ACDP and Title V Response to Information Request Submittal

Version 1.0

November 2024

State of Oregon
DEQ Department of Environmental Quality

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Version 1.0
Last updated: November 25, 2024

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System Overview

The Oregon Department of Environmental Quality has instituted the use of a modernized, cloud-based tool for a selection of compliance programs within the agency and several business processes that involve the public and regulated entities.

Your DEQ Online is an Environmental Data Management System designed to combine current DEQ processes across air, land and water divisions in one convenient and easily accessible portal. The system enables users to submit applications, upload reports, enter data, check the status of applications, pay fees or fines, and manage account activity. In addition, the system allows for greater public access to environmental data without the need to request this information from DEQ staff.

1.   Introduction

This document provides information to the owner/operator of a facility submitting a Response to Information Request Submittal in Your DEQ Online. This document is grouped by:

i.   Overview of Division 214 Requests for Information
ii.   Accessing the ACDP – Response to Information Request Submittals
iii. Basic Information
iv.   Attachments
v.   Review of the submittal
vi.   Submission of the Response to Information Request Submittals

2.   Overview of Division 214 Requests for Information

Division 214 is the rule division titled 'Stationary Source Reporting Requirements'. Rule OAR 340-214-0100 clarifies that 340-214-0100 through 340-214-0130 applies:

"…to all stationary sources in the state. Stationary source includes portable sources that are required to have permits under division 216."

All owners and operators of stationary sources must provide any and all information, including an air quality analysis of the source, that DEQ reasonably requires for the purpose of regulating stationary sources. DEQ will provide the source with a written request to provide such information by a reasonable date. Such information may be required on a one-time, periodic, or continuous basis and may include, but is not limited to, information necessary to:

1) Issue a permit and ascertain compliance or noncompliance with the permit terms and conditions;
2) Ascertain applicability of any requirement;
3) Ascertain compliance or noncompliance with any applicable requirement;
4) Determine whether a source's emissions may cause or contribute to a new exceedance of a National Ambient Air Quality Standard adopted under OAR chapter 340, division 202; and
5) Incorporate monitoring, recordkeeping, reporting, and compliance certification requirements into a permit.

3.   Response to Information Request Submittals

Login to your account on the Your DEQ Online Public Portal. From the dashboard, scroll down to the 'Upcoming Obligations & Unpaid Submittals' section; alternatively, navigate to the top left-hand corner, select

the 'Upcoming Obligations' icon to view all upcoming reporting obligations.

Locate the reporting obligation 'ACDP – Response to Information Request Submittal'. Click on the pencil icon to open the submittal.

4.   Confidential Business Information (CBI)

All information submitted to DEQ is subject to inspection by any member of the public upon request, unless the information is determined to be exempt from disclosure under the Oregon Public Records law. If you are submitting materials that you believe to contain confidential business information or information containing trade secrets, carefully review the requirements in OAR 340-214-0130, including the criteria for trade secret information in section 3 of the rule. Note that emissions data is *not* exempt from disclosure.

4.1.   Submit Confidential Business Information using file attachment

If you are submitting information using the file attachment tool that is believed to be confidential, trade secret, or otherwise exempt from disclosure, please follow these steps:
1. State the specific statutory provision under which you claim exemption and explain why the information in your submittal meets the requirements of that provision.
2. Include the word "CONFIDENTIAL" in the filename.

3. Ensure that the claimed exempt material is clearly distinguishable from non-exempt material by clearly marking the relevant file names and relevant pages of your submittal with annotation such as "CONTAINS CONFIDENTIAL BUSINESS INFORMATION".

4. For each confidential information attachment uploaded, the equivalent redacted (all CBI removed) attachment must also be uploaded. Ensure that the word 'REDACTED' is included in the file name to distinguish it from the CBI containing equivalent.

5. When you are ready to complete the submittal on the 'Submission' tab, make sure to select 'YES' on the confidential business information question at the bottom of the form prior to submitting.

4.2. Submit Confidential Business Information using a YDO form

If you are filling out a submittal using a YDO form that contains information you believe to be confidential, trade secret, or otherwise exempt from disclosure, you will be given an opportunity to redact your application during the Review phase. Please follow these steps to learn how to redact CBI from YDO forms:

1. Complete the application beginning on the 'Basic Info' tab, including the confidential information that is relevant to the required and optional fields.

2. Proceed through the Payment tab and pay any required fees.

3. Proceed to the 'Review' tab and click the PDF icon. A new window will open with a PDF summary of your application.
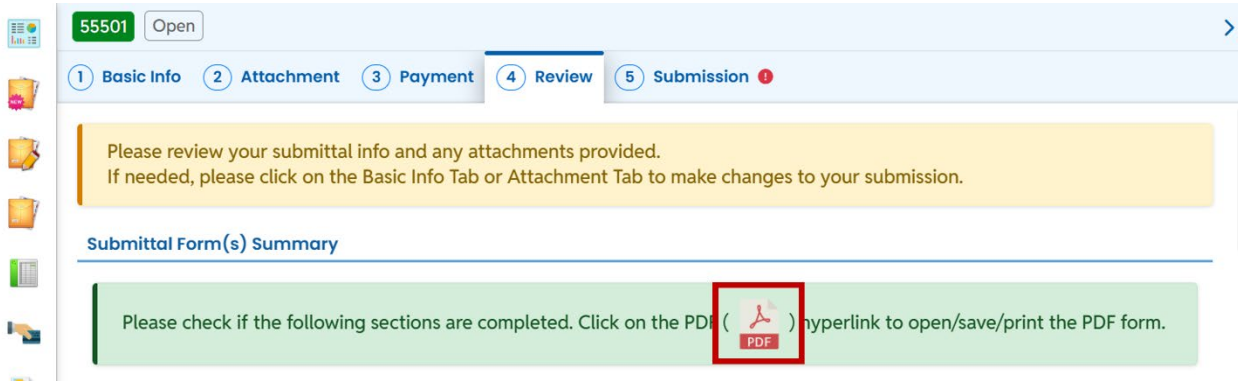
4. Download the file and use software of your choice (Adobe or otherwise) to redact your application. When submitting information that is believed to be confidential, trade secret, or otherwise exempt from disclosure, please ensure that you:
   a. State the specific statutory provision under which you claim exemption; and
   b. Ensure that the claimed exempt material is clearly distinguishable from non-exempt material by clearly marking the relevant file names and relevant pages of your submittal with annotation such as "CONTAINS CONFIDENTIAL BUSINESS INFORMATION".

5. Navigate back to the Attachment tab, upload the redacted PDF and choose 'Redacted Submittal Form in PDF' as the file type.
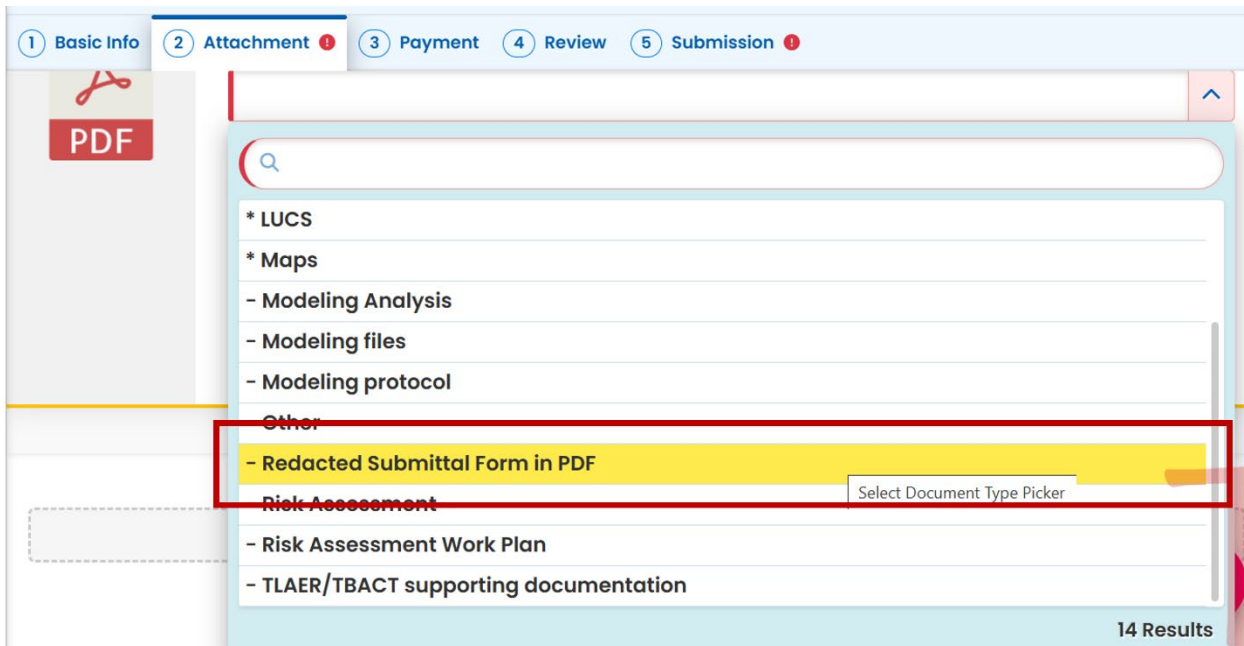
6. Proceed to the 'Submission' tab, fill out all required information and click 'submit'. **Make sure to select 'YES' on the confidential business information question at the bottom of the form** prior to submitting.

DEQ will segregate marked information in its files, and if such information is requested by a member of the public, then DEQ will determine if the information qualifies as exempt from disclosure under Oregon's Public Records law (see Oregon Revised Statutes Chapter 192) and will either disclose it or not, as appropriate.

5.   Basic Info

If you plan to include Confidential Business Information (CBI) or trade secrets pursuant to OAR 340-214-0130 in this submittal you must review and follow agency guidelines. Click the 'Get Information' button under Submittal Information for instructions.

Use the dropdown menu to select your facility by using the search field or by scrolling through the list. If available, provide the Permit Information using the dropdown menu.

DEQ staff will have sent you a letter or document requesting specific information or you will find it listed in the box 'information requested' inside the submittal.

If the requested information can readily fit in the text box of the form, include it there. If not, you may use the radio button option at the bottom to indicate you will provide the information by using the 'attachment' tab at the top of the screen. You can upload a variety of document types using the attachment tab to satisfy the information request, depending on what format is conducive to your data.

Use the radio button selector to acknowledge whether the information will be provided via attachment (yes) or included in the text box (no).

Select your facility (project site)

⌄

🛇 Required.

Permit Information

Permit

⌄

Information Requested

Please provide the info requested

(Remaining Length: 4000)

Response to the Information Requested

Provide the info requested via attachment

○ Yes   ○ No

🛇 Required.

Select the Save icon 💾 to ensure the information you've added to the submittal are saved at any time and prior to moving to a separate tab.

6.   Attachments

Attachments are not required for facilities submitting a Response to Information Request Submittals. However, if you intend to provide the information requested via attachment, please use the following instructions.

To upload the attachment(s), use the 'Click to Upload or Drag Files Over Here' icon accordingly.

① Basic Info 🛑 ② Attachment ③ Review ④ Submission 🛑

Instruction ⌃

🔹 Attachments are not required for current submittal.

When uploading an attachment, first click the file record and **select a document type option** for the uploaded file. If you want to mail the documents to the authorized agency, please navigate to the Review tab and use the "Mail To" checkbox.

⎁ Click to Upload or Drag Files Over Here

After you upload an attachment, click the file and **select a document type option**. If you prefer to mail the document(s) to DEQ, please navigate to the Review tab and use the "Mail To" checkbox.

Once you have uploaded a file, add any necessary comments. The document type options are 'Other' or 'Redacted Submittal Form in PDF'. If necessary, you can remove the document by selecting the red trash can 🗑 .

Hit the Red Save Icon in the bottom right corner.

7.   Review

Review your submittal information and any attachments provided. Under the Submittal Form(s) Summary section, parts of the submittal that are incomplete will be identified with a red x and will indicate the tab with incomplete data.

If needed, please click on the Basic Info Tab or Attachment Tab to make changes to your submission. All required fields must be addressed before you are able to complete the submission.

Hit the Red Save Icon in the bottom right corner.

8.   Submission

Review the Certification Statement and select the box to acknowledge that you have read and agree to the above certification statement.

Complete the Submission tab by entering the answer to your security question and inputting your PIN number (for assistance, refer to Paragraph 9).

Certification Statement

I certify under penalty of law, based on information and belief formed after reasonable inquiry, the statements and information contained in these documents are true, accurate and complete.

☐ I have read and agree to the above certification statement

🛈 Required.

Security Question

Security Question: what is your favorite book? *

🛈 Required.

☐ Show Question Answer

PIN Number

PIN: *

🛈 Required.

Select a radio button option for Confidential Business Information (CBI). If you plan to include CBI or trade secrets pursuant to OAR 340-214-0130 in this submittal, you must review and follow agency guidelines.

When you have completed the review and are ready to submit, select the Submit button at the bottom of the Submission tab.

Confidential Business Information (CBI)

○ Yes ○ No

🛈 Required.

If you plan to include Confidential Business Information (CBI) or trade secrets pursuant to OAR 340-214-0130 in this submittal you must review and follow agency guidelines. Click the 'Get Information' button under Submittal Information for instructions.

Disclaimer

The system, agencies, officers, and employees protect your confidential information. However, personally identifiable information privacy is a new and evolving area, and despite dedicated efforts, some mistakes and misunderstandings may result. The visitor proceeds to any external sites at their own risk. The development company expressly disclaims all liabilities from damages resulting from accessing the website or from reliance upon any such information.

Submit

If any required fields have not been completed on the submission tab and/or any other tabs, the system will not allow the submission to successfully complete. The tabs at the top of the page will indicate to the user where a required field was not completed. Once the required field has been addressed, return to this Submission tab and select Submit.

9. Air Quality Permitting Staff Contacts

Information about air quality permits and DEQ's regulations may be obtained from the DEQ web page at http://www.oregon.gov/deq/. All inquiries about this permit should be directed to the regional office for the area where the source is located. DEQ's regional offices are as follows:

Counties	Office Address and Telephone
Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington	Department of Environmental Quality Northwest Region 700 NE Multnomah Street, Suite 600 Portland, OR 97232 Telephone: (503) 229-5696
Benton, Lincoln, Linn, Marion, Polk, and Yamhill	Department of Environmental Quality Western Region 4026 Fairview Industrial Drive Salem, OR 97302 Telephone: (503) 378-8240
Coos, Curry, and Western Douglas	Department of Environmental Quality Coos Bay Office 465 Elrod Ave., Suite 202 Coos Bay, OR 97420 Telephone: (541) 269-2721
Eastern Douglas, Jackson, and Josephine	Department of Environmental Quality Medford Office 221 Stewart Ave, Suite 201 Medford, OR 97501 Telephone: (541) 776-6010
Crook, Deschutes, Harney, Hood River, Jefferson, Klamath, Lake, Sherman, Wasco, and Wheeler	Department of Environmental Quality Bend Office 475 NE Bellevue, Suite 110 Bend, OR 97701 Telephone: (541) 388-6146
Baker, Gilliam, Grant, Malheur, Morrow, Umatilla, Union, and Wallowa	Department of Environmental Quality Pendleton Office 800 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 Telephone: (541) 276-4063

10. Help Desk and Resources

For more information, training and resources, go to the Your DEQ Online Help page. For technical assistance, contact the Your DEQ Online Helpdesk.

11. Revision History

Revision	Date	Changes	Editor
1.0	5/20/2024	Initial draft	Chris Moore
1.1	11/19/2024	Clarifications and revisions	Dan DeFehr
			Jennifer