



***Facts about* DEVIATIONS**

What is a deviation?

In the context of environmental regulations, “deviation” means **any** non-compliance with any applicable requirements (such as state or federal rules or regulations) or permit conditions.

What are some examples of deviations?

The following are some examples of deviations:

- The pressure drop across your baghouse is outside the range allowed by your permit.
- The continuous emission monitoring system (CEMS) serving your process equipment indicates that your process equipment is exceeding its emissions limit.
- The flow-rate monitor on your wet scrubber indicates that the water flow to your scrubber is below the minimum specified by your permit.
- The performance test results from your NSPS boiler indicate non-compliance with subpart Dc.
- The daily drift of your CEMS exceeds the allowable limit specified in Appendix F of Part 60 of the Code of Federal Regulations.
- You failed to submit a report or notification within the timeframe specified by your permit.

Do I need to keep records of deviations?

Yes. You should record every deviation of your permit and maintain these records for at least five years.

Do I have to report deviations to the MPCA?

Yes. The following lists the timeframes in which a facility must report deviations:

- A. For deviations which could endanger human health or the environment; the permittee must notify the MPCA (orally or by fax) as soon as possible after discovering the deviation, and submit a written report of the deviation within two working days of the discovery of such a deviation. The written report shall indicate a description, cause and exact dates of the deviation; if the deviation has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the deviation. A summary of the event should be included in the report described below under B(2).
- B. For deviations that don’t fit into category A above, the permittee shall submit deviations reports as follows:
 - 1) Deviations recorded by continuous emission monitoring systems (CEMS) and continuous opacity monitoring systems (COMS) must be reported on an Excess Emission Report (EER)

submitted within 30 days of the end of every calendar quarter.

- 2) All other deviations must be reported semi-annually, in a mid-year report and an end-of-the-year report. The mid-year report, covering January through June, is due by July 30 each year. The end-of-the-year report, covering July through December, is due by January 30 each year. Unless you hold a registration permit, this report must be submitted regardless of whether or not a deviation occurred during the reporting period.

Note: All deviations reports must be submitted on a form approved by the MPCA and most must be certified by a responsible official. EERs need not be certified by a responsible official, but you must include a summary of the EER with the semi-annual deviation report. Other types of notifications which do not require responsible official certification (such as performance test reports) must also be summarized in the deviation report if they indicate non-compliance.

Where can I get a copy of the deviations reporting form?

To request a deviations reporting form, please call the Permit Document Coordinator at (651)282-5843.

Where do I send deviations reports?

Address deviations reports to the Air Quality Compliance Tracking Coordinator, 520 Lafayette Road, Minnesota Pollution Control Agency, St. Paul, Minnesota 55155-4194.

What information should be included in deviations reports?

The Deviations Reporting Forms asks that you supply the following information with each deviation report:

- facility name
- calendar quarter/semi annual period
- equipment monitored
- parameter monitored
- continuous or intermittent monitoring
- emission unit operating time
- total time of deviations
- percent of time in deviation
- percent of monitor down-time
- total number of readings taken
- total number of readings indicating violations
- percent of readings indicating violations

Some of the information requested on the deviations reporting form might not be applicable to your facility.



Printed on paper containing at least 20 percent fibers from paper recycled from consumers.