



Georgia Title V Annual Compliance Certification
Frequently Asked Questions
(Version: January 10, 2006)

The following information is provided to highlight common errors and to assist permitted facilities in preparation of their Title V Annual Compliance Certification (ACC). The term "certification year" means the year of operations being certified (e.g., the ACC for the 2004 certification year must be submitted by January 30, 2005).

Questions asked during preparation of long-form certification

Q1: If I report a deviation on the 2nd Semiannual Title V Monitoring Report that is submitted concurrently with the ACC, can I reference those deviations rather than reporting in detail all of the deviations contained in the semiannual report?

A1: Yes, you may reference the deviations reported in any periodic (Quarterly or Semiannual) compliance report, as long as the information reported is equivalent to the information requested in the Part 3 form.

Q2: If I submit an immediate malfunction report can I reference that report like I am allowed for periodic reports?

A2: Yes, deviations identified on immediate malfunction reports (usually condition 6.1.2) may be referenced as previously reported deviations on the Part 2 form.

Q3: Do I have to certify all permit conditions? Specifically, do I have to certify conditions that are not compliance-oriented such as 8.8.2, which specifies the EPA mailing address?

A3: All permit conditions must be listed on the Part 2 form, but not all conditions require a compliance determination. "Not applicable" applies to permit conditions that were not enforceable during the reporting year (i.e., revoked prior to the certification year or under appeal during the entirety of the certification year), do not apply to operations at the facility (e.g., Georgia Rule (c) for Incinerators is listed in the permit but the facility does not own or operate an incinerator), or does not contain an applicable requirement. Permit conditions that are not compliance-oriented, such as condition 8.8.2, may generally be certified as "continuous compliance", unless you send reports to the wrong EPA address.

Q4: If I reported deviations under the semiannual monitoring reporting provisions of Condition 6.1.4 (also reportable under condition 5.3.1 in older Title V permits), but did not report other permit condition deviations as required by condition 6.1.3, how do I report the 6.1.3 deviations?

A4: Any deviation not previously reported must be reported on the Part 2 form, with the specifics of the deviation identified on the Part 3 form.

Q5: I failed to provide an NSPS startup notification during the 1st semiannual period, but provided the notification in the 2nd semiannual period. How do I report the late notification?

A5: The late report should have been disclosed in the 1st semiannual compliance report under the reporting provisions of either condition 6.1.3 or 6.1.4. However, since the report was overlooked during the 1st semiannual period, the deviations should be noted in the 2nd semiannual report. Since the permit deviation is noted in a periodic report, the deviation only needs to be cross-referenced on the Part 2 form, but the details do not need to be provided on the Part 3 form as long as the semiannual report contained sufficient detail.

Q6: A permit condition was revoked and replaced in mid-year by a permit amendment, how do I handle the certification of each permit condition?

A6: The permit condition that was revoked must have its compliance certified from the beginning of the year until the date of the permit amendment and the new permit condition must be certified from the date of the permit amendment until the end of the year. The numbering scheme for each permit condition includes an identification of the permit/amendment that contains the condition. Each permit/amendment is addressed sequentially and the conditions within the permit/amendment are addressed sequentially within the permit. In this case, for the next reporting year the compliance status of the revoked conditions is not certified since the condition was not in force for any part of the year and the compliance status is "Not Applicable."

Q7: The facility permit was revoked during the reporting year, do I need to submit an ACC?

A7: Yes, an ACC is required from closed facilities covering the period up to the date the Title V permit is revoked. This requirement also applies to permits authorizing construction of new facilities, where construction has not yet begun.

Q8: Our two adjacent facilities have separate Title V permits, but have been determined to be a single Title V site. Can we submit only one ACC to cover both facilities?

A8: No, each permit must be certified individually.

Q9: Can these forms be used for the semiannual report required by condition 6.1.4 (or 5.3.1)?

A9: No.

Q10: If an initial performance test, which was required in Section 4.2 of our Title V permit, was conducted in a year previous to the year under consideration for the ACC is the compliance status "N/A"?

A10: No, the compliance status for the permit condition is "Continuous" and the monitoring method block should contain the phrase "Test conducted [date]."

Q11: If a permit amendment contains a permit condition that is identical to the condition in the base permit, can the facility certify only the amended condition and not the condition in the base permit? What if the amended condition identifies additional or different equipment?

A11: If the language is identical, list the condition under the base permit and mark the compliance status as "N/A", and assess the compliance status for the amended condition. If the amended condition identifies all of the equipment in the original condition plus new equipment, list the condition under the base permit and mark the compliance status as "N/A", and assess the compliance status for all original and additional equipment in the amended condition. If the amended condition identifies different equipment, the original permit condition must be certified until the date the equipment was decommissioned/removed, and the new permit condition must be certified for the new equipment from the date of startup.

Q12: How do you certify monitoring downtime for continuous monitoring systems (CEMS, COMS, PMS, etc)?

A12: Continuous monitoring downtime should be noted under condition 5.1.1, which requires continuous operation of continuous monitoring devices.

Q13: Conditions 6.1.4 and 6.1.7 require reporting of certain excess emissions, exceedances, and excursions. Our facility properly reported the deviations in the semiannual reports as required by conditions 6.1.4 and 6.1.7. Should we report deviations in the ACC for conditions 6.1.4 and 6.1.7 if all excess emissions, exceedances, and excursions were properly reported in semiannual reports?

A13: No, the facility is in compliance with conditions 6.1.4 and 6.1.7. However, deviations should be reported for the underlying permit condition that is the basis for the excess emissions, exceedances and/or excursions listed in condition 6.1.7. Failure to report a listed excess emission, exceedance or excursion is reportable under conditions 6.1.4 and 6.1.7.

Q14: Condition 8.8.1 requires all documents be sent to the Air Protection Branch in Atlanta. Compliance responsibilities for our facility have been reassigned to a District office and compliance reports and certifications are now being sent to the District office. How do we mark our compliance status for this permit condition?

A14: You should mark this condition as "Continuous" as long as the reports are received by the District office. The Division recommends that you send reports by certified mail or other carrier that provides receipt information.

Q15: We submitted our 2003 ACC before January 30, 2004 but were required to resubmit the ACC to correct certain aspects. Is the 2003 ACC considered late?

A15: Your 2003 ACC is considered a "timely submission" as long as the original ACC submission was postmarked no later than January 30. Failure to respond to follow-up requests by the Division is a deviation from permit condition 8.9.2. If your initial 2003 ACC was postmarked after January 30, 2004 this should be reported as a deviation for permit condition 8.14.1 in your 2004 ACC.

Q16: What are some of the problems that require resubmission of the ACC?

A16: The ACC is required to be resubmitted for the following: failure to list a permit condition, failure to mark a compliance status, marking "N/A" compliance status for a condition that is applicable, marking "N/A" or "Continuous" compliance status for a permit condition where a deviation is known to exist, or submitting the ACC without a signature by a Responsible Official. The Division may also request that the ACC be corrected and resubmitted for any other problem with the ACC.

Q17: We are appealing our Title V renewal permit and the original Title V permit has expired. Do we have to submit an ACC?

A17: The facility should submit an ACC covering the old permit (which is still in effect) and associated amendments.