



## AIR QUALITY PROGRAM

ENVIRONMENTAL PROGRAMS DIVISION  
SOUTHERN UTE INDIAN TRIBE  
PO BOX 737, MS 84, IGNACIO, CO 81137  
Phone (970) 563--4705 · Fax (970) 563-0384

March 27, 2020

### Technical Advisory Bulletin

**To: All Tribal Title V Owners and Operators:**

This technical advisory bulletin is being issued to address compliance concerns or non-compliance that could result at Title V permitted facilities during the COVID-19 pandemic.

In response to the COVID-19 pandemic, state, local, and the Southern Ute Indian tribal government have been forced to take drastic actions to limit social contact including stay-at-home orders for non-critical employees and closures of certain businesses. The Tribe's Air Quality Program (AQP) understands that owners and operators are facing many challenges due to the COVID-19 pandemic and is issuing this guidance to help operators take measures to document these challenges for compliance reporting purposes.

To document compliance concerns and issues that are directly resultant from challenges relating to the pandemic, the AQP recommends, at a minimum, that operators keep detailed logs, including the reason for non-compliance and maintain all relevant data to support claims (e.g., correspondence with operations personnel, stack test companies, contractors, etc.). Additionally, AQP recommends keeping in contact with the AQP regarding issues as they arise. For urgent matters and prompt deviation reporting during this time, reports can be submitted to: [airquality@southernute-nsn.gov](mailto:airquality@southernute-nsn.gov). All other logs and records can be submitted to the AQP at a later date.

If owners and operators are able to comply with their Title V permit requirements on time, we strongly encourage you to do so using the processes normally used. Where compliance is impacted by orders aimed at slowing the spread of COVID-19, the AQP expects owners and operators to exercise reasonable due diligence. Correspondingly, the AQP will exercise discretion in granting administrative and enforcement relief for various reporting requirements and deadlines of regulated entities as conditions warrant in response to COVID-19.

It is the AQP's expectation that permittees will take actions minimizing the effects and duration of any noncompliance caused by COVID-19 and will use "best efforts" to return to compliance at the earliest opportunity.

If you have any questions regarding compliance during this time, please contact Mr. Oakley Hayes, Air Quality Technical Manager, at (970) 563-2244 or me at (970) 563-2265.

*Danny J Powers*

Danny Powers

Air Quality Program Manager

The Southern Ute Air Quality Program