

- [] _____ G. **Exemptions:**

 An explanation of any proposed exemptions from
 otherwise applicable requirements.
 [NDAPCR 33-15-14-06.04.c.]
 [40 CFR 70.5(c)(6)]
- [] _____ H. **Alternative Operating Scenarios/Emissions Cap:**

 Additional information, as deemed necessary by
 the permitting authority, to define
 alternative operating scenarios identified by
 the source or the define permit terms and
 conditions allowing emissions trading under a
 federally-enforceable emissions cap
 established in the permit independent of
 otherwise applicable requirements or emissions
 trading when the applicable requirement
 provides for it without case-by-case approval
 of each trade.
 [NDAPCR 33-15-14-06.04.c.]
 [40 CFR 70.5(c)(7), 70.4(b)(12)(iii),
 and 70.6(a)(10)]
- I. **Compliance Plan:**
 A compliance plan for all part 70 sources that
 includes the following information:
 [NDAPCR 33-15-14-06.4.c.]
 [40 CFR 70.5(c)(8)]
- [] _____ 1. A description of the compliance status

 of the source with respect to all
 applicable requirements.
- [] _____ 2. A statement of how compliance will be

 maintained or achieved as follows:
- [] _____ a. A statement that the source will

 continue to comply with
 applicable requirements with
 which it is in compliance.
- [] _____ b. A statement that the source

 will, in a timely manner, meet
 all applicable requirements that
 will become effective during the
 permit term and a detailed
 schedule, if needed, for meeting
 the requirements.
- [] _____ 3. For sources out of compliance at the

 time of permit issuance:
- [] _____ a. A narrative description of how

 the source will achieve
 compliance with requirements
 with which the source is not in
 compliance at the time of permit
 issuance.
- [] _____ b. A schedule of compliance

 including remedial measures
 (including an enforceable
 sequence of actions with
 milestones) leading to
 compliance.

[] _____

c. Provisions that the compliance schedule resembles and is at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject.

[] _____

4. A schedule for submission of certified progress reports no less frequently than every 6 months for sources required to have a schedule of compliance to remedy a violation.

J. **Compliance Certification:**

A compliance certification requiring the following: [NDAPCR 33-15-14-06.4.c.]
[40 CFR 70.5(c)(9)]

[] _____

1. A certification of compliance with all applicable requirements by a responsible official as defined as:

[] _____

a. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

[] _____

(1). The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

[] _____

(2). The delegation of authority to such representatives is approved in advance by the permitting authority.

[] _____

b. For a partnership or sole proprietorship, a general partner or the proprietor, respectively.

[] _____

c. For a municipality, State, Federal, or other public agency, either a principal executive officer or ranking elected official. The principal executive officer of a Federal agency includes the chief executive officer having responsibility of the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA).

[] _____

d. For Acid Rain sources, the designated representative.

[] _____

2. A statement of methods used for determining compliance, including a description of monitoring, recordkeeping, reporting requirements, and test methods.

[] _____

3. A schedule for submission of compliance certifications during the permit term, to be submitted no less frequently than annually or more frequently if specified by the underlying applicable requirement or by the permitting authority.

[] _____

4. A statement indicating the source's compliance status with any applicable enhanced monitoring and compliance certification requirements of the Act.

[] _____

K. **Responsible Official:**
Provisions that any application form, report, or compliance certification submitted in the permit application shall contain a certification by a responsible official of truth, accuracy, and completeness based on information and belief formed after reasonable inquiry. [NDAPCR 33-15-14-06.4.c.]
[40 CFR 70.5(a)(2) and (d)]