

PROMPT DEVIATION REPORT (PDR)

April 2002

INSTRUCTIONS

Use this form to submit written notice to the part 71 permitting authority (EPA or delegated State or local agency) of each deviation from permit terms and conditions that is required to be reported within 10 working days of its occurrence (in other words, deviations required to be reported prior to the 6-month monitoring report). Each form **PDR** must be certified as to truth, accuracy, and completeness (**CTAC**) by the responsible official; for your convenience, form **CTAC** is included with this package. The permit will provide you with a mailing address where you should mail these forms.

Record Retention

You must retain records, materials, or other support material used in the preparation of this prompt deviation report for a period of at least 5 years from the date you submit this form to the permitting authority.

Availability of Information to the Public and Confidential Treatment of Information.

Information submitted in this form will, upon request, be made available to the public for inspection and copying. If you wish to request confidential treatment for business information, such information should be submitted separately to the permitting authority along with a claim of confidentiality, as governed by 40 CFR part 2, subpart B. Note that the part 2 regulations generally do not allow emissions information or information used for compliance purposes to be granted confidential treatment. Also note that you may be required by any delegate agency to provide a copy of your completed form directly to the EPA.

Detailed Instructions

This form is designed to serve as the written notice for those deviations that are required to be reported prior to the 6-month report [see § 71.6(a)(3)(iii)(B)(1) and (2)]. This form must be submitted within 10 working days of each such deviation¹. Failure to submit this form in a timely manner will be considered a deviation of the requirement to submit a written notice by the required deadline. Note that completion and timely submittal of this form does not relieve you of the requirement to first notify the permitting authority by telephone or facsimile of such deviations (as early as within 24 hours of each occurrence)². In addition, for deviations not meeting the definitions under § 71.6(a)(3)(iii)(B)(1) and (2) do not use this form; report them for the first time in the six-month monitoring report.

Complete Sections *A* once for each mailing of deviation reports to identify the permitted source. On the next page, complete the table in Section *B* to report information on the deviations from permit terms and conditions. Copy this table as many times as necessary to report all deviations. You may mail multiple deviation reports at the same time as long as you submit all of them by the required deadline. Finally, submit form **CTAC** with each mailing. If you are mailing more than one deviation report in the same mailing, one properly completed copy of form **CTAC** will be sufficient to certify truth, accuracy, and completeness for all enclosed deviation reports.

¹ Different from part 70, part 71 requires written reports within 10 working days for all deviation required to be reported earlier than the 6-month report. See last paragraph of §71.6(a)(3)(iii)(B).

² Also required by the last paragraph of § 71.6(a)(3)(iii)(B).

Section A (Identifying Information)

Enter the permitted facility's official or legal name. Do not use a colloquial or abbreviated name. Enter the complete mailing address for the facility and the name, telephone number, and facsimile number (if desired) for the contact person. The contact person should be a person familiar with the day-to-day operation of the facility, such as a plant site manager or other individual, who should be available to be contacted by the permitting authority. If there is more than one contact person, list the others on an attachment.

Section B (Deviation Report)

This section of the form is provided for you to report in writing those deviations required by § 71.6(a)(3)(iii)(B)(1) and (2) to be reported prior to the six-month monitoring report. Section 71.6(a)(3)(iii)(B)(1) requires the reporting of deviations where emissions of HAP continue for more than one hour in excess of permit requirements, while § 71.6(a)(3)(iii)(B)(2) requires the reporting of deviations where emissions of any regulated air pollutant other than HAP continues for more than two hours in excess of permit requirements.

Deviations from permit terms occur when any permit term is not met, including terms that establish emission limitations, emission standards, control equipment requirements, work practices, and parameter ranges, and those designed to assure compliance with such requirements, such as monitoring, recordkeeping, and reporting requirements. For example, included in the meaning of deviation are any of the following: (1) a condition where emissions exceed an emission limitation or standard; (2) a situation where process or emission control device parameter values indicate that an emission limitation or standard has not been met; (3) a situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit (including indicators of noncompliance revealed through parameter monitoring); (4) a situation in which an exceedance or an excursion, as defined in 40 CFR part 64 (compliance assurance monitoring or CAM), occurs; (5), a situation in which required monitoring of emissions or parameters is not performed (including where parameters; and (6) failure to comply with a permit terms that requires records to be kept or submittal of a report³. A deviation is not necessarily a violation. Violations will be determined by EPA (or its delegate Agency).

Note that an emergency is also considered a deviation. An "emergency" is a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency does not include noncompliance to the extent it is caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of § 71.6(g)(3) of this section are met, including that notice of the emergency was submitted to the permitting authority within 2 working days of the time when emission limitations were exceeded due to the emergency. Also note that submittal of this deviation report does not necessarily satisfy the requirements of § 71.6(g)(3).

Also note that the terms "upset," "startup," "shutdown," "malfunction," and excess emissions" refer to conditions that are not defined in part 71 (note that the applicable requirements may define these terms). Any emissions in excess of permit requirements as identified in § 71.6(a)(3)(iii)(B)(1) and (2) that result during any of these conditions must also be reported as deviations on this form. Also note that the applicable requirement itself may define the term "deviation" and impose additional recordkeeping and reporting requirements.

³ This list is not considered exhaustive, thus many other examples could have been included.

Answer questions 1 through 5 as a group for each deviation. Each page is designed for you to report on up to 3 separate deviations.

Question 1: Identify and describe the permit term for which there is a deviation [e.g., “term (B)(2)(i)(a), emissions limitation of 6 ppm for NOx” or “term (C)(2)(ii)(b), submission of annual compliance certification”].

Question 2: Identify and describe the emission unit where this deviation occurred (e.g., “EU1, No. 1 Boiler” or “EU16, Spray Booth #4”). You may list multiple units here if they all had deviations of this permit term and they all occurred during the same time periods. In addition, for deviations of permit terms that impose requirements to the permitted facility as a whole or to all units at your facility, you may enter “facility- wide” in the emissions unit column.

Question 3: Identify the beginning and ending time periods over which the deviation occurred. Although each 24-hour period of deviation is considered a separate deviation, you may indicate continuous periods of deviation that span multiple days in a single entry. Use the 24-hour clock (equivalent to military time) for reporting these times (e.g., the day starts and ends at midnight, or 00:00 in military time. Zone means time zone (e.g., EST or EDT).

Question 4: Briefly explain the probable cause of the deviation from permit terms, if known. Examples of possible answers to this question include “operator error” or “mechanical failure.” Be as specific as possible.

Question 5: If any corrective actions or preventative measures were taken to avoid similar deviations at the same emissions units, briefly explain them. Examples of possible answers to this question include “trained operator on proper operation of control devices” or “repaired defective equipment and will perform routine maintenance on an accelerated schedule.” If known, include dates when such actions or measures were taken or will be taken in the future.

Form CTAC (Certification of Truth, Accuracy, and Completeness by Responsible Official)

You must complete form **CTAC** and attach it to this deviation report (a copy of form **CTAC** is included in this package as a convenience). Part 71 requires form **CTAC** to be completed and submitted with each set of documents that the permit requires to be sent to the permitting authority.

Section A - Federal law requires that title V permit applications be signed by a responsible official. The definition of responsible official can be found at § 71.2. Provide the name, title, address, telephone number, and, if desired, the facsimile machine number for the responsible official.

Section B - The responsible official must sign and date the certification of truth, accuracy and completeness. This should be done after all application forms are complete and the responsible official has reviewed the information. Normally this would be the last form completed before the package of forms are mailed to the permitting authority.

U.S. ENVIRONMENTAL PROTECTION AGENCY
FORMS FOR FEDERAL OPERATING PERMITS PROGRAM, 40 CFR PART 71**FORM PDR - PROMPT DEVIATION REPORT**

Use this form to submit a written notice within 10 working days for those deviations from permit terms and conditions identified in sections § 71.6(a)(3)(iii)(B)(1) and (2). These are the deviations required to be reported prior to the 6-month monitoring report. Complete Section A once for each mailing. Complete one block of section B for each deviation (you may report three separate deviations on each page). Copy section B as many times as necessary to report all such deviations.

A. Identifying Information. All facilities must complete this section.

Source or company name _____

Mailing address: Street or P.O. Box _____

City _____ State _____ ZIP _____ - _____

Contact person _____ Title _____

Telephone (_____) _____ - _____ Ext. _____ Part 71 permit no. _____

B. Other Deviations From Permit Terms

All sources must complete this section. Answer questions 1 through 5 below as a group for each deviation from permit terms that is required to be reported within 10 days of occurrence. This page may be used to report three separate deviations. Copy this page as many times as necessary to include all such deviations. Include all such deviations, including those that occur during startup, shutdown, malfunction, and upset conditions. Question 1: Identify and describe the permit term for which there is a deviation. Question 2: Identify (using Emission unit ID) and describe the emissions unit where the deviation occurred. Question 3: Report the beginning and ending times for each deviation, using the 24-hour clock. Question 4: Briefly explain the probable cause of each deviation from permit terms. Question 5: If any corrective actions or preventative measures were taken to avoid future similar deviations, briefly describe them. If known, include dates when such measures were taken or will be taken in the future.

1. Permit Term for Which There is a Deviation:	2. Emission Units (unit IDs):	3. Time Period: Date (mo/day/yr) Time (hr:min) Time Zone Beginning ___/___/___ :___:___ Ending ___/___/___ :___:___
4. Probable Cause of Deviation:	5. Corrective Actions or Preventative Measures Taken:	

1. Permit Term for Which There is a Deviation:	2. Emission Units (unit IDs):	3. Time Period: Date (mo/day/yr) Time (hr:min) Time Zone Beginning ___/___/___ :___:___ Ending ___/___/___ :___:___
4. Probable Cause of Deviation:	5. Corrective Actions or Preventative Measures Taken:	

1. Permit Term for Which There is a Deviation:	2. Emission Units (unit IDs):	3. Time Period: Date (mo/day/yr) Time (hr:min) Time Zone Beginning ___/___/___ :___:___ Ending ___/___/___ :___:___
4. Probable Cause of Deviation:	5. Corrective Actions or Preventative Measures Taken:	

U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR FEDERAL OPERATING PERMIT, 40 CFR PART 71

APPLICATION FORM CTAC - CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS BY RESPONSIBLE OFFICIAL

INSTRUCTIONS: One copy of this form must be completed, signed, and sent with each submission of documents required by a part 71 permit (i.e., application forms, updates to applications, reports, including deviation reports, or any other information).

P. Responsible Official

Name: (Last) _____ (First) _____ (MI) _____

Title _____

Street or P.O. Box _____

City _____ State _____ ZIP _____ - _____

Telephone (____) _____ - _____ Ext. _____ Facsimile (____) _____ - _____

Q. Certification of Truth, Accuracy and Completeness (to be signed by the responsible official)

I certify under penalty of law that, based on information and belief formed after reasonable inquiry, the statements and information contained in these documents are true, accurate and complete.

Name (signed) _____

Name (typed) _____ Date: ____ / ____ / ____