

# Compliance

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Air Quality Workshop  
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# Compliance & Enforcement Organizational Chart



# Compliance and Enforcement Group

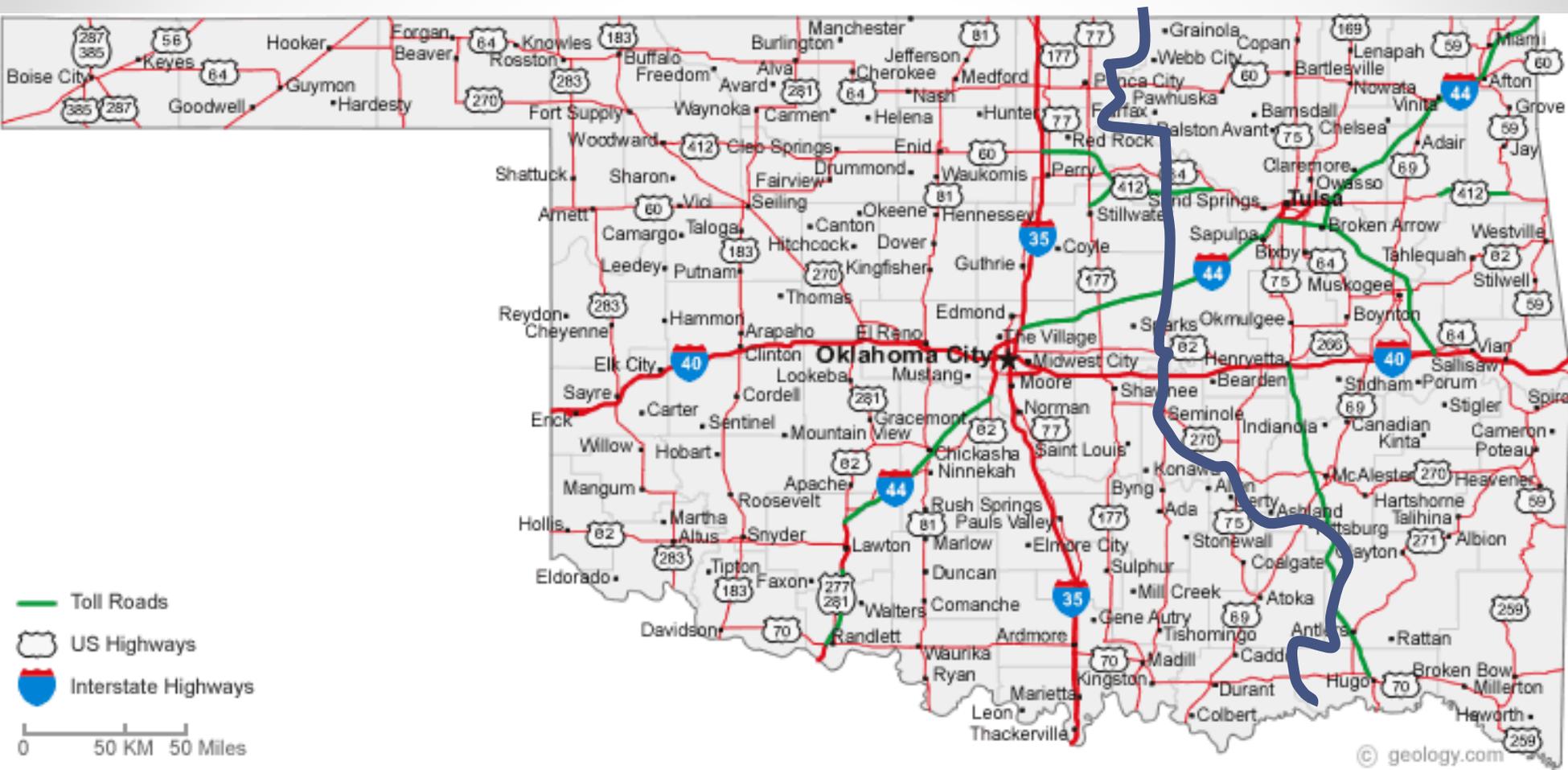
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# Compliance and Enforcement Group

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## Two C&E offices: OKC and Tulsa

- Compliance

# I have a permit. Now what?

- Now that you have been issued a permit, you will be categorized into one of four emission **source categories**:
  - Major Title V Source – PTE of 100 tons per year (TPY) of one or more of the criteria pollutants, 10 TPY of a single Hazardous Air Pollutant (HAP), or 25 TPY of a combination of HAPs.

# Source Categories

- Synthetic Minor 80 Sources (**SM 80**) –
  - *Uncontrolled PTE* at or above major source levels,
  - *But* have taken permitted, federally enforceable limits of 80% to 99% of the major source levels.

# Source Categories

- Synthetic Minor Less Than 80 Source (SM<80, or just SM) –
  - *Uncontrolled PTE* at or above major source levels,
  - *But* have taken federally enforceable permit limits less than 80% of the major source threshold.

# Source Categories

- Minor Sources –

- *PTE* less than the major source threshold without any controls or limits,
- Regardless of whether or not they have or require a permit.

# Compliance Monitoring Strategy (CMS)

1. EPA policy outlining expectations for states to evaluate compliance for targeted sources.
  - Initially issued in April 2001, and revised in July 2014.
  - Emphasis on **TV Major and SM 80** sources
  - Sets minimum frequencies for Full Compliance Evaluations (FCE), which I will explain in a minute.

# Compliance Monitoring Strategy (CMS)

- Covered Sources
  - Major Sources (These include a subset of large, complex major sources designated as Mega-sites)
    - OK's Mega-sites are the refineries and Tinker AFB
  - SM 80 Sources
  - Alternative CMS Sources – If ODEQ determines that other sources need closer scrutiny, we can add or substitute SM or minor sources in place of or in addition to some of the above, with EPA approval.

# Full Compliance Evaluation

What is a Full Compliance Evaluation?

From the [CMS Policy](#)

“a **comprehensive evaluation** to assess **compliance of the facility as a whole** and **resulting in a compliance determination**. For the purposes of this policy, “facility” is used in the broadest sense of the term incorporating **all regulated emission units within the facility**. An FCE addresses **all regulated pollutants at all regulated emission units**.” *And covers all applicable rules.*



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*This page was last updated on January 13, 2016*

# [www.deq.state.ok.us/aqdnew/ComplianceEnforcement/](http://www.deq.state.ok.us/aqdnew/ComplianceEnforcement/)

[Contact AQD](#)

- [DEQ Standard Operating Procedures \(SOP\) for Enforcement](#)

[AQD Site Index](#)

- [High Priority Violator Policy - 2014](#)
- [Federally Reportable Violation Policy - 2014](#)
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- [AQD Penalty Guidance - 2014](#)
- [Title 27A. Environment and Natural Resources \(Including the Oklahoma Clean Air Act – Article V\)](#)
- [Clean Air Act - Stationary Source Compliance Monitoring Strategy - July 2014](#)
- [EPA's Applicability Determination Index](#)
- [EPA's Air Toxics Rules and Implementation web page](#)
- [EPA's Enforcement and Compliance History Online \(ECHO\) web page](#)
- [Portable Emission Analyzer Guidance](#)
- [Voluntary Disclosure / Self-Reporting of Noncompliance Form](#)

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Page Last Updated: September 21, 2015

# FCE Frequency

- **Major Sources** – Every other fiscal year (FY)
- **Mega Site** (large, complex, major sources) – once **every third FY** (likely do PCEs yearly)
- **SM 80 and SM<80** Sources – once **every five FY**
- **True minor** sources – typically inspect these due to **complaints, or as needed**

# On-Site FCE

DEQ has the authority to conduct inspections unannounced during regular business hours.

- If you need to get someone such as your environmental staff there, the inspector will wait, or will work it out another way.

# What should you do if an inspector shows up unannounced?

- **Do not panic.** The inspector is just there to do a job, not to play “gotcha.”
  - The inspector will present credentials to show you who they are.
  - They will explain the reason they are there, and what they want to look at.

# What should you do if an inspector shows up unannounced?

- **Be cooperative.** The inspector wants to get the inspection finished as quickly as possible, too.
- At the end of the inspection, you will have an **exit interview**, where the inspector will go over any preliminary findings and you can ask any questions that you have.

# What should you do if an inspector shows up unannounced?

- If you have any issues with an inspector (which is very rare), feel free to call me or one of the other managers.

# What will the inspector look for during an FCE?

- All **active permits** – make sure equipment on site matches the permit.
  - Specific Conditions
  - Required Records – may request copies, but will work with you if you need time to compile them.
- **Compliance** with all applicable rules and regulations
  - Keep in mind: **All rules and regulations apply at all times.**

# What will the inspector look for during an FCE?

- That required **control equipment is installed and operating** as required.
- That **testing/monitoring** are being **conducted**, with required **documentation**.
- That all **required reports** have been/are being **submitted** (ACC/SAR, LDAR, CEMs reports, etc.)

# Evaluation Reports

- The CMS Policy outlines the elements that should be included in the report to document that an FCE was conducted.
- The report ends with a **summary** that **outlines any violations or areas of concern** that were identified.
- **If no violations** were identified, the **summary will state that fact.**

# Evaluation Report Process

- Reports go through **peer review, two levels of manager review, and legal review** (if there is a violation), before becoming final. This **may take four to six weeks** to get final approval.
- We will send the final report either through email, or with a cover letter by US Postal Service.

# If You Ever Have Questions

Our website has a [contact list](#) to help you know who can best help answer your questions.

Please feel free to call with any questions that come up.

# www.deq.state.ok.us/aqdnew



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## [What's New](#)

DEQ believes that a strong compliance/enforcement program is one of our highest priorities and is necessary to an effective regulatory system.

## [Air Rules](#)

The AQD Compliance/Enforcement sections are responsible for conducting inspections of air pollution sources, responding to citizens complaints, observing and evaluating emission tests, tracking and evaluating excess emissions/malfunctions and the implementation of a host of federal requirements.

## [Education](#)

## [Clean Diesel/Funding](#)

Below are links to a variety of technical and policy documents that are relevant to our administration of the compliance/enforcement program. Please check back often for updates and information regarding this important aspect of our air quality program.

## [Contact AQD](#)

## [AQD Site Index](#)

- [DEQ Standard Operating Procedures \(SOP\) for Enforcement](#)
- [High Priority Violator Policy - 2014](#)
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# Questions?