

Minimum Data Requirements (MDRs) for CAA Stationary Source Compliance

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

[April 24, 1998]

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Minimum Data Requirements (MDRs) for CAA Stationary Source Compliance
FROM: Frederick F. Stiehl, Director
Enforcement Planning, Targeting and Data Division
TO: Addressees

The purpose of this memorandum is to revise the minimum data reporting (MDR) requirements for stationary sources covered under Title V Operating Permits and Maximum Achievable Control Technology (MACT) rules. Draft guidance on this was issued on December 20, 1996. Because we received no comments on the draft that required us to modify the document, the final guidance is attached, unmodified from the draft.

Additionally, for your convenience, the current MDR guidance (dated December 22, 1993) is also attached. One simplification of the guidance should also be noted. Inspection targeting fields have been dropped from the MDR list. Previously the national methodology for evaluating inspection coverage involved comparison of inspections at 'targeted' sources vs. the number of targeted sources. However, the evaluation of inspection coverage was recently simplified¹. Inspection coverage is now evaluated by comparing major sources inspected to the universe of major sources. The inspection targeting fields do, however, remain available in AIRS for documenting and communicating State-Regional inspection plans.

The Office of Enforcement and Compliance Assurance (OECA) and the Office of Air Quality Planning and Standards (OAQPS) continue to provide technical assistance for reporting to the AIRS database via the AIRS helpline at 800/367-1044. Please direct questions on the MDRs for stationary source compliance to Mark Antell at 202/564-5003.

Attachments

¹Final FY 98/99 OECA Memorandum of Agreement (MOA) Consolidated Technical Guidance (CTG) of June 10, 1997.

Addressees Director, Office of Environmental Stewardship - Region I
Director, Division of Enforcement and Compliance Assurance - Region II
Director, Air, Radiation and Toxics Division - Region III
Director, Air, Pesticides, and Toxics Division - Region IV
Director, Air and Radiation Division - Region V
Director, Compliance Assurance and Enforcement Division - Region VI
Director, Air, RCRA, and Toxics Division - Region VII
Supervisor, Planning and Targeting Program - Region VIII
Director, Air and Toxics Division - Region IX
Director, Office of Enforcement and Compliance - Region X

cc: Tom Curran
Elaine Stanley
Eric Schaeffer
Regional Enforcement Coordinators
Regional AIRS Compliance Managers

April 10, 1998

Final Guidance: Reporting Permit Compliance to the Aerometric Information Retrieval System (AIRS)

AIRS presently provides a nationally used framework for State-EPA communication of compliance determinations and agency compliance activity at major stationary sources of air pollution. Additionally, about one third of the State and local agencies use AIRS as their own system for tracking their total stationary source air compliance program.

To continue serving the program, the AIRS database structure must evolve along with it. Some changes have already been installed in response to the Clean Air Act Amendments of 1990. The AIRS perspective for compliance reporting is, however, not fully compatible with a permit based program². The following codes are added to AIRS to allow complete reporting on compliance determinations and compliance actions in an operating permit environment.

- An air program category is added for Title V operating permits. The new air program code "V" provides a database "location" for reporting compliance activity which is specific to Title V operating permits.

- Additionally, a pollutant value, "FACIL" has been added to allow reporting of facility-wide compliance with permit requirements that are not linked to any one pollutant. The combined use of the air program code "V" and the pollutant code "FACIL" allows reporting of source compliance with the permit process or an entire permit.

Following are examples of basic permit compliance information that can be tracked using these

AIRS codes:

1. A source is (or is not) appropriately and completely permitted.
2. A source has (or has not) complied with all applicable permit reporting requirements, including annual compliance certifications.
3. A source not in compliance when it was permitted, is on schedule to achieve compliance via a "permit compliance plan."
4. An inspection was performed to confirm proper permitting.

For the first three examples, the agency determination of compliance relative to the permit (in, out, unknown, on schedule) would be reported to AIRS as a compliance status under the air program "V" and the pollutant "FACIL." The fourth example concerns an inspection specifically to determine proper permitting. This agency activity would be documented in AIRS via entry of the appropriate two digit action code plus the inspection date. Attached data definitions provide more detail on the use of these codes to supplement existing compliance reporting to AIRS.

The attached data definitions also include another AIRS modification to reflect the current air compliance program. A new air program code "M" is provided to facilitate compliance reporting on sources covered by maximum Achievable Control Technology (MACT) standards under Title III of the Clean Air Act. Additionally instructions are provided below on the use of a pollutant code "THAP" (total hazardous air pollutants) under this air program code.

These chosen modifications minimize database modifications and costs while adding required functionality. They have the following attributes:

- Maintaining data flow

EPA and States have agreed since 1977 to maintain a single national database on major stationary source compliance and agency actions. The chosen modifications affect neither the purpose of AIRS compliance reporting (interagency communication of compliance determinations and agency actions for major stationary sources), nor do they affect minimum data requirements (MDR's)³. Rather the AIRS modifications announced here supplement existing protocols by allowing compliance and action reporting where these are driven by the Title V operating permit program.

- Minimizing cost to EPA

This guidance requires the addition of allowed codes to existing tables. This type of modification is normal over the life of an information system, and is much less expensive to implement than system changes which require addition of fields or reports.

- Minimizing cost to States

- a) Many States use AIRS as their data system for tracking air compliance. For these "direct user" States, this guidance allows continued tracking of compliance actions and

determinations with very small change in current data-handling practices. No new costs to "direct user" States are anticipated.

b) A number of States maintain their own data systems and report to AIRS automatically via software programs known as "data convertors." Because State systems are unique, each "data convertor" is unique. However, the reporting modifications allowed by this guidance are similar to changes which "data convertors" have handled in the past, so reporting on permit compliance should not cause hardship.

1 AIRS enhancements in support of the Clean Air Act Amendments of 1990 include addition of new pollutant class and attainment codes plus a program to recalculate class from emission and attainment data, addition of Permit Program Data Elements (PPDE's) to track permit issuance events, addition of data elements and reports to support case-by-case MACT determinations, addition of air programs for acid rain and tribal implementation plans, and addition of a number of new action types to track such activities as administrative penalty orders and field citations.

2 Historically, source compliance with air emission limits has generally been evaluated against air program-based rules (including State Implementation Plans, National Emission standards for Hazardous Air Pollutants, etc.) rather than against permit requirements. The Clean Air Act Amendments of 1990 modify this perspective by combining all Federally enforceable requirements applicable to any major source into a source-specific Title V operating permit. Title V operating permits are now being issued by delegated States in small, but increasing numbers.

3 Minimum data requirements (MDR's) for air compliance reporting have been revised little since they were first established in May of 1982 ("Guidance on State Reporting of Air Compliance Data to CDS." memorandum from the Director of the Division of Stationary Source Enforcement). The most recent compilation of MDR's is contained in a December 22, 1993 memorandum "Minimum Data Requirements (MDR's) for Stationary Source Compliance" from Chief of the Compliance Monitoring Branch of the Stationary Source Compliance Division.

AIRS Data Definitions for Reporting Permit and MACT Compliance

Air Program Code "V" - Title V permit.

This air program code should be used to report on compliance and compliance activities related to federally enforceable, State-granted, operating permits issued under Title V of the Clean Air Act. This code does not replace current air program reporting!

Compliance and surveillance actions should continue to be reported for all appropriate air program(s). Compliance determinations should continue to be reported for all appropriate pollutants and air programs.

Pollutant "FACIL" - Facility Wide

This pollutant code should be used to record compliance under the air program "V" when compliance determinations are associated with requirements that stem only from Title V.

Exemplary use of the pollutant FACIL would be to record compliance (or non-compliance) with permit submittal requirements, or periodic monitoring requirements, or annual compliance certification requirements. Compliance with pollutant-specific requirements are to be reported for each pollutant in each air program by which they are regulated.

Air Program Code "M" - Maximum Achievable Control Technology (MACT - Part 63 NESHAP)

This air program code may be used to report on compliance and compliance activities related to federally enforceable requirements associated with regulations at 40 CFR 63, National Emission Standards for Hazardous Air Pollutants for Source Categories, also known as MACT standards. The existing AIRS air program code "8" should continue to be used to report on compliance and compliance activities associated with regulations at 40 CFR 61, National Emission Standards for Hazardous Air Pollutants.

Pollutant "THAP" - Total Hazardous Air Pollutants

This pollutant code was developed to facilitate reporting of total hazardous emissions at facilities which emit a number of hazardous air pollutants. Pollutant code "THAP" may be used for reporting class and compliance under the air program code of "M" for sources which emit a number of hazardous air pollutants.