

**SUMMARY OF COMMENTS AND STAFF RESPONSES FOR  
AMENDED SUBCHAPTER 5, REGISTRATION, EMISSION  
INVENTORY AND ANNUAL OPERATING FEES**

**COMMENTS RECEIVED PRIOR TO THE  
APRIL 19, 2006, AIR QUALITY ADVISORY COUNCIL MEETING**

**Written Comments**

**EPA Region 6** – E-mail received April 11, 2006 from Carrie Paige of the EPA

1. **COMMENT:** The requirement that actual emissions varying from the allowable or from the previous year's actual emissions by more than 30% be explained is being struck. Where is this provision adequately covered elsewhere in the regulations? If not adequately covered elsewhere, justify the decision.

**RESPONSE:** Due to recent staff recommendations, we request that the rule be amended rather than struck. This change is in response to requests from our clients and from Air Quality personnel. The rule as it stands indicates that the annual Emission Inventory should include an explanation for any emission that has changed from the permitted allowable or from the previous year by 30% or more. In a study of 2002 and 2003 inventories there were 10,933 reported emission records that changed by 30% or more but the amount of the change was less than one ton. The amended version states that the Department may require the information to be provided on request for such documentation. The amended rule will allow the Department to focus on documentation we request rather than on thousands of explanations of minimal emission changes. The Department proposes to amend OAC 252:100-5-2.1(b)(3) to read:

OAC 252:100-5-2.1(b)(3) If the actual emissions vary from the allowable or from the previous year's emissions by more than 30% the Department may require the operator or owner to provide an explanation for the difference in order to determine compliance with the Oklahoma Clean Air Act or any rule promulgated thereunder, or any permit condition prescribed or order issued pursuant thereto.

The authority to request the information also appears the next paragraph of this section, paragraph (c) Documentation:

OAC 252:100-5-2.1(c) Documentation. All calculations and assumptions must be verified by proper documentation. All supporting data, including actual production, throughput and measurement records along with engineering calculations and other data utilized in accordance with OAC 252:100-5-2.1(d), below, must be maintained for at least 5 years by the current owner or operator at the facility in conjunction with facility

records of the emission inventory. This information must either be submitted to the Division or made available for inspection upon request.