

The EPA Administrator, Gina McCarthy, signed the following notice on 11/8/2016, and EPA is submitting it for publication in the Federal Register (FR). While we have taken steps to ensure the accuracy of this Internet version of the rule, it is not the official version of the rule for purposes of compliance. Please refer to the official version in a forthcoming FR publication, which will appear on the Government Printing Office's FDSys website (<http://gpo.gov/fdsys/search/home.action>) and on Regulations.gov (<http://www.regulations.gov>) in Docket No. EPA-HQ-OAR-2016-0382. Once the official version of this document is published in the FR, this version will be removed from the Internet and replaced with a link to the official version.

6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 60**

**[EPA-HQ-OAR-2016-0382; FRL-XXXX-X]**

**RIN 2060-AT15**

**Revisions to Procedure 2 - Quality Assurance Requirements for  
Particulate Matter Continuous Emission Monitoring Systems at  
Stationary Sources**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing revisions to Procedure 2, sections 10.4(5) and (6), in 40 Code of Federal Regulations (CFR) part 60, Appendix F of the New Source Performance Standards (NSPS). Procedure 2, sections 10.4(5) and (6), provide the ongoing quality assurance/quality control (QA/QC) procedures for assessing the acceptability of particulate matter (PM) continuous emissions monitoring systems (CEMS). Section 10.4(5) explains the criteria for passing an annual response correlation audit (RCA) and section 10.4(6) explains the criteria for passing an annual relative response audit (RRA). Procedure 2, sections 10.4(5) and (6), currently contain a requirement that the annual QA/QC test results for affected facilities must fall within the same response range as was used to develop the existing PM CEMS correlation curve.

As a result, some facilities are unable to meet the criteria for passing their annual QA/QC test simply because their emissions are now lower than the range previously set during correlation testing. We are proposing to modify Procedure 2, sections 10.4(5) and (6), to allow facilities to extend their PM CEMS correlation regression line to the lowest PM CEMS response obtained during the RCA or RRA, when these PM CEMS responses are less than the lowest response used to develop the existing correlation curve. We also propose to correct a typographical error in the introduction to Paragraph (6) of section 10.4 of Procedure 2. Without this revision, paragraph (6)(iii) would remain unused in Procedure 2. This typographical correction is necessary to fulfill the intent of Procedure 2, section 10.4(6), when promulgated. See 69 FR 1786.

**DATES:** Written comments must be received by [Insert date 30 days from date of publication in the Federal Register].

*Public Hearing.* If anyone contacts the EPA by [Insert date 10 days from date of publication in the Federal Register] requesting to speak at a public hearing on this action, the EPA will consider holding a public hearing on [insert date 30 days from date of publication in the Federal Register] at the EPA facility in Research Triangle Park. Please check the EPA's Web page at <https://www3.epa.gov/ttn/emc/proposed.html> on [Insert date 20 days from date of publication in the Federal Register] for the announcement of whether a hearing will be held. To request a public

hearing and present oral testimony at the hearing, please contact on or before [insert date 10 days from date of publication in the Federal Register], the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. If a hearing is held, the hearing schedule, including the list of speakers, will be posted on the EPA's Web page at <https://www3.epa.gov/ttn/emc/proposed.html>.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2016-0382, at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the Web, Cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kimberly Garnett, U.S. EPA,

Office of Air Quality Planning and Standards, Air Quality Assessment

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**SUPPLEMENTARY INFORMATION:**

I. Why is the EPA issuing this proposed rule?

The EPA proposes a revision to Procedure 2, sections 10.4(5) and (6), to allow facilities that have reduced their emissions since completing their PM CEMS correlation testing to extend their correlation regression line to the point corresponding to the lowest PM CEMS response obtained during the RCA or RRA. This extended correlation regression line will be used to determine if results of this RCA or RRA meet the criteria specified in Section 10.4, paragraphs (5) and (6) of Procedure 2, respectively. This change will ensure that facilities that have reduced their emissions since completing their correlation testing will no longer be penalized because their lower emissions fall outside their initial response range. This action also proposes to correct a typographical error in the introduction to section 10.4, paragraph (6) of Procedure 2. Paragraph (6), which originally read, "To pass an RRA, you must meet the criteria specified in paragraphs (6)(i) and (ii)..." is being corrected to read: "To pass an RRA, you must meet the criteria specified in paragraphs (6)(i) through (iii)..." Without this revision, paragraph (6)(iii) would remain unused in Procedure 2. This typographical correction is necessary to fulfill the intent of Procedure 2, section 10.4(6), when promulgated in 69 FR 1786. We have

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published a direct final rule approving the revisions to Procedure 2 in the "Rules and Regulations" section of this Federal Register publication because we view this as a non-controversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble of the direct final rule.

If we receive no adverse comment, we will not take further action on this proposed rule. If the EPA receives adverse comment, we will publish a timely withdrawal in the Federal Register informing the public that the direct final rule will not take effect. In that case, we would address all public comments in any subsequent final rule based on this proposed rule.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, please see the information provided in the **ADDRESSES** section of this document.

The regulatory text for the proposal is identical to that for the direct final rule published in the "Rules and Regulations" section of this Federal Register publication. For further supplementary information, the detailed rationale for the proposal and the regulatory revisions, see the direct final rule published in a separate part of this Federal Register publication.

II. Does this action apply to me?

The entities potentially affected by this rule include any facility that is required to install and operate a PM CEMS under any provision of title 40 of the CFR. If you have any questions regarding  
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the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

**Revisions to Procedure 2 - Quality Assurance Requirements for  
Particulate Matter Continuous Emission Monitoring Systems at  
Stationary Sources**

**List of Subjects in 40 CFR Part 60**

Environmental protection, Administrative practice and procedure,  
Air pollution control, Continuous emission monitoring systems,  
Particulate matter, Procedures.

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Dated:

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Gina McCarthy,  
Administrator.