

 <p>BAY AREA AIR QUALITY MANAGEMENT DISTRICT</p>	<p>COMPLIANCE & ENFORCEMENT DIVISION</p>	<p>Frequently Asked Questions (FAQ) for Reportable Compliance Activities (RCAs)</p>
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1. TOPIC: GENERAL PROCEDURE INFORMATION FOR ANY RCA

What is a Reportable Compliance Activity (RCA)?

A Reportable Compliance Activity (RCA) is a new umbrella term that combines six distinct reporting categories (previously referred to as "Episodes") used by the Bay Area Air Quality Management District ("District" or "BAAQMD"). These categories include the reporting of:

- Excess emissions indicated by a continuous emission monitor (CEM)
- Area concentration excesses indicated by a ground level monitor (GLM)
- Parametric monitor excursions
- Pressure relief device (PRD) releases
- Inoperative BAAQMD-required monitors
- Requests for breakdown relief

What should I expect if I report a RCA?

You should expect the following:

- A unique RCA ID# is emailed or phoned back to you for each applicable RCA reported. This allows you to track the event and its final disposition.
- A District inspector will visit your facility to investigate the event and get copies of any chart/monitor data that describe the RCAs, where applicable.
- The District's Technical and Compliance and Enforcement Division staff evaluate the chart/monitor data, as well as any required additional written submittals related to the event (see the other Topics below for specific instructions on written requirements for each RCA category). Following this evaluation a recommendation for enforcement action or breakdown relief is made.
- In the case of RCA related to a request for breakdown relief:
 - If relief is denied where a violation is established, an inspector will issue a Notice of Violation (NOV) to your facility.
- In the case of all other RCA:
 - Where a violation is established, an inspector will issue an NOV to your facility.

How can I check on the status of any RCA prior to a final disposition?

Email or call 415-749-4979 with your RCA ID# for reference and request that your inspector respond to you with a status update.

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Your permit may have other specific reporting requirements not satisfied by the responses to these frequently asked questions.

How does a Title V deviation report differ from an RCA report?

Title V deviation reporting has separate time frames and different requirements to those of RCA and one does not necessarily satisfy the reporting constraints of the other. However, consolidation of Title V reporting into the RCA program is being reviewed currently.

How is "Next Operating Day" or "Next Normal Working Day" defined for reporting purposes?

The "Next Operating Day" or "Next Normal Working Day" is defined as being the next day on which the District is working. The District normally operates from Monday through Friday. This means that if you have an indicated excess at a GLM, an inoperative monitor, or PRD release that occurs after 5:00 pm on a Friday, you can wait until Monday morning, which is the Districts "Next Operating Day" or "Next Normal Working Day" to report the RCA.

2. TOPIC: BREAKDOWN REQUESTS AND ASSOCIATED INDICATED EXCESS EMISSIONS FROM MONITORS AND PRDs

How is a Breakdown defined?

A Breakdown is any unforeseeable failure or malfunction of air pollution control or operating equipment which causes excess emissions above a permit condition or regulatory standard that is not the result of neglect, e.g., improper maintenance, and does not create a public nuisance (see Regulation [1-208](#)).

What is Breakdown relief and when is it granted?

Breakdown relief is when no enforcement action is taken against a facility, even though a violation of District standards has occurred. Breakdown relief is granted at the discretion of the Air Pollution Control Officer (APCO) only in cases where emissions are due to an unforeseeable air pollution control or operating equipment failure or malfunction and all administrative requirements of Regulation [1-431](#) and [1-432](#) are met.

When should I request breakdown relief?

If you have a breakdown or malfunction of air pollution control or operating equipment that meets the administrative requirements of Regulation [1-431](#) and [1-432](#), you can request relief from enforcement action for the emissions associated with the event provided you contact the District immediately.

What does "immediately" mean?

Facilities seeking breakdown relief should notify the APCO of the breakdown condition immediately, with due regard for public and employee safety (see Regulation [1-431](#)).

How should I request Breakdown Relief?

Fill out Box #1 on the RCA Form, and include information on all monitors (CEM, GLM or parametric) that have indicated emissions excesses or are inoperative, or any PRD releases that have occurred due to the breakdown. Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

What additional submittals are required when I request Breakdown Relief?

Each breakdown request triggers a written report, due within 30 days of the breakdown occurrence. Send the report to compliance@baaqmd.gov. Include all calculations of excess mass emissions and any assumptions used in their derivation. All operating parameters used to establish excess emissions must be identified, and a description of each step taken to minimize excess emissions and their effectiveness in reducing emissions.

In order to qualify for relief, the report must contain information showing why the event was unforeseeable and that the event also meets the administrative requirements of Regulation [1-431](#) and [1-432](#). The written report must also include the total mass emissions for the entire period,

even if the period extends beyond 24 hours.

Other reporting may also be necessary if District-required monitors or PRDs not identified in the initial report are affected as part of the breakdown (see Topics 3, 4, 5, 6, 7 and 8 below). You should also be aware that breakdown notification does not satisfy or supersede any applicable Title V requirements including deviation reporting.

Can an opacity excess at a CEM qualify for breakdown relief and is a mass emission estimate then required for the opacity excess?

An opacity excess resulting from the unforeseeable failure or malfunction of air pollution control or operating equipment may qualify for breakdown relief. Associated mass emission estimates are not required, but the duration and concentration of the excess must be reported for the applicable opacity standard within the applicable time frame.

What if I know that my facility will be exceeding District standards due to an unforeseeable equipment malfunction for over 24 hours. Can I still get relief?

Yes, you may still get relief but not through the RCA program. For relief from enforcement action due to emissions from an unforeseeable equipment failure in excess of 24 hours, you may file for an Emergency Variance (see Regulation [1-402](#)). To get more information on emergency variances, contact the Clerk of the Boards, at 415-749-5073, or mhiratzka@baaqmd.gov.

Why are process upsets not eligible for Breakdown Relief?

A process upset may result in excess emissions above District standards, but unless equipment has malfunctioned or failed, it does not meet the definition of breakdown. Even if the upset was unforeseeable, the APCO does not have authority to grant breakdown relief under such conditions. For more information see the criteria for breakdown relief at the following District web link:

http://www.baaqmd.gov/enf/policies_and_procedures/Breakdown_Guidelines.pdf

3. TOPIC: INDICATED EMISSION EXCESSES AT CEM(S), WITH AND WITHOUT REQUESTS FOR BREAKDOWN RELIEF

When should I report an indicated emissions excess at a Continuous Emission Monitor (CEM)?

In the case of CEM you have up to 96 hours in which to report an indicated excess(es) (see Regulation [1-522](#)).

How should I report an indicated emissions excess at a Continuous Emission Monitor (CEM)?

Fill out Box #2 only on the RCA Form, including information on the CEM(s) that has(have) the indicated excess(es). Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

How should I report an indicated emission excess at a Continuous Emission Monitor (CEM) associated with a breakdown?

If you are requesting breakdown relief and are aware of indicated excess emissions at a CEM(s) due to the event at the time of your immediate report, you must fill out Box #1 on the RCA Form. You should include information on the CEM(s) that has(have) been affected and send the information to the District using the phone or email provided above.

What additional submittals are required when I report an indicated emission excess at a CEM?

Regulation [1-522](#) also requires that any emissions excesses be included in a summary report that shall be submitted to the APCO within 30 days of the close of the month reported on. The nature, extent and cause of the excess emissions are also required (see BAAQMD Manual of Procedures, Volume V).

4. TOPIC: INDICATED AREA CONCENTRATION EXCESSES AT GLM(S), WITH AND WITHOUT REQUESTS FOR BREAKDOWN RELIEF

When should I report an indicated area concentration excess at a Ground Level Monitor (GLM)?

In the case of GLM, you must report an indicated area concentration excess within the next normal working day (see general procedure information) following appropriate examination (see Regulation [1-542](#)). It is important to note that GLM data is required to be examined at intervals of no greater than seven days (see Regulation [1-540](#)).

How should I report an indicated area concentration excess at a Ground Level Monitor (GLM)?

Fill in Box #2 only on the RCA Form, including information on the GLM(s) that has(have) the indicated excess(es). Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

How should I report an indicated area concentration excess at a Ground Level Monitor (GLM) associated with a breakdown?

Fill out Box #1 on the RCA Form, include information on the GLM(s) that has(have) indicated area concentration excess(es). Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

What additional submittals are required when I report an indicated area concentration excess at a GLM?

Regulation [1-544](#) also requires that any area concentration excesses be included in a summary report that shall be submitted within 30 days of the close of the month reported on (see BMQMD Manual of Procedures, Volume VI).

5. TOPIC: INDICATED EXCURSIONS AT PARAMETRIC MONITORS WITH AND WITHOUT REQUESTS FOR BREAKDOWN RELIEF

What is a parametric monitor?

A parametric monitor is a monitoring device or system required by your permit conditions or regulation to monitor the operational parameters of either a source or an abatement device. These operational parameters are generally performance oriented but are associated with an emission standard. Parametric monitors may record temperature, pressure, flow rate, pH, hydrocarbon breakthrough, or other factors.

When should I report an indicated parametric monitor excursion?

You have up to 96 hours in which to report the indicated excursion(s) (see Regulation [1-523](#)).

How should I report an indicated parametric monitor excursion?

Fill out Box #2 on the RCA Form, include information on the Parametric monitor(s) that has(have) indicated excursion(s). Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

How should I report an indicated parametric monitor excursion associated with a breakdown?

Fill out Box #1 on the RCA Form, include information on the Parametric monitor(s) that has(have) indicated excursion(s). Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

6. TOPIC: INDICATED EMISSION EXCESSES (ALL MONITORS)

Do I need to report an indicated excess (emission, area concentration, or excursion)?

District standards and State Law require that all indicated excesses be reported to the District (see Regulation [1-522.7](#), [523.3](#), [542](#), and [Health and Safety Code Section 42706](#)).

Do I need to report an indicated excess which occurred as a result of a calibration of a District required Monitor?

When you are performing a calibration on a District required monitor, the monitor itself is inoperative for the time period during which the calibration occurs. As an inoperative monitor you would have 24 hours to repair the instrument before you have to report it on the next normal working day. Therefore, if the instrument calibrates correctly and can be put back into operation before the 24-hour reporting deadline, no report is required.

What should I do if I have determined that the indicated emission excess was less than what the District deems the "margin of measurement error," or if no actual emission occurred?

You must still report. Examples of the specific reporting required for each monitor category are as follows:

- If a CEM's data recording device shows an indicated emission excess above the regulatory or permitted limit, but you determine, upon closer examination that it was within, or did not exceed, the "range of measurement error", you must still report the indicated emissions excess.
- If a GLM's data recording device shows an indicated area concentration excess still within, or not exceeding, the ppm tolerance stated for any of the different time intervals of sulfur dioxide or hydrogen sulfide concentrations, you must still report the indicated emissions excess.
- If a parametric monitor's recording device shows any indicated excursion greater than the permitted limit, you must report the indicated excursion.
- If you have a situation where a monitor recording device shows an indicated excess, but you determine, based on other parameters, that no actual emissions were occurring, you must still report it as an indicated excess.

Failure to report any of the above may result in enforcement action. An explanation for any of the situations above (no actual emissions, excursions, or indicated excesses only) should be provided to the inspector during his/her investigation and will be considered by District staff.

If I made a mistake in evaluating my charts, and there isn't even an indicated emission excess, can I just withdraw the RCA report once I discover my mistake?

Once an RCA report is submitted, District staff must investigate and evaluate the notification or request for relief, even if the report was subsequently deemed to have been submitted in error. If no excess occurred, the investigation will obtain documentation that will be the basis of a recommendation for no further action. This demonstrates to oversight entities such as the California Air Resources Board (CARB) and the United States Environmental Protection Agency (USEPA) that no violation of District standards occurred.

The only type of RCA report that can be withdrawn is a duplicate. If you discover that the same event has been reported twice, you can email the District at compliance@baaqmd.gov, and request to have the duplicate withdrawn by providing both RCA ID#s and the circumstances leading to the duplicate report.

7. TOPIC: INOPERATIVE MONITORS (ALL TYPES)

What is an inoperative monitor?

An inoperative monitor is defined as not being capable of meeting the appropriate performance standard listed below (see Regulation [1-510](#), [522](#), [523](#) and [Manual of Procedures, Volumes V and VI](#)):

- All monitors on sources subject to an emission standard (CEM) shall be equipped with an acceptable data recording system. Chart speeds and ranges on analog recorders shall be such that violations of the emission standard are readily discernible.
- All monitoring systems shall be maintained in a good state of repair.
- All monitoring systems [shall be maintained] in order to monitor continuously the concentration of the BMQMD-specified air pollutant.

If your monitor does not meet the applicable performance standards, you should report it as inoperative.

When should I report an inoperative monitor?

Regulation [1-522](#), [523](#), or [530](#) requires that:

- For a CEM, periods of inoperation greater than 24 continuous hours shall be reported by the following working day (see general procedure information), followed by notification of resumption of monitoring. For downtime in excess of 15 consecutive days, adequate proof of expeditious repair shall be furnished to the District.
- For a GLM, periods of inoperation greater than 24 continuous hours shall be reported within the next normal working day (see general procedure information) after discovery of the malfunction, based upon examination of data at intervals of no greater than seven (7) days. For downtime in excess of five (5) consecutive days due to maintenance or repair, the District shall be notified prior to the commencement of such maintenance or repair.
- For a CEM or GLM, any period of inoperation greater than 24 hours shall be included in a summary report that shall be submitted within 30 days of the close of the month reported on.
- For a Parametric monitor, periods of inoperation greater than 24 continuous hours shall be reported by the following working day (see general procedure information), followed by notification of resumption of monitoring. Downtime shall not exceed 15 consecutive days per incident or 30 calendar days per consecutive 12-month period.

How should I report an inoperative monitor?

Fill out Box #3 on the RCA Form, include information on the monitor(s) affected and email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

8. TOPIC: RELEASES FROM PRESSURE RELIEF DEVICES (PRD), WITH OR WITHOUT A REQUEST FOR BREAKDOWN RELIEF

When should I report a release from a PRD?

If you are not requesting breakdown relief, you have up to the next working day (see general procedure information) in which to report any venting (see Regulation [8-28-401](#)).

How should I report a release from a PRD?

Fill in Box #4 only on the RCA Form, including information on the PRD(s) that has(have) vented. Email the completed form (see RCA Form for detailed instructions) to the District at compliance@baaqmd.gov to initiate the RCA process. You may also phone in the same information to the District at (415) 749-4979.

How should I report a release from a PRD associated with a breakdown?

If you have a breakdown or malfunction of air pollution control or operating equipment that causes a PRO to vent, fill out Box #1 on the RCA Form, and include information on the PRD(s) that has(have) vented and on any GLM(s) that are affected. Email the completed form using the above process.

What additional submittals are required when I report a release from a PRD?

Regulation [8-28-401](#) requires that a written report shall be submitted within 30 days after the release event, including the following information:

- Date, time and duration of the release event in minutes.
- PRO involved, identified by its unique number (see Regulation [8-28-404](#)) as well as its name and service commonly referred to by the facility.
- Incident number (RCA ID#) assigned for the release event.
- Type and size of device.
- Type and amount of material released in pounds, accurate to two significant digits. Reportable materials are: total organic compounds, ammonia, hydrogen sulfide, chlorine, sulfur dioxide, sulfur trioxide, hydrofluoric acid, and difluoroethane.
- Information and assumptions used to report the duration and amount released during the event.
- Cause of the event.
- Schedule for action to prevent re-occurrence of the event.
- Results of fugitive emission inspection of the device done in accordance with the requirements of Regulation [8-28-402.2](#).

Send the follow-up 30-day report letter to compliance@baaqmd.gov.