

**RULE 108.3 Enhanced Monitoring and Compliance Certification** - Adopted 4/6/95,  
Amended 5/2/96

**I. Purpose**

The purpose of this Rule is to provide standards by which compliance with requirements derived from the Federal Clean Air Act can be determined for sources subject to Rule 201.1 (Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act Amendments of 1990).

**II. Applicability**

Provisions of this Rule provide standards for compliance determinations required by, or derived from, Federal law for the operation of any article, machine, equipment, or other contrivance within the District which may cause the issuance of air contaminants, or the use of which may eliminate, reduce, or control the issuance of air contaminants which is part of a major stationary source as defined in Subsection II.T. of Rule 201.1.

**III. Definitions**

- A. Administrator - Administrator of the U.S. Environmental Protection Agency, or delegate.
- B. District - Kern County Air Pollution Control District (KCAPCD).

**IV. Standards for Determination of Compliance**

A. Compliance Certification

Notwithstanding any other provision in any plan approved by the U.S. Environmental Protection Agency Administrator, for the purpose of submission of compliance certification required by Federal law, a major source owner or operator is not prohibited from using the following, in addition to any specified compliance methods:

- 1. An enhanced monitoring protocol approved for the source pursuant to 40 CFR Part 64; or
- 2. Any other monitoring method approved for the source pursuant to 40 CFR Part 70.6(a)(3) and incorporated into a Federally-enforceable operating permit.

B. Credible Evidence

- 1. Notwithstanding any other provision in the District's State Implementation Plan approved by the Administrator, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any such plan. Information from use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:
  - a. An enhanced monitoring protocol approved for the source pursuant to 40 CFR Part 64;

- b. A monitoring method approved for the source pursuant to 40 CFR 70.6(a)(3) and incorporated into a Federally-enforceable operating permit; or
  - c. Compliance test methods specified in the District's State Implementation Plan.
2. The following testing, monitoring, or information-gathering methods are presumptively credible testing, monitoring, or information-gathering methods:
- a. Any Federally-enforceable monitoring or testing methods, including those in 40 CFR Parts 51, 60, 61 and 75; or
  - b. Other testing, monitoring, or information gathering methods producing information comparable to that produced by any method described in Subsection IV.B.2.a.