

March 19, 2001

Mr. Michael Opalinski  
Designated Representative  
Seminole Electric Cooperative, Inc.  
16313 North Dale Mabry Highway  
P.O. Box 272000  
Tampa, FL 33688\_2000

Re: Petition for Alternative Missing Data Substitution Procedures for Seminole,  
Unit 2

Dear Mr. Opalinski:

EPA has reviewed your September 22, 2000 petition in which Seminole Electric Cooperative, Inc. (Seminole) requested to use alternative missing data substitution procedures for Seminole Unit 2 under 40 CFR 75.34 (a)(2) and 75.66(f). The unit had two missing data periods extending from April 27 to May 28, 2000 and from June 27 to July 26, 2000 in which the percent monitor data availability (PMA) for sulfur dioxide (SO<sub>2</sub>) was less than 90.0 %. Seminole requested to report the 95<sup>th</sup> percentile value of the controlled SO<sub>2</sub> concentrations recorded in the previous 720 quality-assured monitor operating hours, for each hour of the missing data periods in which the SO<sub>2</sub> scrubber was documented to be operating properly. The 95<sup>th</sup> percentile value of the controlled SO<sub>2</sub> concentrations in the 720-hour lookback period would be reported in lieu of reporting either the maximum SO<sub>2</sub> concentration (irrespective of the scrubber operational status) recorded in the lookback period or the maximum potential concentration, as required by the standard missing data procedures of 40 CFR 75.31 - 75.33. Seminole further requested, for missing data periods that occur after July 26, 2000, to report the maximum controlled SO<sub>2</sub> concentration in the appropriate 720-hour lookback period until the PMA of the SO<sub>2</sub> monitor again exceeds 90.0%.

#### EPA's determinations

With regard to missing data periods up through July 26, 2000, EPA finds that Seminole Unit 2 meets the requirements of §§ 75.34(a)(2) and 75.66(f). Under these sections, EPA may approve substitute data based on the maximum recorded value in the last 720 quality-assured monitor operating hours with add-on controls operating. As required under these sections, the petition showed that: the unit's PMA was less than 90%; the scrubber was operating properly, within the required operating parameter ranges; and historical SO<sub>2</sub> concentration data do not underestimate emissions during the missing data periods. EPA approves Seminole's use of the maximum controlled SO<sub>2</sub> concentration value as substitute data for controlled operating hours. For each hour that such value is reported as substitute data, Seminole must report a method of determination code (MODC) of 55 in column 41 of electronic data report (EDR) record type 200. For the several hours during the missing data periods in which the scrubber was not operating (March 23rd at 20:00, April 1<sup>st</sup> from 3:00 to 14:00, and June 24<sup>th</sup> at 13:00), report the maximum potential SO<sub>2</sub> concentration of 2400 ppm or maximum uncontrolled SO<sub>2</sub>

concentration. See 40 CFR 75.34(d)

However, although it petitioned under §§ 75.34(a)(2) and 75.66(f), Seminole requested to use different substitute data than provided under these sections. For hours when PMA is less than 90%, Seminole requested to use the 95<sup>th</sup> percentile controlled value (rather than the maximum controlled value) in the lookback period. Seminole's approach is not consistent with the purposes of the substitute data provisions of Part 75. First, since the 95<sup>th</sup> percentile controlled value does not represent the highest SO<sub>2</sub> concentration reported by a quality-assured monitor at Seminole Unit 2, use of such value would make it more likely that actual emissions may be higher, and therefore may be under-reported, for a given hour when the monitor is out-of-control. Further, substitute data are intended to be increasingly conservative as PMA decreases. This not only prevents under-reporting of emission but also provides a strong incentive to fix an out-of-control monitor and minimize the length of the out-of-control period. See 58 FR 3590, 3634-35 (1993). Using the 95<sup>th</sup> percentile controlled value when PMA is less than 90% would distort this incentive structure because such value would not be much higher than, and may be the same as, the substitute data used when PMA is 90% or greater (i.e., the average of the hour before or the hour after or the 95<sup>th</sup> percentile controlled value). See 40 CFR 75.33(b). Finally, EPA generally applies uniform substitute data provisions, rather than customizing the substitute data for individual units or individual circumstances, in order to ensure that substitute data procedures can be readily implemented and are not administratively burdensome for units or EPA. 58 FR 3635. Seminole proposed customized substitute data for its unit and for a specific period of time (i.e., before July 26, 2000). After weighing these factors, EPA denies the request in the petition to use 95<sup>th</sup> percentile controlled value instead of the maximum controlled value.<sup>1</sup>

With regard to missing data periods after July 26, 2000, EPA agrees that §§ 75.34(a)(2) and 75.66(f) apply to Seminole Unit 2. As provided in these sections, for any hour when PMA is less than 90% and for which Seminole documents proper scrubber operation, Seminole may use the maximum controlled SO<sub>2</sub> concentration value in the appropriate 720-hour lookback period as substitute data. For any missing data hour in which proper scrubber operation cannot be documented, report the maximum potential SO<sub>2</sub> concentration or maximum uncontrolled SO<sub>2</sub> concentration.

EPA's determinations in this letter rely on the accuracy and completeness of the information on the September 22, 2000 petition and are appealable under 40 CFR part 78. Please contact Ms. Kim Nguyen of my staff at (202) 564-9102 if you have any questions.

Sincerely,

/s/

Brian J. McLean, Director  
Clean Air Markets Division

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<sup>1</sup> EPA notices that although Seminole states it is "confident" that its continuous emission monitoring system (CEMS) was operating properly despite failing the linearity test on April 27 and June 27, 2000, the fact remains that the CEMS was no longer quality-assured and therefore the monitor data was no longer reliable and substitute data must be used.

cc: David McNeal, EPA Region 4  
Lynn Haynes, EPA Region 4  
Joseph Kahn, Florida Department of Environment Protection  
Kim Nguyen, EPA Clean Air Market Division