

**SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT
COMPLIANCE DEPARTMENT**

COM 1185

APPROVED: _____ **SIGNED** _____ **DATE:** June 14, 2007
Jon Adams
Director of Compliance

TITLE: CEMS EXCESS EMISSIONS REPORTING

SUBJECT: GUIDELINES FOR CEMS EMISSIONS REPORTING

OBJECTIVE:

Establish guidelines for Compliance inspectors for reporting excess emissions detected by Continuous Emission Monitoring (CEM) systems to the California Air Resources Board (CARB).

PURPOSE:

The purpose of this policy is to establish guidelines for Compliance staff to use in reporting excess emissions detected by CEM systems to CARB as required by California Health and Safety Code, Section 42706, within the required time frames. See also the CARB Advisory of CEM Reporting, Number 67, dated May 14, 1991, as Attachment C.

POLICY STATEMENT:

Permitted facilities with CEM systems are required to report excess emissions to the District within required time frames. California Health and Safety Code, Section 42706, requires that Districts, in turn, report these excess emissions to the California Air Resources Board also within required time frames. These are statutory reporting requirements that must be met even though CEM data is being electronically polled by the District.

Excess Emissions Reporting

The operator must report to the District within 96 hours (4 days) any violation of any applicable emission limit reflected in the CEM data. This requires the operator to be aware of each emission limit specified in his permits. Emission limits and averaging times may vary between District and Federal (EPA/PSD) permits. Excess emissions must be reported even when breakdown relief is granted. Excess emissions associated with equipment startup and shutdown periods do not need to be reported as excess emissions if exempted by permit conditions or rule provisions. However, if the equipment has permitted limits for startup and shutdown periods and they are exceeded, then these would be reported as excess emissions. Emission exceedances must be reported separately from equipment breakdown (that must be reported within one hour in accordance with District Rule 1100). A Title V Deviation/Breakdown report may be accepted in lieu of a separate emission exceedance

report if it contains all of the required information listed below and is received by the District within 96 hours of the violation.

1. Excess emission reports must include:
 - The District permit number for the affected equipment.
 - Company equipment identification.
 - Permit limit and averaging period.
 - Time period of the event (beginning and ending times).
 - The actual level of the excess emissions and their cause.

2. The following criteria should be followed when reporting excess emissions:
 - Report excess emissions when the NSR daily emission rate (lbs./day) has been exceeded.
 - Report BACT limit exceedances (ppmv or lbs./MMBTU) based on the averaging period specified in the Permit to Operate.
 - Report lbs./hr. limit exceedances based on the averaging period specified in the permit.
 - Report NSPS limit exceedances based on a one-hour average.
 - The shortest averaging period is typically one hour unless otherwise specified in the applicable rule. When averaging periods are based on one-hour periods, they commence on the hour, and thusly the excess emission periods are in whole hours, not partial hours.

See Attachment A – Report of Excess Emissions

The District may be made aware of excess emission events by the following means:

1. Facility personnel contact the District. This contact must be in the form of a written “report of excess emissions” such as Attachment A (received via standard mail delivery, FAX, e-mail) accompanied by a printout of the CEMS data.

2. The source inspector receives an “excess emissions” alarm (via e-mail) from the CEM polling system, indicating that the facility has exceeded permit limits for monitored pollutants.

When a facility initially contacts the District with a report of excess emissions, clerical staff will forward the report to the source inspector (or his/her backup, or if neither individual is present, to the excess emissions coordinator), as soon as possible (or the following business day, if received after hours or on flex-Fridays/weekends/holidays).

Inspector Responsibilities

When the facility inspector receives a report of excess emissions, he/she will determine that the report was received within 96 hours of the occurrence of the event. If the event is on-going, the inspector

will conduct an onsite investigation to determine the cause of the excess emissions, per established District guidelines for Breakdown/Deviation conditions.

The inspector will review the facility report to determine that actual excess emissions occurred by reviewing the required CEM readouts, and comparing it with the data from the District's polling system and to the conditional limits in the facility's permit(s) to operate. It is the inspector's responsibility to determine the accuracy of the information contained in the facility's report. If the inspector notes a discrepancy, he/she shall contact the facility and request that the facility correct the entries and re-submit the report.

If the inspector becomes aware that excess emissions have occurred at a facility via the CEMS polling system, he/she will contact the facility to ascertain the cause. Note that the CEM polling data should be used as a possible indicator, rather than conclusive evidence, that excess emissions occurred since the parameters established in the polling system will not indicate if the facility was performing startup or shutdown procedures, or other actions/circumstances allowed by the permit to operate.

After the inspector has determined that excess emissions did occur and the accuracy/completeness of the report has been verified, the report will be forwarded to the designated "excess emissions coordinator" (or if absent, to their supervisor). This report will be submitted as soon as possible but in no instance later than 3 working days from the date of receipt (this leaves only 2 additional days for the information to be forwarded to CARB). The facility inspector will also state whether any actions were taken by he/she during the investigation and possible enforcement follow-up.

Excess Emissions Coordinator Responsibilities

The excess emissions coordinator will complete the CEM Report - Excess Emissions (see Attachment B) or if the facility used our Attachment A and it was complete and accurate as received, simply add a fax cover sheet to it and FAX the report to the appropriate CARB staff. This action must be accomplished within 5 (total) working days of our initial receipt of the excess emissions report from the facility.

Enforcement Action

If a facility fails to submit a "report of excess emissions" within 96 hours of any violation of any applicable emission limit, a Notice of Violation will be issued. The NOV will reference Rule 2070, Section 7.0, if a PTO condition contains the reporting requirement. If the PTO does not reference the 96-hour reporting requirement, the NOV will cite Rule 1080, Section 9 or the California Health and Safety Code, Section 42706. Compliance is achieved when the report is submitted to the District. If the report is not received within 10 days, a second NOV will be issued. Supervisory involvement will be required if the report is not submitted beyond this time frame.

- Attachments -

ATTACHMENT A

(Date)

TO: XXX Regional Office
Street Address
City, CA 9XXXX
Attn: Name of Coordinator
Fax (XXX) XXX-XXXX

RE: CONTINUOUS EMISSION MONITORING REPORT – Report of Excess Emissions

The following excess emission report is submitted as required by Health and Safety Code Section 42706

Source Name:

Permit Number:

Unit ID:

Location:

Emission Point:

Date of Excess:

Rule:

Date	Units	Avg. Time	Limit	Emissions	Excess	Hours

Pollutant

Time Period

Cause:

Corrective Action Taken:

ATTACHMENT B

(Date)

**TO: Air Resources Board
Compliance Division
Attn: Verna Ruiz
FAX (916) 445-5745**

RE: CONTINUOUS EMISSION MONITORING REPORT - Excess Emissions

The following excess emission report is submitted as required by Health and Safety Code Section 42706

Source Name:

Permit Number:

Unit ID:

Location:

Emission Point:

Date of Excess:

Rule:

Date	Units	Avg. Time	Limit	Emissions	Excess	Hours

Pollutant

Time Period

Cause:

District Action Taken:

District contact, NAME, REGION, Telephone #, FAX #



California
Air Resources Board
Compliance Division

Advisory

CEM REPORTING

Number 67

May 14, 1991

CONTINUOUS EMISSION MONITORING - REPORTING

The purpose of this advisory is to review the reporting requirements for stationary sources operating with continuous emission monitoring devices (CEMs). In addition it will alert you to the reporting requirements for districts receiving excess emission reports from these sources.

Health and Safety Code Section 42706 imposes reporting requirements on the operator of any stationary source required by a district to install and operate a CEM and on the local districts receiving these reports. The operator must report to the district within 96 hours any violation of any applicable emission standard reflected in the CEM records. This includes all violations recorded by monitors required by local, state, or federal regulations. The district, in turn, must report the violation to the ARB within five (5) working days after receiving the report of violation from the operator.

Although the Section 42706 reporting requirements are mandatory in all instances, this requirement has not been broadly implemented.

Districts may use the toll free number (800) 952-5588 to report excess emissions. The reports should include:

1. Date of violation
2. Source name and location
3. Emission point
4. Pollutant monitored
5. Rule violated
6. Emission limit
7. Level of excess
8. District action taken or planned (where action has not been taken at the time of the report, a follow-up report should be made).

If you have any questions, please call Verna Ruiz at (916) 322-3034 or Bob Leonard at (916) 322-6034.

James J. Morgester, Chief
Compliance Division
Air Resources Board
P.O. Box 2815
Sacramento, CA 95812