

CKRC and PS-11

Brief History and Current Status

PC MACT Does Not require PM CEMS but HWC MACT Does (however, not operative yet)

PC MACT

§63.1349 Performance testing requirements.

(b)(1) *PM emissions tests*. The owner or operator of a kiln and clinker cooler subject to limitations on PM emissions shall demonstrate initial compliance by conducting a performance test using Method 5 or Method 5I at appendix A-3 to part 60 of this chapter. You must also monitor continuous performance through use of a PM continuous parametric monitoring system (PM CPMS).

HWC MACT

40 CFR Part 63.1209(a)(1) What are the monitoring requirements?

(a) *Continuous emissions monitoring systems (CEMS) and continuous opacity monitoring systems (COMS)*.

(iii) You must install, calibrate, maintain, and operate a particulate matter CEMS to demonstrate and monitor compliance with the particulate matter standards under this subpart. However, compliance with the requirements in this section to install, calibrate, maintain and operate the PM CEMS is not required until such time that the Agency promulgates all performance specifications and operational requirements applicable to PM CEMS.

CISWI Does Not Require PM CEMS (but allows)

§ 60.2165

What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under § 60.2105, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 2 of this subpart at all times except as specified in § 60.2170(a).

(b) If you use a fabric filter to comply with the requirements of this subpart and you do not use a PM CPMS or PM CEMS for monitoring PM compliance, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section:

Extensive Comments Filed on 12/12/01 Amendments to the PS-11 and Procedure 2

These technical comments provided detailed concerns with respect to 35 of the changes described in the Agency proposal. The 8 general issues described in the comment overview speak to the collective impact of the numerous changes being proposed

2/27/04 Internal Analysis of PS-11 Final Rule (1/12/04)

Overall, EPA has made few of the changes requested by the cement industry. Many of the changes made in the monitoring procedures have reduced, rather than enhanced, the accuracy of PM CEMS monitoring data.

members.

PS-11 Rule Preamble

CKRC was concerned that the PS-11 Rule could be construed as supplying the “performance specifications and operational requirements” that would trigger the PM CEMS requirement in the HWC MACT. **The PS-11 Rule preamble clearly states that PS-11 does not define the applicability of PM CEMS, and that industry-specific criteria need to be included in the rule applicable to a specific source category.** PS-11 Final Rule 69 FR 1786, 1790 (Jan 12, 2004).

Barry Breen Letter 2/3/04

Notwithstanding that preamble statement, CKRC wanted some assurance from EPA that the PM CEMS requirement would not take effect until EPA had established HWC-specific performance criteria through notice and comment rulemaking. **EPA Deputy Assistant Administrator of OSWER Barry Breen confirmed in a 2004 letter that such a rulemaking was necessary before PM CEMS could be required and that the PS-11 Rule did not constitute such a rulemaking.**

CKRC and PCA Filed Non-binding Statement of Issues of Petitioners

4/13/04

This filing was a broad statement typical of rule challenges stating the rule is inconsistent with CAA, arbitrary and capricious and otherwise contrary to law. And, as is common practice, noted that the foregoing issue statement is preliminary and nonbinding and the petitioners reserve right to raise additional issues in their brief.

3/5/05 CKRC Comments on EPA “Draft Guidance Materials In Support of Performance Specification 11 and Procedure 2”

EPA has instead separated the technical provisions of PS 11 and Procedure 2 from the applicable standards and stated its intent to address such issues through future source category-specific regulations. It is clear that EPA’s approach greatly simplifies its problems in developing the technical regulations. However, the separation of the technical requirements from the applicability issues creates three major concerns for CKRC and its members.

NESHAP for Portland Cement and Standards for PC Plants Final Rule 2/12/13

- ▶ In summary, the EPA has carefully considered the issue and it is our engineering judgment that the PS 11 correlation will not be technically or practically achievable for a significant number of cement kiln sources. This is due to the combination of the low emissions concentrations, PM CEMS measurement uncertainty factors, the variability in composition of cement PM, and need for extraordinarily long test runs to reduce Method 5 uncertainty to a level that provides normal measurement confidence (i.e. greater than the 3 mg practical quantitation level of Method 5), plus the compounding uncertainties associated with source operational variability. (78 FR 10018/3)