

**ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION**

**Standard Permit Condition III – Excess Emissions and
Permit Deviation Reports**

Permit Condition for Air Quality Permits

Adopted by Reference in 18 AAC 50.346

August 25, 2004

Revised July 22, 2020

Standard Permit Condition III – Excess Emissions and Permit Deviation Reports

Stationary Source Categories This Condition Applies to: All stationary source types.

The Department will use Standard Permit Condition (SPC) III in each construction or operating permit unless the Department determines that emissions unit- or stationary source-specific conditions more adequately meet the requirements of 18 AAC 50.

The following apply to this standard permit condition:

1. The permit will include Condition 1.2a only if the permit also contains another condition which has an emissions unit-specific schedule for reporting a failure to monitor emissions.
2. Construction permits will not include Condition 1.2a, but where necessary will use stationary source-specific conditions for reporting a failure to test or monitor.

Permit Wording:

1. **Excess Emissions and Permit Deviation Reports.** The Permittee shall report excess emissions and permit deviations as follows:
 - 1.1 **Excess Emissions Reporting.** Except as provided in Condition *<insert cross reference to SPC II - Air Pollution Prohibited>*, the Permittee shall report all emissions or operations that exceed emissions standards or limits of this permit, as follows:
 - a. In accordance with 18 AAC 50.240(c), as soon as possible, report
 - (i) excess emissions that present a potential threat to human health or safety; and
 - (ii) excess emissions that the Permittee believes to be unavoidable.
 - b. In accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology-based emission standard.
 - c. If a continuous or recurring excess emissions is not corrected within 48 hours of discovery, report within 72 hours of discovery unless the Department provides written permission to report under Condition 1.1d.
 - d. Report all other excess emissions not described in Conditions 1.1a, 1.1b, and 1.1c within 30 days after the end of the month during which the excess emissions occurred or as part of the next routine operating report in Condition *<insert cross reference to SPC VII – Operating Reports>* for excess emissions that occurred during the period covered by the report, whichever is sooner.

- e. If requested by the Department, the Permittee shall provide a more detailed written report to follow up on an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2)]

1.2 Permit Deviations Reporting. For permit deviations that are not “excess emissions,” as defined under 18 AAC 50.990:

- a. Report according to the required deadline for failure to monitor, as specified in other applicable conditions of this permit (Conditions *<insert all permit condition numbers that specifies reporting deadlines for failure to monitor, such as SPC IX.4.2.b and SPC IX.9.1.b>*).
- b. Report all other permit deviations within 30 days after the end of the month during which the deviation occurred or as part of the next routine operating report in Condition *<insert cross reference to SPC VII – Operating Reports>* for permit deviations that occurred during the period covered by the report, whichever is sooner.

[18 AAC 50.326(j)(3) & 50.346(b)(2)]

1.3 Notification Form. When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department’s online form, which can be found at the Division of Air Quality’s Air Online Services (AOS) system webpage Permittee Portal option, *<insert webpage>*, or, if the Permittee prefers, the form contained in Section *<insert section number containing SPC IV - Notification Form>* of this permit. The Permittee must provide all information called for by the form that is used. Submit the report in accordance with the submission instructions on the Department’s Standard Permit Conditions webpage found at *<insert webpage link for SPC III and IV Submission Instruction>*.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

Condition <insert condition reference>, Excess Emission and Permit Deviation Reports

Legal Basis: This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). Also, the Permittee is required to notify the Department when emissions or operations deviate from the requirements of the permit.

Factual Basis: This condition satisfies two state regulations related to excess emissions: the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

The Department used the language in SPC III, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition.

The Department used the notification form in SPC IV, adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see Section <cross-reference section number of the Notification form>).