

SUBCHAPTER 5. REGISTRATION, EMISSION INVENTORY AND ANNUAL OPERATING FEES

Section

252:100-5-2.1. Emission inventory [AMENDED]

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(a) **Requirement to file an emission inventory.** The owner or operator of any facility that is a source of air emissions shall submit a complete emission inventory annually on forms obtained from the Division.

(1) The inventory shall cover operations during a calendar year and shall be submitted prior to March 1 of the following year, unless a 30-day extension has been granted by the Division. An additional 30-day extension may be granted for good cause shown.

(2) Facilities registered under a permit by rule as outlined in Subchapter 7 and emitting 5 tons per year or less of each regulated pollutant are required to submit an emission inventory once every 5 years. The inventory shall cover operations during the last year of each 5-year period and be submitted by March 1 of the following year.

(3) De minimis facilities as defined in 252:100-7-1.1 are not required to submit an annual emission inventory.

(b) **Content.** All inventories submitted to the Division shall include, but shall not be limited to, the following:

(1) For those emissions subject to a permit, the permit number and the permitted allowable emissions as set forth therein.

(2) The amount of the actual emissions, including quantifiable excess emissions, and the basis for such determination.

(3) If the actual emissions vary from the allowable or from the previous year's actual by more than 30%, an explanation for the difference.

(4) For those emissions not the subject of a permit and when requested by the AQD, a list of all 252:100 rules setting forth emission limitations applicable to the facility in question and the maximum yearly allowable for the facility.

(c) **Documentation.** All calculations and assumptions must be verified by proper documentation. All supporting data, including actual production, throughput and measurement records along with engineering calculations and other data utilized in accordance with 252:100-5-2.1(d), below, must be maintained for at least 5 years by the current owner or operator at the facility in conjunction with facility records of the emission inventory. This information must either be submitted to the Division or made available for inspection upon request.

(d) **Method of calculation.** The best available data at the time the emission inventory is or should have been prepared shall be used to determine emissions. It shall be the burden

of the owner or operator to select the best available data, based on an acceptable method of calculation. The method of calculation used to determine emissions shall be binding upon the owner or operator and the Division for the purpose of calculating fees under 252:100-5-2.2 unless challenged by the owner or operator prior to September 1 of the year the inventory is due or by the Division within six (6) months after the date the inventory is received. Acceptable methods of calculation for determining actual emissions are:

(1) Emission factors utilized in the issuance of a relevant Oklahoma Air Quality permit(s) for the facility.

(2) Stack tests using appropriate EPA test methods, with advance notification and opportunity for observation by the Air Quality Division.

(3) Stack tests using appropriate EPA test methods may be used for determining the emissions of identical equipment (i.e., same model, same location, and same operating conditions and parameters) when:

(A) Tests are performed by persons qualified by training and experience to perform said tests.

(B) Copies of the tests results and methods are available for review by the Air Quality Division.

(4) Continuous emissions monitoring data, when supported by required certification and calibration data.

(5) Current AP-42 factors or other factors acceptable to the Division.

(6) Manufacturer's test data, when approved by the Division as reliable.

(7) EPA and EPA-contracted industry-specific emission study data when it can be shown to be applicable to the facility in question and approved for use in the emission inventory by the Division.

(8) Fuel usage and other mass-balance methods when supported by specific records applicable to the materials on which the calculations are based and approved for use in the emission inventory by the Division.

(9) Any other method that can be shown to be reasonably accurate when supported by engineering data and calculations, and approved for use in the emission inventory by the Division.

(e) Periodic Stack test required.

(1) The owner or operator of any fuel-burning equipment described below that was in existence on or before January 1, 1999 shall stack test each unit within 43,000 hours of operation following the earlier of its original start-up date or its most recently recorded stack test, but in no case later than March 1, 2007. Thereafter, stack testing shall be conducted periodically, before completion of each 43,000 hours of operation.

(A) Any stationary internal combustion engine rated at 600 brake horsepower or more;

(B) Any gas-fired turbine rated at 5,000 brake horsepower or more; and

(C) Any boiler rated at 60,000,000 BTU per hour heat input or more.

(2) The owner or operator of any fuel-burning equipment listed in (1) (A) through (1) (C) of this subsection that was first in existence after January 1, 1999 shall stack test each such unit at any time within the first 43,000 hours of operation after January 1, 2004, and thereafter before completing every 43,000 hours of operation.

(3) The Director may waive the stack testing requirements of this subsection upon the written request of the owner or operator providing one of the following conditions is met:

(A) A current operating permit limits the emissions from the fuel-burning equipment; or

(B) The fuel-burning equipment is equipped with an operational monitoring system that provides all the data necessary to calculate its emissions; or

(C) The owner or operator can provide other data that demonstrates to the satisfaction of the Director that the emissions from the fuel-burning equipment are true and accurate as reported.

(e)(f) **Methods of verification.** Emission inventories determined by the Division to be substantially incomplete or substantially incorrect shall, upon the request of the Division, be subject to verification if not satisfactorily completed or corrected within a reasonable time. Verification shall be accomplished by an appropriate stack test using EPA approved methods, installation of continuous monitoring equipment, or other methods acceptable to ~~the~~the ~~Division~~Director.