

CHAPTER 24  
EXCESS EMISSION

[Prior to 7/1/86, DEQ Ch 5]

[Prior to 12/3/86, Water, Air and Waste Management[900]]

**567—24.1(455B) Excess emission reporting.**

**24.1(1)** *Excess emission during periods of startup, shutdown, or cleaning of control equipment.* Excess emission during a period of startup, shutdown, or cleaning of control equipment is not a violation of the emission standard if the startup, shutdown or cleaning is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions. Cleaning of control equipment which does not require the shutdown of the process equipment shall be limited to one six-minute period per one-hour period.

**24.1(2)** *Oral report of excess emissions.* An incident of excess emission (other than an incident of excess emission during a period of startup, shutdown, or cleaning) shall be reported to the appropriate regional office of the department within eight hours of, or at the start of the first working day following the onset of the incident. The reporting exemption for an incident of excess emission during startup, shutdown or cleaning does not relieve the owner or operator of a source with continuous monitoring equipment of the obligation of submitting reports required in 567—subrule 25.1(6).

An oral report of excess emission is not required for a source with operational continuous monitoring equipment (as specified in 567—subrule 25.1(1)) if the incident of excess emission continues for less than 30 minutes and does not exceed the applicable emission standard by more than 10 percent or the applicable visible emission standard by more than 10 percent opacity.

The oral report may be made in person or by telephone and shall include as a minimum the following:

*a.* The identity of the equipment or source operation from which the excess emission originated and the associated stack or emission point.

*b.* The estimated quantity of the excess emission.

*c.* The time and expected duration of the excess emission.

*d.* The cause of the excess emission.

*e.* The steps being taken to remedy the excess emission.

*f.* The steps being taken to limit the excess emission in the interim period.

**24.1(3)** *Written report of excess emission.* A written report of an incident of excess emission shall be submitted as a follow-up to all required oral reports to the department within seven days of the onset of the upset condition, and shall include as a minimum the following:

*a.* The identity of the equipment or source operation point from which the excess emission originated and the associated stack or emission point.

*b.* The estimated quantity of the excess emission.

*c.* The time and duration of the excess emission.

*d.* The cause of the excess emission.

*e.* The steps that were taken to remedy and to prevent the recurrence of the incident of excess emission.

*f.* The steps that were taken to limit the excess emission.

*g.* If the owner claims that the excess emission was due to malfunction, documentation to support this claim.

**24.1(4)** *Excess emissions.* An incident of excess emission (other than an incident during startup, shutdown or cleaning of control equipment) is a violation. If the owner or operator of a source maintains that the incident of excess emission was due to a malfunction, the owner or operator must show that the conditions which caused the incident of excess emission were not preventable by reasonable maintenance and control measures. Determination of any subsequent enforcement action will be made following review of this report. If excess emissions are occurring, either the control equipment causing the excess emission shall be repaired in an expeditious manner or the process generating the emissions shall be shutdown within a reasonable period of time. An expeditious manner is the time necessary to determine the cause of the excess emissions and to correct it within a reasonable period of time. A reasonable

period of time is eight hours plus the period of time required to shut down the process without damaging the process equipment or control equipment. A variance from this subrule may be available as provided for in Iowa Code section 455B.143. In the case of an electric utility, a reasonable period of time is eight hours plus the period of time until comparable generating capacity is available to meet consumer demand with the affected unit out of service, unless the director shall, upon investigation, reasonably determine that continued operation constitutes an unjustifiable environmental hazard and issue an order that such operation is not in the public interest and require a process shutdown to commence immediately.

**24.1(5) Compliance with other paragraphs.** Subrules 24.1(1) to 24.1(4) notwithstanding, a fossil fuel-fired steam generator to which 567—paragraph 23.1(2) “a,” “z,” or “ccc” applies shall comply with 567—paragraph 23.1(2) “a,” “z,” or “ccc.”

**567—24.2(455B) Maintenance and repair requirements.**

**24.2(1) Maintenance and repair.** The owner or operator of any equipment or control equipment shall:

- a. Maintain and operate the equipment or control equipment at all times in a manner consistent with good practice for minimizing emissions.
- b. Remedy any cause of excess emissions in an expeditious manner.
- c. Minimize the amount and duration of any excess emission to the maximum extent possible during periods of such emissions. These measures may include but not be limited to the use of clean fuels, production cutbacks, or the use of alternate process units or, in the case of utilities, purchase of electrical power until repairs are completed.
- d. Implement measures contained in any contingency plan prepared in accordance with 24.2(2) “c.”
- e. Schedule, at a minimum, routine maintenance of equipment or control equipment during periods of process shutdown to the maximum extent possible.

**24.2(2) Maintenance plans.** A maintenance plan will be required for equipment or control equipment where in the judgment of the director a continued pattern of excess emissions indicative of inadequate operation and maintenance is occurring. The maintenance plan shall include, but not be limited to, the following:

- a. A complete preventive maintenance schedule, including identification of the persons responsible for inspecting, maintaining and repairing control equipment, a description of the items or conditions that will be inspected, the frequency of these inspections or repairs, and an identification of the replacement parts which will be maintained in inventory for quick replacement;
- b. An identification of the equipment and air pollution control equipment operating variables that will be monitored in order to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring and surveillance procedures.
- c. A contingency plan for minimizing the amount and duration of any excess emissions to the maximum extent possible during periods of such emissions.

Rules 24.1(455B) and 24.2(455B) are intended to implement Iowa Code section 455B.133.

[Filed 8/24/70; amended 5/2/72, 12/11/73, 12/17/74]

[Filed 12/12/80, Notice 5/28/80—published 1/7/81, effective 2/11/81]

[Filed emergency 6/3/83—published 6/22/83, effective 7/1/83]

[Filed emergency 11/14/86—published 12/3/86, effective 12/3/86]

[Filed 12/30/92, Notice 9/16/92—published 1/20/93, effective 2/24/93]

[Filed 3/19/98, Notice 1/14/98—published 4/8/98, effective 5/13/98]