

# Do I Have to Stack Test?

## Effective Use of Compliance Data

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# Do I Have to Stack Test?

- Uses of stack test data
  - Compliance determination
    - Permit limits, NSPS, NESHAP, MACT
  - Develop emission factors
    - AP-42, other emission factor sources not always helpful
  - Data also used for billing

# Do I Have to Stack Test?

- Do you already have useful compliance data?
  - Consider whether you can use existing data to:
    - Demonstrate compliance for same unit at later date, identical units at same facility or sister facility
    - Develop accurate emission factors for permitting identical/similar units
    - Billing?

# Sources of Test Waivers/Guidance

- **NSPS, NESHAP, and MACT**
  - General Provisions have waiver provisions for compliance testing
- **USEPA Stack Test Guidance**
  - Discusses “identical unit” and other issues under NSPS, NESHAP, MACT compliance test waivers
- **IDEM Guidance**
  - Representative Stack Test Data NRPD –addresses both compliance testing and permitting
  - Alternate Emission Factors NRPD – primarily addresses permitting issues

# NSPS, NESHAP, MACT Test Waiver Provisions

- Rule-based waivers of compliance testing
  - NSPS: 40 CFR 60.8(b)
  - NESHAP: 40 CFR 61.13(h)(1)(iii)
    - Also see 40 CFR 61.13(i)
  - MACT: 40 CFR 63.7(h)

# NSPS, NESHAP, MACT Test Waiver Provisions

- NSPS Waiver Language

- 40 CFR 60.8(b): Performance tests shall be conducted ... unless the Administrator— (4) Waives the requirement for performance tests because the owner or operator of a source has **demonstrated by other means to the Administrator's satisfaction** that the affected facility is in compliance with the standard....

- NESHAP Waiver Language

- 40 CFR 61.13(h)(1)(iii): Emission tests shall be conducted ... unless the Administrator— (iii) Waives the requirement for emission testing because the owner or operator of a source has **demonstrated by other means to the Administrator's satisfaction** that the source is in compliance with the standard.
  - 40 CFR 61.13(i) contains additional requirements for request submittal

# NSPS, NESHAP, MACT Test Waiver Provisions

- MACT Waiver Language

- 40 CFR 63.7(h)(2): Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.
- “Standard” for MACT testing waivers: “Any application for a waiver of a performance test shall include **information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality**, of the affected source performing the required test.” 40 CFR 63.7(h)(3)(iii)

# USEPA Stack Test Guidance

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- Applies to NSPS, NESHAP, and MACT testing
- Sets out criteria for determining when stack tests for identical units may be waived
  - If the identical units have ability to emit pollutant in excess of prescribed emission limit, need justification for waiver, such as:
    - Units located at same facility
    - Units produced by same manufacturer, same model number in common, same rated capacity and operating specs
    - Margin of compliance for the units tested is significant, or
    - Variability of emissions for tested units is low
  - If units do NOT have ability to emit pollutant in excess of prescribed emission limit, waivers on a case-by-case basis may be issued for both initial and ongoing compliance stack tests
    - Example given: Multiple identical natural gas-fired boilers subject to a particulate matter standard
- **Waivers can be granted by delegated agency**
  - IDEM is delegated authority for NSPS, Part 61, some Part 63 standards

# NSPS, NESHAP, MACT Test Waiver Provisions

- Standards under which Region 5 has granted waivers  
*(From recent USEPA Region 5 waiver determinations)*
  - **NSPS** - GG (Stationary Gas Turbines), OOO (Nonmetallic Mineral Processing)
  - **NESHAP** – E (Mercury)
  - **MACT** – R (Gasoline Distribution Facilities), CC (Petroleum Refineries), EEE (Haz Waste Combustors), MMM (Pesticide Active Ingredient), RRR (Secondary Aluminum), III (Auto Surface Coating), JJJJ (Paper Coating), FFFFF (Integrated Iron and Steel)

# IDEM Guidance

Guidelines for Approval and Use of Representative Stack Test Data  
(Air-034-NPD)

- Sets out criteria for submittal and acceptance of representative stack test data for use:
  - In lieu of compliance testing
  - For emission factor development
  - For billing purposes
- IDEM addressing need
  - Sources request to use previously-generated data, but no policy in place

# IDEM Guidance

## Guidelines for Approval and Use of Representative Stack Test Data (Air-034-NPD)

- Sources with facilities or units:
  - Whose PTE is <250 tons per year (before control), and
  - Whose actual emissions are less than 50% of an applicable limit (or permitting threshold)can petition to use representative test data obtained through testing of identical or very similar processes within the company's hierarchy or through manufacturer or trade group studies.

# IDEM Guidance

## Guidelines for Approval and Use of Representative Stack Test Data (Air-034-NPD)

- **Submit descriptions of:**
  - Process and related air pollution control equipment
  - How processes are identical (or at least very similar)
  - Complete test results, sampling methodology, calculations, quality assurance
  - Process data during test
  - Air pollution control monitoring data during test
- **Test data should be obtained using approved USEPA reference methods or equivalent**
- **IDEM will issue acceptance/denial of source's request**

# IDEM Guidance

Guidelines for Approval and Use of Representative Stack Test Data  
(Air-034-NPD)

The use of representative test data may be “particularly well suited to instances where”:

- Sources wish to use data from an identical unit the source or company operates at another site, or
- A source has multiple identical or very similar processes through which testing on one unit may be considered as representative of the whole

# IDEM Guidance

Guidelines for Approval and Use of Representative Stack Test Data  
(Air-034-NPD)

- Purpose of 50% maximum:
  - Provides an appropriate level of assurance a unit is within appropriate margins of statistical variation – reduces chance that IDEM grants a waiver for a unit whose emissions may exceed limit
- Policy does NOT apply to NSPS or NESHAP emission standards or testing requirements

# IDEM Guidance

Guidelines for Approval and Use of Representative Stack Test Data  
(Air-034-NPD)

- **Data should be from under the company umbrella only**
  - Allows IDEM to get detailed test information
  - For permitting/emission factors, ok to provide industry/trade group data if sufficient test info can be provided
- **If used for permitting, sources may want to consult this policy at the outset**
  - IDEM indicated that it may be helpful to discuss this at pre-application meeting, to determine whether source can use its data for permitting

# IDEM Guidance

## Approval and Validation of Alternate Emission Factors (Air-014-NPD)

- **Addresses:**
  - What can be used to develop a site- or unit-specific emission factor
    - Test data from an identical facility
    - Trade association or industry research data
    - CEMS data
    - Material balance
  - What should be provided as part of the request
- **Representative Stack Test Data policy refers sources to this policy if they want to develop unit-specific emission factors**

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