

REPORTING BREAKDOWN CONDITIONS

As the owner or operator of air pollution control equipment or continuous emission monitoring system equipment, you are required to take certain actions when you have a breakdown. The State of California and the Ventura County Air Pollution Control District (VCAPCD) have various laws and regulations to protect the public's health and the environment. The VCAPCD realizes there may be equipment failures or malfunctions that prevent you from maintaining compliance with emission limitations or in-stack monitoring requirements. When failures or malfunctions occur, you can continue to operate for a limited time under a breakdown condition in accordance with [VCAPCD Rule 32, Breakdown Conditions; Emergency Variances](#).

What Is A Breakdown Condition?

A breakdown condition is an unforeseeable failure or malfunction of 1) air pollution control equipment causing a violation of any emission limitation or restriction; or 2) any in-stack continuous monitoring equipment. Failure or malfunction is disallowed as a breakdown condition under any of the following circumstances: 1) there is negligence or disregard for laws; 2) there is an intentional or negligent act or omission by the owner or operator; 3) there is improper maintenance; or 4) there is a public nuisance.

What Do I Have To Do?

- Notify the VCAPCD of any occurrence as soon as reasonably possible, but not later than four (4) hours after its detection. Be prepared to give your name, VCAPCD Permit to Operate number, company, company contact, telephone number, location, date and time of the occurrence, equipment involved, and to the extent known, the cause or causes. An [Initial Breakdown Reporting Form ENF-32A](#) may be submitted via email to: notifications@vcapcd.org.
- You must immediately undertake appropriate corrective measures and come into compliance, or elect to shut down for corrective measures before commencement of the next production run or within 24 hours, whichever is sooner. In-stack continuous monitoring equipment is allowed 96 hours to achieve compliance. If continued operation beyond this period is desired, the owner must request a hearing for an emergency variance from the VCAPCD Hearing Board.
- You must submit a written follow-up report within seven (7) calendar days after the breakdown condition has been corrected. The report must include the following information: 1) a statement that the occurrence was corrected, including date and time of the correction, and proof of compliance; 2) a specific statement giving the reasons or causes of the occurrence sufficient to enable the VCAPCD to determine if the occurrence was a breakdown condition; 3) a description of the corrective measures that were undertaken and/or will be undertaken to avoid future occurrences; 4) an estimate of the

emissions caused by the occurrence; and 5) pictures of the equipment or controls that failed, if available. A [Final Breakdown Reporting Form ENF-32B](#) may be utilized for this submission. The VCAPCD may extend the deadline for item 3 for good cause at the request of the owner or operator. The burden shall be on the owner or operator to provide sufficient information to demonstrate that a breakdown condition occurred. The VCAPCD will take appropriate enforcement action if this information is not supplied.

Failure to report a breakdown condition or provide written follow-up to a breakdown condition, or failure to do either one of these requirements in a timely manner are separate violations of Rule 32.

Questions?

For more information or to obtain a copy of Rule 32, Breakdown Conditions; Emergency Variances, contact the Compliance Section at notifications@vcapcd.org. To file for or ask for assistance with a variance, contact the VCAPCD Hearing Board Liaison at hearingboard@vcapcd.org. Direct mail inquiries may be sent to the Compliance Division at the following address: Ventura County APCD, Compliance Division, 4567 Telephone Road, 2nd floor, Ventura, CA 93003.