


US EPA ARCHIVE DOCUMENT



**C.13 Notification of Compliance
(NOC) and
Finding of Compliance (FOC)**

 United States Environmental Protection Agency


MACT EEE Training Workshop

NOC and FOC


AECOM

Topics

- Notification of Compliance (NOC)
- Finding of Compliance (FOC)



In this module, the Notification of Compliance and Finding of Compliance part of MACT EEE will be discussed.

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NOC and FOC


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Notification of Compliance

- Partially in place of Notification of Compliance Status of §63.9(h)
- Required for initial and subsequent CPT's
- Postmark by 90 days after CPT and include documentation of compliance
- Upon postmark
 - Must comply with operating requirements in NOC
 - Limits of DOC or previous NOC no longer apply



The Notification of Compliance, or NOC, is a partially takes place of the Notification of Compliance Status as required in the general provisions of Part 63 at section 63.9(h). A NOC is required for all Comprehensive Performance Tests conducted on MACT EEE affected units. The NOC must be postmarked no later than 90 days after a CPT and document MACT EEE compliance. Once the NOC has been postmarked, the affected units must comply with the operating requirements specified in the NOC. Also, after postmark, the limits in the Documentation of Compliance, or DOC, or earlier NOC no longer apply, since the new NOC takes the place of previous limits.


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NOC

- Documentation of compliance with emission standards and CMS requirements
- Identify operating parameter limits (OPL)
- Can request in writing time extension for reasons beyond control, if not be able to meet 90 day deadline for NOC
- Administrator determines if extension is warranted




The NOC must document compliance with emission standards and continuous monitoring system requirements, as well as identify operating parameter limits. An extension to the 90 day deadline for NOC submittal can be requested. The request must be in writing and document the reasons for needed an extension. The Administrator will determine if the extension is warranted and notify the requestor accordingly.

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
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NOC for Early Compliance

- If initial CPT is prior to compliance date, postmark of NOC later of 90 days of test completion or by compliance date



If the initial CPT occurs prior to the compliance date, the NOC must be postmarked by 90 days after the test completion or by the compliance date, which ever is later.


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
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Untimely NOC

- Cease burning hazardous waste immediately
- Prior to revised NOC, burn hazardous waste up to 720 hours only for pretest or CPT
- Burn allowance can be renewed by Administrator
- Must submit NOC subsequent to new CPT before burning hazardous waste




If the 90 day requirement for the NOC is not met, the site must cease burning hazardous waste immediately. Prior to revising the NOC, a hazardous waste burn for up to 720 hours is allowed for pretesting and for the CPT. This additional burn allowance can be renewed by the Administrator. The site must submit a NOC after a new CPT is conducted and before burning hazardous waste.

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Failure of CPT After Initial CPT

- Prior to revised NOC, burn hazardous waste up to 720 hours only for pretest or CPT
- Burn allowance (720 hours) can be renewed by Administrator



Prior to revising the NOC, a site may burn hazardous waste for up to 720 hours for pretesting or for the CPT. This burn allowance can be renewed by the Administrator.

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
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Transition from RCRA to CAA

- When compliance with MACT EEE is demonstrated
- After conducting Initial CPT and submitting test results with NOC
- During time period facility is subject to requirements under both programs, must comply with most stringent of programs
- NOC ultimately incorporated into Title V permit by Significant Modification



MACT EEE provides for a transition from RCRA to CAA requirements. The transition occurs when compliance with MACT EEE is demonstrated. The transition can occur after conducting the Initial CPT and submitting the test results with the NOC. Before the transition occurs, during the time period when the facility is subject to requirements under both RCRA and CAA programs, the facility must comply with the most stringent requirement between the two programs. The NOC will ultimately be incorporated into the facility's Title V permit by a significant modification.


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Finding of Compliance

- Administrator makes finding concerning compliance with emission standards and other requirements [§63.6(f)(3)]
- Compliance Determination based on CPT results, monitoring data, review of records, source inspection, and evaluation of O&M requirements



The Administrator will make a Finding of Compliance (FOC) with emission standards and other requirements. The Compliance determination will be based on the CPT results, monitoring data, review of records, source inspection and evaluation of the O&M requirements.