



North Carolina Department of Environment and Natural Resources

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In the summer of 2013, the NC DAQ was presented with voluntary disclosures made to the EPA by NC DAQ TV regulated facilities which stated that the correct TV certification was not made on some reports submitted to the DAQ. As a result, the DAQ reviewed our procedures for accepting submittals from TV facilities. The Stationary Source Compliance Branch (SSCB) reviewed the primary documents that it receives including source test protocols.

In the August 20, 2013 DAQ Outside Involvement Committee (OIC) meeting, Michael Pjetraj, SSCB Supervisor, reminded attendees that submissions by TV facilities should be certified by the facility's responsible official. This requirement included source test protocols.

Context:

Clean Air Act Title V

Section 504 Permit Requirements & Conditions

(c) Inspection, entry, monitoring, certification, and reporting

Each permit issued under this subchapter shall set forth inspection, entry, monitoring, compliance certification, and reporting requirements to assure compliance with the permit terms and conditions. Such monitoring and reporting requirements shall conform to any applicable regulation under subsection (b) of this section. Any report required to be submitted by a permit issued to a corporation under this subchapter shall be signed by a responsible corporate official, who shall certify its accuracy

40 CFR Part 70

70.6 (a)(3)(iii) With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:

(A) Submittal of reports of any required monitoring at least every 6 months. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with § 70.5(d) of this part.

70.5 (d)

Any application form, report, or compliance certification submitted pursuant to these regulations shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

NC DAQ TV Permit General Condition:

Q. Certification by Responsible Official [15A NCAC 2Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Subsequent to the August 2013 OIC meeting, DAQ re-evaluated the need for responsible official certification on source test protocols. The DAQ believes that a protocol, although required to be submitted by the permit, does not rise to the level of a “report.”

Therefore, the DAQ will not require the responsible official signature on a source test protocol. The protocol should be signed off by a facility staff member who is most familiar with the emissions testing or facility process.

The final emissions report shall be submitted by the responsible official with a certification that states:

“based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.”

The test submission should also include a statement of compliance or non-compliance.

Please contact Michael Pjetraj at 919-707-8497 if you have any questions.