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MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

Compliance Advisory - Breakdown Reports

What is a breakdown?

Regulation 1, Rule 1-540 defines a Breakdown as “An unforeseeable failure or malfunction of air pollution control equipment, or related operating equipment, which causes a violation of any rule, law, permit condition, or emission limitation; or any emission monitoring equipment failure or malfunction”.

Why should you report a breakdown?

Failure to report a breakdown to the District is a violation of state law, District regulations, and the conditions of your Permit to Operate. Following the procedures outlined in Regulation 1, Rule 10549(b) may avoid enforcement action resulting in fines and penalties.

How do I report a breakdown?

Regulation 1, Rule 1-540(b)(1)(A) requires that a breakdown be reported to the District within one hour after its detection. The District accepts reports by fax or telephone message if the breakdown occurs after normal business hours. The initial breakdown report should contain enough information to conduct a follow up investigation. (Who, What, When, Where, and Why)

What happens after I file the initial breakdown report?

District staff will review the report and contact the reporting person. District staff may also conduct a site visit to determine whether the occurrence constitutes a breakdown condition and whether the facility has or will be able to return to compliance.

What follow up is required after I report a breakdown?

Regulation 1, Rule 1-540(c) requires a written follow up report within ten (10) calendar days after a breakdown condition has been corrected. The follow up report must contain the duration and estimated quantity of excess emissions, the cause of the occurrence, and corrective measures to be taken to prevent recurrences.

What do I do if the equipment cannot be fixed right away?

Regulation 1, Rule 1-540(g) allow for breakdown conditions up to 24 hours. Contact the District immediately for any occurrence that cannot be immediately corrected. Regulation 1, Rule 1-615 provides for the possibility of an emergency variance that will allow you to continue operating.

What happens if there is an unreported “Breakdown”?

Failure to report a “Breakdown” in a timely manner can result in enforcement action by the District. If the District discovers that a “Breakdown” has occurred and that it was not reported, enforcement action will be taken. Fines and penalties for failure to report breakdowns can exceed \$50,000 per day, per violation and criminal charges may also be filed.