



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

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OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

Mr. Errin Pichard, PE, Administrator
Emissions Monitoring Section
Bureau of Air Monitoring and Mobile Sources
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Pichard:

I am writing in response to your letter regarding the intent of regulatory language contained in the General Provisions to 40 CFR Parts 60 and 63, specifically the language of §§60.8(f) and 63.7(e)(3) addressing the number of performance test runs required to determine compliance.

In your letter, you point out that both Part 60 and Part 63 generally require determinations of compliance to be based on the average of three test runs and that both parts include provisions for dealing with situations in which one of the test runs is not valid and therefore cannot be included in the final average of three test runs. You pose two questions regarding these provisions. First, is it the intent of the language in §§60.8(f) and 63.7(e)(3) to limit to three the number of test runs that may be used to compute the average for the purpose of determining compliance? Second, if an affected facility wishes to conduct more than three test runs during a performance or compliance test can it use the average of all test runs conducted to determine compliance?

We have conferred with our Office of Compliance and agree that the answer to your first question is yes, the intent of the language in the General Provisions to Parts 60 and 63 is to limit the number of test runs used to compute the average for determining compliance to three runs. As you note, under certain circumstances, Part 60 allows compliance determination to be based on the results of two test runs while Part 63 allows results of an invalid test run to be replaced with results of an additional valid test run.

In regard to your second question, an affected facility owner may certainly conduct more than three test runs during a performance or compliance test; however, a compliance test result must be the average of the results from three consecutive valid test runs. More to the point, the facility owner may not use the average of more than three test runs to determine compliance.

This latter approach, as you note in your letter, could constitute a relaxation of the underlying standard by increasing the "averaging time." To supplement a particular compliance average test result, the facility may calculate and report the average(s) of the results of any additional three consecutive test runs applying the same criteria for data validity and process representativeness. In any case, the facility should report to the responsible agency the results of all test runs conducted during that performance testing period including those that are not used in computing a three run compliance average(s). This is required even if such test runs were deemed invalid, the process conditions were deemed not consistent with the requirements of the rule, or not used in calculating the average for other reasons.

Though you did not inquire specifically about it, this approach would also be generally applicable to 40 CFR Part 61 (unless a specific subpart states otherwise), but would not necessarily apply to individual state implementation plans which may include differing provisions.

If you have any questions regarding this regulatory interpretation, please contact Robin Segall of my staff at 919-541-0893 or segall.robin@epa.gov.

Sincerely,



Conniesue B. Oldham, Ph.D., Group Leader
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