

RegBlast



CAIR Returns...For Now

On December 23, 2008, the U.S. Court of Appeals for the District of Columbia issued a decision on the Clean Air Interstate Rule (CAIR) challenges that had been made by the State of North Carolina in 2006. In July 2008 this same court had vacated the entire rule and told EPA that it needed to develop a new rule that addressed several provisions that the court termed "fatal flaws."

EPA's response was to file a petition in September requesting either a rehearing of the case, or for the court to return the rule to EPA without discarding the rule. The petitioner (North Carolina), as well as the Utility Air Regulatory Group (UARG), which was listed in the ruling as one of several intervenors, was asked by the court to respond to EPA's petition.

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This is a publication of the COMPAS group at VIM Technologies, Inc. Marsha Layman, Editor. For more information on any of the articles, please call Mr. Rudi Muenster at 704.852.9808 or contact him via e-mail at rudi.muenster@vimtechnologies.com.*

XML is PDQ!

Data for January-March of 2009 is the first quarter in which EDRs must be submitted in the new XML format (if your source did not convert earlier). At a meeting in Washington, DC on November 19, EPA reported that 500 units switched to the new format in the first through third quarters of 2008, and 450 units were registered to submit fourth quarter, leaving a monumental 2,893 sources to

navigate the monitoring plan mop-up work and unravel the tricks of using the new ECMPS client tool.

Data for those remaining sources will be converted in mid-March, coinciding with a release (version 5) at that same time. Data for ozone season-only reporters may be con-

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Feeling Left Behind? Get Up to Speed With a VIM Course

ECMPS and XML—A New Direction in Reporting. If you've been procrastinating about using the ECMPS tool, or have tried it and are scratching your head in puzzlement, get back on track with our one-day, hands-on ECMPS course. We'll be offering this course once a month from now through May in various locales around the country.

The course leads students through the new reporting structure, including hands-on use of the reporting tool. Students use actual

data files loaded into the ECMPS tool on their own laptops to enter, edit, and evaluate monitoring plan, QA, and emissions data.

The course is offered on the following dates:

- February 1—Phoenix (before EUCEC)
- March 12—Charlotte
- March 31—Philadelphia
- April 23—Chicago
- May 12—St. Louis (before EPRI)

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Pennsylvania's CEMS Manual Revision 8 Slated to Be Implemented in Q3

The final version of CEMS Manual Revision No. 8 was posted in the Pennsylvania Bulletin on January 10, 2009. Sources subject to this document may implement it as soon as January 1, 2009, and will be required to do so beginning on July 1, 2009.

Events leading up to the announcement in the Bulletin include:

- The Applicability Determination and Implementation Procedures underwent public comment from September 13 through October 13
- PADEP's consultant on this project, CIBER, trained department staff on the use of the new checking and submittal tool in September
- The "disconnected client application" was released in mid-November
- A Question-and-Answer document was posted on the Department's website in October and a new version was posted on January 9, 2009

If the thought of unraveling the new rules leaves you colder than a February day in Pennsylvania, call VIM's COMPAS team for help! We can assist you with these tasks:

- Migrating your electronic monitoring plans into the new database
- Analyzing how Revision 8 affects your facility
- Preparing the required Phase I applications when you transition to Revision 8

For more information on the Revision 8 transition, see the PADEP web page

www.dep.state.pa.us/dep/deputate/airwaste/aq/cemspage/cems.htm



**Need a plan of
attack for Rev. 8?**

**The COMPAS team
can help you
understand what
changes in the rule
apply to your facil-
ity, and develop a
plan for complying
with the new rules.**

Need Help Transitioning to XML?

The EDR for quarter 1, 2009 MUST be reported in the new XML format. You MUST have a plan in place NOW for making that transition. If you need help complying with the new reporting mandate, contact the VIM COMPAS group right away.

If your source uses the VIM DAHS, the *CEMLink™* software is ready to produce accurate EDRs for you. Call NOW to schedule the installation of the tools you'll need to begin generating XML EDRs.

Whether or not you use VIM's DAHS solution, the COMPAS group can help you in a variety of ways, from as little as helping you plan your transition to as much as actually converting your monitoring plan data. During the past year, we have accumulated extensive expertise working with a wide variety of source configurations and an array of competitors' software—expertise that you can tap into to save you time. We'll use that experience to work with you to get your software ready, by giving you the information you need to convey to your DAHS vendor to resolve reporting problems.

Don't wait any longer; let the COMPAS team start your transition to XML reporting today!



**The VIM
COMPAS team
can assist you
with your first
submittals under
the XML format**

For a detailed listing of the topics covered in these courses, or to download a registration form, please visit our web site (vimtechnologies.com) and click on the "Training" link at the top

Training, continued

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3-Day Regulations Training. Our best-selling class is the three-day regulations course, and it will be held four times in 2009. This course is an in-depth study of both Part 60 and Part 75.

The class format is lecture style, with ample opportunity for students to share experiences with each other and to ask questions. Students gain experience in finding important sections of the rules (regulation books are provided), and topics are reinforced with written exercises.

The schedule for the 3-day regulations course is:

- March 30—April 1 in San Diego
- June 16-18 in Milwaukee
- September 15-17 in Savannah
- November 10-12 in Knoxville

Visit our web site (www.vimtechnologies.com) for more information on these courses, and to get a registration form. We look forward to seeing you in class!



CAIR, continued

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After considering the responses, the court decided to grant EPA's petition to allow CAIR to remain in effect until it is replaced with a rule that satisfies the court's prior objections. In opposition to requests by some petitioners, the court did not impose any deadline for the replacement rulemaking, although they emphasized that "...we remind EPA that we do not intend to grant an indefinite stay...", and that the petitioners "...may also petition the court in the event that EPA fails to modify CAIR..." to address the court's earlier concerns.

Therefore, until a rule is promulgated and subsequently adopted, sources originally affected under the CAIR Rule must continue to meet the deadlines established in the old rule: CEMS monitoring, certification, and reporting for SO₂ must be in place by January 1, 2009. CEMS for NO_x under CAIR was mandated to begin by January 1, 2008.



XML, continued

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verted later, depending upon the difficulties encountered in the conversion of the year-round reporters' data, which is at the top of EPA's priority list, as well as CAMD workload constraints.

EPA reported at the workshop that more than 700 requests for support have been received in the period of May through November 2008. Of that number, only 109 (15%) were application error-related; the greatest number of calls pertained to data issues (272 calls, or 37%).



**COMPAS gets
you there—
accurately
and on time**

Are You Harmonized?



Part 60 regulations for subpart Da and Db units were modified in 2007 to give you flexibility in complying with the quality assurance procedures required by Part 60. Are you taking advantage of those changes?

First, make sure your state agency agrees that the new rule is available for your use. One state has told us they would need to change their state regulations to incorporate the new Part 60 language. Other states simply adopt Part 60 without modification, and if the wording allows the most current rule to be used, you're ready to go.

Second, evaluate the pros and cons of each test type (e.g., Part 60 daily calibration check vs. Part 75 cal check). Identify the analyzers that are candidates for harmonization.

Third, decide which Part 60 tests you'd like to "convert" to Part 75 procedures. Modify your QA/QC plan to include the new procedures, notify your state agency of your decision, update your DAHS to provide the processing tools and reporting, and begin enjoying the benefits of fewer regulations to track and implement!



CROMERR Adds Security Layer To EDR Submittals

The Cross-Media Electronic Reporting Regulation, which was promulgated in late 2005, aims to establish performance-based, technology-neutral standards for electronic reporting. It is intended to apply to all states, tribes, local governments, and EPA agencies that receive electronic reports from regulated facilities under Title 40 of the Code of Federal Regulations. The purpose of the program is to "provide electronic submittals with the same level of legal dependability as the corresponding paper submittals."

Beginning with the April 2009 EDR, if you wish to submit data using the ECMPs client tool, you must have completed two tasks: 1) you must be registered in the CROMERR program and 2) you must have selected challenge questions that will be used to verify your identity when you submit. To register, you must complete a subscriber agreement and mail it (via the U.S. postal service) to EPA. The agreement form and the mailing address can be found at the web address <http://www.epa.gov/airmarkt/business/forms.html>. Note that if you have only data retrieval access and not submission access, you do not need to register under CROMERR.

Once you've registered, and after the CAMD Business System (CBS) has been modified to comply with the new security provisions (in mid-March), you must log in to the CBS and select your challenge questions and provide the answers to those questions.

For more information on CROMERR, go to this EPA web site: <http://www.epa.gov/CROMERR/index.html>. For details on CROMERR's effect on Part 75 reporting, see the related entry on the ECMPs Support Blog on PQA's website: <http://ecmps.pqa.com/blog/>.

