

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 terms and conditions of their permit and all applicable State and Federal Requirements that become applicable to a facility but are not yet incorporated into the facility's permit. 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 post marked 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 "NEW" 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. ACC's submitted on the old 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 point, the applicable regulation, the permit limit or requirement, and actual emission value (if applicable). Additionally, in section 10(a) you will be required to provide the **Method** used for determining compliance, and whether the **Method** provided continuous or intermittent data. In section 10(c)(1), you will be required to provide the method used for determining compliance and whether **Compliance** was continuous or intermittent.

6. How do I report monitoring for a '12-month-rolling-total emissions' limit or other "rolling" limits?

List the emission units/points, 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 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 semi-annual monitoring 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 emission unit **MUST** be listed as out of compliance on the ACC form.

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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 points which were not in use during the entire reporting period?

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

9. What if I have one emission unit with several emission points 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 (01) and Emission Point as (Points 2-11). Certify compliance with all requirements that are subject to these points. Emission points 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 items?

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 with whatever the permit condition requires.

a. Examples of these items that may be listed in a DAQ permit include;

- i. Did you operate your aluminum melter as a Group 1 furnace at all times?
- ii. Did you complete the required stack tests within the 5 year time frame of your permit?
- iii. Did you complete the visible emissions monitoring on a weekly basis?
- iv. Did you calculate your plant wide annual VOC emissions on a 12 month rolling basis?
- v. Did you submit your Semi-Annual Monitoring Reports by Jan. 30th and July 30th?
- vi. Did you report all malfunction in accordance with 401 KAR 50:055?

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

No. If a point or permit condition which is listed on the ACC, per permit requirements, it may only be listed as in compliance or out of compliance. If the point or condition received no violations in the reporting year the point or condition may be listed in 10(a) for "In Compliance". If the point or permit condition received a violation it must be listed in Section 10(c)(1) for non-compliance. In Section 10(c)(2) you would state the non-compliance again, the reason, and the

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date or dates of non-compliance. This shows that the point or condition was NOT non-compliant for the entire year.

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 items 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 points and permit requirements 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 **Division of Compliance Assistance 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 it 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