

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES**

AIR POLLUTION CONTROL REGULATION NO. 14

RECORD KEEPING AND REPORTING



Effective: 14 May 1973

Last Amended: 19 July 2007

AUTHORITY: These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(s) and 23-23, as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

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14.1 Definitions

Unless otherwise expressly defined in this section, the terms used in this regulation shall be defined by reference to the Rhode Island Air Pollution Control General Definitions Regulation. As used in this regulation, the following terms shall, where the context permits, be construed as follows:

- 14.1.1 **"Actual emissions"** means the actual calculated or measured rate of emissions of a pollutant from an emissions unit for the calendar year or seasonal period. Actual emission estimates must include upsets, downtime, and fugitive emissions if applicable.
- 14.1.2 **"Certifying individual"** means the individual responsible for the completion and certification of the emission statement (e.g., officer of the company) and who will take legal responsibility for the emission statement's accuracy.
- 14.1.3 **"Overall control efficiency"** means the percent control efficiency which accounts for both the percent emissions reduction as measured across the control device, and percent capture efficiency of the control device.
- 14.1.4 **"Peak ozone season"** means the months of June, July, and August, during which conditions for photochemical ozone formation are most favorable.
- 14.1.5 **"Percentage annual throughput"** means the weighted percent of yearly activity for the following periods:
- (a) December of the previous year to February of the reporting year
 - (b) March to May
 - (c) June to August
 - (d) September to November
- 14.1.6 **"SIC code"** means a Standard Industrial Classification code, as described in the Standard Industrial Classification Manual, 1987.

14.1.7 **"Typical ozone season day"** means a day typical of the months of June, July and August with respect to operations, emissions, control equipment operation, and process rate.

14.2 Fundamental Record Keeping and Reporting

14.2.1 Requirements

The owner or operator of any facility that emits air contaminants shall, at the request of the Director, provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. These records shall be maintained at the facility for a period of five years.

14.2.2 Submission of Information

The information recorded by the owner or operator of a facility pursuant to the requirements of subsection 14.2.1 shall be summarized and reported at least annually to the Director. It shall be submitted by April 15th unless otherwise specified.

14.2.3 Use of Submitted Information

Information obtained from owners or operators of facilities pursuant to Section 14.2.1 will be correlated with applicable emission limitations and other applicable emissions information and will be available for public inspection.

14.3 Emission Statements

14.3.1 Applicability

The owner or operator of any facility emitting VOC or NO_x which has or has had actual facility-wide emissions of 25 tons per year or more of either pollutant in 1990 or any year thereafter, shall submit annually an emission statement which includes both pollutants, in accordance with the requirements of Subsection 14.3.2. Emission statements shall be submitted to the Director on April 15th of each year unless otherwise specified. Emission statements shall be submitted for the calendar year 1992 and for every year thereafter. A facility may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission

statements if actual emissions at that facility decrease to below 10 tons per year as a result of a permanent process change.

14.3.2 Emission Statement Requirements

Each facility subject to this section shall submit an emission statement in a format approved by the Director. The emission statement shall contain the following information:

- (a) A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
- (b) The full name, title, signature, date of signature, and telephone number of the certifying individual.
- (c) Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
- (d) Process data pertaining to each process emitting VOC and/or NO_x, including:
 - (1) Annual and typical ozone season daily fuel use,
 - (2) Annual and typical ozone season daily process rate(s), and
 - (3) Process throughput while air pollution control equipment was not in operation.
- (e) Operating data pertaining to each process emitting VOC and/or NO_x during the reporting year, including:
 - (1) Percentage annual throughput,
 - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
 - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and
 - (4) Weeks of operation during the reporting year and during the peak ozone season.

- (f) Control equipment information, including:

- (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO_x,
 - (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
 - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- (g) Emissions information, including:
- (1) Actual annual and typical ozone season daily emissions of VOC and NO_x for each process. Emissions should be reported in tons per year and in pounds per day.
 - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
 - (3) The calendar year for which emissions are reported.
- (h) Any additional information required by the Director to document the facility's emission statements.

14.4 General Provisions

14.4.1 Purpose

The purpose of this regulation is to specify the record keeping and reporting requirements that apply to stationary sources that emit air contaminants.

14.4.2 Authority

These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(s) and 23-23, as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35

14.4.3 Application

The terms and provisions of this regulation shall be liberally construed to permit the Department to effectuate the purposes of state law, goals and policies.

14.4.4 Severability

If any provision of this regulation or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulation shall not be affected thereby.

14.4.5 Effective Date

The foregoing Regulation, "Record Keeping and Reporting," as amended, after due notice, is hereby adopted and filed with the Secretary of State _____ day of _____, 20__ to become effective twenty (20) days thereafter in accordance with the provisions of Chapter 23-23, 42-35, 42-17.1, 42-17.6 of the General Laws of Rhode Island of 1956, as amended.

W. Michael Sullivan, PhD., Director
Department of Environmental Management

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Public Hearing held: March 23, 2007

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