Placer County
AIR POLLUTION CONTROL DISTRICT

3091 County Center Drive, Suite 240, Auburn, CA 95603 •
Phone (530) 745-2330 • Fax (530) 745-2373

2 0 ☐ ☐ – ☐ ☐ ☐
Year — Non-Compliance Event Number

NON-COMPLIANCE EVENT NOTIFICATION FORM – PART I

submit within 2 business hours after detection of the Non-Compliance Event

1. **Company Name** _____ **Address** _____
2. **Title V Source Status** **Major** Yes ☐ No ☐ **Synthetic Minor** Yes ☐ No ☐
3. **For Title V Sources, Event is the Result of an Emergency per District Rule 507 Section 402.2(l)** Yes ☐ No ☐
4. **Emission Exceedences** NOx ☐ SOx ☐ PM ☐ VOC ☐ CO ☐ Opacity ☐ None ☐ (check all that apply)
5. **CEMS / COMS / CMS Breakdown** Yes ☐ No ☐
6. **Detection of Non-Compliance Event Date** _____ **Time** _____ ☐ AM ☐ PM
7. **Start of Non-Compliance Event** **Date** _____ **Time** _____ ☐ AM ☐ PM ☐ Not known
8. **Violation** **Permit No.** _____ **Condition No.** _____ **Rule** _____ **Section** _____
9. **Unit / Equipment Involved** _____
10. **Description / Cause of Non-Compliance Event** _____

_____

_____ ☐ additional information attached

11. **Immediate Corrective Actions** _____

_____

_____ ☐ additional information attached

12. **Request Non-Compliance Event be Shielded from Enforcement Action as an Upset / Breakdown Under District Rule 404** Yes ☐ No ☐ Not Able to Determine at this Time ☐
    If "yes", recommend that the Upset / Breakdown Checklist Form be completed and submitted with the Part I.
13. **Submitted By** _____ **Telephone (_____)** _____

Signature _____ **Date** _____ **Time** _____ **AM / PM**

NON-COMPLIANCE EVENT NOTIFICATION FORM – PART II

submit within 7 calendar days after end of the Non-Compliance Event

14. **End of Non-Compliance Event** **Date** _____ **Time** _____ ☐ AM ☐ PM
15. **Duration of Non-Compliance Event** **Hours** _____ **Minutes** _____
16. **Excess Emissions Estimates** NOx _____ SOx _____ PM _____

    VOC _____ CO _____ Other _____ Opacity _____ % _____ min.
17. **Emergency Variance in Effect** Yes, ☐ Variance # _____ No ☐
18. **Corrective and Preventative Actions Taken** (a) minimize emissions _____

_____ (b) correct event _____

_____ (c) prevent future events _____

_____ ☐ additional information attached

19. **If Not Able to Determine in Item 12 or Part I, Request that Non-Compliance Event be Shielded from Enforcement Action as an Upset / Breakdown Under District Rule 404** Yes ☐ No ☐
    If "yes", complete and submit the Upset / Breakdown Checklist Form
20. **Submitted By** _____ **Telephone** (_____) _____

I certify under penalty of law that I am the responsible official for this facility, or his/her duly designated representative, and based on information and belief formed after reasonable inquiry, the above statements and information in this document are true, accurate, and complete.

Signature _____ **Date** _____ **Time** _____ **AM / PM**

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Year					Non-Compliance Event Number		

UPSET / BREAKDOWN AND EMERGENCY CHECKLIST

Company Name _____ Address _____

Detection of Non-Compliance Event Date _____ Time _____ ☐ AM ☐ PM

Complete the following questions associated with determining whether an event is an "Upset/Breakdown" event pursuant to Rule 404, and/or an "Emergency" event pursuant to Rule 507. To be considered as a legitimate Upset / Breakdown or Emergency event, all of the checklist questions must be answered with a "Yes" checkmark.

Yes	No	
☐	☐	1. Equipment associated with the breakdown event have been designed, maintained, and operated in a manner consistent with minimizing emissions.
☐	☐	2. The amount and duration of emissions as a result of the event have been minimized.
☐	☐	3. The event is not part of a recurring pattern of previous breakdowns of the same equipment for same/similar reasons that are indicative of inadequate equipment design, operation, or maintenance.
☐	☐	4. The event is not the result of operator error, negligence, carelessness, or willful misconduct (i.e., the facility is being properly operated).
☐	☐	5. The event is not the result of improper equipment design.
☐	☐	6. The event is not the result of improper preventative maintenance of equipment.
☐	☐	7. The event is the result of a sudden, unavoidable breakdown of equipment, beyond the control of the operator.
☐	☐	8. The event could not have been foreseen or avoided or planned for, and could not have been avoided or prevented by better operating and maintenance practices.
☐	☐	9. The event has not resulted in a nuisance.
☐	☐	10. The event is not the result of the disregard of air pollution rules or regulations.
☐	☐	11. This Upset / Breakdown form has been completed and submitted to the District in a timely manner -- within 7 calendar days from the end of the Non-Compliance Event.
☐	☐	12. Immediate corrective actions have been taken to minimize emissions, as described in Item 12 on the Part I Non-Compliance Event Notification Form.

I certify under penalty of law that I am the responsible official for this facility, or his/her duly designated representative, and based on information and belief formed after reasonable inquiry, the above statements in this document are true, accurate, and complete.

Signature _____

You are requesting that the District not take enforcement action because the Non-Compliance Event is the result of an "Upset Breakdown" Event under District Rule 404. You have the burden of providing sufficient information to demonstrate that the Upset / Breakdown was an unforeseeable equipment failure or malfunction which: (1) was not intentional; (2) was not the result of negligence or improper maintenance; (3) did not constitute a nuisance; or (4) is not a repetitive, recurrent breakdown of the same or similar type equipment. This checklist must be completed and returned to the District with the Part I Non-Compliance Event Notification form to attest to your having made this determination. Submission of a request for shielding from enforcement action does not by itself confer such a shield. If breakdown or emission exceeding operations are allowed to continue after the breakdown or emission exceedance is identified, the possibility exists that the District after consideration of the information provided, the timeliness and completeness of the submittals, and a comparison to other like breakdowns, may ultimately determine that the Non-Compliance Event was not the result of a legitimate Upset / Breakdown event and may elect to take enforcement action. Action to return to compliance should be accomplished as expeditiously as possible. Thus, you are advised to: (1) assure that the breakdown meets the criteria for an unforeseeable failure or malfunction; (2) minimize emissions resulting from the event to the maximum degree possible; and (3) assure that the required failure and malfunction information and information on the corrective actions taken is complete and timely.