

15A NCAC 02D .0612 ALTERNATIVE MONITORING AND REPORTING PROCEDURES

(a) Except as set forth in Paragraph (b) of this Rule, the owner or operator of a source may petition the Director to allow monitoring or data reporting procedures varying from those prescribed by Subchapters 02D or 02Q of this Chapter.

(b) This Rule shall not apply to monitoring or reporting requirements of 40 CFR Part 60, 61, 62, 63, 75, or 97.

(c) To petition to use alternative monitoring or data reporting procedures in place of those procedures in Rules 15A NCAC 02D .0606, .0607, or .0608 or Sections 15A NCAC 02D .0900, .1200, or .1400, the owner or operator of the source shall submit a written petition to the Director containing the following:

- (1) the name and address of the company and the name and telephone number of a responsible official, as defined by 15A NCAC 02Q .0303;
- (2) a description of the sources at the facility to which the petition applies;
- (3) identification of the rule or rules for which the alternative is sought;
- (4) the basis or reason that alternative monitoring and reporting procedure is more desirable than those prescribed by the rule;
- (5) a proposal of alternative monitoring and reporting procedure;
- (6) a demonstration that the alternative procedure is at least as accurate as that prescribed by the rule;
- (7) a showing that one or more of the following conditions exist:
 - (A) a continuous monitoring system or other device prescribed by the rule would not provide accurate determinations of emissions;
 - (B) the emissions from two or more sources of different design and operating characteristics are combined before release to the atmosphere or the emissions are released to the atmosphere, through more than one point;
 - (C) the requirements prescribed by the rule 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 the rule would produce serious hardship without equal or greater benefit to the public;
 - (D) the monitoring systems prescribed by the rule cannot be installed because of physical limitations at the facility. The determination of such limitations shall be made on the basis of whether meeting the requirements prescribed by this Rule would necessitate reconstruction of the facility; or
 - (E) the alternative monitoring or reporting procedure is more accurate and precise than that prescribed by the rule;
- (8) any other information that the petitioner believes would be helpful to the Director in evaluating the application.

(d) The Director may require the petitioner to submit other information that is necessary to evaluate the proposed monitoring or reporting procedures.

(e) The Director may approve the petition for alternative monitoring and reporting procedures if:

- (1) the petition is submitted in accordance with this Rule and contains all the information required by Paragraph (c) of this Rule;
- (2) the petition satisfies the showing required by Subparagraph (c)(7) of this Rule;
- (3) the proposed alternative monitoring or data reporting procedures provide information of sufficient quality to determine the amount of emissions or the adequacy of the emission control device or practice, such that the compliance status of the source can be determined by reviewing this information; and
- (4) the facility is in compliance with, or under a schedule for compliance with, all applicable air quality rules.

(f) If monitoring or reporting requirements that differ from those specified in the appropriate rule in Subchapters 02D or 02Q of this Chapter are approved by the Director, the permit shall contain a condition stating such monitoring or reporting requirements.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4); Eff. April 1, 1999; Readopted Eff. November 1, 2019.