FREQUENTLY ASKED QUESTIONS (FAQ's) FOR

ANNUAL COMPLIANCE CERTIFICATION SUBMITTALS

1. What is an Annual Compliance Certification (ACC)?
After the 1990 Clean Air Act Amendments were enacted, major sources were required to commence submitting this certification to the USEPA and the KY Division for Air Quality (DAQ) to report their compliance status with all terms and conditions of their permit and all applicable State and Federal Requirements. KY has extended this certification requirement to minor sources as well.

2. When do I need to submit the Annual Compliance Certification?
The certification is due by January 30th of each year and it should cover the reporting period of the previous calendar year.

3. Is there a penalty if my ACC forms are not submitted by the 30th of January each year?
Yes. Failure to submit reports in the specified time may result in the issuance of a Notice of Violation and potential enforcement action.

4. What format should be used to submit the certification?
Use the DEP 7007CC (Compliance Certification) form available at:
https://eec.ky.gov/Environmental-Protection/Air/Pages/Permit-Required-Reporting.aspx
An alternative format may be accepted but only after pre-approval by DAQ to ensure all regulatory requirements are met. This form was revised in 2019 and ACC's submitted on the old version of the form will NOT be accepted.

5. What items do I need to include in the Annual Compliance Certification?
List each DAQ permit term or condition and all applicable requirements for each emission unit, the applicable regulation, the permit limit or requirement, and actual emission value (if applicable). You will also be required to provide the **Method** used for determining compliance, and whether the **Method** provided continuous or intermittent data.

6. How do I report monitoring for a '12-month-rolling-total emissions' limit or other "rolling" limits?
List the emission units, or label the row as "source wide", and list the permit condition as a rolling total or rolling average. Then for the actual emissions list the month during which the rolling annual total was the highest during that year. You should also reference your semi-annual (SA) monitoring reports submitted for the year which must include more detailed info on every month's total(s). When referencing the SA Report, please specify what page or section you are referring to. The SA report for the second half of the reporting year should be submitted at the same time as the ACC. If a rolling total exceeded a limit during any period in the year then the source or emission unit(s) MUST be listed on the "emission units not in continuous compliance" section of the ACC form for that requirement.

7. What if my facility did not operate at all this year? Do I need to fill out the DEP 7007CC form?

Yes. You will need to completely fill out the first page of the DEP7007CC form. State on the first line of Section CC.3 10(a) that the facility did not operate during this reporting period.

8. Do I need to report individual emission units which were not in use during the entire reporting period?

Yes. List ALL emission units on the ACC form and then indicate as not active, for the Actual Emissions, with a statement clearly explaining that these emission units were not in operation during the reporting period.

9. What if I have several emission units that are subject to the same requirements, can I group them together and certify compliance with the requirements?

Yes. For example, fill out the Emission Unit as (units 2-11). Certify compliance with all requirements that are subject to these emission units. Emission units can be grouped together as long as they are subject to the same requirement.

10. DAQ permits have many conditions that do not establish numeric limits. Do I need to certify compliance with these requirements?

Yes. DAQ permits have sections on Operation Limitations, Testing Requirements, Monitoring Requirements, Recordkeeping Requirements, and Reporting Requirements as well as Emission Limitations. The Annual Compliance Certification should list each of the conditions under each of these sections of their permit and certify whether they were compliant, or not, with whatever the permit condition requires. Please refer to question 11 for entry of compliant vs non-compliant emission units or permit conditions.

11. If I have received a Notice of Violation on an emission unit or permit condition, once in the reporting year, can I list these emission unit or permit condition as in compliance, in section 10a) for most of the year and then list the emission unit or permit condition as out of compliance for the date the violation was issued in section 10(c)?

No. If an emission unit or permit condition is listed on the ACC, per permit requirements, it may only be listed as in compliance or out of compliance. If the emission unit or permit condition received no violations in the reporting year the emission unit or permit condition may be listed in 10(a) for "In Compliance". If the emission unit or permit condition received a violation it must be listed in Section 10(c)(1) for "Emission Units Not in Continuous Compliance". In Section 10(c)(2) you would state the non-compliance again, the reason, and the date(s) of non-compliance. This shows that the emission unit or permit condition was NOT "non-compliant" for the entire year.

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12. Is there an example available for me to use as a guide?
Yes. Please refer to the DEP7007CC (Compliance Certification) Instruction Sheet located at:
https://eec.ky.gov/Environmental-Protection/Forms%20Library/DEP7007CC%20Form%20Instructions.pdf

13. Does the DEP 7007CC (ACC) form have a place on it for all of the emission units and permit conditions that I should include in my Annual Compliance Certification?
You may have to extend the rows and columns of the standard form to accommodate as many emission units or permit conditions as you need for your facility. You may make it as many pages as necessary as long as all required elements are included and the certification is made.

14. Who can I call for help with my ACC?
Contact your DAQ Regional Office and ask for the inspector assigned to your facility. If you are unsure where your regional office is check the front page of your permit or go to:
https://eec.ky.gov/Environmental-Protection/Air/Documents/RegionMap-CountyNames.pdf

You may also contact the **Compliance Assistance** program at **502-782-6189** or go to:
https://eec.ky.gov/Environmental-Protection/Compliance-Assistance/Pages/default.aspx

15. Where should I mail the Annual Compliance Certification?
Please do not send a hard copy to Central Office in Frankfort. Mail a hard copy to your **Regional Office** as listed on the front of your permit or submit it electronically via eForms. You are no longer required to send a copy to the 'central file' in Frankfort.
Major sources are reminded that a copy of your Annual Compliance Certification must also be mailed to the Federal EPA in Atlanta, Air Enforcement Branch, Atlanta Federal Center, 61 Forsyth St., Atlanta, GA 30303-8960.