program to extract the file information is required.
- The Web site uses built-in ASP.NET security to prevent unauthorized access to the file system of the Web server and the holding database.

**How do respondents submit their Part I and II data (their electronic ICR file) via the web site?**

**1. Open the Web site**

Open the Electrical Utility MACT ICR 2009 Web site, located at the following address:  
<https://utilitymacticr.rti.org>

**2. Log in, or register**

a. Register as a user of the site

- i. Click on the *Register* link, located at the bottom right corner of the screen
- ii. On the *User Registration* page, enter your information into each field. Fields that are marked with a red arrow are required.
- iii. Click on the *Register* link, located below the fields, when you have finished entering the required information. Registration takes a few seconds to process so please wait until you see a confirmation message.
- iv. Once registration is complete, your details will be sent to the site administrator for verification. You will receive an email, confirming that you have registered as a user of the site.
- v. You will receive a separate email when your details have been verified by the Web site administrator. You will then be able to log in to the site with the user name and password you created during the registration process.

b. Log into the site

- i. Click on the *Login* link, located at the bottom right corner of the screen
- ii. Enter the user name and password you created during the registration process, then click on the *Login* button. It is important to note that user names and passwords are case-sensitive.
- iii. After you have logged in, you will be able to see an *Upload* menu item within the menu bar at the top of the screen.

**3. Go to the Upload Parts I and II page**

a. Click on the *Upload* menu item within the menu bar at the top of the screen to go to the *Upload* page.

b. Click on the *Upload Parts I and II* link.

**4. Upload your completed questionnaire**

a. Go to the tabbed section of the *Upload Parts I and II* page.

b. The first tab is the *Upload Checklist* tab.

Answer all questions, and then click on the *Continue* button. Your answers to the *Upload Checklist* questions will assist in guiding you correctly through the upload process.

- c. The next tab is the *Upload Questionnaire* tab.
  - i. Enter a description for the upload, or any comments. Note that the description and comments entered at this point are primarily for your own reference when referring back to the files you have uploaded (refer to 4.g).
  - ii. Select the name(s) of the Facility(s) that the questionnaire applies to.
  - iii. Select the name(s) of the Unit(s) that the questionnaire applies to.
  - iv. Browse to the questionnaire file that you wish to upload.
  - v. After selecting the file, click on the *Upload* link. The file's upload progress will be displayed. Uploading may take a few seconds or minutes depending on the size of the file you are attempting to upload, and your internet connection speed.

Please be aware that the only file types that will be accepted for the questionnaire upload are *.zip* and *.acddr* (the file type of the questionnaire originally supplied to you). It is recommended that you zip your completed questionnaire prior to uploading it, particularly if it is over 200MB in size.

- d. After the questionnaire upload has completed, click on the *Continue* button.
- e. If you answered *Yes* to the checklist question regarding CEM data, the next tab will be the *Upload CEM Data* tab.

Follow the same process outlined in 4.c.

Note that the only file types that will be accepted for the CEM data upload are *.xls* and *.pdf*.

- f. After the CEM data upload has completed, click on the *Continue* button.
- g. The final tab is the *View uploaded files* tab. This will display a list of the files you have uploaded.
  - i. Next to each file will be links to *Delete* and *Download* the file.
    - 1. You can click on the *Delete* link if you wish to remove the file in order to upload a new version.
    - 2. If you would like to check the file that is currently uploaded, click on the *Download* link to download a copy of it.
  - ii. At the bottom of the *View uploaded files* tab, there is a *Finalize uploads* button.
    - 1. Click on this button when you are sure you have uploaded the final copy of your completed questionnaire (and, if applicable, CEM data).
    - 2. Once you have finalized uploads for Parts I and II you will no longer be able to upload further files for that part of the ICR.
  - iii. Also at the bottom of the *View uploaded files* tab, there is a button titled *Upload another file*.

Click on this button if you would like to start the upload process again, for another completed questionnaire.

**EPA's Information Gathering Authority  
Under Section 114 of the Clean Air Act**

Under Section 114 of the Act (42 U.S.C. 7414), Congress has given the U.S. Environmental Protection Agency broad authority to secure information needed "for the purpose of (i) developing or assisting in the development of any implementation plan under Section 110 or 111(d), any standard of performance under Section 111, or any emission standard under Section 112, (ii) determining whether any person is in violation of any such standard of any requirement of such a plan, or (iii) carrying out any provision of this Act." Among other things, Section 114 authorizes EPA to make inspections, conduct tests, examine records, and require owners or operators of emission sources to submit information reasonably required for the purpose of developing such standards. In addition, the EPA Office of General Counsel has interpreted Section 114 to include authority to photograph or require submission of photographs of pertinent equipment, emissions, or both.

Under Section 114, EPA is empowered to obtain information described by that section even if you consider it to be confidential. You may, however, request that EPA treat such information as confidential. Information obtained under Section 114 and covered by such a request will ordinarily be released to the public only if EPA determines that the information is not entitled to confidential treatment.<sup>1</sup> Procedures to be used for making confidentiality determinations, substantive criteria to be used in such determinations, and special rules governing information obtained under Section 114 are set forth in 40 CFR Part 2 published in the Federal Register on September 1, 1976 (40 FR 36902).

Pursuant to § 2.204(a) of EPA's Freedom of Information Act (FOIA) regulation, in the event a request is received, or it is determined that a request is likely to be received, or EPA desires to determine whether business information in its possession is entitled to confidential treatment even though no request for release of the information has been received, please be advised that EPA will seek, at that time, the following information to support your claim as required by § 2.204(e)(4) of EPA's FOIA regulations:

1. Measures taken by your company to guard against undesired disclosure of the information to others;
2. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
3. Pertinent confidentiality determinations, if any, by EPA or other Federal agencies, and a copy of any such determinations, or reference to it, if available; and
4. Whether your company asserts that disclosure of the information would be likely to result in substantial harmful effects on the business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

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<sup>1</sup>Section 114 requires public availability of all emission data and authorizes disclosure of confidential information in certain circumstances. See 40 FR 36902 - 36912 (September 1, 1976).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

JAN -5 2007

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

**DESIGNATION OF AUTHORIZED REPRESENTATIVE  
FOR STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES  
(SECTION 111), NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR  
POLLUTANTS (SECTION 112), SOLID WASTE COMBUSTION (SECTION 129),  
AND FEDERAL OZONE MEASURES (SECTION 183)**

Under contract EPD-06-118, Research Triangle Institute (RTI) (prime contractor) and EC/R, Inc.; BCS, Inc.; Eastern Research Group, Inc.; Innovar Environmental, Inc.; MACTEC Federal Programs, Inc. (subcontractors) are hereby designated Authorized Representatives of the Administrator of the United States Environmental Protection Agency for the purpose of assisting in the development of standards of performance for new stationary sources under 42 U.S.C. 7411, national emission standards for hazardous air pollutants under 42 U.S.C. 7412, solid waste combustion under 42 U.S.C. 7429, and Federal ozone measures under 42 U.S.C. 7511 (b).

This designation is made pursuant to the Clean Air Act, 42 U.S.C. 7414. The United States Code provides that, upon presentation of this credential, the Authorized Representatives named herein: (1) shall have a right of entry to, upon, or through any premises in which an emission source is located or in which records required to be maintained under 42 U.S.C. 7414 (a) (1) are located and (2) may at reasonable times have access to and copy any records, inspect any monitoring equipment or method required under 42 U.S.C. 7414 (a) (1), and sample any emissions that the owner or operator of such source is required to sample.

Authorized Representatives of the Administrator are subject to the provisions of 42 U.S.C. 7414 (c) respecting confidentiality of methods or processes entitled to protection as trade secrets, as implemented by 40 CFR 2.301 (h) (41 FR 36912, September 1, 1976).

Designation Expires: March 31, 2011

Sincerely,

Stephen D. Page

Director

Office of Air Quality Planning  
and Standards

[AD-FRL-3906-3]

Disclosure of Emission Data Claimed as Confidential Under Sections 110 and 114(c) of the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of policy on public release of certain emission data submitted under sections 110 and 114(c) of the Clean Air Act (CAA).

**SUMMARY:** Section 114(c) of the CAA excludes emission data from the general definition of trade secret information. Certain classes of data submitted to the EPA under sections 110 and 114(a) of the CAA are emission data, and, as such, cannot be withheld from disclosure as confidential pursuant to section 1905 of title 18 of the United States Code. This notice clarifies EPA's current policy, and solicits comment regarding that policy and categories of data which it considers excluded from a trade secret definition.

**DATES:** Written comments pertaining to this notice are requested by April 22, 1991.

**ADDRESSES:** Submit comments to: Nancy D. Riley, U.S. Environmental Protection Agency, Emission Standards Division, Pollutant Assessment Branch (MD-13), Research Triangle Park, NC 27711.

**FOR FURTHER INFORMATION**

**CONTACT:** Timothy Mohin (telephone: (919) 541-5349 commercial/FTS 629-5349) or Karen Blanchard (telephone: (919) 541-5503 commercial/FTS 629-5503), Pollutant Assessment Branch (MD-13), Emission Standards Division; or Thomas Rosendahl (telephone: (919) 541-5404 commercial/FTS 629-5404), National Air Data Branch (MD-14), Technical Support Division; U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**SUPPLEMENTARY INFORMATION:** The EPA routinely uses the authority of sections 110 and 114(a) of the CAA to gather technical information from industries

involved in operations that lead to emission of pollutants to the ambient air. This information has been used, among other things, to better characterize emitting facilities and to evaluate the need for and impacts of potential regulation.

Information requests under sections 110 and 114(a) of the CAA typically include questions on uncontrolled and controlled emission rates and emission parameters of the pollutant or group of pollutants of concern. The respondents sometimes claim that its response constitutes trade secret information, and thus, should be treated as confidential. Claims of confidentiality may be made under section 114(c) of the CAA, which states " \* \* \* upon a showing satisfactory to the Administrator by any person that records, reports, or information, or a particular part thereof, (other than emission data) to which the Administrator has access under this section if made public, would divulge methods or processes entitled to protection as trade secrets of such person, the Administrator shall consider such \* \* \* confidential in accordance with the purposes of section 1905 of title 18 of the United States Code \* \* \* ." If the Administrator so determines, the information is not disclosable to the public.

However, section 114(c) of the CAA provides that information claimed to be a trade secret but which constitutes emission data may not be withheld as confidential. Although typically the EPA evaluates whether information constitutes emission data on a case-by-case basis, it believes that some kinds of data will always constitute emission data within the meaning of section 114(c). The purpose of this notice is to describe, without attempting to be comprehensive, that information which the EPA generally considers to be emission data, and which cannot qualify as confidential under either section 114(c) or section 110 (as set forth in 41 CFR 51.321, 51.322, and 51.323) of the CAA. The EPA is issuing this notice to clarify its policy and procedures, to facilitate the use of these data in automated data systems and computer-based simulation models, and to expedite processing of claims for confidentiality or requests for disclosure.

The EPA presently determines that data submitted to it as emission data does not qualify as confidential if it meets the following definition under 40 CFR 2.301(a)(2)(i):

a. Definitions. For the purpose of this section, (1) *Act* means the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. (2)(i)

*Emission data* means, with reference to any source of emission of any substance into the air—

(A) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

(B) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emission which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner or rate of operation of the source), or any combination of the foregoing.

(C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

The table below lists the specific data fields which the EPA presently considers to constitute emission data and provides a brief description of what each data field describes. The descriptions are intended to provide general information. This list is not exhaustive, and, therefore, other data might be found, in a proper case, to constitute emission data.

**Emission Data Fields**

**Facility Identification:** The following data fields are needed to establish the identity and location of emission sources. This shall also include a description or an identifier of the device, installation, or operation constituting the source. These data are used to locate sources for dispersion evaluation and exposure modeling.

Plant Name and related point identifiers

Address

City

County

AQCR (Air Quality Control Region)

MSA, PMSA, CMSA (Metropolitan Statistical Areas)

State

Zip Code

Ownership and point of contact information

Locational Identifiers:

Latitude & Longitude, or UTM Grid Coordinates  
SIC (Standard Industrial Classification)  
Emission point, device or operation description information  
SCC (Source Classification Codes)  
Emission Parameters: The following data fields are needed to establish the characteristics of the emissions. This information is needed for the analyses of dispersion and potential control equipment.  
Emission type  
(e.g., nature of emissions such as CO<sub>2</sub>, particulate or a specific toxic compound, and origin of emissions such as process vents, storage tanks or equipment leaks)  
Emission rate  
(e.g., the amount released to the atmosphere over time such as kg/yr or lbs/yr)  
Release height  
(e.g., height above ground level where the pollutant is emitted to the atmosphere)  
Description of terrain and surrounding structures  
(e.g., the size of the area associated with adjacent structures in square meters and terrain descriptions such as mountainous, urban, or rural)  
Stack or vent diameter at point of emissions  
(e.g., the inside diameter of vent at the point of emission to the atmosphere in meters)  
Release velocity  
(e.g., velocity of release in m/sec)  
Release temperature  
(e.g., temperature of release at point of release in degrees Kelvin)  
Frequency of release  
(e.g., how often a release occurs in events per year)  
Duration of release  
(e.g., the time associated with a release to the atmosphere)  
Concentration  
(e.g., the amount of an emission stream constituent relative to other stream constituents expressed as parts per million (ppm), volume percent, or weight percent)  
Density of the emissions stream or average molecular weight  
(e.g., density expressed as fraction or multiple of the density of air; molecular weight in g/g-mole)  
Boiler or process design capacity  
(e.g., the gross heating value of fuel input to a boiler at its maximum design rate)  
Emission estimation method  
(e.g., the method by which an emission estimate has been calculated such as material balance, source test, use of AP-42 emission factors, etc.)  
Percent space heat

(e.g., the percent of fuel used for space heating)  
Hourly maximum design rate  
(e.g., the greatest operating rate that would be expected for a source in a 1-hour period)

The EPA has determined that these data are emission data and releasable upon request. This determination applies to data currently held by EPA as well as to information submitted to EPA in the future. Future requests for information under sections 110 and 114 of the CAA will indicate that these emission data will not be held confidential. This determination applies only to the data listed in the table. Determinations will continue to be made on a case-by-case basis for data not specified in this generic determination.

After consideration of comments on this policy, a revised policy/determination may be published.

Dated: February 8, 1991.

Michael Shapiro.

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 91-4114 Filed 2-20-91; 8:45 am]

**Summary of OAQPS  
Procedures for Safeguarding Clean Air Act (CAA)  
Confidential Business Information (CBI)**

**January 2002**

**1. Purpose:**

This memorandum describes policies and procedures set forth by the Office of Air Quality Planning and Standards (OAQPS) for the handling of information claimed as Confidential Business Information (CBI), whether submitted voluntarily or obtained under Section 114 of the Clean Air Act (CAA), and governed by U.S. Environmental Protection Agency (EPA) regulations in 40 Code of Federal Regulations (CFR), Part 2, Subpart B, and other EPA regulations.

**2. Reference Documents:**

- a. Clean Air Act as amended.
- b. 40 CFR, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information.
- c. EPA Information Security Manual 2195A1
- d. Office of Air Quality Planning and Standards Confidential Business Information Security Manual (January 2009)

**3. Exception:**

This document was prepared as a summary of data gathering and handling procedures used by the OAQPS, EPA. Nothing in this document shall be construed as superseding or being in conflict with any applicable regulations, statutes, or policies to which EPA is subject.

**4. Definition:**

Confidential Business Information (CBI) - Information claimed by the provider to be confidential. This information may be identified with such titles as trade secret, secret, administrative secret, company secret, secret proprietary, privileged, administrative confidential, company confidential, confidential proprietary, or proprietary. NOTE: These markings should not be confused with the classification markings of National Security information identified in Executive Order 11652.

## **5. Background:**

Section 114 (c) of the Clean Air Act as amended reads as follows:

“Any records, reports, or information obtained under subsection (a) shall be available to the public, except that upon satisfactorily showing to the Administrator by any person that records, reports, or information, or particular part thereof (other than emission data), to which the Administrator has access under this section if made public, would divulge methods or processes entitled to protection as trade secrets of such person, the Administrator shall consider such records, report, or information or particular portion thereof confidential in accordance with the purposes of Section 1905 of Title 18 of the United States Code, except that such record, report, or information may be disclosed to other officers, employees, or authorized representatives of the United States concerned with carrying out this Act or when relevant in any proceeding under this Act.”

The treatment of CBI by EPA, including data obtained under Section 114 of the Clean Air Act, is governed by 40 CFR, Part 2. These regulations require EPA offices to include a notice with each request for information to inform the business of: (1) its right to assert a claim of confidentiality covering part or all of the information, (2) the method for asserting a claim, and (3) the effect of failure to assert a claim at time of submission. In addition, the regulations: (1) set forth procedures for the safeguarding of confidential information; (2) contain provisions for providing confidential information to authorize representatives; (3) contain provisions for the release of information to the Congress, Comptroller General, other Federal agencies, State and local governments, and Courts; (4) permit the disclosure of information within EPA to employees with an official need for the information; and (5) prohibit wrongful use of such information and cite penalties for wrongful disclosure. Further, the regulations contain the Agency's basic rule concerning the treatment of requests for information under the Freedom of Information Act (5 U.S.C. 552).

## **6. Procedures:**

### **a. Request for Information**

Each request for information made under the provisions of Section 114(a) is signed by the Division Director. The request includes standard enclosure “EPA's Information Gathering Authority under Section 114 of the Clean Air Act,” which was designed to meet the requirement of 40 CFR Part 2 discussed above.

### **b. Receipt of CAA Confidential Business Information**

Upon receipt of information for which confidential treatment has been requested, the OAQPS Document Control Officer (DCO) logs in the material and a permanent file is established. If part of the material is claimed to be confidential, that portion should be marked “Subject to Confidentiality Claim.” In compliance with Sections 2.204 and 2.208 of 40 CFR Part 2, the Group Leader responsible for the requested information reviews the information to determine the validity of the confidentiality claim as prescribed by the sections. If the information is clearly not confidential, the Group Leader prepares a letter

for the signature of the responsible Division Director to notify the business of this finding.

Information claimed as confidential is hand carried to the OAQPS CBI Office to be logged into the OAQPS CAA CBI tracking system and filed for safekeeping. The OAQPS CAA CBI tracking system provides a brief description of the material (submitter, subject, number of pages, etc.), identifies it with the correct project number, or work assignment number, and lists those persons who are authorized to have access to the information. record of personnel accessing the information (Attachment A) is also kept on file. By regulation, confidential information must be so marked or designated by the originator. EPA takes additional measures to ensure that the proprietary designation is uniformly indicated and immediately observable. All unmarked or undesignated information (except as noted below) may be authorized for public release.

**c. Storage of CAA Confidential Business Information**

Folders, documents, or material containing CAA CBI (as defined) shall be secured, within the confines of the instructions listed in the OAQPS Security Manual. In addition, the CBI storage area has been identified specifically for this purpose and is equipped with supplementary locking devices. The storage area and files are under the direct control of the OAQPS DCO.

Access to the storage area is limited to the Document Control Officer DCO, Document Control Officer Assistant (DCOA) and the minimum number of persons required to effectively maintain normal business operations as directed by the Director, Central Operations and Resources (CORE).

Files may be issued upon confirmation that the requesting individual is authorized to receive the information. All confidential files must be returned no later than close of business on the same day. The intended user must sign the CBI Control Record when checking out files.

Individuals signing out confidential files are responsible for their safekeeping. Files must never be left unattended. The information must not be disclosed to any non-authorized personnel.

Storage procedures for CAA CBI by an authorized representative of EPA (see Section d. below) must be, at a minimum, as secure as those established for EPA offices within OAQPS. Whenever CBI is removed from the EPA files to be transmitted to an authorized representative, a notation is made in the file's control record and transfer log indicating what information was transmitted, the date, and the recipient. The authorized representative returns a signed receipt to the DCO.

**d. Access to CAA Confidential Business Information**

Only authorized EPA employees may open or distribute CAA CBI.

Only employees who require, have a need to know and are authorized access to CAA CBI in the performance of their official duties are permitted to review documents and, upon receiving a confidential document, must sign and date the form shown in Attachment A to certify their access to the document.

The Group Leader having primary responsibility for the CAA CBI provides a memorandum to the DCO designating those personnel authorized to access specific CBI. NO person is automatically entitled to access based solely on grade, position, or security clearance. The names of persons granted access to CAA CBI are placed on the CAA CBI access list. The CAA CBI access list indicates the "specific" CBI each person is permitted to see. The Access List is reviewed and updated periodically.

Companies under contract to perform work for the EPA may be designated authorized representatives of EPA. As authorized representatives, contractors may be granted access to CAA CBI. The following conditions apply when it has been determined that disclosure is necessary:

- (1) The contractor designated as a representative and its employees (a) may use such confidential information only for the purpose of carrying out the work required, (b) must refrain from disclosing the information to anyone other than EPA without having received from EPA prior written approval of each affected business or of an EPA legal office, and (c) must return to EPA all copies of the information (and any abstracts or excerpts there from) upon request or whenever the information is no longer required for the performance of the work.
- (2) The authorized contractor designated as a representative must obtain a written confidentiality agreement from each of its employees who will have access to the information.

A copy of each employee agreement (Attachment B) must be furnished to EPA before access is permitted.

- (3) The contractor designated as an authorized representative must agree that the conditions in the contract concerning the use and disclosure of CAA CBI are included for the benefit of, and shall be enforceable by, both EPA and any affected business having a proprietary interest in the information.

Information may be released to or accessed by EPA employees other than OAQPS employees only upon approval of the Director, CORE.

Requests for CAA CBI from other Federal agencies, Congress, the Comptroller General, Courts, etc., are processed in accordance with 40 CFR 2, Subpart B.

Requests under the Freedom of Information Act (FOIA) are handled in accordance with 40 CFR 2, Subpart A. The Freedom of Information Act Coordinator must be consulted prior to responding to any request for information if a claim of confidentiality has been asserted or if there is reason to believe that a claim might be made if the business knew release was intended.

**e. Use and Disclosure of CAA Confidential Business Information**

The CAA CBI as defined may not be used in publications, supporting document, memoranda, etc., that become a part of the public domain, except as provided for in 40 CFR 2 Subpart B. CAA CBI may not be summarized without the approval of the Group Leader responsible for the CAA CBI. Any authorized reproductions must be logged into the CAA CBI document tracking system and treated according to the same procedures applicable to the original confidential material. Documents, materials, or extracts of information generated by EPA which contain CAA CBI must be stamped "Subject to Confidentiality Claim" and a cover sheet must be attached to identify the material as CBI.

**f. Handling of Other Information**

Reports, memoranda, documents, etc., prepared by EPA or its authorized representatives are not normally circulated outside EPA for comment or review prior to publication except in such cases as described in section 6 above. However, because industrial-data-gathering visits, plant inspections, and source testing can involve inadvertent receipt of CAA CBI, it is the policy of OAQPS to protect all parties involved in the following manner:

- (1) Prior to or at the inception of a plant inspection, data-gathering visit, or source test, EPA or its authorized representative discusses with a responsible industry official the information sought, how it is to be used, and how it is to be protected. A copy of this summary is usually provided to the industry official being consulted.
- (2) Following an inspection, visit, or test, a trip report is prepared to include, as practicable, all information received by EPA or its authorized representative during the visit or test. The report may be prepared by either EPA or its authorized representative. The draft report is clearly identified, with an attached, yellow cover sheet. A second copy of the draft trip report is forwarded by EPA to the responsible industry official for review. The responsible industry official is requested by cover letter to review the report, clearly mark any information considered to be confidential, and return the marked up-report to the responsible EPA employee within the time specified. The original draft is kept in the CBI file until the marked-up copy is returned by the business firm.
- (3) When the reviewed copy of the report, as marked by the responsible plant official, is received by EPA, information designated confidential is placed in the CBI files as described above. The original draft of the trip report is edited to delete the confidential information and the trip report is authorized for release.



**I. AUTHORIZATION FOR ACCESS TO CAA CBI FOR FEDERAL EMPLOYEES**

FULL NAME	POSITION
SSN	OFFICE

It is the responsibility of each Authorizing Official\* to ensure that the employees under his/her supervision who require access to CAA CBI:

1. Sign the Confidentiality Agreement for Federal Employees
2. Are fully informed regarding their security responsibilities for CAA CBI.
3. Obtain access only to that CAA CBI required to perform their official duties

SIGNATURE OF AUTHORIZING OFFICIAL*	TELEPHONE NO.	DATE
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TITLE	LOCATION
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**II. CONFIDENTIALITY AGREEMENT FOR FEDERAL EMPLOYEES**

I understand that, in accordance with my official duties, I will have access to certain Confidential Business Information submitted under the Clean Air Act (CAA) (42 U.S.C. 7401 et seq.)

I understand that, under 18 U.S.C. 1905 and 18 U.S.C 1924I am liable for a possible fine of up to \$1,000 and/or imprisonment for up to one year, if I willfully disclose CAA Confidential Business Information to any person not authorized to receive it. Additionally, I understand that, I may be subject to disciplinary action for violation of this agreement with penalties ranging up to and including dismissal.

I am aware that, I may be subject to criminal penalties under 18 U.S.C. 1001 if I have made any statement of material facts knowing that such statement is false or if I willfully conceal any material fact.

I agree that, upon the termination of my duties, transfer or departure from the Environmental Protection Agency, I will return all materials containing CAA Confidential Business Information in my possession to the OAQPS CBI Office.

I certify that I have read and understand these procedures and those outlined in the CAA CBI Security Manual.

SIGNATURE	TELEPHONE NO.	DATE
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**III. THE UNDERSIGNED CERTIFIES THE ALL TRAINING AND TEST REQUIREMENTS HAVE BEEN MET BY THE EMPLOYEE.**

SIGNATURE CBI MANAGER/DCO	TELEPHONE NO.	DATE
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**IV. ANNUAL RE-CERTIFICATION:** I certify that, in conjunction with my duties, I require access to CAA CBI. I am current with all CBI handling procedures and security guidelines as outlined in the CCA CBI Security Manual.

Date											
Initial		Initial		Initial		Initial		Initial		Initial	
Date		Date		Date		Date		Date		Date	
Initial		Initial		Initial		Initial		Initial		Initial	

CAA CBI Form 2 (Rev. 01/02) \* Must be Division Director (or equivalent) or above.

## **Instructions for Submitting Confidential Business Information**

If your response to this information collection request includes data with a claim of confidential business information (CBI), you should follow the instructions in this enclosure to ensure the protection of your data. Please note that if you submit CBI, you will be separating your data into two sections and sending your data to EPA using two different methods and/or mailing addresses.

### **For Confidential Data:**

Please create a separate CD or DVD containing only the spreadsheet with the CBI portion of your data OR a copy of the hard copy survey containing only the pages that include responses you consider CBI. Clearly mark the disk and/or the materials with the words "Confidential Business Information." Send only these CBI files under separate cover to:

U.S. Environmental Protection Agency  
Office of Air Quality Planning and Standards  
U.S. EPA Mailroom (C404-02)  
Attn: Mr. Roberto Morales, Document Control Officer  
109 T.W. Alexander Drive  
Research Triangle Park, NC 27711

For security of your data, EPA recommends sending your confidential files to Mr. Morales via Registered U.S. Mail using return receipt requested, Federal Express, or other method for which someone must provide a signature upon receipt.

**DO NOT ELECTRONICALLY TRANSMIT CONFIDENTIAL BUSINESS INFORMATION TO EPA.** E-mail and facsimile are not secure forms of communication and should never be used to transmit CBI.

### **For Non-Confidential Data:**

As a reminder, NON-CONFIDENTIAL files should be uploaded as previously instructed or mailed to (please send only NON-CONFIDENTIAL files to this address):

U.S. Environmental Protection Agency  
Office of Air Quality Planning and Standards  
Sector Policies and Programs Division  
U.S. EPA Mailroom (D205-01)  
Attention: Peter Tsirigotis, Director  
109 T.W. Alexander Drive  
Research Triangle Park, NC 27711

### **QAPP Guidance Website**

This ICR directs respondents to collect emissions data using a number of test methods. While each of these methods contains individual quality assurance protocols, EPA believes respondents working with their emissions testing firms should consider preparing Quality Assurance Project Plans (QAPPs) for their facilities. Existence of and implementation of such plans would provide respondents with a means to verify that the methods' individual quality assurance protocols are met. EPA has a number of guidance documents that explain key components of and contain example formats for QAPPs. Interested respondents can find these documents at the following internet addresses:

- EPA Requirements for Quality Assurance Project Plans, March, 2001, (EPA QA/R-5), available at <http://www.epa.gov/QUALITY/qs-docs/r5-final.pdf>, describes requirements for environmental programs funded by EPA.
- Guidance for Quality Assurance Project Plans, December 2002,(EPA QA/G-5), available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>, provides guidance to those involved in developing quality assurance project plans that address the specifications in EPA QA/R-5.

**PREPARATION AND REVIEW OF SITE-SPECIFIC EMISSION TEST PLANS SITE-SPECIFIC EMISSION TEST PLANS**, March 1999, available at <http://www.epa.gov/ttn/emc/guidlnd/gd-042.pdf>, provides guidance on preparing emissions test plans.

QAPPs will not be reviewed or approved by EPA.