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Year Non-Compliance  
Event Number

110 Maple Street, Auburn, CA 95603 • (530) 745-2330 • Fax (530) 745-2373 • [www.placer.ca.gov/apcd](http://www.placer.ca.gov/apcd)

Erik C. White, Air Pollution Control Officer

## 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 <input type="checkbox"/> No <input type="checkbox"/>		Synthetic Minor Yes <input type="checkbox"/> No <input type="checkbox"/>					
3. For Title V Sources, is the Non-Compliance Event the Result of an Emergency under District Rule 507, Section 402.2(l)							Yes <input type="checkbox"/> No <input type="checkbox"/>		
4. Emission Exceedances		NOx <input type="checkbox"/>	SOx <input type="checkbox"/>	PM <input type="checkbox"/>	VOC <input type="checkbox"/>	CO <input type="checkbox"/>	Opacity <input type="checkbox"/>	None <input type="checkbox"/>	check all that apply
5. CEMS / COMS / CMS Breakdown		Yes <input type="checkbox"/> No <input type="checkbox"/>							
6. Detection of Non-Compliance Event		Date		Time		<input type="checkbox"/> AM <input type="checkbox"/> PM			
7. Start of Non-Compliance Event		Date		Time		<input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Not known			
8. Violation	Permit No.	Condition No.	Rule	Section					
9. Unit / Equipment Involved									
10. Description / Cause of Non-Compliance Event							<input type="checkbox"/> additional information attached		
11. Immediate Corrective Actions							<input type="checkbox"/> additional information attached		
12. Was the Non-Compliance Event an Emission Violation or Monitoring Equipment Failure or Malfunction Yes <input type="checkbox"/> No <input type="checkbox"/>									
If yes, do you Request that the Violation, Failure or Malfunction be Shielded from Enforcement Action as an Upset / Breakdown Pursuant to District Rule 404									
Yes <input type="checkbox"/>		No <input type="checkbox"/>		Not Able to Determine at this Time <input type="checkbox"/>		If "Yes", complete and submit the Upset / Breakdown Checklist Form with Part I			
13. Submitted By				Telephone ( ) -					
Signature		Date		Time		<input type="checkbox"/> AM <input type="checkbox"/> 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		<input type="checkbox"/> AM <input type="checkbox"/> PM	
15. Duration of Non-Compliance Event		Hours		Minutes			
16. Excess Emissions Estimates		NOx		SOx		PM	
VOC		CO		Opacity		%, for minutes Other	
17. Variance in Effect		Yes <input type="checkbox"/> Variance #		No <input type="checkbox"/>			
18. Corrective and Preventative Actions Taken		(a) Minimize Emissions		(b) Correct Event		(c) Prevent Future Events	
<input type="checkbox"/> additional information attached							
19. If Not Able to Determine in Item 12 of Part I, Was the Non-Compliance Event an Emission Violation or Monitoring Equipment Failure or Malfunction							
If yes, do you Request that the Violation, Failure or Malfunction be Shielded from Enforcement Action as an Upset / Breakdown Under District Rule 404							
Yes <input type="checkbox"/>		No <input type="checkbox"/>		If "Yes", complete and submit the Upset / Breakdown Checklist Form if not previously submitted with Part I			
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 statements and information in this document are true, accurate, and complete.							
Signature		Date		Time		<input type="checkbox"/> AM <input type="checkbox"/> PM	

## UPSET / BREAKDOWN AND EMERGENCY CHECKLIST

<b>Company Name</b>	<b>Address</b>		
<b>Detection of Non-Compliance Event</b>	<b>Date</b>	<b>Time</b>	<input type="checkbox"/> AM <input type="checkbox"/> 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.

- | <u>Yes</u>               | <u>No</u>                |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Equipment associated with the breakdown event have been designed, maintained, and operated in a manner consistent with minimizing emissions.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The amount and duration of emissions as a result of the event have been minimized.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 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. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. The event is not the result of operator error, negligence, carelessness, or willful misconduct (i.e., the facility is being properly operated).   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. The event is not the result of improper equipment design.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. The event is not the result of improper preventative maintenance of equipment.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. The event is the result of a sudden, unavoidable breakdown of equipment, beyond the control of the operator.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 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.                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. The event has not resulted in a nuisance.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. The event is not the result of the disregard of air pollution rules or regulations.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 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.                              |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Immediate corrective actions have been taken to minimize emissions, as described in Item 11 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 statements and information 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. A breakdown condition means an unforeseeable failure or malfunction of 1) any air pollution control equipment or related operating equipment which causes a violation of any emission limitations or restriction prescribed by the District Rules and Regulations, or by State law, or 2) any in-stack continuous monitoring equipment, where such failure or malfunction: (1) is not the result of neglect or disregard of any air pollution control law or rule or regulation; (2) is not intentional or the result of negligence; (3) is not the result of improper maintenance; (4) does not constitute a nuisance; (5) is not a recurrent breakdown of the same equipment. You have the burden of providing sufficient information to demonstrate that the Upset / Breakdown was an unforeseeable equipment failure or malfunction that meets the above listed criteria. This checklist must be completed and returned to the District with either the Part 1 or Part II 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 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 provided to the District in a complete and timely manner.