



THE AIR FACILITY SYSTEM (AFS) BUSINESS RULES COMPENDIUM



This compendium was compiled in 2003 via the collaborative efforts of the EPA Regions and Users of AFS. It is intended to be a living document, to change when the air compliance/enforcement program changes, and when the AFS changes.

MAY 2004





Office of Enforcement and Compliance Assurance
Office of Compliance
Enforcement Targeting Data Division
Data Information System Management Branch

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INTRODUCTION

In July of 2003 at the National AFS Workshop in Chicago, IL, draft AFS Business Rules were introduced to all participants. These draft Business Rules are to become the documentation for how data is reported and used in AFS.

During the summer and into the fall of 2003, teleconferences with all ten EPA Regions and interested state and local participants were held to review each page and each record of the documents. Definitions were fleshed out and descriptions added resulting from the conversations held. An average of four one-hour conference calls were held with each Region. The resulting document was provided to the Air Branch Chiefs for comment, review and approval.

The information documented in the Business Rules will be used for two important purposes: to complete a Closeness of Fit Analysis (COFA) with the Integrated Compliance Information System (ICIS) in a modernization effort; and for further integration with the Agency's multi-media information in systems like the Online Targeting and Information System (OTIS) and the Enforcement Compliance History Online (ECHO) system.

The document will be maintained and updated to include future enhancements. It will also be used as a teaching tool for new users and to document data quality of fields and clarify interpretations of data.

Changes/suggestions to this draft document should be forwarded to Betsy Metcalf at metcalf.betsy@epa.gov before May 31, 2004.



SECTION 1 CURRENT MINIMUM DATA REQUIREMENTS (MDRs)

The Clean Air Act (CAA) describes in detail the reporting requirements for agencies authorized with delegation. EPA maintains several databases that track Air Compliance and Enforcement activity. AFS is the national repository for air stationary source surveillance and state enforcement activity. It maintains a universe of sources considered “Federally Reportable”. Federally Reportable sources are those which exceed (Major Sources) or have the potential to exceed (Synthetic Minor Sources) a pollutant’s major emission threshold; operating Part 61 National Emission Standard for Hazardous Air Pollutant (NESHAP) sources regardless of emission level, sources subject to New Source Performance Standards, and any source receiving an administrative order or civil referral. See also Appendix 4, Glossary of Terms, for the definition of air program acronyms.

Every three years, an effort to document reporting requirements and measure the cost of data maintenance is completed. The “Information Collection Request (ICR)” is an identification of information collected by the Air Compliance and Enforcement community for support of the program. The most recent ICR can be found at:

<http://www.epa.gov/icr/icrs/icrpages/0107ss07.PDF>

The ICR provides a table of Minimum Data Requirements (MDRs). The following information provides a version of that document:



OMB approved, March 2002

**SUMMARY OF NATIONAL MINIMUM DATA REQUIREMENTS (MDRs)
FOR CLEAN AIR ACT STATIONARY SOURCE COMPLIANCE**

Unless otherwise noted, both Regions and States/Locals report their data

<u>Date Element</u>	<u>Covered by 1998 ICR</u>	<u>Note #</u>
<u>Identification</u>		
1. Facility Name	Yes	
2. State	Yes	
3. County	Yes	
4. Facility Number	Yes	
5. Street	Yes	
6. City	Yes	
7. Zip Code	Yes	
8. SIC Code	Yes	
9. Government Ownership	Yes	
10. HPV Status (replaces SV status)	Yes	#1
<u>Compliance Monitoring Strategy</u>		
11. CMS Source Category	No	#2
12. CMS Minimum Frequency Indicator	No	
<u>Regulated Air Program(s)</u>		
13. Air Program	Yes	
14. Operating Status	Yes	
<u>Regulated Pollutant(s) within Air Program(s)</u>		
15. Pollutant(s)	Yes	
16. Classification(s)	Yes	
17. Attainment Status	Yes	
18. Compliance Status	Yes	
<u>Actions Within Air Programs</u>		
19. Minimum Reportable Actions are:		
Notice of Violation(s)	Yes	
Administrative Order(s) and penalty amounts	Yes	
(Includes Enforcement Orders, Consent Decrees and Consent Agreements)		
Civil Referrals and penalties	Yes	
Day Zero	Yes	
Addressing actions	Yes	#4
Resolving actions	Yes	#5
Full Compliance Evaluations	Yes	#6
(replaces Inspection actions)		
Stack Tests	Yes	#7



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Title V Annual Compliance Cert Received	No	#8, #13
Title V Annual Compliance Cert Reviewed	No	#9, #10
Investigations	No	#11

Additional action information

20. Key Action	No	#12
21. Results Code	No	#7, #10
22. RD08 (Certification Deviations)	No	#8, #9
23. Date Scheduled	No	#13

Notes:

1. Significant violator status (SV) is an obsolete field. It was replaced by the High Priority Violation (HPV) status in June 2000 with the implementation of the HPV tracking program. Modifications to AFS to support this program were put into production during January 2001. HPV status is system generated.
 2. EPA entry into AFS; States/Locals provide information (or negotiate with EPA region for data entry rights).
 3. Includes action number, action type, and date achieved. Penalty amount is also included where appropriate.
 4. Examples of addressing actions include, but are not limited to: State/EPA Civil Action; Source returned to compliance by State/EPA with no further action required; State/EPA Administrative Order; State/EPA Consent Decree .
 5. Examples of resolving actions include Violation Resolved by State/EPA; State/EPA Closeout Memo Issued; Section 113(d) Penalty Collected; Section 113(d) Complaint Withdrawn. HPV lead agency responsible for data entry of actions into AFS.
 6. Inspection reporting for Level 2 Inspections is now replaced by Full Compliance Evaluations per the revised CMS policy.
 7. Data fields reported for stack tests will now include Results code (pass/fail). Please note that an optional action pollutant field is available to report stack tests by pollutant.
 8. EPA reports and enters into AFS unless otherwise negotiated.
 9. Annual Compliance Certification deviation(s) will be indicated in RD08 for EPA reviews.
 10. Result codes for Annual Compliance Certification reviews are: in compliance, in violation and unknown.
 11. State/EPA Investigation Initiated and State/EPA Investigation Conducted. State/EPA Investigation Initiated is added for optional use and is enforcement sensitive.
 12. The key action field (a Y/N field) used on a Day Zero action type will initiate a violation pathway. Violation pathways are one form of action linking and are required for the HPV tracking program. Data entry can be negotiated with State/Local agencies as they report their HPV information.
 13. The due date of a Title V Annual Compliance Certification will be reported as a date scheduled on the "Title V Annual Compliance Certification Due/Received by EPA" action.
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Note: The timeliness standard of reporting to AFS by a state or local agency is once per quarter with data to be reported within 90 days of the date of activity.

The timeliness standard of reporting to AFS by EPA HQ or Regions is on a monthly basis with data to be reported within 30 days of the date of activity.



SECTION 2: COMPLIANCE MONITORING STRATEGY (CMS) POLICY AS IMPLEMENTED IN AFS

In April 2001, the Compliance Monitoring Strategy (CMS) was developed to provide national consistency in developing stationary source air compliance monitoring programs. The CMS is built around a plan developed by delegated agencies to monitor the sources within their jurisdiction. The biennial plan is negotiated and discussed with the Region. Regions approve the plans. State, Locals, and Regions record their compliance monitoring activities at sources within the plan in AFS.

The CMS introduces new compliance monitoring tools: Full Compliance Evaluations, Partial Compliance Evaluations, and Investigations. A Full Compliance Evaluation is a comprehensive evaluation of the compliance status of a facility. It addresses all regulated pollutants at all regulated emission units. Furthermore, it addresses the current compliance status of each emission unit, as well as the facility's continuing ability to maintain compliance at each emission unit. A Partial Compliance Evaluation is a documented compliance assessment focusing on a subset of regulated pollutants, regulatory requirements, or emission units at a given facility. A PCE should be more comprehensive than a cursory review of individual reports. It may be conducted solely for the purpose of evaluating a specific aspect of a facility, or combined over the course of a year to satisfy the requirements of a Full Compliance Evaluation. PCEs may include: Site Visits, Conferences, Review of Required Reports, Compliance Reviews of individual Air Programs, Emission Inventory reviews, or other activities. **It is recommended that Regional values of PCEs describe the evaluating action taking place, such as "Conference on Site" or "RATA Review"**. An Investigation is limited to a portion of a facility, is more resource intensive, and involves a more in-depth assessment of a particular issue. It usually is based on information discovered during a Full Compliance Evaluation, or as the result of a targeted industry, regulatory, or statutory initiative. Also, an Investigation often requires the use and analysis of information not available in EPA data systems. It is best used when addressing issues that are difficult to evaluate during a routine FCE because of time constraints, the type of preliminary field work required, and/or the level of analytical expertise needed to determine compliance.

Additionally, the CMS establishes stack or performance tests as a new tool for compliance monitoring and redefines it from inclusion as an inspection. New data requirements report the results of a stack test and provide more information for meaningful compliance determinations.

The policy focuses on major and larger synthetic minor sources. These sources are marked in AFS with a CMS Category of A=Major Title V Source, M=Mega source, requiring more resources for oversight and evaluation, and S=80% Synthetic Minor sources. Since the inception of the policy an additional category has been introduced: O=Other. This category



allows States and Regions the ability to include minor or other than 80% Synthetic Minor sources into the plan, as alternatives for sources that cannot be evaluated within the negotiated time frame. Along with a CMS category, each source in the plan has a recommended evaluation frequency. The default values for each category are:

- A Evaluation every 2 Years
- M Evaluation every 3 Years
- S Evaluation every 5 Years
- O No default value

The CMS policy was placed into effect during FY2001. The first two years of the policy are FY2001 - FY2003. Major sources identified in the plan should have received a Full Compliance Evaluation during this period.

CMS plans are renewed every two years, with updating allowed on an annual basis. Another feature of the plan is the ability to use AFS to generate an unknown compliance status for any CMS plant that has not receive a Full Compliance Evaluation within the negotiated frequency. AFS will use the date of last inspection or evaluation, compare it to the current date and then if no evaluation has been completed during the frequency period, automatically generate an unknown compliance status value of "U". AFS will maintain the generated status on the SIP or FESOP air program code, using the pollutant "FACIL". Appendix 1 contains charts that show the process of the utility to generate the unknown compliance status.

The CMS policy also includes tracking stack test observations, but also reviews completed by Regional and State staff. Previous monitoring policies did not credit in-house reviews of stack tests. Also included are the reviews of Annual Compliance Certifications from Title V sources. These new reviews are also reported to AFS and include deviations reported and reported compliance.

AFS can provide detailed listings of sources that have been identified as belonging to the CMS universe, along with dates of last evaluation. The automatic unknown compliance status generation utility will generate a "U" value to the EPA Compliance Status fields. Regional AFS Compliance Managers are encouraged to assist Regional negotiations with states by providing CMS Universe lists and identifying sources with an unknown compliance status.

See Section 3C-Action Records for specific requirements for each CMS policy data element. For further information on the CMS policy and implementation in AFS, refer to:

<http://www.epa.gov/Compliance/planning/data/air/cmstechman.pdf>



SECTION 3: USING AFS FOR COMPLIANCE/ENFORCEMENT TRACKING

A. PLANT LEVEL RECORDS

AFS maintains a Plant General record which includes all source geographical information such as Plant Name, Street Address, City, County Name, State, Government Facility Code and Zip Code. Along with this information are optional data reporting features for mailing address, staff assigned to track the source, contact names and telephone numbers, and other miscellaneous information. This section of the compendium will document information about data on the Plant General Records. See Appendix 2 for a list and description of the fields in the AFS structure.

Entering a New Plant and Identification Numbers: The FIP State and County code plus a five-digit PCDS number are required to enter a new plant in AFS. Numbering conventions for the PCDS number are at the discretion of the delegated agency. There should be only one plant ID for each source. A plant is defined as an entity operating at a physical location contained within a fence line. Change of ownership does not affect a source number, history of the source goes to the new owner. A plant identification number should change if the facility changes physical location. A change in location not only requires a new identification number, but requires all historic information to be reestablished under the new number. It is recommended that when a new major source is established in AFS, the AFS Plant ID number (for Title V Operating Permit Data) also be established.

Plant Name: AFS has a 40-character field for Plant Name. The current plant name is to be recorded in this field, taken from a plant permit or other documents commonly used such as invoices, signs, telephone listings or other business documents. Many agencies use the name cited on the Title V permit for the Plant Name. The name should identify the owning corporation and site name, if applicable. Name changes should be entered as soon as they are identified to the delegated agency. Many agencies document a name change in the plant comments and/or Regional actions.

Latitude/Longitude: Data in latitude/longitude fields in AFS is considered obsolete. It was owned and maintained by the Air Emission Inventory community which no longer uses AFS as its repository of data.

SIC/NAIC Codes: AFS will accept either SIC or NAIC codes. The primary SIC/NAICS code should reflect the major activity at the plant.

State Registration Number: Although this is an optional reporting field, it is encouraged that agencies populate their own system number in AFS for reference. This field can be used to facilitate reconciliation of state systems to AFS.



Portable Sources: The County Code of "777" is to be used for reporting portable sources to AFS. A portable source is defined as a process that may or may not be permitted but can be moved from place to place, for example, an Asphalt Processing Plant is movable from site to site and can emit pollutants above the major threshold level. The Facility Registry System (FRS) and ENVIROFACTS web site will map and present sources with a "777" county number as located at the center of the county identified by the Plant City Name.

Archiving Closed Sources: Sources should be archived from the production mode of AFS after five years of no activity. It is recommended that state and local users of AFS contact their Regional AFS Compliance Manager before archiving sources, as some regions have instituted procedures for class change, deletion of plants, and archiving.

B. AIR PROGRAM AND AIR PROGRAM POLLUTANT RECORDS

1. Air Programs: An Air Program code in AFS defines a regulatory program of the Clean Air Act applicable to a facility. A plant must have at least one applicable air program with one air program pollutant in order to be established in AFS. Air program codes are also necessary for reporting actions in AFS, and must be established on Screens 302/303 (Air Program Update and Air Program Pollutant Update) before use in an action record. Permits issued to a source will document the applicable air programs and can be used as a source of data for this field.

a. Air Program Operating Status: An operating status must be reported for each air program. The Operating Status represents the operational condition of a plant associated with a given air program. The most significant value will bubble up to the Plant General Record. The value of most significant operative value to least is: O=Operating, L=Landfill, R=NESHAP Renovation, D=NESHAP Demolition, S=NESHAP Spraying, I=Seasonal, T=Temporarily Closed, C=Under Construction, P=Planned Facility, X=Permanently Closed. Statuses O, T, and I are used in the National RECAP reporting measures. Values L=Landfill, R=NESHAP Renovation, and D=NESHAP Demolition and S=NESHAP Spraying are considered obsolete.

b. Applicable Air Program Codes:

- 0 State Implementation Plan (SIP)
- 1 SIP Source Under Federal Jurisdiction
- 3 Non-Federally Reportable Source
- 4 Chlorofluorocarbons (CFC) Tracking
- 6 Prevention of Significant Deterioration (PSD)
- 7 New Source Review (NSR)
- 8 National Emission Standards for Hazardous Air Pollutants (NESHAP)
- 9 New Source Performance Standards (NSPS)



- A Acid Precipitation
- I Native American
- M Maximum Achievable Control Technology (MACT) Section 63 NESHAP
- V Title V Permits

Air program code definitions continue:

<u>Code</u>	<u>Description</u>
0	<p><u>STATE IMPLEMENTATION PLAN (SIP)</u></p> <p>Section 110 of the Clean Air Act requires each state to adopt and submit to EPA for approval a SIP that provides for the maintenance, implementation and enforcement of the National Ambient Air Quality Standards (NAAQS). Each SIP must include a permit program to regulate the modification and construction of any stationary source of air pollution, including stationary sources in attainment and nonattainment areas of the state, as necessary to assure that NAAQS are achieved. SIP requirements are federally enforceable under Section 113 of the Act. Reference 40 CFR Part 52. The SIP air program is considered applicable to each Federally Reportable stationary source in AFS. Additional reporting requirements for SIP are promulgated as standards for various industrial categories. These standards are reported as subparts to the SIP, and are identified using the same subpart identification as the New Source Performance Standards (NSPS). Reporting of SIP subparts are optional, see Air Program Code 9, New Source Performance Standards (NSPS) for a list of applicable subparts.</p>
1	<p><u>SIP SOURCE UNDER FEDERAL JURISDICTION (FIP)</u></p> <p>Under current law, a federally implemented plan to achieve attainment of air quality standards is used when a state is unable to develop an adequate plan, or if jurisdiction does not exist. Sources located on Indian Land should reflect the Native American air program code.</p>
3	<p><u>NON-FEDERALLY REPORTABLE</u></p> <p>Used to report State/Local/Tribal requirements not defined as federally reportable [reference Section 1, Minimum Data Requirements (MDRs)].</p>
4	<p><u>CHLOROFLUOROCARBONS (CFC) TRACKING</u></p> <p>Under Title VI of the Clean Air Act, EPA is responsible for several programs that protect the stratospheric ozone layer. These programs include: Motor Vehicle Air Conditioning; Stationary Refrigeration and Air Conditioning, Halon Blends and Handling; Phase-out of Ozone Depleting Substances; Methyl Bromide; Nonessential Products Ban; Product Labeling, and Federal Procurement. Reference 40 CFR Part 82. This program is not delegated to State, Local, or Tribal agencies.</p>



6 PREVENTION OF SIGNIFICANT DETERIORATION (PSD)

Part C of the Clean Air Act sets requirements for the prevention of significant deterioration (PSD) of air quality in those areas designated as either attainment or unclassifiable for purpose of meeting the National Ambient Air Quality (NAAQS) standards. These requirements are designed to protect public health and welfare, to assure that economic growth will occur in a manner consistent with the preservation of existing clean air resources and to assure that any decision to permit increased air pollution is made only after careful evaluation of all the consequences of such a decision and after public participation in the decision making process. PSD prohibits the construction and operation of a major emitting facility in an area designed as attainment or unclassifiable unless a permit has been issued that complies with Section 165 of the Act, including the requirement that the facility install the best available control technology for each pollutant subject to regulation.

7 NEW SOURCE REVIEW (NSR)

New Source Review is a preconstruction permitting program that serves two important purposes:

a. It ensures the maintenance of air quality standards when factories, industrial boilers and power plants are modified or added. In areas with unhealthy air, NSR assures that new emissions do not slow progress toward cleaner air. In areas with clean air, especially pristine areas like national parks, NSR assures that new emissions fall within air quality standards. Emission calculations are completed using potential emissions.

b. The NSR program assures that state of the art control technology is installed at new plants or at existing plants that are undergoing a major modification.

In August 2003, EPA issued a final rule that creates a category of activities that automatically will be considered routine maintenance, repair and replacement (RMRR) under the NSR permitting program. The rule defines a process unit, delineates the boundary of a process unit, defines a “functionally equivalent” component, and defines basic design parameters for electric utility steam generating units and other types of process units. See <http://www.epa.gov/nsr/03-26320.pdf> for a copy of this rule.

8 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP PART 61)

Section 112 of the Clean Air Act identifies substances that have been designated as hazardous air pollutants (HAPs), known for serious health effects, including cancer, from ambient air exposure. HAPs include: Asbestos, benzene, beryllium, coke oven emissions, inorganic arsenic, mercury, radio nuclides and vinyl chloride. Reference 40 CFR Part 61. Additional reporting requirements for NESHAP are promulgated as



standards for various industrial categories. These standards are identified as subparts to the NESHAP, and can be reported to AFS in the 302/502 (Air Program) screen. Subpart reporting is not mandatory. The subparts listed below were extracted from AFS on April 26, 2004:

40 CFR P 61(NONMACT NESHAP) SUBPART

- B RADON FROM UNDERGROUND URANIUM MINES
- BB BENZENE EMISS FROM BENZENE TRANSFR OPER
- C BERYLLIUM
- D BERYLLIUM ROCKET MOTOR FIRING
- E MERCURY
- F VINYL CHLORIDE
- FF BENZENE WASTE OPERATIONS
- H RADIONUCS OTR THN RADON FROM DPT OF ENGY
- I RADIONUCS NRC LICNSD OR FEDRL, NOT SUB-H
- J EQUIP LEAK (FUGITIVE EMISS SRC) BENZENE
- K RADIONUCS FROM ELEMENTAL PHOSPHORUS PLNT
- L BENZENE FROM COKE BY-PRODUCT RECOVERY
- M ASBESTOS
- N INORGANIC ARSENIC, FROM GLASS MANUFACT
- O INORG ARSENIC FROM PRIMARY COPPER SMLTR
- P INORG ARSENIC, ARS TRIOXIDE, METAL ARS
- Q RADON FROM DOE FACILITIES
- R RADON FROM PHOSPHOGENYMSUM STACKS
- T RADON, DISPOSAL OF URANIUM MILL TAILINGS
- V EQUIPMENT LEAKS (FUGITIVE EMISSIONS SRC)
- W RADON FROM OPERATING MILL TAILINGS
- Y BENZENE EMISS FROM BNZN STORAGE VESSELS

9 NEW SOURCE PERFORMANCE STANDARDS (NSPS PART 60)

Section 111 of the Clean Air Act requires EPA to publish a list of categories of stationary sources that emit or may emit any air pollutant, and to establish federal standards of performance for new sources of air pollutants. The list must include categories of sources which are determined to cause or significantly contribute to air pollution which may endanger public health or welfare. "New sources" are defined as stationary sources, the construction or modification of which is commenced after the publication of the regulations or proposed regulations prescribing a standard of performance applicable to such source. Reference 40 CFR Part 60. Additional reporting requirements for NSPS are promulgated as standards for various industrial categories. These standards are reported as subparts to the NSPS and also to the SIP. Reporting of NSPS or SIP subparts is optional. The subparts listed below were extracted from AFS on April 26, 2004:



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40 CFR P 60 NSPS/SIP SUBPARTS

- AA ELEC-ARC STEEL FURNACE 10/21/74-8/17/83
- AAA EL-ARC FRN, ARGON-02 DECARB VESSL 8/7/83
- BB KRAFT PULP MILLS
- BBB RUBBER TIRE MANUFACTURE
- CC GLASS MANUFACTURING PLANT
- CCCC COMMERCIAL & INDUSTRIAL SOLID WASTE
INCINERATORS/CONSTRUCTED
- CE EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE
INCINERATORS
- D FOSSIL FUEL GENER BUILT AFTER 8/17/71
- DA ELEC UTIL STEAM GENER AFTER 9/18/78
- DB INDUS-COMMERC-INSTITUTL STEAM GENERATOR
- DC SMALL INDUS-COMMER-INSTITUTL STEAM GENER
- DD GRAIN ELEVATORS
- DDD VOC EMISS FROM POLYMER MANUFACTURING
E INCINERATORS
- EA MUNICIPAL WASTE COMBUSTORS
- EC NEW HOSPITAL/MEDICAL/INFECTIOUS WASTE
INCINERATORS
- EE SURFAC COATING OF METAL FURNITURE
- F PORTLAND CEMENT PLANTS
- FFF FLEXIBLE VINYL/URETHANE COATING/PRINTING
- G NITRIC ACID PLANTS
- GG STATIONARY GAS TURBINES
- GGG EQUIP VOC LEAKS PETROLEUM REFINERIES
- H SULFURIC ACID PLANTS
- HH LIME MANUFACTURING PLANTS
- HHH SYNTHETIC FIBER PRODUCTION FACILITIES
- I ASPHALT CONCRETE PLANTS
- III VOC EMISS OF SOCOMI AIR-O2 UNIT PROCESS
- J PETROLEUM REFINERIES
- JJJ PETROLEUM DRY CLEANERS
- K PETROLEUM STORAGE VESSEL 6/11/73 5/19/78
- KA PETROLEUM STORAGE VESSEL 5/19/73 7/23/84
- KB VOLATILE LIQ/PETRO STORAGE VESSEL 7/23/84
- KK LEAD-ACID BATTERY MANUFACTURING PLANTS
- KKK VOC EMISS, ONSHORE NATURAL GAS PROC PLNT
- L SECONDARY LEAD SMELTERS
- LL METALLIC MINERAL PROCESSING PLANTS
- LLL SO2 EMISS, ONSHORE NATURAL GAS PROC PLNT



M SECONDARY BRASS & BRONZE PRODUCTN PLANTS
MM AUTO/LT-DUTY TRK SURFACE COATING OPERATN
N PRIMARY EMISS BASIC O2 PROCESS FURNACES
NA SECNDRY EMISS BASIC O2-PROC STEEL FACIL
NN PHOSPHATE ROCK PLANTS
NNN VOC EMISS OF SOCFI DISTILLATION OPERATN
O SEWAGE TREATMENT PLANTS
OOO NONMETALLIC MINERAL PROCESSING PLANTS
P PRIMARY COPPER SMELTERS
PP AMMONIUM SULFATE MANUFAC
PPP WOOL FIBERGLASS INSULATION PRODUCTION - NSPS
Q PRIMARY ZINC SMELTERS
QQ GRAPH ART: PUBLICATION ROTOGRAVURE PRINT
QQQ VOC EMISS PETRO REFINERY WATERWASTE SYS
R PRIMARY LEAD SMELTERS
RR PRESSR-SENSIT TAPE, LABEL SURFACE COATING
RRR SOCFI REACTOR
S PRIMARY ALUMINUM REDUCTION PLANTS
SS LARGE APPLIANCES
SSS MAGNETIC TAPE COATING
T PHOSPHATE FRTLZR: WET-PROC PHOSPH ACID
TT METAL COIL SURFACE COATING
TTT IND-SURF-COAT: PLASTICS, BUSINESS MACHNS
U PHOSPHATE FRTLZR: SUPERPHOSPHORIC ACID
UU ASPHALT PROCESSING & ROOFING MANUFACTURE
UUU CALCINERS/DRYERS IN MINERAL INDUSTRIES
V PHOSPHATE FRTLZR: DIAMMONIUM PHOS PLANT
VV EQUIPT VOC LEAKS IN SYNTH-ORGAN-CHEM MFG
VVV POLYMERIC COATING OF SUPPORTING SUBSTRATS
FACILITIES - NSPS
W PHOSPHATE FRTLZR: TRIPLE SUPERPHOS PLNT
WW BEVERAGE CAN SURFACE COATING
WWW MUNICIPAL SOLID WASTE LANDFILLS
X PHOSPHATE FRTLZR: GRANULAR 3-SUPER STOR
XX BULK GASOLINE TERMINALS
Y COAL PREPARATION PLANTS
Z FERROALLOY PRODUCTION FACILITIES

A ACID PRECIPITATION

The Acid Rain Program requires major reductions of sulfur dioxide and nitrogen oxide emissions (key components of acid rain) from electric utilities, while establishing a new



approach to environmental protection through the use of market incentives, a “cap and trade” process. Affected sources are required to install systems that continuously monitor emissions in order to track progress, ensure compliance, and provide credibility to the trading component of the program. Regulated sources must report all emissions as measured by continuous emissions monitors. EPA has established standard reporting procedures and has issued standard software for such reporting. Emissions are submitted to the Emissions Tracking System (ETS) using ETS-FTP software. Although AFS users are encouraged to identify and track CFC tracking sources, the tracking of this program is done in the ETS-FTP software. See <http://www.epa.gov/airmarkt/reporting/edr21/index.html> for more information on reporting Acid Rain emissions.

F FEDERALLY ENFORCEABLE STATE OPERATING PERMIT PROGRAM (FESOP)

This program (usually through SIP revision) provides a mechanism for states to establish federally enforceable State operating permits limiting the potential to emit for sources to remain below the applicability threshold for the operating permits program of Title V of the Clean Air Act (CAA). This program is available to allow States to issue FESOPs to small sources and exempt them from the Title V review, as the large number of small sources could be a resource burden on both the agency and the small sources. FESOP provides the mechanism to establish federally enforceable limits on sources’ potential to emit below the Title V threshold. This air program is used for reporting sources classified as Synthetic Minor (SM).

I NATIVE AMERICAN

This program is used to identify sources located on Indian Lands. Sources do not have to be operated by tribal entities, but are subject to Tribal authority. In the absence of a Tribal Authorization Rule (TAR) or Implementation Plan (TIP), this air program will be used to identify any source subject to Tribal rule. All other applicable air programs need to be identified.

M MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) PART 63

The EPA is directed to use technology-based and performance-based standards to significantly reduce routine emissions of hazardous air pollutants of facilities within an industry group or source category. The NESHAP standards implemented in 1990 regulate specific categories of stationary sources. The standards of this part are independent of NESHAP. A MACT standard is based on emission levels that are already being achieved by the lower-emitting sources of an industrial sector. Eight years after a MACT standard is issued, EPA must assess the remaining health risks in the categories and may implement additional standards to care for any remaining risk. Reference 40 CFR Part 63. See <http://www.epa.gov/ttn/atw/socatlst/socatpg.html> for a listing of all



source categories and promulgation schedules. The subparts listed below were extracted from AFS on April 26, 2004:

40 CFR P 63 (MACT NESHAP) SUBPARTS

- A GENERAL PROVISIONS
- AA TSDF & DISPOSAL FACILITIES & HAZ. WASTE GENERATORS
- AAAA MUNICIPAL SOLID WASTE LANDFILLS
- AAAAA LIME MANUFACTURING
- B REQ FOR CONTROL TECHNOLOGY DETERMINATIONS FOR MAJOR SOURCES
- BB PHOSPHATE FERTILIZERS
- BBBBB SEMICONDUCTOR MANUFACTURING
- C DE-LISTINGS
- CC PETROLEUM REFINERIES
- CCC WASTEWATER STEEL PICKLING
- CCCC MANUFACTURING OF NUTRITIONAL YEAST
- CCCCC COKE OVENS: PUSHING, QUENCHING AND BATTERY STACKS
- D COMPLIANCE EXTENSION, EARLY HAP REDUCTN
- DD OFF-SITE WASTE AND RECOVERY OPERATIONS
- DDD MINERAL WOOL PRODUCTION
- DDDD PLYWOOD AND COMPOSITE WOOD PRODUCTS
- DDDDD INDUSTRIAL/COMMERCIAL/INSTITUTIONAL BOILERS & PROCESS HEATER
- E APPROVAL OF STATE PROGRAMS & DELEGATION OF AUTHORITY
- EE MAGNETIC TAPE MFG. OPERATIONS
- EEE ALL HAZARDOUS WASTE INCINERATORS
- EEEE ORGANIC LIQUIDS DISTRIBUTION (NON-GASOLINE)
- EEEEE IRON AND STEEL FOUNDRIES
- F SYNTHETIC HAZARDOUS ORGANICS
- FFFF MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING (MON)
- FFFFF INTEGRATED IRON AND STEEL MANUFACTURING
- G STORAGE OF HAZARDOUS ORGANICS
- GG AEROSPACE MFG. & REWORK
- GGG PHARMACEUTICAL MANUFACTURING
- GGGG SOLVENT VEGETABLE OIL EXTRACTION
- GGGGG SITE REMEDIATION
- H EQUIPMENT LEAKS OF HAZARDOUS ORGANICS



HH OIL AND NATURAL GAS PRODUCTION FACILITIES
HHH NATURAL GAS TRANSMISSION & STORAGE FACILITIES
HHHH WET FORMED FIBERGLASS MAT PRODUCTION
HHHHH MISCELLANEOUS COATING MANUFACTURING
FACILITIES
I NEGOTIATED REGS: EQUIP LEAKS, HAZ-ORGNCS
II SHIPBUILDING & SHIP REPAIR
III FLEXIBLE POLYURETHANE FOAM PRODUCTION
IIII SURFACE COATING OF AUTO AND LIGHT DUTY TRUCKS
IIIII MERCURY CELL CHLOR-ALKALI PLANTS
J POLYVINYL CHLORIDE AND COPOLYMERS PRODUCTION
JJ WOOD FURNITURE
JJJ GROUP IV POLYMERS AND RESINS
JJJJ NESHAP FOR PAPER & OTHER WEB SURFACE COATINGS
JJJJJ BRICK & STRUCTURAL CLAY PRODUCTS
KK PRINTING & PUBLISHING
KKKK METAL CAN
KKKKK CLAY CERAMICS MANUFACTURING
L COKE OVEN BATTERIES
LL PRIMARY ALUMINUM REDUCTION PLANTS
LLL PORTLAND CEMENT PLANTS
LLLL ASPHALT PROCESSING AND ASPHALT ROOFING
MANUFACTURING
M DRY CLEANERS
MM PULP MILL CHEMICAL RECOVERY BOILER
MMM PESTICIDE ACTIVE INGREDIENT PRODUCTION
MMMM MISC. METAL PARTS AND PRODUCTS SURFACE
COATING OPERATIONS
MMMMM FLEXIBLE POLYURETHANE FOAM FABRICATION
OPERATIONS
N CHROMIUM ELECTROPLATING
NNN WOOL FIBERGLASS MANUFACTURING
NNNN SURFACE COATING OF LARGE APPLIANCES
NNNNN HYDROCHLORIC ACID PRODUCTION
O ETHYLENE OXIDE STERILIZERS
OO OFF-SITE WASTE AND RECOVERY OPERATIONS - TANK
STANDARDS
OOO MANUFACTURE OF AMINO/PHENOLIC RESINS 40 CFR
63.1419
OOOO PRINTING, COATING AND DYEING OF FABRICS AND
OTHER TEXTILES



-
- PP OFF-SITE WASTE AND RECOVERY OPERATIONS - CONTAINER STANDARDS
 - PPP POLYETHER POLYOLS PRODUCTION - MACT NESHAP
 - PPPP ENGINE TEST CELLS/STANDS
 - Q INDUSTRIAL PROCESS COOLING TOWERS
 - QQ OFF-SITE WASTE AND RECOVERY OPERATIONS - SURFACE IMPOUNDMENT
 - QQQQ SURFACE COATING OF WOOD BUILDING PRODUCTS
 - QQQQQ FRICTION MATERIALS MANUFACTURING FACILITIES
 - R GASOLINE DISTRIBUTION
 - RR OFF-SITE WASTE AND RECOVERY OPERATIONS - INDIVIDUAL DRAIN SY
 - RRR SECONDARY ALUMINUM PRODUCTION
 - RRRR SURFACE COATING OF METAL FURNITURE
 - RRRRR TACONITE IRON ORE PRODUCTION
 - S PULP AND PAPER
 - SS NATL EMISS STD- CLOSED VENT SYS/CTRL DEVICES, 40 CFR 63.980
 - SSSS METAL COIL
 - SSSSS REFRACTORY PRODUCTS MANUFACTURING
 - T HALOGENATED SOLVENT CLEANING
 - TT EQUIPMENT LEAKS - CONTROL LEVEL 1
 - TTT PRIMARY LEAD SMELTERS
 - TTTT LEATHER FINISHING OPERATIONS
 - U ELASTOMERS & SYNTHETIC RUBBER PRODUCTION (POLYMERS/RESINS G1
 - UU NTL EMISS. STD FOR EQUIP LEAKS-CONTROL 2 STD, 40 CFR 63.1019
 - UUU NESHAP FOR PETROLEUM REFINERIES: CCU'S, CRU'S & SRU'S
 - UUUU CELLULOSE PRODUCT MANUFACTURING
 - UUUUU ELECTRIC UTILITY STEAM GENERATING UNITS
 - VV OFF-SITE WASTE & RECOVERY - OIL-WATER & ORGANIC-WATER SEPARA
 - VVV PUBLICLY OWNED TREATMENT WORKS - MACT NESHAP
 - VVVV NEW AND EXISTING BOAT MANUFACTURING FACILITIES
 - W EPOXY RESINS & NON-NYLON POLYAMIDES PRODUCTION
 - WW NATL EMIS STD - STORAGE VESSELS (TANKS), 40 CFR 63.1060
 - WWWW REINFORCED PLASTIC COMPOSITES PRODUCTION
 - X SECONDARY LEAD SMELTERS



XXX FERROALLOY PRODUCTION
XXXX RUBBER TIRE MANUFACTURING
Y MARINE TANK VESSEL LOADING & UNLOADING
OPERATIONS
YY GENERIC MACT STANDARDS
YYYY COMBUSTION TURBINES
ZZZZ RECIPROCATING INTERNAL COMBUSTION ENGINES
(RICE)

V TITLE V OPERATING PERMITS

Reference 40 CFR Part 70. The Final Rule (July 31, 1992) established an operating permit program for States to develop programs for issuing operating permits to all major stationary sources and to certain other sources. Title V does not impose new requirements, it does provide a permit to operate that assures compliance with all applicable requirements. It allows the delegated agency the authority to collect permitting fees. All permits are required to contain standard permit requirements that specify and reference the origin of authority for each applicable term or condition, the duration of the permit (not to exceed 5 years), the monitoring and related recordkeeping and reporting requirements, emissions trading allowed, Federally-enforceable and compliance requirements. Any operating source with Title V permit application pending should have the “V” air program code with the operating status of “P” for pending entered in AFS. Once the permit has been issued, the operating status should be upgraded to “O” for operating.

2. Air Program Pollutant Records:

- a. Pollutant Code or Chemical Abstract Number: Each source in AFS requires at least one air program code and at least one pollutant. Pollutants are reportable using either a five-digit pollutant code or a Chemical Abstract Service Number (CASN). AFS has tables listing all pollutant codes and CASNs. If the Pollutant Code is used and an equivalent CASN exists for the code, AFS will populate the CASN automatically. If the CASN is entered and an equivalent Pollutant Code exists, AFS will populate the Pollutant Code automatically.
- b. Classification: AFS requires the user to report a category identifying the potential amount of pollutants emitted per year. Criteria pollutant (CO, SO₂, VOC, Pb, NO₂, Particulate Matter) classification uses an emissions threshold identified by EPA establishing major thresholds based on a attainment with National Ambient Air Quality Standards (NAAQS). Major emission thresholds are 100 tons or more per year in an area that is currently in attainment. Attainment/Nonattainment designations can be found at <http://www.epa.gov/oar/oaqps/greenbk/>. EPA has



the ability to document a classification value separate from the state/local value. Nonattainment designations will decrease the emissions thresholds:

Pollutant	Nonattainment Classification	Threshold (Tons per Year)
Ozone	Marginal	100
Ozone	Moderate	100
Ozone	Serious	50
Ozone	Severe	25
Ozone	Extreme	10
CO	Moderate	100
CO	Serious	50
PM-10	Moderate	100
PM-10	Serious	70

Emission thresholds for Hazardous Air Pollutants (HAPs) are sources with the potential to emit (controlled or uncontrolled) 10 tons of any one HAP, or 25 tons of any combination of HAPs (reference Section 112(a)). Source Classification values are:

- A Major emissions
- SM Synthetic Minor emissions (Potential to emit at the major threshold but due to operation restrictions or other controls emit at the minor level)
- B Minor emissions
- C Emissions unknown

Values A, SM, B, and C are considered the valid values for this field. Other values current supported (A1, A2, ND or UK) should not be used.



- c. Compliance Status: Each pollutant must have a corresponding compliance status. Compliance is defined within 4 categories: In Violation, In Compliance, Meeting Schedule, and Unknown Compliance. EPA has the ability to record a compliance status in addition to the state/local compliance value.

The following definition of compliance with the Clean Air Act is extracted from *The Timely and Appropriate (T&A) Enforcement Response to High Priority Violations (HPVs)*, June 1999:

“In Compliance means all Federal and State administrative and judicial action against the source is complete and the source has been confirmed to be complying with the CAA. This term, as it is used in the HPV Policy, refers to a source being in compliance with all aspects of CAA requirements, not simply their emission limit.”

A source with pending enforcement activity is considered in violation or meeting a schedule until all penalties are completely paid, all injunctive relief, supplemental enforcement actions, civil and judicial activity are completed. Unaddressed High Priority Violators must be listed in violation until addressed: status is then changed to Meeting Schedule until resolution. Valid values for compliance status are listed in order of worst case scenario to best, suggested use is highlighted in bold:

VIOLATION

B In violation with regard to both emissions and procedural compliance

1 In Violation - No schedule

6 In violation - Not meeting schedule

W In violation with regard to procedural compliance

UNKNOWN COMPLIANCE

Y Unknown with regard to both emissions and procedural compliance

0 Unknown compliance status

A Unknown with regard to procedural compliance

7 In Violation - Unknown with regard to schedule

U Unknown by Evaluation Calculation (Generated value - not available for input)



MEETING SCHEDULE

5 Meeting Compliance Schedule

IN COMPLIANCE

C In compliance with procedural requirements

4 In Compliance - Certification (Used in reporting Title V Annual Compliance Certifications)

3 In Compliance - Inspection

M In Compliance - CEMS

2 In Compliance - Source Test

8 No Applicable State Regulation

9 In Compliance - Shut Down

P Present, See other programs (This compliance status is a place holder used to avoid assigning a state compliance status when the state has not supplied a value.)

- d. Attainment/Nonattainment Indicator: Criteria pollutants (VOC, SO2, NO2, Pb, Particular Matter, CO) have attainment designations that need to be recorded in AFS. These indicators are not automatically generated and must be supplied by the user. Reference the EPA Green Book (<http://www.epa.gov/oar/oaqps/greenbk/>) for the most recent designation values. EPA has a value available separately from the state value. EPA values will be populated on a routine basis as approved by the Regional AFS Compliance Manager. States and Local Agencies may request blanket population of the State values (counties with partial designations will not be populated) by contacting their Regional AFS Compliance Manager.

C. ACTION RECORDS

1. Fields: These activities are reported to AFS via an Action Record (Screen 306 for update/Screen 507 for browse) and contain the following components (note that required fields are highlighted by **BOLD** text):

FIELDS

KEY ACTION

NOTES

(Y-YES OR N-NO)



AIR PROGRAM CODE(S)	At least one--and all that are applicable
ACTION TYPE	A Regional Action Type. Actions which are MDRs require mapping to a National Action type.
DATE SCHEDULED	Required for certain actions
DATE ACHIEVED	Either the Date Scheduled or Date Achieved is required. Date Achieved must be applied for application in RECAP reports.
RESULTS CODE	As applicable, required for certain actions
PENALTY AMOUNT	Required if assessed
RDE8	As applicable, required for certain actions
STAFF CODE	Optional
POLLUTANT CODE	As applicable
CONTRACTOR ID	Optional-considered obsolete
RDE 16	Optional

KEY ACTION: This field defaults to a NO value. Direct users of AFS must indicate a “Y” for YES value if the action is the key for an High Priority Violator (HPV) or Non-HPV pathway. Batch users of AFS trigger this value by supplying the Key Action Number on the action transaction. Identification of a key action is mandatory for action linking in HPV or Non-HPV pathways.

AIR PROGRAM CODE(S): Any applicable air program for a reported activity should be listed on the action record. AFS will not accept an air program code that has not been documented in Screens 302 (update) and Screen 502 (browse). Users should not enter only one air program if more programs are applicable for the activity reported. Valid values are:

- 0 State Implementation Plan (SIP)
- 1 SIP Source Under Federal Jurisdiction
- 3 Non-Federally Reportable Source
- 4 Chlorofluorocarbons (CFC) Tracking
- 6 Prevention of Significant Deterioration (PSD)
- 7 New Source Review (NSR)
- 8 National Emission Standards for Hazardous Air Pollutants (NESHAP)
- 9 New Source Performance Standards (NSPS)



- A Acid Precipitation
- I Native American
- M Maximum Achievable Control Technology (MACT) Section 63 NESHAP
- V Title V Permits

ACTION TYPE: This field is the **Regional Action Type** identifying the activity. Each EPA Region has its own action type table (see Appendix 3 where tables for each Region provide a listing of suggested action types for reporting), with values mapping into the National Action Type tables. Users do not report activity using a National Action Type. The 2-digit Regional Action Type is predefined in an action table. AFS will not accept a value that is not on record in the table. Users can use a special code of "00" which is used in instances where the action table does not have a valid value for use, and is not expected to be a recurring activity. For example: A source with an active High Priority Violator (HPV) pathway suffers a fire, destroying most of the source. As this activity is important to the HPV information, an AFS user may want to include this information in the HPV pathway. There is no action type in the Regional table describing a fire. The user can report the fire using action type "00" with a mandatory description of "Fire". Use of action type "00" requires the entry of a short description of the action. The Regional AFS Compliance Manager should be contacted for addition of action types to the Regional table.

DATE SCHEDULED: AFS provides space for reporting the scheduled date of an activity. This field is optional reporting for most activities but can be required in Compliance Monitoring Strategy (CMS) reporting. The reporting parameter is YYMMDD, with YY representing the last two digits of a year (example: 2003 is reported as 03), MM as the 2-digit month (example: June is reported as 06), and DD as the day of the month. Date Scheduled is an Enforcement Sensitive field, with the exception of National Action Type CB or CC (Title V Annual Compliance Certification Due/Received by the Permit Authority or EPA), and any regional action type mapped to it. Either the Date Scheduled or Date Achieved is mandatory for action reporting.

DATE ACHIEVED: This field is most frequently reported, and reflects the final date of an activity. Please see discussions of individual action types for the definition of Date Achieved. The reporting parameter is YYMMDD, with YY representing the last two digits of a year (example: 2003 is reported as 03), MM as the 2-digit month (example: June is reported as 06), and DD as the day of the month. Either the Date Scheduled or Date Achieved is mandatory for action reporting.

RESULTS CODE: A two-digit alphanumeric code used to indicate the result of an activity. The code must be a valid value on the Results Table. Each Region maintains its own Results Code



Table. This field is optional for most activity, but mandatory for Stack Test and Annual Compliance Certification Reviewed reporting.

PENALTY AMOUNT: This field reports dollar amounts of penalties. In formal enforcement actions, it defines the dollar amount of any cash penalty that is either 1) assessed (required) by an administrative order, consent agreement/order, or consent decree; or 2) proposed under a civil referral or civil filing. No decimal values are entered. See Section 5 for in-depth discussion of the use of the Penalty field. In Supplemental Environmental Projects, the penalty field reports the dollar value of the project. Penalties exceeding the seven-digit limit of the PAM1 field in AFS can be reported by entering the alpha K after the value of thousands of dollars.

REGIONAL DATA ELEMENT 8 (RDE 8): This 2-digit field is optional for most activities, but required in Annual Compliance Certification deviation reporting (an EPA requirement). It is defined by users and used to maintain information relating to a plant action. In Title V Annual Compliance Certification reporting, this field identifies a compliance status.

STAFF CODE: A 3-digit code identifying a staff member responsible for or associated with an action. This code must be a valid value on the Staff Code table. Entry of values on the Staff Code table requires a special access code on the user's security profile. Normally access to update the Staff Code Table is provided to one user per state or local agency. Use of the Staff Code field is optional to all users.

POLLUTANT CODE: A five-digit code identifying the pollutant of record for an action. Reporting of the pollutant code is recommended for HPV Key Actions. Pollutant code may be reported on stack test actions (recommended but not required).

CONTRACTOR ID: Use of this field is optional. The Contractor ID is a 12-digit alphanumeric field used to identify asbestos contractors. The ID must be a valid value from the Contractor ID Table. This field is considered obsolete.

REGIONAL DATA ELEMENT 16 (RDE 16): This 25-digit optional field is defined by users and used to maintain information relating to plant level actions.

ASSOCIATED DAY ZERO (KEY ACTION NUMBER): This field identifies key action numbers an action may be associated or linked to and is system generated.



2. **Full Compliance Evaluations (FCEs):** The definition of an FCE is extracted from the Clean Air Act Stationary Source Compliance Monitoring Strategy, April 2001: A Full Compliance Evaluation is a comprehensive evaluation of the compliance status of a facility. It addresses all regulated pollutants at all regulated emission units. Furthermore, it addresses the current compliance status of each emission unit, as well as the facility's continuing ability to maintain compliance at each emission unit.

A Full Compliance Evaluation should include the following:

- A review of all required reports, and to the extent necessary, the underlying records. This includes all monitored data reported to the regulatory agency (e.g., CEM and continuous parameter monitoring reports, malfunction reports, excess emission reports). It also includes a review of Title V self-certifications, semi-annual monitoring and periodic monitoring reports, and any other reports required by permit.
- An assessment of control device and process operating conditions as appropriate. An on-site visit to make this assessment may not be necessary based upon factors such as the availability of continuous emission and periodic monitoring data, compliance certifications, and deviation reports. Examples of source categories that may not require an on-site visit to access compliance include, but are not limited to, gas-fired compressor stations, boilers in large office and apartment buildings, peaking stations, and gas turbines.
- A visible emission observation as needed.
- A review of facility records and operating logs.
- An assessment of process parameters such as feed rates, raw material compositions, and process rates.
- An assessment of control equipment performance parameters (e.g., water flow rates, pressure drop, temperature, and electrostatic precipitator power levels).
- A stack test where there is no other means for determining compliance with the emission limits. In determining whether a stack test is necessary, States/locals should consider factors such as: size of emission unit; time elapsed since last stack test; results of that test and margin of compliance; condition of control equipment; and availability and results of associated monitoring.
- A Full Compliance Evaluation may be done piecemeal through a series of Partial Compliance Evaluations.
- **A complete review of all data in AFS to assure reporting accuracy.** This review should include plant level data, air programs and operating status, air program pollutant class(es), compliance status, attainment area status, HPV status, and default class(es) and status.



- An FCE must be completed within the frequency indicated by the Compliance Monitoring Strategy in order to avoid application of the automatic unknown compliance status utility.

<u>FIELD</u>	<u>NOTES</u>
AFS REPORTING	REQUIRED REPORTING-RECAP
KEY ACTION (YES OR NO):	No, not applicable
AIR PROGRAM CODE(S):	Required, usually “V” for Title V and any other applicable air programs
ACTION TYPE:	Regional equivalents of: FE EPA Conducted FCE On Site FZ EPA FCE Off Site FS State Conducted FCE On Site FF State FCE Off Site
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required, reflect the date the onsite FCE is completed or the date of the evaluation report (offsite FCE)
RESULTS CODE:	Optional
PENALTY AMOUNT:	Not appropriate for this action type
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Not required
CONTRACTOR ID	Not required
RDE 16	Not required

3. **Partial Compliance Evaluations (PCEs):** The definition for a PCE is extracted from the Clean Air Act Stationary Source Compliance Monitoring Strategy, April 2001: A Partial Compliance Evaluation is a documented compliance assessment focusing on a subset of regulated pollutants, regulatory requirements, or emission units at a given facility. A PCE should be more comprehensive than a cursory review of individual reports. It may be conducted solely for the purpose of evaluating a specific aspect of a facility, or combined over the course of a year to satisfy the requirements of a Full Compliance Evaluation. PCEs may include: Site Visits, Conferences, Review of Required Reports, Compliance Reviews of individual Air Programs, Emission Inventory reviews, or other activities. It is recommended that Regional



values of PCEs describe the evaluating action taking place, such as “Conference on Site” or “RATA Review”.

<u>FIELD</u>	<u>NOTES</u>
AFS REPORTING	Required for Federal Reporters, Optional for State/Local/Tribal Reporters
KEY ACTION (YES OR NO):	No, not appropriate.
AIR PROGRAM CODE(S):	Required, usually “V” for Title V and any other applicable air programs
ACTION TYPE:	Regional equivalent of: ES EPA Conducted PCE On Site EX EPA PCE Off Site PS State Conducted PCE On Site PX State PCE Off Site
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required, can reflect either a review date or actual date of visit.
RESULTS CODE:	Optional
PENALTY AMOUNT:	Not appropriate for this action type
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Not required
CONTRACTOR ID	Not required
RDE 16	Not required.

4. **Stack (Performance) Tests:** As taken from the 2003 National Stack Test Guidance: Stack testing is defined as any standardized procedure of actions using calibrated tools to determine a rate or concentration in order to verify emissions from a source or the accuracy of a monitor or gauge. It does not include visible emission observations. The date a stack or performance test is completed is documented in AFS, with a **compliance determination** (updating of compliance status, as appropriate) from the results. Test results are reflected in the Results Codes (PP-PASS, FF-FAIL). **Stack tests should not be reported to AFS until the results of the test are known.** Federal reporters are required to report the pollutants tested in the Pollutant Code field on the action record. Pollutant Code reporting for State/Local/Tribal reporters is optional,



Multiple actions on the same day with multiple pollutants are acceptable. There are multiple action types for Stack Tests. They are:

- 2A EPA Source Test Conducted: EPA test required, observed, and reviewed.
- 3A Owner/Operator Conducted Source Test: Must be State/Local agency observed and reviewed.
- 6C State Source Test Conducted: Must be State/Local agency observed and reviewed.
- TE EPA Required Stack Test Not Observed: Owner/Operator Conducted test, required by EPA, reviewed by EPA, but not observed by EPA
- TO EPA Required Stack Test Observed: EPA required stack test, Owner/Operator conducted, observed by EPA.
- TR State Required Stack Test Not Observed: Owner/Operator Conducted test, required by the State or Local Agency, reviewed but not observed by the State.

FIELD

NOTES

AFS REPORTING:

REQUIRED REPORT-RECAP

KEY ACTION (YES OR NO):

No, not appropriate

AIR PROGRAM CODE(S):

Required, usually "V" for Title V and any other applicable air programs

ACTION TYPE:

Regional equivalent of:

2A EPA Source Test Conducted

3A Owner/Operator-Conducted Source Test

6C State Source Test Conducted

TE EPA Stack Test Not Observed

TO EPA Stack Test Observed

TR State Stack Test Not Observed

DATE SCHEDULED:

Optional

DATE ACHIEVED:

Required. For Unobserved but Reviewed: Date of review. For observed tests: last day of actual test as per reference methods.

RESULTS CODE:

Required: PP-PASS, FF-FAIL

PENALTY AMOUNT:

Not appropriate for this action type



RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Required reporting for Federal Reporters, Optional reporting for State/Local/Tribal Reporter
CONTRACTOR ID	Not required
RDE 16	Not required.

5. **Investigations**: The definition of an Investigation is extracted from the Clean Air Act Stationary Source Compliance Monitoring Strategy, April 2001: An Investigation is limited to a portion of a facility, is more resource intensive, and involves a more in-depth assessment of a particular issue. It usually is based on information discovered during a Full Compliance Evaluation, or as the result of a targeted industry, regulatory, or statutory initiative. Also, an Investigation often requires the use and analysis of information not available in EPA data systems. It is best used when addressing issues that are difficult to evaluate during a routine FCE because of time constraints, the type of preliminary field work required, and/or the level of analytical expertise needed to determine compliance.

Investigations are tracked in AFS via two Action Types: Initiated and Completed. Initiated action types are Enforcement Sensitive. At the start of an Investigation, the action types documenting the initiated date should be added. At the completion of the Investigation (which could span fiscal year time frames), the action types documenting the completion date should be added.

FIELD

NOTES

AFS REPORTING

REQUIRED REPORTING--RECAP

KEY ACTION (YES OR NO):

No, not applicable for this action

AIR PROGRAM CODE(S):

Required, should reflect the applicable air programs

ACTION TYPE:

Regional equivalents of:

EI EPA Investigation Initiated

EC EPA Investigation Conducted

SI State Investigation Initiated

SC State Investigation Conducted

DATE SCHEDULED:

Optional



DATE ACHIEVED:	Required. Actual dates of investigation initiated and completion.
RESULTS CODE:	Not required
PENALTY AMOUNT:	Not appropriate for this action type
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Optional reporting, not required
CONTRACTOR ID	Not required
RDE 16	Not required.

6. **Notices of Violation:** A notice of violation (NOV) sent by EPA or the State/Local Agency informing a source that a violation by the authority granted by Section 113 of the Clean Air Act as amended in 1990, or similar State authority for a violation of the Clean Air Act has occurred. An NOV is considered an informal enforcement action. No penalty is applied to a Notice of Violation. **If an agency has a Stipulated Penalty Demand Letter, or an NOV with a proposed penalty, then both the NOV and the Administrative Order with Penalty action types should be reported.**

<u>FIELD</u>	<u>NOTES</u>
AFS REPORTING:	REQUIRED REPORTING--RECAP
KEY ACTION (YES OR NO):	No, not required
AIR PROGRAM CODE(S):	Required, should reflect the applicable air programs
ACTION TYPE:	Regional equivalent of: 6A EPA NOV Issued 7C State NOV Issued
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Signature date of the NOV letter.
RESULTS CODE:	Not required
PENALTY AMOUNT:	Not appropriate for this action type (Proposed Penalties or Stipulated Penalty Demand Letters should be reported as an Administrative Order)
RDE8:	Not required
STAFF CODE:	Not required



POLLUTANT CODE:	Optional reporting, not required
CONTRACTOR ID	Not required
RDE 16	Not required.

7. ADMINISTRATIVE ORDERS:

DEFINITION: An administrative action (not civil or judicial) against a source with or without an assessed penalty that has been determined by the proper authority for violating the Clean Air Act as amended in 1990, or other State-delegated regulations. The penalty reported will be an assessed cash penalty. These actions are addressing actions for High Priority Violator (HPV) tracking, and are to be used in conjunction with action linking.

State and Local reporters use the State Administrative Order Issued to report activity not of a civil or judicial nature. Additionally, if the agency uses a stipulated penalty demand letter, or submits a Notice of Violation with proposed penalties to a source, an administrative order in addition to the NOV action type should be reported to AFS. All state penalties reported within the Administrative Order action should be assessed cash penalties and should not include any injunctive relief, Beneficial or Supplemental Environmental Project costs.

EPA Administrative Orders do not have any penalties applied. EPA Administrative Penalty Orders (APOs) are a three-step reporting process starting with the 7F-113(D) Administrative Penalty Order Filed, with the Date Achieved reflecting the filing date of the action and the penalty reflecting the proposed penalty from the order. It is followed by the second step, 113(D) Administrative Penalty Order Recalculated, which contains the mitigated assessed penalty amount. This second action documents the APO, and provides the record of formal and final penalty. The last activity, APO Collected, documents when the assessed penalty is paid. All enforcement tracking is done using the 113(D) Administrative Penalty Order Recalculated action type.

AFS REPORTING:

KEY ACTION (YES OR NO):

AIR PROGRAM CODE(S):

ACTION TYPE:

REQUIRED REPORTING-RECAP

No not appropriate.

Required, should reflect the applicable air programs

Regional equivalents of:

8A Federal 113(A) Order Issued

8C State Administrative Order Issued



	Federal APOs
	7F EPA 113(D) Complaint Filed
	C2 EPA 113(D) Recalculated-CAFO
	C3 EPA 113(D) Collected
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Date of the official instrument.
RESULTS CODE:	Not required.
PENALTY AMOUNT:	8C- State Final Assessed Cash Penalty
	7F-EPA Proposed Cash Penalty
	C2-EPA Final Assessed Cash Penalty
	C3- EPA Assessed Cash Penalty Paid
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Optional reporting, not required
CONTRACTOR ID:	Not required
RDE 16	Not required.

8. **CONSENT DECREES:** A decree signed by the primary enforcement authority, the source, and by a court requiring a source violating an applicable Federal or SIP regulation to attain compliance by means specified in the decree. Consent Decrees and consent agreements should be tracked here if they are formally signed. This is an addressing action for a high priority violator. Penalties reported are the assessed dollar amount of any cash civil penalty. This action is also used for Administrative Consent Decrees.

<u>AFS REPORTING:</u>	REQUIRED REPORTING-RECAP
KEY ACTION (YES OR NO):	No not appropriate.
AIR PROGRAM CODE(S):	Required, should reflect the applicable air programs
ACTION TYPE:	Regional equivalents of:
	6B EPA Court Consent Decree
	2D State Court Consent Decree



DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Date Decree entered in State or Federal Court
RESULTS CODE:	Not required.
PENALTY AMOUNT:	Assessed Cash Penalty.
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Optional reporting, not required
CONTRACTOR ID:	Not required
RDE 16	Not required.

9. **CIVIL REFERRALS:**

Federal Civil Referrals: Action taken by EPA to file a civil complaint in Federal court pursuant to the authority granted under State law for violating applicable State regulations or State-delegated Federal regulations. Additionally, this action is to be used in the preparation of a litigation report to initiate a Federal civil action against a noncomplying source and submittal to Headquarters is imminent (to be counted here the litigation report must have the Regional Air Director approval). Penalties reported are the assessed dollar amount of any cash civil penalty. This is an addressing action for a high priority violation. This action is Enforcement Sensitive. If this action is used in a High Priority Violator case, action type OT is also required.

AFS REPORTING:

REQUIRED REPORTING–RECAP

KEY ACTION (YES OR NO):	No not appropriate.
AIR PROGRAM CODE(S):	Required, should reflect the applicable air programs
ACTION TYPE:	Regional equivalents of:
	4B EPA Civil Referral
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Signature date of litigation report.
RESULTS CODE:	Not required.
PENALTY AMOUNT:	Proposed Penalty
RDE8:	Not required
STAFF CODE:	Not required



POLLUTANT CODE:	Optional reporting, not required
CONTRACTOR ID:	Not required
RDE 16	Not required.

State Civil Referral: An action taken by the State or local agency against a source resulting in a civil complaint being sent to the State Attorney General. This is different from a State Civil Action (action type 9C) which is the actual filing of a civil complaint against a source by the State Attorney General in a State court. This action is an addressing action for high priority violations and is to be used in action linking. This action is Enforcement Sensitive. If this action is used in an HPV case, action type OT is also required.

AFS REPORTING:

REQUIRED REPORTING-RECAP

KEY ACTION (YES OR NO):

No not appropriate.

AIR PROGRAM CODE(S):

Required, should reflect the applicable air programs

ACTION TYPE:

Regional equivalents of:

1E Civil referral to State Attorney

DATE SCHEDULED:

Optional

DATE ACHIEVED:

Required. Signature date of referral document.

RESULTS CODE:

Not required.

PENALTY AMOUNT:

Not required.

RDE8:

Not required

STAFF CODE:

Not required

POLLUTANT CODE:

Optional reporting, not required

CONTRACTOR ID:

Not required

RDE 16

Not required.

10. CIVIL ACTIONS

Federal Civil Actions: Reporting of Federal Civil Actions has not been well-documented in AFS. Reporting of this activity is done in the Integrated Compliance Information System (ICIS). During FY04, an AFS workgroup is chartered to review and document how AFS should handle this type of action. More guidance is necessary for Federal Civil Action reporting in conjunction



with High Priority Violator Cases. At this time, the only action type available for reporting the outcome of a Federal Civil action is 7B-EPA Civil Penalty Assessed.

State Civil Action: The filing of a civil complaint against a source by the State Attorney General in a State Court. Action is taken by a State or Local Agency to file a civil complaint against a source in the State Court pursuant to the authority granted under State Law for violating applicable SIP or State-delegated Federal regulations. Additionally, this action type is used to document settlement proceedings. This action is an addressing action for high priority violations and is to be used in action linking.

AFS REPORTING:

REQUIRED REPORTING-RECAP

KEY ACTION (YES OR NO):

No not appropriate.

AIR PROGRAM CODE(S):

Required, should reflect the applicable air programs

ACTION TYPE:

Regional equivalents of:

9C State Civil Action

DATE SCHEDULED:

Optional

DATE ACHIEVED:

Required. Date of Court filing or Decision Date.

RESULTS CODE:

Not required.

PENALTY AMOUNT:

Assessed Cash Penalty, if reporting settlement

RDE8:

Not required

STAFF CODE:

Not required

POLLUTANT CODE:

Optional reporting, not required

CONTRACTOR ID:

Not required

RDE 16

Not required.

11. HIGH PRIORITY VIOLATOR (HPV) DAY ZERO

DEFINITION: A High Priority Violator (HPV) is identified one of three ways:

1. The violation may fit within one of the ten General HPV Criteria identified in the HPV Policy of June 1999.



2. The violation may lead to emissions or parameter violations that fit within the HPV Matrix Criteria (reference HPV Policy of June 1999).
3. The violation may be categorized as an HPV on a discretionary basis subject to the mutual agreement of the State/Local agency and EPA.

HPV cases are tracked in AFS in three distinct milestones: Day Zero, Addressing Action, and Resolving Action. Each of these milestones has reporting criteria and the reporter must link all appropriate actions to the Day Zero action in AFS. **Day Zero and the Addressing Action MUST NOT be recorded on the same day (note: An NOV with a proposed penalty action cannot be used as an addressing action, nor should it have the same day as Day Zero. Report any action with a penalty reported as an Administrative Order).** Reference this website for a manual on HPV reporting:

<http://www.epa.gov/Compliance/resources/policies/civil/caa/stationary/hpvmanualrevised.pdf>

Regions are encouraged to use the 620 Fixed Report, HPV Pathway Summary Report, to track cases with state/local agencies. This report will include the Day Zero action, information on the lead, and all linked actions including the first comment on the Day Zero action. EPA uses the 653 Fixed Report, HPV Summary Report, to track the days used to address and track unaddressed cases. Note: Compliance status needs to be updated during the HPV process.

DAY ZERO DEFINITION: Day Zero will ordinarily be no later than 45 days from the day the violation was discovered. For violations requiring additional information, Day Zero may be extended to 90 days from the date the violation is discovered or the date of receipt of the additional information. If a violation is self-reported, Day Zero will be 30 days from the date the agency receives the information. A Notice of Violation action can document the Day Zero action. **In addition to reporting the Day Zero and action linking, the plant compliance status should be changed to reflect violation.**

AFS REPORTING:

KEY ACTION (YES OR NO):

AIR PROGRAM CODE(S):

ACTION TYPE:

REQUIRED REPORTING--RECAP

YES.

Required, should reflect the applicable air programs

Regional equivalents of:

2Z EPA Day Zero

2E State Day Zero



	2U Enforcement Lead is Unassigned
	2B Shared Enforcement Lead
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Date determined by policy.
RESULTS CODE:	Not required.
PENALTY AMOUNT:	Not required.
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Encouraged, lead pollutant should be reported.
CONTRACTOR ID:	Not required
RDE 16	Not required.

ACTION LINKING FOR HPV CASES IS REQUIRED.

Users are also encouraged to enter a short comment describing the violation on the Day Zero Action.

12. HIGH PRIORITY VIOLATOR (HPV) LEAD CHANGES :

LEAD CHANGE DEFINITION: Lead changes (From Federal to State lead, from State to Federal Lead, or Joint Lead) on a violation may be made at any time. Timely and appropriate enforcement is extended to 300 days in case of a lead change. Cases may be assumed by EPA if addressing/resolution actions have not taken place by Day 270.

AIR PROGRAM CODE(S):	Required, should reflect the applicable air programs
ACTION TYPE:	Regional equivalents of:
	DY Lead Changed to Federal Enforcement
	DB Lead Changed to Shared Enforcement
	DS Lead Changed to State Enforcement
	2B Shared Enforcement Lead (Joint)
DATE SCHEDULED:	Optional
DATE ACHIEVED:	Required. Date of lead change.
RESULTS CODE:	Not required.



PENALTY AMOUNT:	Not required.
RDE8:	Not required
STAFF CODE:	Not required
POLLUTANT CODE:	Encouraged, lead pollutant should be reported.
CONTRACTOR ID:	Not required
RDE 16	Not required.

ACTION LINKING FOR HPV CASES IS REQUIRED.

13. HIGH PRIORITY VIOLATOR (HPV) ADDRESSING AND RESOLVING ACTIONS:

ADDRESSING ACTION DEFINITION: By Day 270 (if there has been no lead change), the violation should be either Resolved or Addressed. Addressing Actions include: Administrative Orders, Civil or Criminal Referrals, Administratively Addressed with No Formal Enforcement Action, SIP Revisions, Civil or Criminal Actions or Administrative Penalty Orders. In the case of a civil or criminal referral, an additional action of “OT” Other Addressing Action will need to be entered and linked to the Day Zero. As the Civil and Criminal Referral action types are Enforcement Sensitive, the OT action will ensure that the violation is correctly addressed in extracts to systems like the Online Targeting Information System (OTIS) and the Enforcement Compliance History Online (ECHO) system. Addressed violations could have a compliance status change from violation to meeting schedule. See the following chart for a list of addressing and resolving action types.

VIOLATION RESOLVED DEFINITION: Source compliance is confirmed, all penalties are collected, all activity identified in a Supplemental Enforcement Project (SEP) and all injunctive relief is completed. **After action reporting and linking, compliance status should be returned to compliance.** See the following chart for a list of addressing and resolving action types.

AFS REPORTING FOR ADDRESSING AND RESOLVING ACTIONS:

AIR PROGRAM CODE(S):	Required, should reflect the applicable air programs
ACTION TYPE:	Regional equivalents of action types on the following chart
DATE SCHEDULED:	Optional



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DATE ACHIEVED: Required. Date determined by activity.
RESULTS CODE: Not required.
PENALTY AMOUNT: Assessed cash penalties on the formal enforcement addressing actions (not the resolving action).
RDE8: Not required
STAFF CODE: Not required
POLLUTANT CODE: Encouraged, lead pollutant should be reported on the Day Zero action.
CONTRACTOR ID: Not required
RDE 16 Not required.
ACTION LINKING FOR HPV CASES IS REQUIRED.

NATIONAL ACTION TYPES FOR ADDRESSING OR RESOLVING HIGH PRIORITY VIOLATOR CASES IN AFS			
ACT	DESCRIPTION	ADDRESS	RESOLVE
C3	EPA 113(D) ADMIN PENALTY COLLECTED		X
C7	CLOSEOUT MEMO ISSUED		X
OT	OTHER ADDRESSING ACTION (USED IN CONJUNCTION WITH CIVIL REFERRALS)	X	
VR	VIOLATION RESOLVED		X
WD	EPA 113(D) WITHDRAWN		X
1D	CRIMINAL REFERRAL (PLUS OT)	X	
1E	STATE CIVIL REFERRAL (PLUS OT)	X	
2D	STATE COURT CONSENT DECREE	X	
2K	COMPL BY STATE, NO ACTION REQUIRED (ADMINISTRATIVELY RESOLVED-NO FORMAL ENFORCEMENT ACTION)	X	X
2L	PROPOSED SIP REVISION WILL LEAD TO COMPLIANCE	X	



NATIONAL ACTION TYPES FOR ADDRESSING OR RESOLVING HIGH PRIORITY VIOLATOR CASES IN AFS			
2M	PROPOSED FIP REVISION WILL LEAD TO COMPLIANCE	X	
4B	EPA CIVIL REFERRAL (PLUS OT)	X	
5B	EPA CRIMINAL ACTION	X	
6B	EPA COURT CONSENT DECREE	X	
7F	EPA 113(D) APO COMPLAINT FILED	X	
7G	COMPL BY EPA, NO ACTION REQUIRED (ADMINISTRATIVELY RESOLVED-NO FORMAL ENFORCEMENT ACTION)	X	X
8A	EPA 113(A) ORDER ISSUED	X	
8C	STATE ADMIN ORDER ISSUED	X	
9C	STATE CIVIL ACTION	X	

14. NON-HPV DAY ZERO: This action type starts a pathway for non-HPV instances. The linkage feature of AFS has proven to be very versatile and useful, and users had requested the ability to link up like actions similar to the HPV pathways. This use of this action type is not mandatory and is available at user discretion. The 620 report provides the choice of a Non-HPV pathway, so a pathway summary report can be generated.

USE OF THIS ACTION TYPE IS OPTIONAL

KEY ACTION: YES

AIR PROGRAM CODE(S): Required, should reflect the applicable air programs

ACTION TYPE: Regional equivalents of:
NH-Non-HPV Day Zero

DATE SCHEDULED: Optional

DATE ACHIEVED: Date Achieved or Schedule is mandatory.

RESULTS CODE: Not required.

PENALTY AMOUNT: Not required.



RDE8: Not required
 STAFF CODE: Not required
 POLLUTANT CODE: Not required
 CONTRACTOR ID: Not required
 RDE 16 Not required.

ACTION LINKING IS REQUIRED

15. TITLE V ANNUAL COMPLIANCE CERTIFICATIONS DATE DUE AND RECEIVED

DEFINITION: As required by the Compliance Monitoring Strategy (CMS) of April 2001, Regions shall enter the date a Title V Annual Compliance Certification (ACC) is due and received unless otherwise negotiated. Due dates are normally determined by the Permit Authority and may reflect a grace period before a source is considered to be late in submitting the ACC. Received dates are post mark dates on the ACC. In case of electronic submission, the date received is the date submitted to the reviewing agency. Compliance status is to be reported in the Results Code field: MC=Compliance, MV=Violation, MU=Unknown. Deviations are to be reported by EPA in the RDE8 field: Y=Yes, N=No, or a number of deviations reported may be entered.

AFS REPORTING:

REQUIRED REPORTING--RECAP

KEY ACTION (YES OR NO):

No, not appropriate

AIR PROGRAM CODE(S):

Required, Should reflect "V" for Title V

ACTION TYPE:

Regional equivalents of:

CC EPA TV ACC Due/Received

**CB Permit Authority TV ACC Due/Receive
(as negotiated)**

DATE SCHEDULED:

**Due Date, determined by Permitting
Authority**

DATE ACHIEVED:

**Received date, should reflect the post mark
on the certification.**

RESULTS CODE:

Required by EPA, reports compliance:

MC=Compliance

MV=Violation

MU=Unknown



PENALTY AMOUNT: Not required.

RDE8: **Required by EPA, reports deviations:**
Y=Yes
N=No
Or number of deviations may be reported.
 State/Local agencies are encouraged to report this information, but it is not required.

STAFF CODE: Not required

POLLUTANT CODE: Not required.

CONTRACTOR ID: Not required

RDE 16 Not required.

16. TITLE V ANNUAL COMPLIANCE CERTIFICATION REVIEWS: As required by the Compliance Monitoring Strategy (CMS) of April 2001, EPA or State/Local Agency review of an annual compliance certification submitted by a source which is permitted under Title V of the Clean Air Act as amended in 1990. Compliance status is to be reported in the Results Code field: MC=Compliance, MV=Violation, MU=Unknown. Deviations are to be reported by EPA in the RDE8 field: Y=Yes, N=No, or a number of deviations reported may be entered.

AFS REPORTING:	REQUIRED REPORTING-RECAP
KEY ACTION (YES OR NO):	No, not appropriate
AIR PROGRAM CODE(S):	Required, Should reflect "V" for Title V
ACTION TYPE:	Regional equivalents of:
	ER Compliance Certification EPA Review
	SR Compliance Certification State Review
DATE SCHEDULED:	Not Required
DATE ACHIEVED:	Date of Review.
RESULTS CODE:	Required by EPA, reports compliance:
	MC=Compliance
	MV=Violation
	MU=Unknown
PENALTY AMOUNT:	Not required.



RDE8:

Required by EPA, reports deviations:

Y=Yes

N=No

Or number of deviations may be reported.

STAFF CODE:

Not required

POLLUTANT CODE:

Not required.

CONTRACTOR ID:

Not required

RDE 16

Not required.



SECTION 4: SUGGESTIONS FOR IMPROVING AFS

During the period of Business Rules compilation (Fiscal Years 03 and 04), several recommendations were made concerning the improvement of AFS:

- Many agencies track compliance status by source, not by air program pollutant. Requests to discontinue tracking at the air program pollutant level have been submitted not only during the Business Rules process, but during the AFS Needs Analysis completed in FY02. The air program requires the identification of the pollutant in violation, but an effort to streamline data reporting are being included in modernization efforts.
- Many agencies do not agree that compliance status should be tracked by disposition of enforcement activity. It was reported during conference calls that many agencies consider physical compliance a more reliable way to track compliance with the Act. Sources with unresolved High Priority Violator cases physically in compliance with the Act will be listed as “Meeting Schedule” or “In Violation” until all injunctive relief or penalties are paid. An AFS Workgroup to study Compliance Status has been formed with an expected output in late FY04/early FY05.
- Many agencies are reporting a Notice of Violation with a proposed penalty, or stipulated penalty. These actions are being counted as a Notice of Violation, but should also be reported as an Administrative Order with Penalty. This compendium advises that any NOV with penalty be reported as two separate actions: an NOV and an Administrative Order.
- Guidance has been requested for the reporting of Civil Actions by both Federal and State users of AFS. Action types defined as “Civil Action” for filing a complaint are being used to report settlements. New action types for state or district filings have been requested. An AFS Workgroup to study Enforcement Actions has been formed with an expected output in late FY04/early FY05. In addition, this group will study the reporting of penalty data and reporting information on appealed enforcement cases.
- Penalty data is not being reported consistently across the country. Values from injunctive relief and Supplemental Environmental Projects are being added to the penalty field, which is designed to reflect assessed cash penalties only. In cases of court decisions affecting multiple locations, policy for distribution of penalty has been requested. Additionally, penalty amounts are not being reported on the official enforcement action, and are being reported under an action type “Penalty Paid”, thus not captured in RECAP analyses.
- Guidance is needed for the reporting of appealed cases, where changes in the final penalty have been made.
- Additions to enforcement action types need to be made:



STATE BENEFICIAL ENVIRONMENTAL PROJECT (BEP): An environmentally beneficial project which a defendant/respondent in a State/Local Agency case agrees to undertake in settlement of an enforcement action, but which the defendant/respondent is not otherwise legally required to perform. The value of the penalty is the dollar value of the project pursuant to the final order. BEP costs are not included in the formal enforcement action penalty.

- There are areas where the appropriate air program codes are not being reported. Specifically, Title V applicability, New Source Review (NSR) and Prevention of Significant Deterioration (PSD) air programs are not being identified. The correct reporting of air program codes should be a priority of Regional AFS Compliance Managers for data accuracy.
- One Region asked for the ability to track emission credits and trading.
- One Region asked for stack test results (Pass or Fail) to be written into AFS code making the information mandatory for reporting on the action type. This type of functionality is being considered in ongoing modernization efforts.
- One Region has asked for recommended procedures for change of ownership—issues of culpability have been raised and at least one local agency refuses to saddle a new owner with the compliance history of past ownership.
- Guidance has been requested for reporting of stack test failures.