**Section 225.239 Periodic Emissions Testing Alternative Requirements**

a) General.

1) As an alternative to demonstrating compliance with the emissions standards of Sections 225.230(a) or 225.237(a), the owner or operator of an EGU may elect to demonstrate compliance pursuant to the emission standards in subsection (b) of this Section and the use of quarterly emissions testing as an alternative to the use of CEMS (or an excepted monitoring system);

2) The owner or operator of an EGU that elects to demonstrate compliance pursuant to this Section must comply with the testing, recordkeeping, and reporting requirements of this Section in addition to other applicable recordkeeping and reporting requirements in this Subpart;

3) The alternative method of compliance provided under this subsection may only be used until June 30, 2012, after which a CEMS (or an excepted monitoring system) certified in accordance with Section 225.250 of this Subpart B must be used.

4) If an owner or operator of an EGU demonstrating compliance pursuant to Section 225.230, 225.233(d)(1) or (2), or 225.237, or 225.294(e)(1)(A) discontinues use of a CEMS (or an excepted monitoring system) before collecting a full 12 months of data and elects to demonstrate compliance pursuant to this Section, the data collected prior to that point must be averaged to determine compliance for such period. In such case, for purposes of calculating an emission standard or mercury control efficiency using the equations in Section 225.230(a) or (b), the "12" in the equations will be replaced by a variable equal to the number of full and partial months for which the owner or operator collected data from a CEMS or an excepted monitoring system.

b) Emission Limits.

1) Existing Units: Beginning July 1, 2009, the owner or operator of a source with one or more EGUs subject to this Subpart B that commenced commercial operation on or before June 30, 2009, must comply with one of the following standards for each EGU, as determined through quarterly emissions testing according to subsections (c), (d), (e), and (f) of this Section:

A) An emission standard of 0.0080 lb mercury/GWh gross electrical output; or

B) A minimum 90-percent reduction of input mercury.

2) New Units: Beginning within the first 2,160 hours after the commencement of commercial operations, the owner or operator of a source with one or more EGUs subject to this Subpart B that commenced commercial operation after June 30, 2009, must comply with one of the following standards for each EGU, as determined through quarterly emissions testing in accordance with subsections (c), (d), (e), and (f) of this Section:

A) An emission standard of 0.0080 lb mercury/GWh gross electrical output; or

B) A minimum 90-percent reduction of input mercury.

c) Initial Emissions Testing Requirements for New Units. The owner or operator of an EGU that commenced commercial operation after June 30, 2009, and that is complying by means of this Section must conduct an initial performance test in accordance with the requirements of subsections (d) and (e) of this Section within the first 2,160 hours after the commencement of commercial operations.

d) Emissions Testing Requirements.

1) Subsequent to the initial performance test, emissions tests must be performed on a quarterly calendar basis in accordance with the requirements of subsections (d), (e), and (f) of this Section;

2) Notwithstanding the provisions in subsection (d)(1), owners or operators of EGUs demonstrating compliance under Section 225.233 or Sections 225.291 through 225.299, and which have not opted into the emission limit provisions of Section 225.233(d)(1) or (d)(2), or Section 225.294(c) pursuant to Section 225.294(e)(1)(B), must perform emissions testing on a semi-annual calendar basis, where the periods consist of the months of January through June and July through December, in accordance with the requirements of subsections (d), (e), and (f)(1) and (2) of this Section;

3) Emissions tests which demonstrate compliance with this Subpart must be performed at least 45 days apart. However, if an emissions test fails to demonstrate compliance with this Subpart or the emissions test is being performed subsequent to a significant change in the operations of an EGU under subsection (h)(2) of this Section, the owner or operator of an EGU may perform additional emissions tests using the same test protocol previously submitted in the same period, with less than 45 days in between emissions tests;

4) A minimum of three and a maximum of nine emissions test runs, lasting at least one hour each, shall be conducted and averaged to determine compliance. All test runs performed will be reported.

5) If the EGU shares a common stack with one or more other EGUs, the owner or operator of the EGU will conduct emissions testing in the duct to the common stack from each unit, unless the owner or operator of the EGU considers the combined emissions measured at the common stack as the mass emissions of mercury for the EGUs for recordkeeping and compliance purposes.

6) If an owner or operator of an EGU demonstrating compliance pursuant to this Section later elects to demonstrate compliance pursuant to the CEMS monitoring provisions (or excepted monitoring provisions) in Section 225.240 of this Subpart, the owner or operator must comply with the emissions monitoring deadlines in Section 225.240(b)(4) of this Subpart.

e) Emissions Testing Procedures.

1) The owner or operator must conduct a compliance test in accordance with Method 29, 30A, or 30B of 40 CFR 60, Appendix A, as incorporated by reference in Section 225.140;

2) Mercury emissions or control efficiency must be measured while the affected unit is operating at or above 90% of peak load;

3) For units complying with the control efficiency standard of subsection (b)(1)(B) or (b)(2)(B) of this Section, Section 225.233(d)(1)(B) or (d)(2)(B) and electing to demonstrate compliance pursuant to Section 225.233(d)(4), or Section 225.294(c)(2) pursuant to Section 225.294(e)(1)(B), the owner or operator must perform coal sampling as follows:

A) in accordance with Section 225.265 of this Subpart at least once during each day of testing; and

B) in accordance with Section 225.265 of this Subpart, once each month in those months when emissions testing is not performed unless the boiler did not operate or combust coal at all during the month;

4) For units complying with the output-based emission standard of subsection (b)(1)(A) or (b)(2)(A) of this Section, the owner or operator must monitor gross electrical output for the duration of the testing.

5) The owner or operator of an EGU may use an alternative emissions testing method if such alternative is submitted to the Agency in writing and approved in writing by the Manager of the Bureau of Air's Compliance Section.

f) Notification Requirements.

1) The owner or operator of an EGU must submit a testing protocol as described in USEPA's Emission Measurement Center's Guideline Document #42 to the Agency at least 45 days prior to a scheduled emissions test, except as provided in Section 225.239(h)(2) and (h)(3). Upon written request directed to the Manager of the Bureau of Air's Compliance Section, the Agency may, in its sole discretion, waive the 45-day requirement. Such waiver shall only be effective if it is provided in writing and signed by the Manager of the Bureau of Air's Compliance Section, or his or her designee;

2) Notification of a scheduled emissions test must be submitted to the Agency in writing, directed to the Manager of the Bureau of Air's Compliance Section, at least 30 days prior to the expected date of the emissions test. Upon written request directed to the Manager of the Bureau of Air's Compliance Section, the Agency may, in its sole discretion, waive the 30-day notification requirement. Such waiver shall only be effective if it is provided in writing and signed by the Manager of the Bureau of Air's Compliance Section, or his or her designee. Notification of the actual date and expected time of testing must be submitted in writing, directed to the Manager of the Bureau of Air's Compliance Section, at least five working days prior to the actual date of the test;

3) For an EGU that has elected to demonstrate compliance by use of the emission standards of subsection (b) of this Section, if an emissions test performed under the requirements of this Section fails to demonstrate compliance with the limits of subsection (b) of this Section, the owner or operator of an EGU may perform a new emissions test using the same test protocol previously submitted in the same period, by notifying the Manager of the Bureau of Air's Compliance Section or his or her designee of the actual date and expected time of testing at least five working days prior to the actual date of the test. The Agency may, in its sole discretion, waive this five-day notification requirement. Such waiver shall only be effective if it is provided in writing and signed by the Manager of the Bureau of Air's Compliance Section, or his or her designee;

4) In addition to the testing protocol required by subsection (f)(1) of this Section, the owner or operator of an EGU that has elected to demonstrate compliance by use of the emission standards of subsection (b) of this Section, that opts into Section 225.233(d)(1) or (d)(2) early and elects to demonstrate compliance pursuant to Section 225.233(d)(4), or that opts into Section 225.294(c) pursuant to Section 225.294(e)(1)(B), must submit a Continuous Parameter Monitoring Plan to the Agency at least 45 days prior to a scheduled emissions test. Upon written request directed to the Manager of the Bureau of Air's Compliance Section, the Agency may, in its sole discretion, waive the 45-day requirement. The waiver shall only be effective if it is provided in writing and signed by the Manager of the Bureau of Air's Compliance Section, or his or her designee. The Continuous Parameter Monitoring Plan must detail how the EGU will continue to operate within the parameters enumerated in the testing protocol and how those parameters will ensure compliance with the applicable mercury limit. For example, the Continuous Parameter Monitoring Plan must include coal sampling as described in Section 225.239(e)(3) of this Subpart and must ensure that an EGU that performs an emissions test using a blend of coals continues to operate using that same blend of coal. If the Agency disapproves the Continuous Parameter Monitoring Plan, the owner or operator of the EGU has 30 days from the date of receipt of the disapproval to submit more detailed information in accordance with the Agency's request.

g) Compliance Determination.

1) Each successful quarterly emissions test shall determine compliance with this Subpart for that quarter, except for days in the quarter before and after a failed test and until a successful re-test as described in subsection (g)(2) of this Section, where the quarterly periods consist of the months of January through March, April through June, July through September, and October through December;

2) If emissions testing conducted pursuant to this Section fails to demonstrate compliance, the owner or operator of the EGU will be deemed to have been out of compliance with this Subpart beginning on the first day of the current quarter, the last day of certified CEMS data (or certified data from an excepted monitoring system) demonstrating compliance, or the date on which a significant change was made pursuant to subsection (h)(2) of this Section if such a change was made, whichever is later; the EGU will remain out of compliance until a subsequent emissions test successfully demonstrates compliance with the limits of this Section.

h) Operation Requirements.

1) The owner or operator of an EGU that has elected to demonstrate compliance by use of the emission standards of subsection (b) of this Section must continue to operate the EGU commensurate with the Continuous Parameter Monitoring Plan until another Continuous Parameter Monitoring Plan is developed and submitted to the Agency in conjunction with the next compliance demonstration, in accordance with subsection (f)(4) of this Section.

2) If the owner or operator makes a significant change to the operations of an EGU subject to this Section, such as changing from bituminous to subbituminous coal or any other change that would render the most recent test no longer representative of current operations according to the parameters listed in the Continuous Parameter Monitoring Plan, the owner or operator must submit a testing protocol to the Agency within seven operating days of the significant change and perform an emissions test within 30 days after the change if the change takes place more than 30 days before the end of the current calendar quarter, or within 30 days of the beginning of the new quarter if the change takes place less than 30 days before the end of the current calendar quarter. In addition, the owner or operator of an EGU that has elected to demonstrate compliance by use of the emission standards of subsection (b) of this Section, Section 225.233(d)(1) or (d)(2), or Section 225.294(c) pursuant to Section 225.294(e)(1)(B) must submit an updated Continuous Parameter Monitoring Plan within seven operating days of the significant change.

3) If a blend of bituminous and subbituminous coal is fired in the EGU, the owner or operator of the EGU must ensure that the EGU continues to operate using the same blend that was used during the most recent successful emissions test. If the blend of coal changes, the owner or operator of the EGU must re-test in accordance with subsections (d), (e), (f), and (g) of this Section within 30 days of the change in coal blend, notwithstanding the requirement of subsection (d)(3) of this Section that there must be 45 days between emissions tests.

i) Recordkeeping.

1) The owner or operator of an EGU must comply with all applicable recordkeeping and reporting requirements in this Section.

2) Continuous Parameter Monitoring.  The owner or operator of an EGU must maintain records to substantiate that the EGU is operating in compliance with the parameters listed in the Continuous Parameter Monitoring Plan, detailing the parameters that impact mercury reduction and including the following records related to the emissions of mercury:

A) For an EGU for which the owner or operator is complying with this Subpart B pursuant to Section 225.239(b)(1)(B) or 225.239(b)(2)(B), records of the daily mercury content of coal used (parts per million) and the daily and quarterly input mercury (lbs).

B) For an EGU for which the owner or operator of an EGU complying with this Subpart B pursuant to Section 225.239(b)(1)(A) or 225.239(b)(2)(A), records of the daily and quarterly gross electrical output (MWh) on an hourly basis.

3) The owner or operator of an EGU using activated carbon injection must also comply with the following requirements

A) Maintain records of the usage of sorbent, the exhaust gas flow rate from the EGU, and the sorbent feed rate, in pounds per million actual cubic feet of exhaust gas at the injection point, on a weekly average;

B) If a blend of bituminous and subbituminous coal is fired in the EGU, keep records of the amount of each type of coal burned and the required injection rate for injection of activated carbon, on a weekly basis.

4) The owner or operator of an EGU must retain all records required by this Section at the source for a period of five years from the date the document is created, unless otherwise provided in the CAAPP permit issued for the source, and must make a copy of any record available to the Agency promptly upon request. This period may be extended in writing by the Agency, for cause, at any time prior to the end of five years.

5) The owner or operator of an EGU demonstrating compliance pursuant to this Section must monitor and report the heat input rate at the unit level.

6) The owner or operator of an EGU demonstrating compliance pursuant to this Section must perform and report coal sampling in accordance with subsection 225.239(e)(3).

j) Reporting Requirements.

1) An owner or operator of an EGU shall submit to the Agency a Final Source Test Report for each periodic emissions test within 45 days after the test is completed. The Final Source Test Report will be directed to the Manager of the Bureau of Air's Compliance Section, or his or her designee, and include at a minimum:

A) A summary of results;

B) A description of test methods, including a description of sampling points, sampling train, analysis equipment, and test schedule, and a detailed description of test conditions, including:

i) Process information, including but not limited to modes of operation, process rate, and fuel or raw material consumption;

ii) Control equipment information (i.e., equipment condition and operating parameters during testing);

iii) A discussion of any preparatory actions taken (i.e., inspections, maintenance, and repair); and

iv) Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.

2) The owner or operator of a source with one or more EGUs demonstrating compliance with Subpart B in accordance with this Section must submit to the Agency a Quarterly Certification of Compliance within 45 days following the end of each calendar quarter. Quarterly certifications of compliance must certify whether compliance existed for each EGU for the calendar quarter covered by the certification. If the EGU failed to comply during the quarter covered by the certification, the owner or operator must provide the reasons the EGU or EGUs failed to comply and a full description of the noncompliance (i.e., tested emissions rate, coal sample data, etc.). In addition, for each EGU, the owner or operator must provide the following appropriate data to the Agency as set forth in this Section.

A) A list of all emissions tests performed within the calendar quarter covered by the Certification and submitted to the Agency for each EGU, including the dates on which such tests were performed.

B) Any deviations or exceptions each month and discussion of the reasons for such deviations or exceptions.

C) All Quarterly Certifications of Compliance required to be submitted must include the following certification by a responsible official:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

3) Deviation Reports. For each EGU, the owner or operator must promptly notify the Agency of deviations from any of the requirements of this Subpart B. At a minimum, these notifications must include a description of such deviations within 30 days after discovery of the deviations, and a discussion of the possible cause of such deviations, any corrective actions, and any preventative measures taken.

(Source: Added at 33 Ill. Reg. 10427, effective June 26, 2009)