



Response to Comments

July 15, 2008

Source Test Guidance Manual

This document contains the comments and responses for the second public comment period (April 18, 2008 – June 2, 2008) on the Source Test Guidance Manual.

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Events in Developing the Source Test Guidance Manual

First Draft of the Source Test Guidance Manual

May 4, 2006 – DEQ sent a notification letter to 11 source testing firms to let them know that the draft Source Test Guidance Manual was available for public comment and that DEQ would host an informational meeting on May 25.

May 9, 2006 – The proposed Source Test Guidance Manual was originally made available for public comment May 9, 2006 –June 7, 2006.

May 11, 2006 – DEQ sent a notification email to facilities that electronically submitted a 2005 air emissions inventory to DEQ to let them know that the draft Source Test Guidance Manual was available for public comment and that DEQ would host an informational meeting on May 25.

May 25, 2006 – The informational meeting was held at DEQ's state office at 3:00 p.m. One representative from a source testing company attended.

June 2006 – After receiving a request to extend the public comment period, DEQ extended it through July 7, 2006.

July 7, 2006 – Public comment period ended. DEQ received over 80 comments on the draft Source Test Guidance Manual. Several commenters requested that DEQ focus efforts on completing the permit streamlining process before finalizing the Source Test Guidance Manual. As a result, DEQ focused on the permit streamlining process and discontinued work on the Guidance Manual.

September 2007 – DEQ notified EPA of impending changes to the Source Test Guidance Manual and questioned whether a revision to the State Implementation Plan (SIP) was necessary since DEQ was intending to replace Section I, *Source Test Methods*, of the September 1986 Procedures Manual for Air Pollution Control (Procedures Manual).

March 27, 2008 – EPA notified DEQ that a SIP revision is not necessary since the revisions to guidance are limited only to Section I of the September 1986 Procedures Manual for Air Pollution Control. Section II, *Evaluation of Visible Emissions Manual*, of the Procedures Manual is referenced in IDAPA 58.01.01.625.04.b and incorporated into Idaho's SIP.

Second Draft of the Source Test Guidance Manual

April 17, 2008 – Via email, DEQ notified previous commenters, facility contacts from DEQ's Point Source Survey Tool, and several test contractors that the revised Source Test Guidance Manual would be available for comment from April 21 through June 2, 2008.

April 18, 2008 – Public comment period opened. The revised Source Test Guidance Manual and a response to previous comments received were posted on DEQ's Web site for public review and comment.

June 2, 2008 – The public comment period closed. Comments received during the comment period are provided below.

Comments

The comments received by DEQ during the second public comment period (April 18-June 2, 2008) regarding the revised Source Test Guidance Manual are presented below. General comments on the overall guidance document are provided first, with comments regarding specific sections of the Guidance Manual provided further on.

General Comments

1. Please utilize a consistent format and numbering system for all sections for reference purposes and clarity.

Response to comment 1: As a result of this comment, the formatting was modified to include a numbering system for the second-level headers. In addition, the citations from the Rules for the Control of Air Pollution in Idaho were indented and the font size reduced to set them apart from the other text.

2. The Amalgamated Sugar Company LLC (TASCO) appreciates the opportunity to comment on the 2nd draft of IDEQ's Source Test Guidance Manual. There have been some improvements; however, the draft remains very lengthy and detailed. Prior to finalizing the document, TASCO again requests that IDEQ invite industry and stack testing consultants to meet and participate with IDEQ to develop a more simplified and concise document.

The 62-page revised draft document remains overly complicated and unwieldy. TASCO's general observation is that the majority of the material in the manual is already covered in EPA's test methods and guidance, IDEQ rules and specific permit conditions. Repeating EPA and IDEQ rules adds volume to the guidance but little value.

TASCO requests that IDEQ work collaboratively with industry and other stakeholders to develop a more condensed and workable guidance manual. The purpose of this effort would be to prioritize the key elements of source testing which need further clarification and improvement. The guidance manual could then be revised and condensed to focus on priority issues and eliminate unnecessary language. This collaborative effort is essential to developing a useful and practical guide for the regulated community.

TASCO looks forward to meeting with IDEQ and other stakeholders for further discussion on the draft guidance manual.

Response to comment 2: The primary purpose of the Guidance Manual is to help persons with limited knowledge of source testing understand the various rules that apply and the information needed to prepare an adequate test report. The target audience for the Guidance Manual is an environmental manager at a small- to medium-sized company that is conducting testing for the first time. DEQ is aware that much of the information provided is available in other sources (federal rules, guidance documents, and policy letters). The Guidance Manual is an attempt to highlight information that DEQ believes is important from those various sources and bring it together in one document. The body of the Guidance Manual is currently 23 pages. Adding to the length of the manual are several appendices containing important documents relative to test requirements. DEQ has decided to remove the text of Appendices C and D, which contained the source testing requirements from the

General Provisions of 40 CFR Parts 60 and 63. Instead, DEQ has included the Web site where this information is available (Electronic Code of Federal Regulations, <http://ecfr.gpoaccess.gov/>). Making this change shortened the document by several pages.

DEQ has provided two public comment opportunities and one public meeting regarding the contents of the Source Test Guidance Manual. DEQ does not plan to host additional discussion regarding the focus or content of the Guidance Manual at this time.

3. This document seems to generate more questions and confusion than existed prior to the document. It is recommended that the agency utilize existing federal documents and work out specific details during the protocol review rather than issue this document.

Response to comment 3: DEQ did not intend to create confusion with the Guidance Manual. The intent is to help educate environmental staff regarding the administrative procedures involved in preparing and submitting test protocols and reports to DEQ. For the most part, DEQ has been receiving complete test reports from facilities and their test contractors over the past few years. The Guidance Manual is not meant to require test contractors to overhaul the format of their test reports. The Guidance Manual lists common contents of a source test report and specifically identifies issues that have caused confusion in the past; for example, it identifies where federal requirements differ from state requirements regarding test notification deadlines.

Section 1 – General

4. “This manual is intended to clarify existing regulatory requirements...” Some of the things identified in this guidance do not appear to have a basis in the rule, for example, providing process calibration information and field error corrections.

Response to comment 4: The commenter is correct that not all of the guidance provided in the manual has a direct link to the rules. Some guidance regarding issues such as parametric monitoring during tests and various technical issues is provided because the issues are not specifically addressed by the rules but often arise and have to be addressed.

One way process calibration is tied to the rules is through the permits that limit production rates. In order to assess compliance with production limits, DEQ needs to get an idea of the accuracy of the process monitoring being conducted. In addition, one of the test review criteria in IDAPA 58.01.01.157.05 for which DEQ may reject tests as invalid is the “Failure of the source to conform to operational requirements at the time of the test.” If DEQ doesn’t have a good idea of the accuracy of process information monitored during the test, it is difficult to accept the results. Regarding field error corrections, DEQ may reject a test if it appears field data sheets were significantly altered after the test. Therefore, we have provided a recommended method for correcting field data errors.

Section 2 – Determination of Test Acceptance

No comments.

Section 3 – Observation of Tests by DEQ Staff

No comments.

Section 4 – Approved Test Methods

5. Prior Approval of Changes and Deviations: “DEQ will accept changes and deviations in the reference methods which have received written approval of the U.S. EPA (for standards in 40 CFR Parts 60, 61, and 63) or DEQ (for all other emissions standards or for permit requirements) and that DEQ has determined are appropriate for the specific application...”

Please clarify. Does DEQ need to determine the appropriateness of deviations the EPA has approved? Or does DEQ only need to determine appropriateness of the deviations for methods not specified within 40 CFR Parts 60, 61, and 63?

Response to comment 5: Yes, DEQ does need to determine the appropriateness of deviations that EPA has approved to verify they are appropriate for the specific application being proposed. This is a requirement of the rules at IDAPA 58.01.01.157.02.d.i, which state, “For federal emission standards codified at 40 CFR Parts 60, 61, and 63, the Department will accept those minor changes which have received written approval of the U.S. EPA Administrator so long as the Department determines they are appropriate for the specific application.” The language in the first paragraph of Section 4.1 was modified to more closely match the language of the rule.

Section 5 – Source Test Protocol Content and Format

6. Submitting the Protocol: The first paragraph includes language specific to notification of testing. Please clarify whether the notification of anticipated startup of testing can be provided separately from the protocol because 2 different dates apply.

Response to comment 6: Yes. The notification of test start date can be provided separately from the protocol. The commenter is correct that two different dates apply. The protocol must be submitted at least 30 days prior to the test and the notification of actual test dates need only be submitted 15 days before the test. DEQ sometimes receives protocols for review prior to the test dates being chosen and we are notified of the actual test dates after approving the protocol, which is acceptable. Section 5.1 (Submitting the Protocol) was revised to clarify that the test schedule could be submitted separately from the protocol.

7. IDEQ requests contact information for the testing company and laboratory. Previous comments objected to the IDEQ contacting the testing facility directly. (5.2 and 5.3)

While IDEQ addressed the previous comments, the issue remains unresolved. DEQ should not be contacting the test contractors and labs directly for the following reasons: 1) A facility needs to know whether the firm they've hired is providing everything needed by the agency. If the agency needs to have something clarified, the facility can ensure the next report contains adequate clarifications. 2) Any and all discussions related to a compliance test can affect a facility's compliance status. Because of this, facilities need to be afforded the option to be present during ALL discussions.

Response to comment 7: This is a reasonable comment. Facilities should have the option to be present during discussions, and generally facilities are afforded that option. On occasion DEQ has contacted test contractors directly, but it is rare to do so without the facility having knowledge of the contact. If a facility is comfortable with DEQ contacting the test contractor directly, the facility could state in the test protocol or report cover letter that it is acceptable to contact the test company or laboratory. However, it remains a requirement that DEQ be provided with the identification and contact information for the test companies and laboratories.

8. In paragraphs 5.6 (now 5.F) and 5.14 (now 5.O), the manual recommends including information that appears to be nonessential. In response to comments, IDEQ removed language that made the information appear to be mandatory. However, the relationship of a block diagram to a representative sample remains unclear. What is the legal basis for requiring calibration information for process monitoring equipment if available?

Response to comment 8: The diagram is used by the test report reader to understand the process being tested. For example, it can be useful to know where the fans are located, if any, and see the order of pollution control equipment.

The basis for requesting calibration information for process monitoring equipment depends on the emissions standards and control equipment that are applicable to the source. An example where process calibration is relevant is a facility attempting to demonstrate compliance with a pound emissions per ton throughput standard. The reference method measures the pounds of emissions. Often there is little thought given to the accuracy of production monitoring. How is the production determined? Sometimes it is determined by a weigh belt, and in other cases facilities have proposed other methods, such as counting the number of loader buckets dumped during the test and using an assumed average weight. The accuracy of the production data is relevant to determining compliance with the standard.

Section 6 – Reporting Deadlines and Certifications

9. I'd recommend the due date for source test reports be extended to 60 days, not 30 days as proposed. The testing effort requires significant travel, field work, subsequent lab analysis, and requires a lengthy report that requires detailed Q/A. IDEQ's historic 30 day deadline has resulted in rushed reports or repeated requests for extension. 60 days is what Washington and EPA use. I'm not familiar with other neighboring states, but that seems to be the standard, allowing for a quality report with time for necessary Q/A.

Response to comment 9: The 30-day report deadline is currently a requirement of the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.157.04. DEQ is considering pursuing a rule change to extend the reporting period. To complete the rule change, the proposed rule must be approved by the DEQ Board and the Idaho Legislature. Currently, DEQ may grant an extension to the report deadline if the request is made in writing and no federal programs, such as NSPS or MACT, contain deadlines that preclude an extension.

10. The Report deadlines listed in Section 6 is too short. We recommend that the deadline for source test reports in the first paragraph of Section 6 be changed from “within 30 days” to “within 60 days.” The rest of the sentence would otherwise be unchanged. This change would be consistent with source test reporting deadlines in neighboring states, such as Washington. Source testing work requires extensive equipment, sometimes over multiple days. After the test is completed, numerous laboratory analyses are often required, then work verifying and interpreting the results. Several different laboratories may be required and results can take weeks to be reported. All this data then has to be assimilated into a large document, reviewed for accuracy by the analysts, source testers, and facility representatives. The volume of data, analyses and calculations deserves adequate time for review. Requiring a submittal within 30 days, as proposed, limits time for data review and inhibits quality control procedures. Requiring a submittal within 30 days can result in errors, Report amendments, and/or frequent requests to IDEQ for extensions of the report deadline. We believe it is better to allow sufficient time for analysis and data review. We recommend extending the due date for the source test report to 60 days without requiring a request for an extension, consistent with the deadlines set by EPA and surrounding states. We appreciate this opportunity to provide comment.

Response to comment 10: The 30-day report deadline is currently a requirement of the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.157.04. DEQ is considering pursuing a rule change to extend the reporting period. To complete the rule change, the proposed rule must be approved by the DEQ Board and the Idaho Legislature.

Section 7 – Source Test Report Content and Format

11. Section 7.1.1 (now A.1) Report Content summary: *"In this section, include a brief summary that identifies or states, as applicable...participants..."* Does "participants" refer to stack testers, observers, all the above? What characteristics of a participant affect the results and a determination of compliance?

Response to comment 11: Participants does include stack testers, observers, and facility personnel involved in organizing and carrying out the test. A short description of “participants” was included in the Guidance Manual as a result of the comment. Section A.1, second bullet point now says, “Participants (stack testers, facility personnel, and observers).” The participant information can be useful for knowing who to contact if questions arise concerning the test documentation.

12. Section 7.4 (now 7.D) *"A summary table... and all applicable standards."* This is unclear. Please identify what other types of applicable standards a facility should consider that are different from an emissions standard.

Response to comment 12: As used in the sentence, the term “all applicable standards” is referring to emissions standards. To clarify, the language was changed to “all applicable emissions standards.”

13. Section 7.7 (now 7.G) Report Content summary: *"...A certification signed by a member of the test team and a source owner/operator..."* Please provide the legal basis for the certification of the testing contractor. How does this certification by the owner/operator differ

from the certification discussed in the 3rd paragraph in Section 6? Does IDEQ need multiple certifications from the owner/operator? If so, to what purpose?

Response to comment 13: Currently there is not a legal basis for a certification from the test contractor. However, there is a legal requirement (IDAPA 58.01.01.123) for a responsible official of the facility to provide a certification that the document is true, accurate, and complete. The company responsible official should be more comfortable making that certification if the test contractor has made a similar certification.

The certification in Section 7 is not meant to be an additional certification from the required responsible official certification discussed in Section 6. DEQ does see that there is potential for confusion because the certification language in Section 6 is different from the certification language in Section 7. Therefore, DEQ has modified Section 7.G so that it addresses only a certification from a member of the test team.

Section 8 – Process and Control Device Monitoring Requirements

14. "The calibration data of process and control device instrumentation should be included in the test report." Is there a legal basis for this requirement as it pertains to source testing?

Response to comment 14: There is not a specific legal requirement to provide monitoring equipment calibration information. However, the calibration data of process monitoring equipment is used to assess the accuracy of the information provided. This can be especially important regarding production rate data when determining compliance with an emissions standard in the units of pounds of emissions per mass of throughput, such as the process weight limitations in IDAPA 58.01.01.700. In addition, many permits allow for production monitoring and air pollution control device monitoring as a reasonable assurance of compliance with emissions limits rather than requiring frequent emissions measurements. In these cases the accuracy of the production and air pollution control device monitoring data is important for verifying compliance.

Section 9 – Technical Issues

15. The elevation correction IDEQ recommends for some sources, but not all, seems technically questionable. The impact limits are in dry standard, and calculations are made under those conditions. Converting back to actual elevations for soem(sic) sources but nto(sic) others seems inconsistent, and also yields results that may not necessary (sic) be comparable with thresholds the calculated numbers are to be compared to.

Response to comment 15: DEQ believes the commenter is referring to the altitude correction for the fuel-burning equipment particulate matter standard contained in IDAPA 58.01.10.680 and referenced in section 9.7 of the Guidance Manual. The rule requires the altitude correction to demonstrate compliance with the particulate matter standards for fuel-burning equipment in IDAPA 58.01.01.676-677. The rule applies to all fuel-burning equipment sources in the state that combust gaseous fuel, liquid fuel, coal, wood, or a combination of those fuels. The emissions standards are in units of grains per dry standard cubic foot corrected to specific oxygen concentrations. The purpose of highlighting the requirement in the Guidance Manual is to point out that it exists, because DEQ often

receives test reports for fuel-burning equipment that have not been corrected for altitude as the rule requires. The rule has been in effect in its current form since 1994.

16. Correction of field data errors. Is there a legal basis for this requirement as it pertains to source testing? Will a test be rejected if the tester does not use a single line and initial?

Response to comment 16: A test could be rejected if a field data sheet appears to have been altered post-test. For example, if correction fluid were used to cover information on a data sheet, the report may be rejected because DEQ could question the validity of the data. As a result of this comment, DEQ modified the language to state that the correction methodology is a recommendation, rather than a requirement.

17. "*Audit samples are available...*" It is unclear what the agency wants a facility to do as it pertains to audit samples. IDEQ responded to comments on audit samples in *Response to Comments 3/26/2008 Guidance Manual*, but the guidance document needs to identify when a facility or a stack testing firm needs to address audit samples.

Response to comment 17: DEQ revised the audit sample section of the Guidance Manual (section 9.2) to better explain the steps a source owner/operator should take to determine if audit samples are available and how to obtain them.

18. EPA Method 202 – Methylene Chloride Extraction.

Based on discussion with EPA OAQPS staff, DEQ has decided to remove this section from the Guidance Manual. DEQ had proposed in the draft Guidance Manual that the methylene chloride extraction could be omitted from Method 202 for state-required tests. However, after further discussion with EPA staff, DEQ has decided to not allow this method deviation because handling all of the condensible emissions as though they were inorganic would likely exclude organic condensible emissions. This is primarily due to the varying evaporation temperatures that are required by the method. If the organic condensibles were left in water and evaporated at 105° C, as allowed for inorganic condensibles, then it is likely that many of the organics would evaporate at that temperature. The methylene chloride is required to be evaporated at room temperature to minimize the loss of organic material.

19. Testing Outside Permit Requirements: "*Sources can operate outside of permitted operating constraints...*" Would excess emission reporting be required (assuming there is a violation of an emission standard or permit condition) when DEQ has approved a source test outside of permitted operating constraints?

Response to comment 18: Yes. If DEQ approved testing outside of permitted operating constraints and the test results demonstrated a violation of an emissions standard, an excess emissions report should be submitted for the test period. For example, if a source conducted a test to expand the operating range of a scrubber by operating the scrubber at a lower water flow rate than normal during a test and the test results demonstrated an emissions violation, then an excess emissions report should be submitted. DEQ may take enforcement action on the violation, but submittal of the excess emissions report will allow DEQ to use enforcement discretion. However, if the test demonstrated compliance with the emissions standard, the source does not need to submit an excess emissions report just because they operated outside of the approved scrubber range during the test. The test results demonstrate compliance with the emissions standard, so the facility can use that

data to request an expanded operating range. Section 9.8 was modified as a result of this comment.