

DAR-11 / Electronic Reporting for Air Facilities

New York State Department of Environmental Conservation

DEC Program Policy

Issuing Authority: Christopher M. LaLone

Title: Acting Director, Division of Air Resources

Date Issued:

Latest Date Revised: 11/30/20

I. Summary: This policy establishes the methods and procedures to be used by the owners and/or operators of facilities when submitting reports, certifications, emissions statements or other items required in their air permits. Depending on the report type, the information may be submitted either electronically or on paper, in a format specified by the New York State Department of Environmental Conservation (Department). Electronic data may be submitted in a spreadsheet format or by direct entry through a dedicated electronic reporting Department web site.

II. Policy: Items required to be submitted on a periodic basis shall be submitted in one of the following formats:

Emission Statements (per 6 NYCRR 202-2)

1. Electronic spreadsheet; or
2. Direct data entry through a Department web site

Annual Compliance Certifications (per 6 NYCRR 201-6.4(e)) and Semi-Annual Reports (per 6 NYCRR 201-6.4(c))

1. Electronic spreadsheet;
2. Direct data entry through a Department web site; or
3. On paper, using the format specified by the Department.

To submit data through the electronic reporting website, the responsible official (as defined below) must apply to access the electronic reporting website. The application (Attachment #1) will identify the responsible official who has the authority to sign the report (i.e. - compliance certifications or emission statements) and other individuals who may enter, update or review the data (but cannot sign the item). Unique user IDs and passwords will be assigned to those individuals identified as the responsible official, reporting editors or reporting reviewers and there is no limit to the number of users the system will allow.

Facility owners may opt to continue to submit their compliance certifications on paper. The format to be used for the compliance certifications is included in this policy (Attachment #2). When paper forms are submitted for compliance certifications, the data will be entered into the Air Facility System (AFS) database by personnel from the appropriate Department regional office or Division of Air Resources (DAR) Bureau.

III. Purpose and Background:

Owners and/or operators of facilities with an air permit must meet various reporting requirements. The information that must be submitted is specified in the permit. The purpose of this policy is to reduce the amount of paper generated by multiple submittals for the following documents:

Annual and Semi-Annual Compliance Certifications

Facility owners and/or operators with Title V permits must submit a compliance certification, as required under 6 NYCRR 201-6.4 (c) and (e). The reason for this certification is to verify the compliance status of each condition in the Title V permit. A copy of this certification is sent to the Department Regional Office where the permit was issued, the Department Central Office in Albany, NY and the U.S. Environmental Protection Agency (EPA) Region II Office.

Under this policy, the facility owner may make one electronic compliance certification submission in place of the three paper submissions sent to the parties cited above. The electronic submission methods provide for control of data quality by direct entry and validation of the certification data. Implementation of this policy will reduce the data entry burden by pre-filling appropriate data fields with data from prior submissions.

Emission Statements

Facility owners and/or operators with Title V permits must submit an annual emission inventory statement, as required by 6 NYCRR 202-2. The intent of this reporting requirement is to document the actual annual emissions from the facility. The information from the statement is used to determine the fee the Title V facility owner/operator will pay for the facility's emissions. This information is also submitted to the U.S. EPA as part of the National Emissions Inventory.

IV. Responsibility: The DAR Bureau of Quality Assurance (BQA) Engineering & Technical Support Section shall have primary responsibility for ensuring that this policy remains current for facilities submitting annual compliance certifications and semi-annual monitoring reports. They will also provide any additional interpretation of this policy that may be needed for compliance purposes. Staff from both BQA and DAR staff in the Department Regional Offices are responsible for ensuring that the Title V permit holders follow these policies and procedures. The DAR Bureau of Air Quality Planning (BAQP) shall have primary responsibility for ensuring that this policy remains current for facilities submitting emission statements. They will also provide any additional interpretation that may be needed regarding emission statements. BAQP will be responsible for ensuring that the Title V permit holders follow these policies and procedures. BQA will provide application forms and information packages to the facility representatives. Additionally, staff from the BQA will coordinate distribution of the user IDs and passwords to the facility representatives submitting the reports electronically.

V. Procedure: An information package regarding the electronic reporting program will be sent to the responsible officials of Title V facilities by the BQA. The package will contain an application form to be completed by the responsible official. On this form, the responsible official will indicate who will be authorized to enter and edit data and will identify the responsible official who will sign the item as required (i.e. - for a compliance certification or emission statement).

The roles of different facility personnel involved with the various submittals are defined as follows:

Responsible Official: Responsible Official is defined by paragraph 6 NYCRR 201-2(b)(28) as “A *president, vice president, secretary, treasurer, general partner, proprietor, principal executive officer, ranking elected official, or any other person who performs policy or decision making functions and is authorized to legally bind a corporation, partnership, sole proprietorship, or government entity which operates a facility that is subject to the provisions of this Part. Whenever the term responsible official is used in this Part or in any other regulations implementing Title V of the act, it shall be deemed to refer to the ‘designated representative’ with regard to all matters under Title IV of the act.*”

The Responsible Official will complete the E-Sign page on the website to submit the item. Directions for how to electronically sign and submit the report is provided in the information packet. Only the Responsible Official for each facility will have access to this page. The Responsible Official will also be able to enter data; this person will have access to all pages on the electronic reporting website.

Reporting Editors: The reporting editor is an individual who can enter and edit data on the website. Individuals in this role will not have access to the E-Sign page of the website and will not be able to formally submit the item.

Reporting Reviewers: The reporting reviewer is an individual who has read-only access to the electronic reporting website. This person can review the information entered on the website but cannot add or revise this information.

Facilities that intend to utilize electronic reporting must complete the application attached to this policy (Attachment #1). The following information must be provided for each person who will have access to the website:

- Name and address
- Title
- Role indicator (responsible official, certification editor, certification reviewer)
- Business telephone number
- E-mail address

The facility responsible official will review and complete the application with a notarized signature, before returning the application form (Attachment #1) to the BQA, along with documentation supporting their authority. Each responsible official named on the application will have to supply a notarized signature included on the application mailed to BQA. The mailing address is provided in the information packet. The individuals identified will be given appropriate access, a user ID and a password. The electronic reporting system will be able to differentiate a responsible official, a reporting editor and a reporting reviewer and provide access to the website according to their respective role.

The facility representative(s) may enter data via the website at any time during the reporting period. Any information entered during this time will ONLY be available to the facility representative(s). This information will NOT be accessible to either the Department or the U.S. EPA until the item has been signed by the facility’s responsible official and formally submitted to the Department.

VI. Related References: ACE Air Certification Manual, ACE Air Emissions Manual, 6 NYCRR 202-2, 6 NYCRR 201-6.4(c), 6 NYCRR 201-6.4(e)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Air Resources

625 Broadway, Albany, New York 12233-3250

P: (518) 402-8452 | F: (518) 402-9035

www.dec.ny.gov

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Attachment #1

Application Form for the Department's Electronic Reporting System

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Application for Electronic Submittal - Compliance Certification

Facility Details

DECID: - - - - -

Facility Name: _____

Facility Location: _____

Facility Responsible Official(s) (RO)

Name of RO: _____

Title: _____

Street 1: _____

Street 2: _____

City, State Country Zip: _____

Telephone (Area Code + Number): _____

E-mail: _____

Name of RO: _____

Title: _____

Street 1: _____

Street 2: _____

City, State Country Zip: _____

Telephone (Area Code + Number): _____

E-mail: _____

Name of RO: _____

Title: _____

Street 1: _____

Street 2: _____

City, State Country Zip: _____

Telephone (Area Code + Number): _____

E-mail: _____

Note: Each Responsible Official named on the application must provide a notarized signature. See page 4 for notary form.

Application for Compliance Certification (continued)

Certification Editor(s)

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Application for Compliance Certification (continued)

Certification Reviewer(s)

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Application for Emission Inventory Statement (continued)

Emission Statement Editor(s)

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Editor: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Application for Emission Inventory Statement (continued)

Certification Reviewer(s)

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Name of Reviewer: _____
Title: _____
Street 1: _____
Street 2: _____
City, State Country Zip: _____
Telephone (Area Code + Number): _____
E-mail: _____

Application for Electronic Submittal – Notary Page

I, the undersigned, certify, under penalty of law, based on information and belief formed after reasonable inquiry, that the statements and information contained in this document is true, accurate and complete. Further, I agree to protect the requested signature device (user ID and password) from compromise. I further agree to report any evidence that the password has been compromised as soon as possible. I understand that a signature executed with the password has the same legal force as a handwritten signature.

Responsible Official

ACKNOWLEDGMENT

For each signatory:

STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument.

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Attachment #2

Format for the paper submission of Annual Certifications for Title V Facilities

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Division of Air Resources

625 Broadway, Albany, New York 12233-3250

P: (518) 402-8452 | F: (518) 402-9035

www.dec.ny.gov

Certification of Truth, Accuracy and Completeness

DECID: _____

Facility Name: _____

Reporting Period: _____

Facility Contact:

Name: _____

Title: _____

Address: _____

Telephone: _____

E-mail: _____

Responsible Official:

Name: _____

Title: _____

Address: _____

Telephone: _____

E-mail: _____

The Responsible Official must sign this statement after the applicable report form is completed

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

Signature of Responsible Official:

Date:



**Department of
Environmental
Conservation**

Title V Annual Compliance Certification Report

Facility Name: _____

Permit ID: _____

Reporting Period: _____

DECID: _____

Federally Enforceable Conditions

Condition Number	Applicable Requirement	Permit Level	Description of Requirement	Compliance Status	Type of Compliance	Methods Used to Determine Compliance	Deviations Y/N

State Enforceable Conditions

Condition Number	Applicable Requirement	Permit Level	Description of Requirement	Compliance Status	Type of Compliance	Methods Used to Determine Compliance	Deviations Y/N

Deviations

Condition Number	Applicable Requirement	Permit Level	Description of Deviation	Probable Cause of Deviation	Corrective/Preventative Action Taken as a Result of the Deviation	Date of Written Notification