

**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 September 27, 2010

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 III in each construction or operating permit unless the department determines that emission unit or stationary source specific conditions more adequately meet the requirements of 18 AAC 50.

Permit Wording:

1. Excess Emissions and Permit Deviation Reports.

- 1.1 Except as provided in condition *<insert standard condition concerning air pollution prohibited number>*, the permittee shall report all emissions or operations that exceed or deviate from the requirements of this permit as follows:
 - a. in accordance with 18 AAC 50.240(c), as soon as possible after the event commences or is discovered, report
 - (i) 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. report all other excess emissions and permit deviations
 - (i) within 30 days after the end of the month during which the emissions or deviation occurred, except as provided in condition III.1.1c([iii]); or
 - (ii) if a continuous or recurring excess emissions is not corrected within 48 hours of discovery, within 72 hours of discovery unless the department provides written permission to report under condition III.1.1c(i); and
 - (iii) for failure to monitor, as required in other applicable conditions of this permit *<such as SPC IX5.2.b and SPC IX11.1.b>*.

- 1.2 When reporting **either** excess emissions **or permit deviations**, the permittee **shall** [MUST] report using either the department's on-line form, which can be found at <http://www.dec.state.ak.us/air/ap/site.htm> or <https://myalaska.state.ak.us/dec/air/airtoolsweb/>, or, if the permittee prefers, the form contained in condition <insert standard permit condition concerning notification form number> of this permit. The permittee must provide all information called for by the form that is used.
- 1.3 If requested by the department, the permittee shall provide a more detailed written report as requested to follow up on an excess emissions report.

The following applies to this standard permit condition:

1. The permit will include condition III.1.1c(iii) only if the permit also contains another condition which has an emission unit specific schedule for reporting the failure to monitor emissions.
2. Construction permits will not include the phrase "and permit deviations" in condition III.1.1c, but where necessary will use stationary source specific conditions for reporting failure to test or monitor.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The state and federal regulations for each Condition are cited in Operating Permit No. *<Insert Operating Permit Number>*.

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

Applicability: Applies when the 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 adopted this condition as Standard Permit Condition III under 18 AAC 50.346(c) pursuant to AS 46.14.010(e). The Department has determined that the standard condition adequately meets the requirements of 40 C.F.R. 71.6(a)(3). No additional emission unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions as modified meets the requirements of 40 C.F.R. 71.6(a)(3).