


San Joaquin Valley
Unified Air Pollution Control District

District Policy ADM-1130

**Providing Assistance to Facilities
to Resolve Compliance Enforcement Action**

Approved By: _____


Arnaud Marjollet
Director of Permit Services

Date: September 2, 2019

Approved By: _____


Ryan Hayashi
Director of Compliance

I. PURPOSE

Consistent with the District core value of providing outstanding customer service, the purpose of this policy is to ensure District staff is helping and supporting facility operators to resolve Compliance enforcement action.

II. APPLICABILITY

This policy is applicable to facilities that received an NOV or NTC for which the resolution requires the facility to submit an application and receive District approval for a new or modified Permit to Operate (PTO), permit exempt equipment registration (PEER), portable equipment registration (PERP), conservation management practice (CMP) plan, or Indirect Source Review Air Impact Assessment (ISR AIA).

III. BACKGROUND

Permit Services and Compliance staff members are committed to providing excellent customer service by taking the lead role in assisting facilities that have received an NOV/NTC and for which the resolution requires the submittal of an application for a new or modified permit, CMP, PEER, PERP or ISR AIA

Under these circumstances, Permit Services Department (PSD) and Compliance-Technical Services group (COM-TECH) staff will help applicant in preparing the necessary application forms and following up with applicant throughout the application evaluation and permit issuance process.

Examples of NOV/NTC can be resolved via a submittal of an application and receiving District approval include, but are not limited to, operating in a manner inconsistent with their issued Permit to Operate (PTO) conditions, operating unpermitted equipment, installing equipment different than what was approved, starting development project construction prior to receiving an ISR AIA approval, etc.

PSD staff will assist the facilities with Authority to Construct and Permit to Operate application submittals(excluding gasoline dispensing facilities), and ISR AIA application submittals. COM-TECH staff will assist facilities in submitting applications for gasoline dispensing facilities (GDF), PEER, CMP, and PERP.

IV. GUIDANCE

The following steps shall take place to assist permittees.

- 1) **Within one (1) business day** of issuance of an NOV/NTC for which the resolution requires the submittal of an application for a new or modified permit/PEER/CMP/PERP/ISR AIA, the COM inspector will forward the NOV/NTC and related documentation to each of the PSD supervisors in the region in which the facility is located or COM-TECH supervisor, as applicable (based on the type of application required).
- 2) **Within one (1) business day** of receiving the NOV/NTC and related documentation, the PSD or COM-TECH supervisor will then assign a **special project** to the PSD or COM-TECH staff to assist the permittee.
- 3) **On the day the special project is assigned** to staff, PSD or COM-TECH staff shall call the permittee to offer assistance. If the permittee accepts the offer of assistance, the PSD or COM-TECH staff shall take the initiative in preparing the necessary application package for a new or modified permit/PEER/CMP/PERP/ISR AIA.

If the facility declines assistance, staff will document this information in the PAS special project comments field. In this case, the special project shall remain active

until an application is submitted, and PSD or COM-TECH staff must follow-up regularly the status of the application submittal with the applicant.

Otherwise, to provide excellent customer service to the applicant and assist in preparing the application package, the following process will take place:

- a) For facilities and equipment that have previously been approved, PSD or COM-TECH staff will gather all relevant facility and specific equipment information available in PAS/ISR and utilize information previously submitted by the facility (name, address, distance to receptors, facility plot plans, etc.) to prepare and fill all possible fields from the application form and supplemental form(s) if such information is necessary. **Staff will make sure to include the NOV/NTC number on the application. In that same field, staff will also include their name and the special project number assigned to help prepare the application package.**
 - b) Once the application package is prepared, PSD or COM-TECH staff will contact the applicant to offer to schedule an in-person meeting in the District office to complete and finalize the application package. Alternatively, PSD or COM-TECH staff may mail or e-mail the application package to the facility for their review and signature and explain the procedure to follow to finalize the application submittal process. In all cases, District staff must follow up and provide support to the facility to complete the application package.
 - c) If applicable, PSD COM-TECH staff shall advise the facility on the availability of expedited reimbursable overtime processing, and explain the ROT request procedure.
- 4) Consistent with existing District Policies, upon receipt of the application package from the applicant, a permit/PEER/CMP/PERP/ISR project should be **logged in in PAS/ISR the same day** and the PSD or COM-TECH supervisor should **assign the project to staff within one business day (24 hours)**.
 - 5) The application project should be assigned to the same staff member assigned to the special project to assist in the preparation of the application. In the event that the staff member assigned to the special project cannot be assigned the application project, the staff member assigned to the application project will be provided all necessary information to ensure that the application can be processed as expeditiously as possible.
 - 6) **Upon receiving of the permit/PEER/CMP/PERP/ISR project application**, staff must add a note in the project comments field in PAS/ISR that indicates the name of staff that assisted in preparation of the application and the associated special project number. Staff must also add a note to in the project comments field in PAS/ISR that indicates the date the project application was submitted and its associated project number. At that time, the special project must be finalized.

7) Application review processing:

- a) All efforts should be taken by PSD or COM-TECH staff to expedite the application processing.
- b) Upon deeming the application complete, PSD or COM-TECH staff shall inform COM inspector, the COM supervisor, and the COM manager and refer to the facility name and NOV/NTC number.
- c) Upon completing the application review, OSD or COM-TECH staff will send draft permit/PEER/CMP/PERP/AIAA to COM supervisor including a note about the NOV or NTC along with the NOV or NTC number.
- d) Upon COM supervisor review of the draft permit/PEER/CMP/PERP/ISR AIA, PSD or COM-TECH staff shall send the draft documents to the applicant and follow-up with the applicant to review the proposed permit/PEER/CMP/PERP/ISR AIA.
- e) Upon applicant concurrence, staff shall finalize the application, mail and email documents (ATC/PEER/CMP/PERP/ISR AIA approval) to the applicant, and inform Compliance supervisor and manager (referring to the NOV/NTC) of the project status.
- f) Separately, for ATC applications that qualify for direct convert (per FYI-313), the PSD or COM-TECH staff shall convert the ATC into a permit, and directly mail the final PTO to the facility rather than the ATC.