ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION
ADMINISTRATIVE CODE

CHAPTER 335-3-12
CONTINUOUS MONITORING REQUIREMENTS FOR EXISTING SOURCES

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335-3-12-.01 Definitions.

For the purposes of this Chapter, the following terms will have the meanings ascribed in this Rule:

(a) "Emission Standard" shall mean a regulation (or portion thereof) setting forth an allowable rate of emissions, level of opacity, or prescribing equipment or fuel specifications that result in control of air pollution emissions.

(b) "Capacity Factor" shall mean the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.

(c) "Excess Emissions" shall mean emissions of an air pollutant in excess of an emission standard.

(d) "Sulfuric Acid Plant" shall mean any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(e) "Fossil Fuel-Fired Steam Generator" shall mean a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

Author: Ronald W. Gore
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335-3-12-.02 Emission Monitoring And Reporting Requirements.

(1) Sources in the following categories which initiated construction prior to August 17, 1971, are subject to the requirements of this Chapter:

(a) Fossil fuel-fired steam generators.

(b) Sulfuric acid plants.

(c) Sources in these categories which are constructed after August 17, 1971, are subject to the emission monitoring requirements of Chapter 335-3-10. This Chapter is intended to supplement existing regulations, and no Rule thereof shall be construed to interfere with the enforcement of other provisions of the Alabama Department of Environmental Management.

(2) The Director shall require the owner or operator of an emission source listed in paragraph (1) of this Rule to install, calibrate, operate, and maintain all monitoring equipment necessary for continuously monitoring the pollutants specified in paragraph (3) and (4) of this Rule. The specific source categories listed in paragraph (1) of this Rule must complete the installation and performance testing of monitoring equipment and begin monitoring and recording within eighteen months from the date of the Environmental Protection Agency's approval of these regulations. Within six (6) months of such approval, all affected sources must present a detailed plan for complying with the requirements of this Chapter to the Director. The Director shall condition written approval of such plan upon the requirement that the plan will meet the minimum reporting requirements set forth in Divisions 4 and 5 of Appendix P of 40 CFR 51. More stringent reporting procedures may be required in the Director's discretion.

(3) Fossil fuel-fired steam generators, as defined in this Chapter, with an annual average capacity factor of greater than thirty percent (30%), as reported to the Federal Power Commission for calendar year 1974, or was otherwise demonstrated to the Director by the owner or operator, shall conform with the following monitoring requirements when such facility is subject to an emission standard for the pollutant in question:

(a) A continuous monitoring system for the measurement of opacity shall be installed, calibrated, maintained, and operated by the owner or operator of any such steam generator of greater than 250 million BTU per hour heat input except where:

1. gaseous fuel is the only fuel burned, or

2. oil or a mixture of gas and oil are the only fuels burned and the source is able to comply with the applicable particulate matter and opacity regulations without utilization of particulate matter collection equipment, and where the source has never been found, through any administrative or judicial proceedings, to be in violation of any visible emission standard of the applicable plan.

(b) A continuous monitoring system for the measurement of sulfur dioxide shall be installed, calibrated, maintained, and operated on any fossil fuel-fired steam generator of greater than 250 million BTU per hour heat input which has installed equipment designed for the desulfurization of flue gas.

(c) A continuous monitoring system for the measurement of the percent oxygen or carbon dioxide in stack gases shall be installed, calibrated, operated, and maintained on fossil fuel-fired steam generators where measurements of oxygen or carbon dioxide in the flue gas are required to convert sulfur dioxide continuous emission monitoring data, to units of the emission standard in Chapter 335-3-5.

(4) Sulfuric acid plants, as defined in this Chapter, with greater than 300 tons per day production capacity, the production being expressed as 100 percent (100%) acid, shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of sulfur dioxide for each sulfuric acid producing facility within such plant.

(5) All monitoring equipment specified in this Chapter shall meet the performance specifications described in Appendix B of 40 CFR 60, except that the Director may from time to time specify different data averaging times and sampling intervals to permit accurate determinations of compliance with specific Air Pollution Control Rules and Regulations. The monitoring equipment shall also be installed, calibrated, operated, and maintained in accordance with the procedures in Appendix B of 40 CFR 60 and the minimum specifications of Division 3 in Appendix P of 40 CFR 51.
Author: Ronald W. Gore
Statutory Authority: Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8.
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335-3-12-.03 Monitoring System Malfunction.

(1) Malfunctions of a monitoring system required in this Chapter which last more than forty-eight (48) hours must be reported as

expeditiously as possible to the Director in a written report. This report should include statements as to the time the monitor malfunctioned, the nature of the malfunction, the corrective action being taken, the estimated repair time, and any other information needed to demonstrate to the Director that the malfunction was unavoidable. The Director shall be informed of the time at which the monitor again becomes operational.

(2) The Director may temporarily exempt an owner or operator from the monitoring and reporting requirements of this Chapter if it is demonstrated to the Director's satisfaction that the malfunction was unavoidable and is being repaired as expeditiously as possible.

Author: Ronald W. Gore
Statutory Authority: Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8.
History: Effective Date: October 26, 1976. **Amended:**

335-3-12-.04 Alternate Monitoring And Reporting Requirements.

(1) Alternative monitoring and reporting requirements may be approved by the Director on a case-by-case basis, provided the following statements and explanations are contained in a written request to the Director:

(a) the basis or reason that alternative monitoring and reporting requirements are desirable and necessary;

(b) a proposal of alternative monitoring and reporting requirements;

(c) any other information needed by the Director to make a determination of the desirability of alternative requirements.

(2) Request for alternative monitoring and reporting requirements may be made in certain situations, including, but not limited to, the following:

(a) when installation of a continuous monitoring system or device required by this Chapter would not provide accurate determinations of emissions;

(b) when the affected facility is operated less than thirty (30) days per year;

(c) when effluents from two (2) or more sources of significantly different design and operating characteristics are combined before release to the atmosphere or when the effluent from one source is released to the atmosphere through more than one (1) point;

(d) when the Director determines that the requirements prescribed by this Chapter would impose an extreme economic burden on the source owner or operator. The determination of an extreme economic burden shall be made on the basis of whether meeting the requirements prescribed by this Chapter would produce serious hardship without equal or greater benefit to the public;

(e) when the monitoring systems prescribed by this Chapter cannot be installed due to physical limitations at the facility. The determination of such limitations shall be made on the basis of whether meeting the requirements prescribed by this Chapter would necessitate significant reconstruction of the facility.

(3) The Director may require the submission of additional information as he deems appropriate to evaluate the request for alternative requirements. Upon making a determination that the source should be subject to alternative monitoring and reporting requirements, the Director may approve either the proposed alternative monitoring and reporting requirements or any other monitoring and reporting requirements that he deems appropriate and feasible.
Author: Ronald W. Gore
Statutory Authority: Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8.
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335-3-12-.05 Exemptions And Extensions.

(1) The Director may exempt any source from the requirements of this Chapter if such source is scheduled for permanent shutdown by October 6, 1980 provided that adequate evidence and guarantees are provided to clearly show that the source will cease operations prior to such date.

(2) The Director may grant reasonable extensions of the time provided for installation of monitors for facilities unable to meet the prescribed eighteen (18) month time frame, provided that the owner or operator of such facility demonstrates that good faith efforts have been made to obtain and install such devices within the prescribed time frame.

(3) If, prior to September 11, 1974, an affected source purchased an emission monitor which does not conform to the requirements of Appendix B of 40 CFR 60, then the source may be granted a five (5) year period from the date of the Environmental Protection Agency's approval of this revision, during which time the monitor installed on that source is exempt from applicable performance specifications.
Author: Ronald W. Gore

Statutory Authority: Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8.
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