

7019.3050 PERFORMANCE TEST DATA.

A. If an emission reporting facility or mercury emission source as defined in part 7005.0100, subpart 23b, has collected representative emission data through the use of performance tests in compliance with the preconditions in items B and C, and if CEM data under part 7019.3040 is not available, the facility shall calculate its emissions based on performance tests. If the emission data is unrepresentative because fuel or material feed used under the test conditions is substantially different than the conditions under which the emissions unit is normally operated or because the emissions unit has been modified, the facility shall calculate its emissions based on the next highest available method. Emissions unit operating load variation from test load does not make the data unrepresentative. In the event that the facility has collected emission data through the use of performance tests and determines that the data is unrepresentative for any reason, the facility shall submit an explanation of why the data is unrepresentative with the emissions calculated using the next highest available method. The commissioner shall determine if the conditions of the performance test were representative based upon the operating data supplied by the facility for the year of the inventory.

B. All the requirements of parts 7017.2001 to 7017.2060, including the requirement to notify the commissioner prior to conducting performance tests as required in part 7017.2030, subpart 1, all other applicable state and federal laws, and all applicable air emission permit conditions relating to performance testing have been complied with.

C. For facilities that are required to conduct annual performance testing, the test was performed during the calendar year for which the emissions are being calculated. If the commissioner granted the facility an extension to a testing deadline that resulted in the test being performed after the calendar year but prior to the emissions inventory submittal deadline, the data from that test may be used. For facilities that are not required to conduct annual performance testing, the emission factors used are derived from the most recently conducted performance test. Unless required under item D, performance test data may not be more than ten years older than the last date of the emission inventory period and must be representative of operating conditions during the calendar year for which the emission inventory is being submitted.

D. If the most recently conducted performance test data is more than ten years older than the last date of the emission inventory period, then the emission factor derived from the performance test shall be used if it results in higher calculated emissions than any default emission factor allowed under part 7019.3060, 7019.3070, or 7019.3080, as applicable, unless an alternative factor is approved by the commissioner under part 7019.3100 (facility proposal) or unless continuous emission monitor data that satisfies the conditions of part 7019.3040 is available. The performance test data must be representative of operating conditions during the calendar year for which the emission inventory is being

submitted. Mercury emission sources, as defined in part 7005.0100, subpart 23b, must follow the testing schedule in item E.

E. Unless a mercury emission source, as defined in part 7005.0100, subpart 23b, is already subject to a compliance demonstration for mercury under another applicable requirement, operating permit, or enforceable agreement, the owners or operators of the source must test according to subitems (1) to (5):

(1) the owners or operators of a mercury emission source in operation on or before September 29, 2014, must conduct an initial performance test for mercury emissions on the emission units and processes described in subitem (2):

(a) the owners or operators must submit the test report to the commissioner within 365 days of September 29, 2014; and

(b) the test must be conducted in compliance with parts 7017.2001 to 7017.2060;

(2) the emission units and processes to be tested are those for which prior testing conducted under chapter 7017, emission factors, or similar calculations indicate actual emissions are three or more pounds of mercury per year from each unit or process;

(3) the owners or operators of a mercury emission source that commences operation or makes a physical or operational change that results in an increase in the potential to emit mercury after September 29, 2014, must conduct an initial performance test for mercury emissions within 180 days of initial start-up or on a schedule established in an air emission permit or other enforceable agreement and submit the test report to the commissioner. "Start-up" has the meaning given in part 7005.0100, subpart 42a. "Potential to emit" has the meaning given in part 7005.0100, subpart 35a;

(4) if a stationary source has mercury emissions from units or processes that are substantially equivalent, the results of testing from one may be applied to the others, scaled for throughput or operating hours. With the test results, the owners or operators must provide documentation that the units or processes are substantially equivalent; and

(5) after the initial test, the owners or operators must conduct subsequent performance tests within 60 months of each prior test:

(a) subsequent performance tests are not required if the owners or operators determine that the stationary source is no longer a mercury emission source as defined under part 7005.0100, subpart 23b; and

(b) if the stationary source becomes a mercury emission source again, the owners or operators must resume conducting subsequent performance tests according to this subitem within 180 days of making the determination that actual emissions exceed the threshold for a mercury emission source.

Statutory Authority: *MS s 116.07*

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