

## **Compliance Certification Form Changes**

Since the approval of Pennsylvania's Title V Operating Permit Program in 1996 by EPA, Title V Permit recipients have been annually submitting a Compliance Certification Form (approved by EPA) to report their compliance status during the previous year. The original form was designed to help companies to minimize their reporting burden by allowing them to indicate only instances where a violation or deviation has occurred.

Sometime after the implementation of this type of reporting format in most states across the nation, an issue was raised whether these reporting forms completely complied with the Clean Air Act requirements. The Natural Resources Defense Council then filed a lawsuit with EPA. The specific issue was that these reporting forms did not specifically state whether a facility was in continuous or intermittent compliance for each applicable requirement in their Title V operating permit. In settlement of the lawsuit EPA agreed to require changes in the Compliance Certification reporting form. PADEP has in turn now made these necessary form changes.

The enclosed new forms have been specifically prepared for each facility operator and identify all applicable requirements for which certification is necessary in the Title V operating permit. This will save the permit holder the need to individually prepare their listing and the Department can be assured that all applicable requirements have been addressed. The permit holder will now need to certify as to compliance with each of the listed applicable requirements. The original compliance reporting form will serve as an addendum to the new form, providing the specific details needed for the non-compliance periods.