

**LANE REGIONAL AIR PROTECTION AGENCY**

1010 Main Street, Springfield, Oregon 97477

(541) 736-1056

CONSTRUCTION AIR CONTAMINANT DISCHARGE PERMIT
(C – ACDP)

Issued in accordance with provisions of Title 37, Lane Regional Air Protection Agency's Rules and Regulations, and based on the land use compatibility findings included in the permit record.

Issued To:

Bakelite Chemicals LLC
2665 Highway 99 North
Eugene, Oregon 97402

Information Relied Upon:

Application Number: NC-203129-A25
Dated: 2/13/2025

Facility Location:

2665 Highway 99 North
Eugene, Oregon 97402

Land Use Compatibility Statement:

From: City of Eugene
Date: November 25, 1996

Permit Number: 203129

Permit Type: Construction

Primary SIC: 2821 – Synthetic Resin

Manufacturing

Issuance Date: [To be inserted upon issuance]

Expiration Date: [To be inserted upon issuance]

Travis Knudsen, Executive Director

Effective Date

Source(s) Permitted to Discharge Air Contaminants (LRAPA 37-8010):

Title 37 Table 1 Code	Source Description
Part B: 70	Synthetic resin manufacturing

LIST OF ABBREVIATIONS THAT MAY BE USED IN THIS PERMIT

ACDP	Air Contaminant Discharge Permit	MM	Million
AQMA	Air Quality Management Area	MMBtu	Million British thermal units
ACS	Applied coating solids	MMCF	Million cubic feet
Act	Federal Clean Air Act	NA	Not applicable
ASTM	American Society of Testing and Materials	NESHAP	National Emission Standards for Hazardous Air Pollutants
BDT	Bone dry ton	NOx	Nitrogen oxides
Btu	British thermal unit	NSPS	New Source Performance Standards
CAM	Compliance Assurance Monitoring	NSR	New Source Review
CAO	Cleaner Air Oregon	O2	Oxygen
CD ID	Control device identifier	OAR	Oregon Administrative Rules
CEMS	Continuous Emissions Monitoring System	ODEQ	Oregon Department of Environmental Quality
CFR	Code of Federal Regulations	OPR	Operation
CI	Compression Ignition	ORS	Oregon Revised Statutes
CMS	Continuous Monitoring System	O&M	Operation and maintenance
CO	Carbon Monoxide	SB	Lead
CO2	Carbon dioxide	PCD	Pollution Control Device
CO2e	Carbon dioxide equivalent	PM	Particulate matter
COMS	Continuous Opacity Monitoring System	PM2.5	Particulate matter less than 2.5 microns in size
CPDS	Certified Product Data Sheet	PM10	Particulate matter less than 10 microns in size
CPMS	Continuous parameter monitoring system	ppm	Parts per million
DEQ	Department of Environmental Quality	PSEL	Plant Site Emission Limit
dscf	Dry standard cubic feet	psia	pounds per square inch, actual
EF	Emission factor	PTE	Potential to Emit
EPA	US Environmental Protection Agency	QIP	Quality Improvement Plan
EU	Emissions Unit	RICE	Reciprocating Internal Combustion Engine
EU ID	Emission unit identifier	SACC	Semi-Annual Compliance Certification
FCAA	Federal Clean Air Act	SCEMP	Surrogate Compliance Emissions
ft ²	Square foot	Scf	Monitoring Parameter
FSA	Fuel sampling and analysis	SDS	Standard cubic foot
gal	Gallon	SER	Safety data sheet
GHG	Greenhouse Gas	SERP	Significant emission rate
gr/dscf	Grain per dry standard cubic feet (1 pound = 7000 grains)	SI	Source emissions reduction plan
HAP	Hazardous Air Pollutants as defined by LRAPA title 12	SIC	Spark Ignition
HCFC	Halogenated Chlorofluorocarbons	SIP	Standard Industrial Code
Hr	Hour	SO2	State Implementation Plan
ID	Identification number or label	ST	Sulfur dioxide
I&M	Inspection and maintenance	TAC	Source test
Lb	Pound	TACT	Toxic air contaminant
LRAPA	Lane Regional Air Protection Agency	TEU	Typically Achievable Control Technology
MACT	Maximum Achievable Control Technology	TPY	Toxic Emission Unit
MBF	Thousand board feet	UGB	Tons per year
MERV	Minimum efficiency reporting values	VE	Urban growth boundary
MFHAP	Metal fabrication or finishing metal hazardous air pollutants	VMT	Visible emissions
		VOC	Vehicle miles traveled
		Year	Volatile organic compounds
			A period consisting of any 12-consecutive calendar month

Permitted Activities

1. Until such time as this permit is modified or revoked, the permittee is allowed to change the method of operation to allow process gasses from the facility's resin reactors in Emission Units OX-1 and OX-2 to bypass the regenerative thermal oxidizer control device (RTO) for a limited number of hours annually in accordance with the requirements, limitations, and conditions of this permit. The Construction ACDP (C-ACDP) does not authorize operation of the modified process. The permittee must ensure that the Title V Operating Permit allows and covers operation of the modified process prior to startup. [OAR 340-218-0010, OAR 340-218-0120(2), LRAPA 37-0052(1) and LRAPA 34-180]
2. Upon LRAPA approval, the permittee must construct or modify and operate the source in accordance with the approved plans and specifications, including any corrections or revisions approved by LRAPA, previously submitted in the application required under section 34-036. [LRAPA 37-037(2)]
3. The approval to construct or modify does not relieve the permittee of the obligation of complying with applicable requirements. [LRAPA 34-037(3)]
4. The permittee that receives approval to construct or modify must commence construction within 18 months of approval, or other date approved in writing by LRAPA. [LRAPA 34-037(4)
 - 4.a. Construction or modification approval terminates and is invalid for the following reasons:
 - 4.a.i. Construction or modification is not commenced within 18 months after LRAPA issues such approval, by an alternative deadline established by LRAPA under this section, or by the deadline approved LRAPA in an extension under paragraph (b);
 - 4.a.ii. Construction or modification is discontinued for a period of 18 months or more; or
 - 4.a.iii. Construction or modification is not completed within 18 months of the anticipated date of construction completion included in the application.
 - 4.b. The permittee may request to extend the construction or modification commencement deadline by submitting a written, detailed explanation of why the source could not commence construction or modification within the initial 18-month period. LRAPA may grant, for good cause, one (1) 18-month construction or modification approval extension.
5. Notice of Completion. Unless otherwise specified in the Construction ACDP, the permittee must notify LRAPA in writing that the construction or modification has been completed using a form furnished by LRAPA. Unless otherwise specified, the notice is due 30 days after completing the construction or modification. The notice of completion must include the following: [LRAPA 34-037(5)]
 - 5.a. The date of completion of construction or modification; and
 - 5.b. The date the air pollution control device was or will be put in operation.
6. Order Prohibiting Construction or Modification. If at any time, LRAPA determines that the proposed construction is not in accordance with applicable statutes, rules, regulations, and orders, LRAPA will issue an order prohibiting the construction or modification. The order prohibiting construction or modification will be forwarded to the permittee by certified mail. [LRAPA 34-037(6)]
7. Hearing. The permittee against whom an order prohibiting construction or modification is directed

may request a contested case hearing within 20 days from the date of mailing the order. The request must be in writing, state the grounds for hearing, may be mailed to the Director of LRAPA. The hearing will be conducted pursuant to the applicable provisions in title 14. [LRAPA 34-037(7)]

Emission Unit Description

8. The modified emission units regulated by this Construction ACDP are the following:

Emission Unit ID	Emission Unit Description	Pollution Control Device Description
OX-1	Manufacture of Wet Strength Resins: Reactor K1 and associated process equipment	Regenerative Thermal Oxidizer (RTO)
OX-2	Manufacture of Amino/Phenolic Resins: Reactors K2 and K3 and associated process equipment	Regenerative Thermal Oxidizer (RTO)
Phenol Storage Tanks	Phenol Storage Tanks 302, 303	None
Formaldehyde Storage Tanks	Formaldehyde Storage Tanks 304, 306	None
Methanol Distillate Tanks	Methanol Distillate Tanks 602, 703	None
B-1	Boiler – Clever Brooks 61.7 MMBtu/hr Water tube boiler	None

Plant Site Emission Limits

There are no changes to the PSELs as a result of this Construction ACDP.

Operating Limits

9. The permittee must not allow exhaust gases from the resin reactor K-1 in Emission Unit OX-1 to bypass the Regenerative Thermal Oxidizer for more than 336 hours in any consecutive 12-month period. [LRAPA 42-0080(4)(d)]

10. The permittee must not allow exhaust gases from the resin reactors K-2 and K-3 in Emission Unit OX-2 to bypass the Regenerative Thermal Oxidizer for more than 672 hours in any consecutive 12-month period. [LRAPA 42-0080(4)(d)]

11. The permittee must limit the throughput of Emission Unit Phenol Storage Tanks (302 and 303) to 20MM gallons in any consecutive 12-month period. [LRAPA 42-0080(4)(d)]

12. The permittee must limit the throughput of Emission Unit Formaldehyde Storage Tanks (304, 306) to 18.45 MM gallons in any consecutive 12-month period. [LRAPA 42-0080(4)(d)]

13. The permittee must limit the throughput of Emission Unit Methanol Distillate Tanks (602, 703) to 720,000 gallons in any consecutive 12-month period. [LRAPA 42-0080(4)(d)]

14. The permittee must not burn fuel oil in Emission Unit B-1 (Boiler). [LRAPA 42-0080(4)(d)]

PSEL Monitoring and Compliance

15. To demonstrate compliance with the PSELs, the permittee must monitor and maintain monthly 12-month rolling records of the following process parameters: [LRAPA 34-016, 42-0080 and OAR 340-218-0050(3)(a)]

Process Parameter	Units	Pollutants	Measurement Technique	Measurement Frequency
RTO bypass hours for Resin Reactor K-1	Hours	VOC and HAPs	Recordkeeping	Monthly
RTO bypass hours for Resin Reactors K-2, K-3, and Drum Filling	Hours	VOC and HAPs	Recordkeeping	Monthly

16. The permittee must use the following emission factors for calculating pollutant emissions unless alternative emission factors are approved by LRAPA. The permittee may request or LRAPA may require using alternative emission factors provided they are based on actual test data or other documentation (e.g., AP-42 compilation of emission factors). The use of alternative emission rates or emission factors is not allowed until the alternative emission rates or emission factors have been reviewed and approved by LRAPA using procedures in title 34 and/or title 37, as appropriate. [LRAPA 34-016 and 42-0080(4)(c)]

Emission Unit ID	Emission Unit Description	Pollutant	Emission Factor	Emission Factor Unit	Source
OX-1	Manufacture of Wet Strength Resins: Reactor K1 RTO Bypass Hours	VOC	1.5	lb/hr	Source Test Data
		Total HAP	1.5	lb/hr	Source Test Data
OX-2	Manufacture of Amino/Phenolic Resins: Reactors K2 and K3 RTO Bypass Hours	VOC	0.85	lb/hr	Source Test Data
		Total HAP	0.81	lb/hr	Source Test Data
OX-2	Manufacture of Amino/Phenolic Resins: Drum Filling RTO Bypass Hours	VOC	0.01	lb/hr	Source Test Data
		Total HAP	8.86E-04	lb/hr	Source Test Data

Emission Limitations and Monitoring Requirements

17. To demonstrate compliance with Condition 9 and 10, the permittee must install, maintain, and operate a flow indicator on each bypass line associated with the reactor K-1 in OX-1 and reactors K-2 and K-3 in OX-2. Hourly records must be generated of whether the flow indicator was operating and whether a diversion was detected at any time during the hour, as well as records of the times and durations of all periods when the gas stream is diverted to the atmosphere, or the monitor is not operating. The flow indicator must be installed at the entrance of each bypass line. [LRAPA 32-007(1) and 34-016(1)]

Recordkeeping Requirements

18. The permittee must maintain records of the dates, times, and durations of all periods when the exhaust gas stream from each reactor in OX-1 and OX-2 bypasses the RTO control device and is diverted to the atmosphere. These records must be retained for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. [LRAPA 34-016(1) and (6)]

Reporting Requirements

19. The annual report must be received by February 15th and must include the following; [LRAPA 34-016(1)]

19.a. Process parameter records required by Condition 15.

Outdoor Burning

20. There are no changes to any outdoor burning requirements, as applicable.

AD 5/7/2025

DRAFT

GENERAL PERMIT CONDITIONS

General Conditions and Disclaimers

- G1. A copy of this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request. [LRAPA 37-0020(3)]
- G2. The permittee must allow the Director or their authorized representatives to enter, during operation hours, any property, premises, or place for the purpose of investigating either an actual or suspected air contaminant source or to ascertain compliance or noncompliance with these rules or any issued order. The Director or their authorized representatives must also have access to any pertinent records relating to such property, including but not limited to blueprints, operation and maintenance records and logs, operating rules and procedures. [ORS 468.095 and LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

Performance Standards and Emission Limits

- G4. The permittee must not cause or permit the deposition of any particulate matter which is larger than 250 microns in size at sufficient duration and quantity, as to create an observable deposition upon the real property of another person. [LRAPA 32-055]
- G5. The permittee must not discharge from any source whatsoever such quantities of air contamination which cause injury or damage to any persons, the public, business or property. Such determination to be made by LRAPA. [LRAPA 32-090(1)]
- G6. The permittee must not cause or permit emission of water vapor if the water vapor causes or tends to cause detriment to the health, safety or welfare of any person or causes, or tends to cause damage to property or business. [LRAPA 32-090(2)]
- G7. The permittee must not willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminants emitted, conceals emissions of air contaminants which would otherwise violate LRAPA rules. [LRAPA 32-050(1)]
- G8. The permittee must not cause or permit the installation or use of any device or use of any means designed to mask the emissions of an air contaminant which causes or tends to cause detriment to health, safety or welfare of any person. [LRAPA 32-050(2)]
- G9. The permittee must not allow any materials to be handled, transported, or stored; or a building, its appurtenances or road(s) to be used, constructed, altered, repaired, or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from being airborne. [LRAPA 48-015(1)]
- G10. The permittee may not cause or allow air contaminants from any source subject to regulation by LRAPA to cause a nuisance. [LRAPA 49-010(1)]
- G11. To demonstrate compliance with Conditions G4 through G10, the permittee must provide LRAPA with written notification within five (5) days of all complaints received by the permittee during the operation of the facility and maintain a log of each complaint received by the permittee during the

operation of the facility. Documentation must include date of contact, time of observed complaint condition, description of complaint condition, location of complainant, status of plant operation during the observed period, and time of response to complainant. The permittee must immediately (within one (1) hour during normal business hours) investigate the condition following the receipt of the complaint and the permittee must provide a response to the complainant within 24 hours, if possible, but no later than five (5) business days. [LRAPA 34-016(1)]

Excess Emissions: General Policy

G12. Emissions of air contaminants in excess of applicable standards or permit conditions are unauthorized and are subject to enforcement action. section 36-001 through 36-030 apply to any permittee operating a source which emits air contaminants in excess of any applicable air quality rule or permit condition, including but not limited to excess emissions resulting from the breakdown of air pollution control devices or operating equipment, process upset, startup, shutdown, or scheduled maintenance. Sources that do not emit air contaminants in excess of any applicable rule or permit condition are not subject to the recordkeeping and reporting requirements in title 36. Emissions in excess of applicable standards are not excess emissions if the standard is in an NSPS or NESHAP and the NSPS or NESHAP exempts startups, shutdowns and malfunctions as defined in the applicable NSPS or NESHAP. [LRAPA 36-001(1)]

Excess Emissions: Notification and Record-keeping

G13. This condition applies to all excess emissions not addressed in sections 36-010 and 36-015. [LRAPA 36-020(1)]

- a. The permittee, of a small source, as defined by subsection 36-005(2), need not immediately notify LRAPA of excess emissions events unless otherwise required by permit condition, written notice by LRAPA, or if the excess emission is of a nature that could endanger public health. [LRAPA 36-020(1)(b)]
- b. Notification must be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. - 5 p.m., M-F) is (541) 736-1056. During nonbusiness hours, weekends, or holidays, the permittee must immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.
- c. Follow-up reporting, if required by LRAPA, must contain all information required by Condition G16.

G14. At each annual reporting period specified in this permit, or sooner if required by LRAPA, the permittee must submit a copy of the excess emission log entries for the reporting period, as required by Condition G16. [LRAPA 36-025(4)(a)]

G15. Any excess emissions which could endanger public health or safety must immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.

G16. The permittee must keep an excess emissions log of all planned and unplanned excess emissions. The excess emissions log must include the following: [LRAPA 36-025(3) and 36-025(1)]

- a. The date and time of the beginning of the excess emission event and the duration or best estimate of the time until return to normal operation;
- b. The date and time the permittee notified LRAPA of the event;

- c. The equipment involved;
- d. Whether the event occurred during startup, shutdown, maintenance, or as a result of a breakdown, malfunction, or emergency;
- e. Steps taken to mitigate emissions and corrective actions taken;
- f. The magnitude and duration of each occurrence of excess emissions during the course of an event and the increase over normal rates or concentrations as determined by continuous monitoring or a best estimate, supported by operating data and calculations;
- g. The final resolution of the cause of the excess emissions; and
- h. Where applicable, evidence supporting any claim that emissions in excess of technology-based limits were due to an emergency pursuant to section 36-040.

Excess emissions logs must be kept by the permittee for five (5) calendar years. [LRAPA 36-025(3)]

Excess Emissions: Ongoing Excess Emissions

G17. If there is an ongoing excess emission caused by an upset or breakdown, the owner or operator must immediately take action to minimize emissions to the greatest extent practicable by reducing or ceasing operation of the equipment or facility, unless doing so could result in physical damage to the equipment or facility, cause injury to employees, or result in higher emissions associated with shutdown and subsequent start up than those emissions resulting from continued operation. The owner or operator may:

- a. Cease operation of the equipment or facility within eight (8) hours of the beginning of the period of excess emissions;
- b. Request to continue operation by submitting to LRAPA a written request to continue operation within eight (8) hours of the beginning of the period of excess emissions;
- c. Continue operation only if approved by LRAPA in accordance with LRAPA 36-020(3). Otherwise, the owner or operator must cease operation within one (1) hour of receiving LRAPA's disapproval of continued operation.

Excess Emissions: Scheduled Maintenance

G18. If the permittee anticipates that scheduled maintenance of air contaminant sources or air pollution control devices may result in excess emissions, the permittee must obtain prior LRAPA authorization of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance must be submitted and received by LRAPA in writing at least seventy-two (72) hours prior to the event. The application must include the following: [LRAPA 36-015(1)]

- a. The reasons explaining the need for maintenance, including but not limited to: why the maintenance activity is necessary; why it would be impractical to shut down the source operation during the maintenance activity; if applicable, why air pollution control devices must be by-passed or operated at reduced efficiency during the maintenance activity; and why the excess emissions could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
- b. Identification of the specific production or emission control device or system to be maintained;
- c. Identification of the nature of the air contaminants likely to be emitted during the maintenance

period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and

- d. Identification of specific procedures to be followed which will minimize excess emissions at all times during the scheduled maintenance.

G19. LRAPA will approve the procedures if it determines that they are consistent with good pollution control practices, will minimize emissions during such period to the extent practicable, and that no adverse health impact on the public will occur. The permittee must record all excess emissions in the excess emissions log as required in Condition G16. Approval of the procedures in Condition G18 does not shield the permittee from an enforcement action, but LRAPA will consider whether the procedures were followed in determining whether an enforcement action is appropriate. [LRAPA 36-015(2)]

G20. No scheduled maintenance associated with the approved procedures in Condition G19 that is likely to result in excess emissions may occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced yellow or red woodstove advisory period, in areas determined by LRAPA as PM_{2.5} or PM₁₀ nonattainment areas. [LRAPA 36-015(6)]

G21. In cases where LRAPA has not received notification of scheduled maintenance that is likely to cause excess emissions within the required 72 hours prior to the event according to Condition G17, or where such approval has not been waived pursuant to subsection 36-015(3), the permittee must immediately notify LRAPA by telephone of the situation, and must be subject to the requirements of Conditions G14 and G16. [LRAPA 36-015(7)]

Air Pollution Emergencies

G22. The permittee must, upon declaration of an air pollution alert, air pollution warning, or air pollution emergency, take all emission reduction measures specified in Tables I, II, and III of title 51, included in this permit as Attachment A. Permittees responsible for a source of air contamination within a Priority I AQCR must, upon declaration of an episode condition affecting the locality of the air contamination source, take all appropriate actions specified in the applicable table and must take all appropriate actions specified in an LRAPA-approved preplanned abatement strategy for such condition which has been submitted and is on file with LRAPA. [LRAPA 51-015]

Notification of Construction/Modification

G23. The permittee must notify LRAPA in writing using an LRAPA "Notice of Intent to Construct" form, or other permit application forms and obtain approval in accordance with section 34-010 and 34-035 through 34-038 before: [LRAPA 34-010]

- a. Constructing, installing or establishing a new stationary source that will cause an increase in regulated pollutant emissions;
- b. Making any physical change or change in the operation of an existing stationary source that will cause an increase, on an hourly basis at full production, in any regulated pollutant emissions; or
- c. Constructing or modifying any pollution control equipment.

Notification of Name Change

G24. The permittee must notify LRAPA in writing, using an LRAPA Application for Administrative Amendment to ACDP form, within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon. [LRAPA 37-0030(4)]

Applicable administrative fees may be required for the name change application.

Permit Renewal

G25. Application for renewal of this permit must be submitted not less than 120 days prior to the permit expiration date for Simple ACDPs, and 180 days prior to the permit expiration date for Standard ACDPs. [LRAPA 37-0040(2)(b)]

G26. A source may not be operated after the expiration date of a permit, unless any of the following occur prior to the expiration date of the permit: [LRAPA 37-0082(1)(a)]

- A timely and complete application for renewal or reassignment has been submitted; or
- Another type of permit, ACDP or Title V, has been applied for or issued authorizing the operation of the source.

G27. For a source operating under an ACDP or LRAPA Title V Operating Permit, a requirement established in an earlier ACDP remains in effect notwithstanding expiration of the ACDP, unless the provision expires by its terms or unless the provision is modified or terminated in accordance with the procedures used to establish the requirement initially. [LRAPA 37-0082(1)(c)]

G28. Any person who fails to submit any relevant facts or who has submitted incorrect information in a permit application must, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. [LRAPA 37-0040(4)]

Termination Conditions

G29. This permit terminates upon: [LRAPA 37-0082(2)]

- Issuance of a renewal, reassigned ACDP or a new ACDP for the same activity or operation;
- Written request by the permittee to LRAPA requesting termination. If LRAPA determines that a permit is no longer needed, LRAPA will confirm termination in writing to the permittee;
- Failure to submit a timely and complete application for permit renewal or reassignment as required in section 37-0040. Termination is effective on the permit expiration date; or
- Failure to pay annual fees within 90 days of the invoice due date as issued by LRAPA, unless prior arrangements for a payment plan have been approved in writing by LRAPA.

G30. If LRAPA determines that a permittee is in noncompliance with the terms of the permit, submitted false information in the application or other required documentation, or is in violation of any applicable rule or statute, LRAPA may revoke the permit. LRAPA will provide notice of the intent to revoke the permit to the permittee under title 31. The notice will include the reasons why the permit will be revoked, and include an opportunity for the permittee to request a contested case hearing prior to the revocation. A written request for hearing must be received by LRAPA within 60 days from service of the notice on the permittee, and must state the grounds of the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and title 14. The permit will continue in effect until the 60th day after service of the notice on the

permittee, if the permittee does not timely request a hearing, or until a final order is issued if the permittee timely requests a hearing. [LRAPA 37-0082(5)(a)]

G31. **Reinstatement of Terminated Permit [37-0082(4)]**

- a. A permit subject to termination under Condition G29.c. may only be reinstated if, not later than 30 days after the permit expiration date, the permittee submits a complete renewal application and pays a late application fee equivalent to the initial new permitting application fee that would apply if the source was a new source, in which case the existing, expired permit will be reinstated effective as of the permit expiration date and will remain in effect until final action has been taken on the renewal application to issue or deny a permit;
- b. A permit terminated under Condition G29.d. may only be reinstated if, not later than 90 days after termination, the permittee pays all unpaid annual fees and applicable late fees in which case the existing permit will be reinstated effective on the date of termination; or
- c. A terminated permit may only be reinstated as provided in Conditions G31.a. and G31.b. If neither Condition G31.a. and G31.b. apply, the former permittee of a terminated permit who wishes to obtain an ACDP must submit a complete application for a new permit, including paying applicable new source permit application fees and any unpaid annual fees and late fees that were due under the terminated permit. Until LRAPA issues or reassigns a new permit, the source may not operate.

G32. If LRAPA finds there is a serious danger to the public health, safety or the environment caused by a permittee's activities, LRAPA may immediately revoke or refuse to renew the permit without prior notice or opportunity for a hearing. If no advance notice is provided, notification will be provided to the permittee as soon as possible as provided under title 31. The notification will set forth the specific reasons for the revocation or refusal to renew and will provide an opportunity for the permittee to request a contested case hearing for review of the revocation or refusal to renew. A permittee's written request for hearing must be received by LRAPA within 90 days of service of the notice on the permittee and must state the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and title 14. The revocation or refusal to renew becomes final without further action by LRAPA if a request for a hearing is not received within 90 days. If a request for a hearing is timely received, the revocation or refusal to renew will remain in place until issuance of a final order. [LRAPA 37-0082(5)(b)]

G33. Any hearing requested must be conducted pursuant to the rules of LRAPA. [LRAPA title 14]

Approval to Construct

G34. The permittee of a source that receives approval to construct or modify must commence construction within 18 months of approval, or other date approved in writing by LRAPA. [LRAPA 34-037(4)]

- a. Construction or modification approval terminates and is invalid for the following reasons: [LRAPA 34-037(4)(a)]
 - A. Construction or modification is not commenced within 18 months after LRAPA issues such approval, by an alternative deadline established by LRAPA under this section, or by the deadline approved by LRAPA in an extension under paragraph G34.b.;
 - B. Construction or modification is discontinued for a period of 18 months or more; or
 - C. Construction or modification is not completed within 18 months of the anticipated date of construction completion included in the application.

- b. The permittee may submit a request to extend the construction or modification commencement deadline by submitting a written, detailed explanation of why the source could not commence construction or modification within the initial 18-month period. LRAPA may grant, for good cause, one 18-month construction or modification approval extension. [LRAPA 34-037(4)(b)]

Asbestos

G35. The permittee must comply with the asbestos abatement requirements in title 43 for all activities involving asbestos-containing materials, including, but not limited to, demolition, renovation, repair, construction, and maintenance. [LRAPA title 43]

Sampling, Testing and Measurement General Requirements

G36. Testing must be conducted in accordance with the DEQ's Source Sampling Manual, the DEQ's Continuous Monitoring Manual, or an applicable EPA Reference Method unless LRAPA (if allowed under applicable federal requirements): [LRAPA 35-0120(3)]

- a. Specifies or approves minor changes in methodology in specific cases;
- b. Approves the use of an equivalent or alternative method as defined in title 12;
- c. Waives the testing requirement because the permittee has satisfied LRAPA that the affected facility is in compliance with applicable requirements; or
- d. Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

G37. LRAPA must be notified of all source sampling projects that are required by LRAPA, including federal requirements that have been delegated to LRAPA by the Environmental Protection Agency (EPA). Unless specified by rule or by permit condition, LRAPA must receive notification at least 30 days in advance of the source test date. Notification may be submitted electronically or by hardcopy, and be accompanied by a source test plan. In addition, LRAPA must be notified of all source sampling projects that are not required by LRAPA if test results are relied upon in permitting a source, used as evidence in an enforcement case, or used to demonstrate compliance with non-delegated federal requirements. [Source Sampling Manual, Vol. 1, November 2018, Section 2.2]

G38. A source test plan must be approved by LRAPA in advance of all source sampling projects that are required by LRAPA, including federal requirements delegated to LRAPA by EPA. If not otherwise specified by rule or permit condition, LRAPA must be provided at least 30 days to review and approve source test plans. The source test plan will be reviewed by LRAPA [Source Sampling Manual, Vol. 1, November 2018, Section 2.3]

G39. For demonstrating compliance with an emission standard, the stack test must successfully demonstrate that a facility is capable of complying with the applicable standard under all normal operating conditions. Therefore, a permittee should conduct the source test while operating under typical worst-case conditions that generate the highest emissions. During the compliance demonstration, new or modified equipment should operate at levels that equal or exceed ninety-percent (90%) of the design capacity. For existing equipment, emission units should operate at levels that equal or exceed ninety-percent (90%) of normal maximum operating rates. Furthermore, the process material(s) and fuel(s) that generate the highest emissions for the pollutant(s) being tested should be used during the testing. Operating requirements for

performance tests are often specified by state or federal rule, or by permit condition. [Source Sampling Manual, Vol. 1, November 2018, Section 2.9]

G40. Unless otherwise required by this permit, the permittee must submit all source test reports electronically. [LRAPA 34-015]

Reference Test Methods

G41. Unless otherwise indicated elsewhere in this permit, whenever emission testing is required, the permittee must use the source sampling methods listed in Appendix B or Appendix C of DEQ's Source Sampling Manual. [Source Sampling Manual, Vol. 1, November 2018]

[Revised 03/07/25]

DRAFT

ATTACHMENT A: Air Pollution Emergencies

Table I

AIR POLLUTION EPISODE: **ALERT CONDITION**

EMISSION REDUCTION PLAN

Part A: Pollution Episode Conditions for Carbon Monoxide or Ozone

For **Alert Conditions** due to excessive levels of carbon monoxide or ozone, persons operating motor vehicles shall be requested to voluntarily curtail or eliminate all unnecessary operations within the designated **Alert Area**, and public transportation systems shall be requested to provide additional services in accordance with a preplanned strategy.

Part B: Pollution Episode Conditions for Particulate Matter

For **Alert Conditions** resulting from excessive levels of particulate matter, the following measures shall be taken in the designated area:

1. There shall be no open burning by any person of any material.
2. Persons operating fuel-burning equipment which requires boiler lancing or soot blowing shall perform such operations only between the hours of 12 noon and 4 p.m.
3. Persons responsible for the operation of any source of air contaminants listed below shall take all required actions for the **Alert Level**, in accordance with the preplanned strategy:

Source of Contamination	Control Actions — Alert Level
A. Coal, oil, or wood-fired facilities.	<ol style="list-style-type: none">1) Utilization of fuels having low ash and sulfur content.2) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.3) Diverting electric power generation to facilities outside of Alert Area.
B. Coal, oil, or wood-fired process steam generating facilities.	<ol style="list-style-type: none">1) Utilization of fuel having low ash and sulfur content.2) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.3) Substantial reduction of steam load demands consistent with continuing plant operations.

Source of Contamination	Control Actions — Alert Level
C. Manufacturing industries of the following classifications: - Primary Metals Industries - Petroleum Refining - Chemical Industries - Mineral Processing Indus. - Grain Industries - Paper and Allied Products - Wood Processing Industry	1) Reduction of air contaminants from manufacturing operations by curtailing, postponing, or deferring production and all operations. 2) Reduction by deferring trade waste disposal operations which emit solid particle gas vapors or malodorous substance. 3) Reduction of heat load demands for processing. 4) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing or soot blowing.

Table II
AIR POLLUTION EPISODE: *WARNING CONDITIONS*
EMISSION REDUCTION PLAN

Part A: Pollution Episode Conditions for Carbon Monoxide or Ozone

For **Warning Conditions**, resulting from excessive levels of carbon monoxide or ozone, the following measures shall be taken:

1. Operation of motor vehicles carrying fewer than three (3) persons shall be prohibited within designated areas during specified hours. Exceptions from this provision are:
 - A. Public transportation and emergency vehicles
 - B. Commercial vehicles
 - C. Through traffic remaining on Interstate or primary highways.
2. At the discretion of the Agency, operations of all private vehicles within designated areas or entry of vehicles into designated areas may be prohibited for specified periods of time.
3. Public transportation operators shall, in accordance with a pre-planned strategy, provide the maximum possible additional service to minimize the public's inconvenience as a result of No. 1 or No. 2. above.
4. For ozone episodes the following additional measures shall be taken:
 - A. No bulk transfer of gasoline without vapor recovery from 2:00 a.m. to 2:00 p.m.
 - B. No service station pumping of gasoline from 2:00 a.m. to 2:00 p.m.
 - C. No operation of paper coating plants from 2:00 a.m. to 2:00 p.m.
 - D. No architectural painting or auto finishing;
 - E. No venting of dry-cleaning solvents from 2:00 a.m. to 2:00 p.m. (except perchloroethylene).
5. Where appropriate for carbon monoxide episodes during the heating season, and where legal authority exists, governmental agencies shall prohibit all use of wood stoves and fireplaces for

domestic space heating, except where such devices provide the sole source of heat.

Part B: Pollution Episode Conditions for Particulate Matter

For **Warning Conditions** resulting from excessive levels of particulate matter, the following measures shall be taken:

1. There shall be no open burning by any person of any material.
2. The use of incinerators for the disposal of solid or liquid wastes shall be prohibited.
3. Persons operating fuel-burning equipment which requires boiler lancing or soot blowing shall perform such operations only between the hours of 12 noon and 4 p.m.
4. Where legal authority exists, governmental agencies shall prohibit all use of wood stoves and fireplaces for domestic space heating, except where such devices provide the sole source of heat.
5. Persons responsible for the operation of any source of air contaminants listed below shall take all required actions for the **Warning Level**, in accordance with a preplanned strategy:

Source of Contamination	Control Actions — Warning Level
A. Coal, oil, or wood-fired electric power generating facilities.	<ol style="list-style-type: none">1) Maximum utilization of fuels having lowest ash and sulfur content.2) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.3) Diverting electric power generation to facilities outside of Warning Area.4) Prepare to use a plan of action if an Emergency Condition develops.5) Cease operation of facilities not related to safety or protection of equipment or delivery of priority power.
B. Coal, oil, or wood-fired process steam generating facilities.	<ol style="list-style-type: none">1) Maximum utilization of fuels having the lowest ash and sulfur content.2) Utilization of mid-day (12: 00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.3) Prepare to use a plan of action if an Emergency Condition develops.4) Cease operation of facilities not related to safety or protection of equipment or delivery of priority power.

Source of Contamination	Control Actions — Warning Level
C. Manufacturing industries which require considerable lead time for shut-down including the following classifications: - Petroleum Refining - Chemical Industries - Primary Metals Industries - Glass Industries - Paper and Allied Products	1) Reduction of air contaminants from manufacturing operations by, if necessary, assuming reasonable economic hardships by postponing production and allied operations. 2) Reduction by deferring trade waste disposal operations which emit solid particles, gases, vapors or malodorous substances. 3) Maximum reduction of heat load demands for processing. 4) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence of boiler lancing or soot blowing.
D. Manufacturing industries which require relatively short time for shut-down.	1) Elimination of air contaminants from manufacturing operations by ceasing, allied operations to the extent possible without causing injury to persons or damage to equipment. 2) Elimination of air contaminants from trade waste disposal processes which emit solid particles, gases, vapors, or malodorous substances. 3) Reduction of heat load demands for processing. 4) Utilization of mid-day (12 noon to 4 p.m.) atmospheric turbulence for boiler lancing or soot blowing.

Table III
AIR POLLUTION EPISODE: **EMERGENCY CONDITIONS**
EMISSION REDUCTION PLAN

1. There shall be no open burning by any person of any material.
2. The use of incinerators for the disposal of solid or liquid wastes shall be prohibited.
3. All places of employment, commerce, trade, public gatherings, government, industry, business, or manufacture shall immediately cease operation, except the following:
 - A. Police, fire, medical and other emergency services;
 - B. Utility and communication services;
 - C. Governmental functions necessary for civil control and safety;
 - D. Operations necessary to prevent injury to persons or serious damage to equipment or property;
 - E. Food stores, drug stores and operations necessary for their supply;
 - F. Operations necessary for evacuation of persons leaving the area;

G. Operations conducted in accordance with an approved preplanned emission reduction plan on file with the Agency.

4. All commercial and manufacturing establishments not included in these rules shall institute such actions as will result in maximum reduction of air contaminants from their operations which emit air contaminants, to the extent possible without causing injury or damage to equipment.
5. The use of motor vehicles is prohibited except for the exempted functions in 3, above.
6. Airports shall be closed to all except emergency air traffic.
7. Where legal authority exists, governmental agencies shall prohibit all use of wood stoves and fireplaces.
8. Any person responsible for the operation of a source of atmospheric contamination listed below shall take all required control actions for this ***Emergency Level***.

Source of Contamination	Control Actions — <i>Emergency Level</i>
A. Coal, oil, or wood-fired electric power generating facilities.	<ol style="list-style-type: none">1) Maximum utilization of fuels having lowest ash and sulfur content.2) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing or soot blowing.3) Diverting electric power generation to facilities outside of Emergency area.4) Cease operation of facilities not related to safety or protection of equipment or delivery of priority power.
B. Coal, oil, or wood-fired steam generating facilities.	<ol style="list-style-type: none">1) Reducing heat and steam process demands to absolute necessities consistent with preventing equipment damage.2) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.3) Taking the action called for in the emergency plan.4) Cease operation of facilities not related to safety or protection of equipment or delivery of priority power.

Source of Contamination	Control Actions — <i>Emergency Level</i>
C. Manufacturing industries of the following classifications: <ul style="list-style-type: none">- Primary Metals Industry- Petroleum Refining Operations- Chemical Industries- Mineral Processing Industries- Paper and Allied Products- Grain Industry- Wood Processing Industry	<ol style="list-style-type: none">1) The elimination of air of contaminants from manufacturing operations by ceasing, curtailing, postponing or deferring production and allied operations to the extent possible without causing injury to persons or damage to equipment.2) Elimination of air contaminants from trade waste disposal processes which emit solid particles, gases, vapors, or malodorous substances.3) Maximum reduction of heat load demands for processing.4) Utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing or soot blowing.

DRAFT