

State of Alaska Department of Environmental Conservation  Policy and Procedure Policy		POLICY AND PROCEDURE NUMBER 04.02.110	PAGE 1 of 2
		EFFECTIVE DATE September 1, 2014	
SUBJECT Number of Copies of Compliance Reports and Permit Applications Required From Permittees		SUPERCEDES All Previous Editions	
SECTION Division of Air Quality	CHAPTER Permit Processing	APPROVED BY  Alice Edwards, Director	

PURPOSE

To eliminate requirements for permittees to submit duplicate hard copy reports and applications for Clean Air Act Title I air permits: construction, minor, owner requested limits, and pre-approved emission limits.

POLICY

With regard to air quality construction and minor permits, owner requested limits and pre-approved emission limits this policy clarifies that permittees need only submit to the Air Permit Program one certified (original) document for applications, compliance reports, or data compilations.

This policy and procedure serves as a de facto global permit change mechanism and the Air Permits Program will notify all permittees through letter and email of this policy change. Staff will implement the policy for active permits that currently require an original and 2 copies of reports to be submitted and to all future original permits and permit renewals. As of September 1, 2014, staff shall include permit language indicating that only one certified copy of reports shall be submitted, except for Title V operating permit report submissions subject to Standard Operating Permit Condition VII – Operating Reports, as discussed further below. The submittal of the one certified copy may be made by hard copy or electronically.

This policy does not apply to submittals of operating reports required under a Title V operating permit per Standard Condition VII. Changes to the reporting requirements of Standard Permit Condition VII, adopted by reference in 18 AAC 50.346, would require a notice-and-comment rulemaking. Should the regulation be updated in the future, the affected permits may then be updated either when they are renewed or as a permit reopening action if the permit is more than three years from renewal.

AUTHORITY

There are no statutory, regulatory, or Federal requirements under 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A) requiring permittees to submit a certain quantity of applications, compliance reports, or data compilations in addition to the one certified (original) document for most air permits (the exception is operating permit Standard Condition VII adopted in 18 AAC 50.346). The language requiring a given number of reports in permits derives from unwritten practices by staff to meet varying compliance monitoring needs.

Additionally, there is no regulatory requirement concerning the format in which the copies of reports must be maintained. There is, however, a requirement for the records to be available for review. ADEC communicated with the Environmental Protection Agency (EPA) to determine if EPA has a hard copy policy as part of the state's primacy requirements. EPA replied that records accessibility is the key, and as long as each submitted record is assessable and available to EPA during State Review Framework, ADEC does not need to have a hard copy on hand.

IMPLEMENTATION RESPONSIBILITY

Air Permits Program Manager and Section Managers.