

Title V Annual Compliance Certification - Frequently Asked Questions

1. When are the Title V Annual Compliance Certifications (ACC) due?

The ACCs are due on or before the date specified in your current Title V permit under Section 3 – General Condition P. Your ACC must be postmarked by this date, or it will be considered as being submitted late. If you are submitting your ACC to also fulfill Title V Semi-Annual Monitoring reporting requirement, you MUST submit your ACC on or before January 30th.

2. Where should I submit the ACC for my facility?

A completed, signed copy of your ACC must be submitted to **BOTH** your NCDAQ Regional Office and the US EPA. The copy for the US EPA can be mailed to Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street, Atlanta, GA 30303.

3. Do I need to certify compliance with the General Conditions of my permit?

Yes. You must certify compliance with the General Conditions of your Title V permit as part of your ACC. For your assistance, we have provided a table with the most pertinent General Conditions. You can certify compliance with the General Conditions of your permit by completing this table and submitting it as part of your ACC. However, before using this table, please review your permit carefully because the permit condition numbers in the table may not correspond exactly with your permit.

4. Do I need to certify compliance with State Only permit conditions?

No. You do not have to certify compliance with State Only conditions. The ACC is a federal requirement, and as such EPA is interested in the federally enforceable conditions.

5. My Title V permit has a Part I (Operating Portion) and Part II (Construction). Do I have to certify compliance with both parts of my permit?

No. You do not have to certify compliance with the Part II or Construction portion of your Title V permit. Conditions contained in Part II of the Title V permit have not been through EPA review and are not considered part of the Title V Operating Permit.

6. What is the difference between a deviation and a violation?

A deviation includes both violations and malfunctions. If you have had a malfunction within the past year you must indicate so on your deviation report. In

most cases a malfunction did not lead to a violation or a civil penalty assessment. If you have had a violation in the past you were sent a Notice of Violation letter and/or a Notice of Violation/Notice of Recommendation of Enforcement letter. Any deviation for the past year must be reported on the deviation report.

7. Does a late report, improper record keeping, or other “paper violation” count as a deviation.

Yes, **ALL** violations count as deviations. Although late reporting and recordkeeping violations may seem to be clerical mistakes, they are still a permit requirement.

8. Do I have to use the forms provided by the DAQ for my compliance certification?

No, you do not have to use the forms developed by DAQ. You can make your own format for submitting the information required. If you choose to use your own format, the compliance certification must include all the required information to be considered complete. The required information is specified in the instruction section of the DAQ forms and is also specified in General Condition 3.P of your Title V Permit.

9. I have a several facilities in North Carolina. Some of my facilities are regulated by DAQ, and some are under the Local Programs. Can I use the DAQ ACC form for submittal to the Local Program?

The DAQ ACC form was developed to meet the requirements of DAQ. You should consult with your Local Program before using the DAQ forms for submittal to the Local Program.

10. My Title V permit was only effective for part of the year. How do I certify compliance?

You must certify compliance only with the portion of the year for which your Title V permit was effective.

11. I received an NOV for a violation that occurred in the previous calendar year, do I need to include this NOV on my certification?

Yes. You must include any NOVs you received in the ACC submittal year regardless of when the violation occurred. This NOV should be listed in the deviation section of your compliance certification.