LANE REGIONAL AIR PROTECTION AGENCY

TITLE 12

GENERAL PROVISIONS AND DEFINITIONS

Section 12-005 Definitions

As used in titles 1 through 51, unless specifically defined otherwise:

(1) "Categorically Insignificant Activity" means any of the following listed regulated pollutant emitting activities principally supporting the source or the major industrial group. Categorically insignificant activities must comply with all applicable requirements.

(a) Distillate oil, kerosene, gasoline, natural gas or propane burning equipment used on site for six (6) months or less for maintenance, construction or similar purposes, such as but not limited to generators, pumps, hot water pressure washers and space heaters, provided that any such equipment that performs the same function as the permanent equipment, must be operated within the source's existing PSEL. The six-month period begins on the first date the equipment is used;

(59) "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the owner or operator, including acts of God, which situation requires immediate corrective action to restore normal operation, and that may cause the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(66) "Emissions unit" means any part or activity of a source that emits or has the potential to emit any regulated air pollutant.

(178) "Significant impact level" or "SIL" means the ambient air quality concentrations listed in Table 3 below. The threshold concentrations listed below are used for comparison against the ambient air quality standards and PSD increments established under OAR chapter 340, division 202 or title 50, but do not apply for protecting air quality related values, including visibility.

TABLE 3 LRAPA Title 12 SIGNIFICANT IMPACT LEVEL:				
Pollutant	Averaging Time	Air Quality Area Designation		
		Class I	Class II	Class III
SO_2 ($\mu g/m^3$)	Annual	0.10	1.0	1.0
	24-hour	0.20	5.0	5.0
	3-hour	1.0	25.0	25.0
	1-hour	---	8.0	---
PM_{10} ($\mu g/m^3$)				
	24-hour	0.30	1.0	1.0
$PM_{2.5}$ ($\mu g/m^3$)	Annual	0.03	0.13	0.13
	24-hour	0.07	1.2	1.2
NO_2 ($\mu g/m^3$)	Annual	0.10	1.0	1.0
	1-hour	---	8.0	---
CO (mg/m^3)	8 hour	---	0.5	0.5
	1-hour	---	2.0	2.0

(200) "Unassigned emissions" means the amount of emissions established in accordance with LRAPA 42-0055.

(208) "Volatile organic compound" or "VOC" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions.

(a) VOC includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity:

(A) 1,1,2,2-Tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane (also known as HFE-347pcf2);

Section 12-025 Reference Materials

As used in LRAPA Rules and Regulations, the following materials refer to the versions listed below.

(209) "CFR" or "C.F.R." means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2025 edition.

(210) The DEQ Source Sampling Manual refers to the November 2018 edition.

(211) The DEQ Continuous Monitoring Manual refers to the April 2015 edition.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 30

Incinerator Regulations

Section 30-005 Purpose and Applicability

The purpose of these rules is to establish state-of-the-art emission standards, design requirements, and performance standards for all crematory incinerators, in order to minimize air contaminant emissions and provide adequate protection of public health. In accordance with OAR 340-230-0020(6) LRAPA implements all the applicable requirements in DEQ's division 230 except for OAR 340-230-0200 through OAR 340-230-0230 for crematory incinerators.

Section 30-010 Definitions

The definitions in title 12 and title 46 and this section apply to this title. If the same term is defined in this section and title 12 or title 46, the definition in this section applies to this title.

1. "Administrator" means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

2. "CFR" means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2016 edition.

3. "Crematory Incinerator" means an incinerator used solely for the cremation of non-pathological human, non-pathological animal remains, and appropriate containers.

4. "Dry Standard Cubic Foot" means the amount of gas, free of uncombined water, that would occupy a volume of 1 cubic foot at standard conditions. When applied to combustion flue gases from waste or refuse burning, "Standard Cubic Foot (SCF)" means adjustment of gas volume to that which would result at a concentration of 7% oxygen (dry basis) or 50 percent excess air.

5. "Incineration Operation" means any operation in which combustion is carried on in an incinerator, for the principal purpose or with the principal result, of oxidizing wastes to reduce their bulk and/or facilitate disposal.

6. "Incinerator" means a combustion device specifically for destruction, by high temperature burning, of solid, semi-solid, liquid, or gaseous combustible wastes. This does not include devices such as open or screened barrels, drums, or process boilers.

7. "Primary Combustion Chamber" means the discrete equipment, chamber or space in which drying of the waste, pyrolysis, and essentially the burning of the fixed carbon in the waste occurs.

8. "Pyrolisis" means the endothermic gasification of waste material using external energy.

9. "Secondary (or Final) Combustion Chamber" means the discrete equipment, chamber, or space, excluding the stack, in which the products of pyrolysis are combusted in the presence of excess air, such that essentially all carbon is burned to carbon dioxide.

Section 30-045 Emission Limitations of Crematory Incinerators

(1) No person may cause to be emitted particulate matter from any crematory incinerator in excess of 0.080 grains per dry standard cubic foot of exhaust gases corrected to seven (7) percent 0_2 at standard conditions.

(2) Opacity. No visible emissions may be present except for one 6-minute period per hour of not more than 20% opacity, as measured by EPA Method 9.

(3) Odors. In cases where crematory incinerator operation cause odors which interfere with the use and enjoyment of property, LRAPA may require by permit the use of good practices and procedures to prevent or eliminate those odors.

Section 30-050 Design and Operation of Crematory Incinerators

(1) Temperature and residence time. For a crematory incinerator, the temperature at the final combustion chamber must be at least 1600º F with a residence time of at least 0.5 seconds. The temperature in the final chamber must be equal to or greater than 1200º F prior to igniting the primary burner.

(2) Operator training and certification. Each crematory incinerator shall be operated at all times under the direction of individuals who have received training necessary for proper operation. A description of the training program shall be submitted to LRAPA approval. Copies of the training certificates of the operators shall be maintained on site at all times and available to LRAPA for review.

(3) As defined in section 30-010(3), crematory incinerators may only be used for incineration of human and animal bodies and appropriate containers. No other material, including infectious waste as defined OAR 340-230-0030, may be incinerated unless specifically authorized in LRAPA's Air Contaminant Discharge Permit.

Section 30-055 Monitoring and Reporting for Crematory Incinerators

(1) All crematory incinerators shall operate and maintain continuous monitoring for final combustion chamber exit temperature. Additional monitoring and reporting may be required by permit.

(2) All records associated with continuous monitoring data including, but not limited to, original data sheets, charts, calculations, calibration data, production records and final reports shall be

maintained for a continuous period of at least five (5) years and shall be furnished to LRAPA upon request.

(3) All crematory incinerators must conduct source testing to demonstrate compliance with these rules in accordance with a schedule specified by LRAPA. The test results shall be submitted to LRAPA no later than thirty (30) days after completion of the test.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 31

PUBLIC PARTICIPATION

Section 31-0080 Issuance or Denial of a Permit

(1) The applicant may submit a written request to receive public comments submitted and to provide their own response to public comments. A request to receive public comments submitted and to provide a response to public comments must be received by LRAPA no later than 10 calendar days after the close of the public comment period. When a timely request is received by LRAPA, the applicant may submit a written response to any comments submitted by the public within ten (10) working days after LRAPA provides the applicant with a copy of the written comments received by LRAPA. LRAPA will consider the applicant's response in making a final decision.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 32

EMISSION STANDARDS

Section 32-008 Typically Achievable Control Technology (TACT)

TACT determinations will be based on information known to LRAPA while considering pollution prevention, impacts on other environmental media, energy impacts, capital and operating costs, cost effectiveness, and the age and remaining economic life of existing emission control devices. LRAPA may consider emission control technologies typically applied to other types of emissions units where such technologies could be readily applied to the emissions unit. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required.

(2) New and Modified Sources. For new and modified sources, the emission limit established will be typical of the emission level achieved by well controlled new or

modified emissions units similar in type and size that were recently installed. A new or modified emissions unit must meet TACT for new or modified sources if:

(a) The new or modified emissions unit is not subject to a control technology requirement for the regulated pollutant emitted based on Major NSR in title 38, a Type A State NSR action under title 38, an applicable Standard of Performance for New Stationary Sources in title 46, or any other standard applicable only to new or modified sources in title 30, title 33, title 39 or title 46;

Section 32-009 Additional Control Requirements for Stationary Sources of Air Contaminants

In addition to other applicable requirements, LRAPA may establish control requirements by permit if necessary as specified in subsections (1) through (5):

(3) Requirements will be established to prevent violation of an ambient air quality standard caused or projected to be caused substantially by emissions from the source as determined by modeling, monitoring or a combination thereof. Any air quality analysis must be conducted in accordance with the procedures in title 40. For existing sources, LRAPA may conduct monitoring or modeling or may require a source to conduct monitoring or modeling to determine whether the source's emissions will cause or contribute to a new exceedance of an ambient air quality standard.

(4) Requirements will be established to prevent significant impairment of visibility in Class I areas caused or projected to be caused substantially by a source as determined by modeling, monitoring or a combination thereof. For existing sources, LRAPA will conduct monitoring to confirm visibility impairment..

(5) A requirement applicable to major source will be established if it has been adopted by EPA but has not otherwise been adopted by the EQC or the Board.

(6) An additional control requirement will be established if requested by the owner or operator of a source.

(7) Requirements will be established if necessary to protect public health or welfare for the following air contaminants and sources not otherwise regulated under OAR chapter 340, divisions 200 through 268:

(a) Chemical weapons; and

(b) Combustion and degradation by-products of chemical weapons.

Section 32-010 Visible Air Contaminant Limitations

(1) The emissions standards in this section do not apply to fugitive emissions from a source or part of a source, or to recovery furnaces and veneer dryers regulated under

title 33.

Section 32-045 Process Weight Emission Limitations and Determination of Process Weight

(1) Section 32-045 applies to all non-fugitive emissions from the following process equipment:

(a) Inertial separators without baghouses;

(b) Calciners;

(c) Material dryers;

(d) Material classifiers;

(e) Conveyors;

(f) Size reduction equipment;

(g) Material storage structures;

(h) Seed cleaning devices; and

(i) Equipment other than that for which specific emission standards have been adopted.

(2) No person may cause, suffer, allow, or permit the emissions of particulate matter in any one (1) hour from any process in excess of the amount shown in section 32-8010, for the process weight rate allocated to such process.

(3) Process weight is the total weight of all materials introduced into a piece of process equipment. Solid fuels charged are considered part of the process weight, but liquid and gaseous fuels and combustion air are not.

(a) For a cyclical or batch operation, the process weight per hour is derived by dividing the total process weight by the number of hours in one complete operation, excluding any time during which the equipment is idle.

(b) For a continuous operation, the process weight per hour is derived by dividing the process weight by a typical period of time, as approved by LRAPA.

(4) Where the nature of any process or operation or the design of any equipment permits more than one interpretation of this rule, the interpretation that results in the minimum value for allowable emission applies.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 33

PROHIBITED PRACTICES AND CONTROL OF SPECIAL CLASSES OF INDUSTRY

Section 33-0400 Solid Waste Landfills: Emission Standards for Municipal Solid Waste Landfills

(5) In accordance with OAR 340-236-0005(2), LRAPA implements OAR 340-236-0500 by reference.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 34

STATIONARY SOURCE NOTIFICATION REQUIREMENTS

Notice of Construction and Approval of Plans

Section 34-035 Types of Construction/Modification Changes

For the purpose of sections 34-010 and 34-035 through 34-038, emission calculations for determining the type of change at a source must use the regulated air pollutant emission capacity, except for Type 1 changes under paragraph (1)(b) and Type 4 changes. The notices of construction changes are divided into the following types:

(1) Type 1 changes include construction or modification for which the owner or operator is not required to obtain a permit or permit modification under title 37, and where the changes meet the criteria in either paragraph (a) or (b):

(a) The construction or modification would:

(A) Have emissions from any new, modified, or replaced device or activity, or any combination of devices or activities, of less than or equal to the de minimis levels defined in title 12;

(B) Not result in an increase of emissions from the source above any PSEL;

(C) Not result in an increase of emissions from the source above the netting basis by more than or equal to the SER;

(D) Not be used to establish a federally enforceable limit on the potential to

emit; and

(E) Not require a TACT determination under section 32-005 or a MACT determination under section 44-040; or

(b) The construction or modification is one of the following:

(A) Equipment, devices or processes that are explicitly allowed, covered, and regulated by a General ACDP or General ACDP attachment that the owner or operator has been assigned to;

(B) Stationary internal combustion engines having a rated capacity <60 horsepower output;

(C) Emergency stationary internal combustion Tier 4 certified engines having a rated capacity <670 horsepower (500 kilowatts) output;

(D) Hand-held sanding equipment;

(E) Portable vacuum blasting equipment using steel shot and vented to a fabric filter;

(F) Shot peening operations, provided that no surface material is removed;

(G) Replacement of equipment that is used to control processes, such as temperature, air pressure, water pressure, electrical current, flow rate, etc.;

(H) Equipment and instrumentation used for quality control/assurance or inspection purposes;

(I) Vacuum pumps;

(J) Equipment used for extrusion, compression molding, and injection molding of plastics, provided that the VOC content of all mold release products or lubricants is <1% by weight;

(K) Injection or blow-molding equipment for rubber or plastics, provided that no blowing agent other than compressed air, water, or carbon dioxide is used;

(L) Presses or molds used for curing, post-curing, or forming composite products and plastic products, provided that the blowing agent contains no VOC or chlorinated compounds;

(M) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives;

(N) Dredging wet spoils handling and placement;

(O) Graphic label and/or box labeling operations where the inks are applied by hand stamping or hand rolling;

(P) Ultraviolet disinfection processes;

(Q) The cleaning and/or deburring of metal products where all tumblers are used without abrasive blasting;

(R) Ozone generators and ozonation equipment;

(S) Emissions from the storage and application of road salt (calcium chloride or sodium chloride);

(T) Process emissions from sources which are located at private, public, or vocational education institutions, where the emissions are primarily the result of teaching and training exercises, and the institution is not engaged in the manufacture of products for commercial sale;

(U) Degreasing units which exclusively use caustics (e.g., potassium hydroxide and sodium hydroxide);

(V) Equipment used for hydraulic or hydrostatic testing with water-based hydraulic fluids;

(W) Storage tanks, reservoirs, pumping and handling equipment, and control equipment used to exclusively vent such equipment of any size, limited to soaps, lubricants, hydraulic fluid, vegetable oil, grease, animal fat, aqueous salt solutions or other materials and processes using appropriate lids and covers where there is no generation of objectionable odor or airborne particulate matter or toxic air pollutants listed in OAR chapter 340, division 247;

(X) Operation, loading and unloading storage of butane, propane, or liquefied petroleum gas with a vessel capacity less than 40,000 gallons where annual emissions are less than or equal to the de minimis levels;

(Y) Tanks, vessels and pumping equipment, with lids or other appropriate closure for storage or dispensing of aqueous solutions of inorganic salts, bases and acids;

(Z) Ultraviolet curing processes, to the extent that toxic air contaminants as defined in OAR chapter 340, division 247 are not emitted;

(AA) Contaminant detectors, sampling devices and recorders;

(BB) Environmental chambers and humidity chambers using only gases that are not toxic air contaminants listed in OAR chapter 340, division 247;

(CC) Lithographic printing equipment which uses laser printing;

(DD) Equipment used exclusively for conveying and storage of plastic pellets that don't break down or degrade and are only used for indoor manufacturing;

(EE) Gas cabinets using only gasses that are not regulated air pollutants;

(FF) Salt baths using nonvolatile salts and not used in operations which result in air emissions;

(GG) Paper shredding and carpet and paper shearing, fabric brushing and sueding as well as associated conveying systems, baling equipment, and control equipment venting such equipment. This exemption does not include carpet and fabric recycling operations;

(HH) Hammermills used exclusively to process aluminum and/or tin cans, and control equipment exclusively venting such equipment;

(II) Drop hammers or hydraulic presses for forging or metal working; or

(JJ) Concrete application, and installation.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 36

EXCESS EMISSIONS

Following the reporting and recordkeeping prescribed herein or approval of procedures for startup, shutdown or maintenance will not absolve sources from enforcement action for conditions resulting in excess emissions.

Section 36-001 Purpose and Applicability

(1) Emissions of air contaminants in excess of applicable standards or permit conditions, described in title 36, are unauthorized and are subject to enforcement action.

(2) Sections 36-001 through 36-030 apply to any 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.

(3) Sources that do not emit air contaminants in excess of any applicable air quality rule or permit condition are not subject to the recordkeeping and reporting requirements in title 36.

(4) LRAPA's decisions regarding whether procedures were adequate or followed or whether enforcement action is appropriate under title 36 are not binding on the EPA.

Section 36-020 All Other Excess Emissions

(6) Approval of a request to continue operation does not shield the owner or operator from an enforcement action, but LRAPA will consider whether the approved plans and timelines to minimize excess emissions and return the equipment or facility back to the applicable compliant emission limits were followed in determining whether an enforcement action is appropriate.

Section 36-025 Reporting and Recordkeeping Requirements

(1) For any excess emissions event at a source with an LRAPA Title V Operating Permit and for any other source as required by permit, the owner or operator must submit a written excess emission report for each calendar day of the event. The report must be submitted within 15 days of the date of the event and include the following:

(a) The date and time of the beginning of the excess emissions event and the duration or best estimate of the time until return to normal operation;

(b) The date and time the owner or operator 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.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 37

AIR CONTAMINANT DISCHARGE PERMITS

Section 37-0020 Applicability and Jurisdiction

(1) This title applies to all sources referred to in section 37-8010 Table 1. This title also applies to Oregon Title V Operating Permit program sources when an ACDP is required by OAR 340-218-0020 or section 38-0010. Sources referred to in section 37-8010 Table 1 are subject to fees set forth in section 37-8020 Table 2. Oregon Title V Operating Permit program sources are also subject to the fees set forth in section 37-8020 Table 2, Part 4 for the following specific activities:

(a) Notice of Intent to Construct Type 2;

(b) Modeling Review (outside Major NSR or Type A State NSR);

(c) Public Hearing at Source's Request;

(d) LRAPA MACT Determination; and

(e) Compliance Order Monitoring.

Section 37-0040 Application Requirements

(2) Permit Renewals. Any person who wants to renew an existing permit must submit a complete application using forms provided by LRAPA, unless otherwise allowed in writing by LRAPA.

(c) If required by LRAPA in writing, LRAPA must receive an application for reassignment to General ACDPs and General ACDP attachments within 30 days prior to expiration of the General ACDPs or General ACDP attachments.

(7) The name of the applicant on a permit application must be the person (individual, corporation, association, firm, partnership, joint stock company, public corporation, municipal corporation, political subdivision, state, state agency, federal government, or federal government agency), as defined in ORS 468.005 that is the legal name of the facility's owner, the owner's agent or the lessee responsible for the operation and maintenance of the facility. The legal name must be registered with the Oregon Secretary of State Corporation Division, unless the applicant meets the criteria in subsection (a) or (b) below:

(a) The applicant is an individual person that is operating the facility or applying for the permit, and is not doing so under an assumed business name. The applicant's legal name (First, Middle Initial, Last) will be used; or

(b) The applicant is an entity that is not required to be registered with the Oregon Secretary of State Corporations Division, such as a government entity like a municipality or state or federal agency.

(10) Within 15 days after receiving the application, LRAPA will preliminarily review the application to determine the adequacy of the information submitted:

(d) If LRAPA has determined that additional information or corrections are necessary under paragraph (a), and except as provided in paragraph (c), LRAPA will not consider the application to be complete for processing until LRAPA has received the requested information.

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Section 37-0052 Construction ACDP

(1) Purpose. A Construction ACDP is a permit for approval of Type 3 and/or Type 4 construction or modification changes as specified in sections 34-035 and 34-037. The Construction ACDP includes requirements for the construction or modification of stationary sources or air pollution control devices and does not by itself provide authorization to operate the new construction or modification. A new or modified Standard ACDP or LRAPA Title V Operating Permit is required before operation of the new construction or modification. A Construction ACDP may be used for the following situations:

Section 37-0060 General Air Contaminant Discharge Permits

(b) Permit content. Each General ACDP must include the following:

(A) All relevant requirements for the operations covered by the General ACDP, excluding any federal requirements not adopted by the Board or EQC;

(B) PSELs set at the potential to emit for the largest emitting source in the source category in Lane County for all regulated pollutants emitted at more than the de minimis emission level in accordance with title 42;

(C) Testing, monitoring, recordkeeping, and reporting requirements necessary to ensure compliance with the PSEL and other applicable emissions limits and standards; and

(D) A permit expiration date not to exceed ten (10) years from the date of issuance.

(3) Source assignment:

(a) Application requirements. Any person requesting that a source be assigned to a General ACDP must submit a written application according to section 37-0040

that includes the information in subsection 37-0040(1), specifies the General ACDP source category, and shows that the source qualifies for the General ACDP.

(b) Fees. Applicants must pay the fees set forth in Table 2 of section 37-8020. The fee class for each General ACDP is Fee Class One unless otherwise specified as follows:

(A) Hard chrome platers – Fee Class Three;

(B) Decorative chrome platers – Fee Class Four;

(C) Halogenated solvent degreasers – batch cold – Fee Class Two;

(D) Perchloroethylene dry cleaners – Fee Class Six;

(E) Asphalt plants – Fee Class Three;

(F) Rock crushers – Fee Class Two;

(G) Ready-mix concrete – Fee Class One;

(H) Sawmills, planing mills, millwork, plywood manufacturing and veneer drying – Fee Class Three;

(I) Boilers – Fee Class Two;

(J) Crematories – Fee Class One;

(K) Coffee roasters – Fee Class One;

(L) Bulk gasoline plants – Fee Class One;

(M) Electric power generators – Fee Class Two;

(N) Clay ceramics – Fee Class One;

(O) Gasoline dispensing facilities– Fee Class Four;

(P) Wood preserving – Fee Class Four;

(Q) Metal fabrication and finishing – Fee Class Two;

(R) Plating and polishing – Fee Class One;

(S) Motor vehicle and mobile equipment surface coating operations – Fee Class One;

(T) Paints and allied products manufacturing – Flee Class Two;

(U) Emergency generators and firewater pumps, if a permit is required – Fee Class Five.; and

(V) Air curtain incinerators – Fee Class One.

(W) Fiberglass lay-up and/or reinforced plastics composites production – Fee Class Four

Section 37-0064 Simple ACDPs

(3) Fees. Applicants for a new or modified Simple ACDP must pay the fees set forth in Table 2 of section 37-8020. Applicants for a new Simple ACDP must initially pay the High Annual Fee. Once the initial permit is issued, annual fees for Simple ACDPs will be assessed based on the following:

(a) Low Fee - A source may qualify for the low fee if:

(b) High F–ee - Any source required to have a Simple ACDP (section 37-8010 Table 1 Part B) that does not qualify for the low fee under paragraph (3)(a) will be assessed the high fee.

Section 37-0082 Expiration, Termination, Reinstatement or Revocation of an ACDP

(3) Termination of construction approval.

(a) Construction approval issued by LRAPA under this title terminates and is invalid for the following reasons:

Section 37-0090 Sources Subject to ACDPs and Fees

(1) All air contaminant discharge sources listed in Table 1, section 37-8010 must obtain a permit from LRAPA and are subject to fees as set forth in Table 2, section 37-8020.

(2) An owner or operator of a source that is required to demonstrate compliance with Cleaner Air Oregon rules under OAR 340-245-0005 through 340-245-8050 must pay the fees specified in Table 3, section 37-8030.

(3) The fees in Table 2, section 37-8020, part 2, paragraphs a. through e., will increase by 15% on July 1, 2027, on July 1, 2028, and on July 1, 2029. The fees in Table 2, section 37-8020, part 2, paragraphs a. through e., will increase by the Employment Cost Index or five (5) percent, whichever is less, on July 1 of each year, beginning July 1, 2030.

(4) The fees in Table 2, section 37-8020, parts 1, 4, and 6 will increase by the Employment Cost Index or five (5) percent, whichever is less, on July 1 of each year, beginning July 1, 2030.

(5) The fees in Table 2, section 37-8020, part 3, and Table 3, section 37-8030 will increase by three (3) percent on July 1 of each year.

Section 37-8010

Table 1 — Activities and Sources

Section 37-8020
Table 2 — Air Contaminant Discharge Permits

(1) Sources referred to in Table 1 of Section 37-8010 are subject to air contaminant discharge permit fees in Table 2. Title V sources may be subject to the Cleaner Air Oregon annual fees and the specific activity permit fees in Table 2, if applicable.

Section 37-8030
Table 3 — Cleaner Air Oregon Specific Activity Fees

Sources subject to OAR chapter 340, division 245, Cleaner Air Oregon, are required to pay the specific activity fees in Table 3.

LANE REGIONAL AIR PROTECTION AGENCY

TABLE 1 - SECTION 37-8010

ACTIVITIES AND SOURCES

The following source categories must obtain a permit as required by Section 37-0020 Applicability and Jurisdiction

Part A: Basic ACDP

1. Reserved.
2. Boilers and other fuel-burning equipment of 2.0 or more MMBTU but less than 10 MMBTU/hour heat input, that do not use more than 9,999 gallons per year of #2 diesel oil as a backup fuel.
3. Concrete manufacturing including redimix and CTB, both stationary and portable, more than 5,000 but less than 25,000 cubic yards per year output.
4. Crematory incinerators with less than 20 tons/year material input.
5. Prepared feeds for animals and fowl and associated grain elevators more than 1,000 tons/year but less than 10,000 tons/year throughput.
6. Rock, concrete or asphalt crushing both portable and stationary more than 5,000 tons/year but less than 25,000 tons/year crushed.
7. Surface coating operations not elsewhere classified whose actual or expected usage of coating materials is greater than 250 gallons/year, but less than 250 gallons/month, excluding sources that exclusively use non-VOC and non-HAP containing coatings.
8. Sources not elsewhere classified with actual emissions of more than 1 ton/year VOC and/or HAP.

9. Sawmills and/or planing mills and/or millwork and/or wood furniture and fixtures manufacturing and/or plywood manufacturing and/or veneer drying of more than 5,000 but less than 25,000 board feet/maximum 8 hour finished product.
10. Coffee roasting, roasting more than 1 ton per year but less than 30 green tons per year.
11. Motor vehicle, mobile equipment and miscellaneous surface coating operations subject to an area source NESHAP under title 44 and using less than 20 gallons of coating per year excluding motor vehicle surface coating operations registered pursuant to subsection 34-025(2).
12. Sources subject to permitting under Part B of this table, number 75 if all of the following criteria are met:
    a. The source is not subject to any category listed on this table other than Part B number 75;
    b. The source has requested an enforceable limit on ther actual emissions, if the source were to operate uncontrolled, to below Part B number 75 of this table as applicable depending on the source's location through one or both of the following:
        i. A limit on hours of operation;
        ii. A limit on production;
    c. Control devices are not required to be used or otherwise accounted for to maintain emissions levels comliant with 12.b above;
    d. The source is not subject to and does not have any affected emissions units subject to a 40 C.F.R. part 60, part 61, or part 63 (NSPS or NESHAP);
    e. The source is not subject to any specific industry or operation standard in LRAPA titles 33 or 46.
    f. LRAPA has determined that the source is not required to conduct source testing and source testing for emissions factor verification will not be required.

Part B: General, Simple or Standard ACDP

1. Aerospace or aerospace parts manufacturing.
2. Aluminum production – primary.
3. Ammonia manufacturing.
4. Animal rendering and animal reduction facilities.
5. Asphalt blowing plants.
6. Asphalt felts or coating manufacturing.
7. Asphaltic concrete paving plants, both stationary and portable.
8. Bakeries, commercial over 10 tons of VOC emissions per year.
9. Battery separator manufacturing.
10. Lead-acid battery manufacturing and re-manufacturing.
11. Beet sugar manufacturing.
12. Boilers and other fuel burning equipment over 10 MMBTU/hour heat input.
13. Building paper and building board mills.
14. Calcium carbide manufacturing.
15. Can or drum coating.
16. Cement manufacturing.
17. Cereal preparations and associated grain elevators with more than 10,000 tons/year throughput.
18. Charcoal manufacturing.
19. Chlorine and alkali manufacturing.
20. Chrome plating (Decorative and Hard) and anodizing subject to a NESHAP under title 44.
21. Coffee roasting, roasting more than 30 tons per year.
22. Concrete manufacturing including redimix and CTB, both stationary and portable, more than 25,000 cubic yards per year output.
23. Crematory incinerators with more than 20 tons/year material input.
24. Degreasing operations, halogenated solvent cleanings subject to a NESHAP under title 44.
25. Electrical power generation from combustion, excluding units used exclusively as emergency generators and units less than 500 kW.

26. Ethylene oxide sterilization.
27. Flatwood coating.
28. Flexographic or rotogravure printing.
29. Flour, blended and/or prepared and associated grain elevators with more than 10,000 tons/year throughput.
30. Galvanizing and pipe coating.
31. Gasoline bulk plants, bulk terminals, and pipeline facilities.
32. Gasoline dispensing facilities (GDFs), excluding gasoline dispensing facilities with a monthly throughput of less than 10,000 gallons of gasoline per month.[1]
33. Glass and glass container manufacturing.
34. Grain elevators used for intermediate storage with more than 10,000 tons/year throughput.
35. Reserved.
36. Gray iron and steel foundries, malleable iron foundries, steel investment foundries, steel foundries with more than 100 tons/year metal charged, not elsewhere identified.
37. Gypsum products manufacturing.
38. Hardboard manufacturing, including fiberboard.
39. Incinerators with two or more tons per day capacity.
40. Lime manufacturing.
41. Reserved
42. Magnetic tape manufacturing.
43. Manufactured home, mobile home, and recreational vehicle manufacturing.
44. Marine vessel petroleum loading and unloading.
45. Millwork manufacturing, including kitchen cabinets and structural wood members, with more than 25,000 board feet/maximum 8 hour input.
46. Molded plastic container manufacturing, using extrusion, molding, lamination, and foam processing and molded fiberglass container manufacturing, excluding injection molding.
47. Motor coach, travel trailer, and camper manufacturing.
48. Natural gas and oil production and processing and associated fuel burning equipment.
49. Nitric acid manufacturing.
50. Nonferrous metal foundries with more than 100 tons/year of metal charged.
51. Organic or inorganic chemical manufacturing and distribution with ½ or more tons per year emissions of any one criteria pollutant, sources in this category with less than ½ ton/year of each criteria pollutant are not required to have an ACDP.
52. Reserved.
53. Particleboard manufacturing, including strandboard, flakeboard, and waferboard.
54. Perchloroethylene dry cleaning operations subject to an area source NESHAP under title 44, excluding perchloroethylene dry cleaning operations registered pursuant to subsection 34-025(2).
55. Pesticide manufacturing with more than 5,000 tons/year annual production.
56. Petroleum refining and re-refining of lubricating oils and greases including asphalt production by distillation and the reprocessing of oils and/or solvents for fuels.
57. Plywood manufacturing and/or veneer drying.
58. Prepared feeds manufacturing for animals and fowl and associated grain elevators with more than 10,000 tons per year throughput.
59. Primary smelting and/or refining of ferrous and non-ferrous metals.
60. Pulp, paper and paperboard mills.
61. Rock, concrete or asphalt crushing both portable and stationary, with more than 25,000 tons/year crushed.
62. Sawmills and/or planing mills with more than 25,000 board feet/maximum 8 hour finished product.
63. Secondary smelting and/or refining of ferrous and nonferrous metals.
64. Seed cleaning and associated grain elevators with more than 5,000 tons/year throughput.
65. Sewage treatment facilities employing internal combustion engines for digester gasses.
66. Soil remediation facilities, both stationary and portable.
67. Steel works, rolling and finishing mills.
68. Reserved.

69. Surface coating operations: coating operations whose actual or expected usage of coating materials is greater than 250 gallons per month, excluding sources that exclusively use non-VOC and non-HAP containing coatings.
70. Synthetic resin manufacturing.
71. Tire manufacturing or tire retreading.
72. Wood furniture and fixtures with more than 25,000 board feet/maximum 8 hour input.
73. Wood preserving (including waterborne with actual or projected emissions of greater than 1 ton/year VOC and/or HAP).
74. All other sources, both stationary and portable, not listed herein that LRAPA determines an air quality concern exists including minor sources of HAPs not elsewhere classified or one which would emit significant malodorous emissions.
75. All other sources, both stationary and portable, not listed herein which would have the capacity of 5 or more tons per year of direct $PM_{2.5}$ or PM_{10} if located in a $PM_{2.5}$ or PM_{10} nonattainment or maintenance area, or 10 or more tons per year of any single criteria pollutant.[2]
76. Aluminum, copper, and other nonferrous foundries subject to an area source NESHAP under title 44.
77. Ferroalloy production facilities subject to an area source NESHAP under title 44.
78. Metal fabrication and finishing operations subject to an area source NESHAP under title 44.
79. Motor vehicle and mobile equipment surface coating operations subject to an area source NESHAP under title 44, using more than 20 gallons of coating per year excluding motor vehicle surface coating operations registered pursuant to LRAPA subsection 34-025(2).
80. Paint stripping and miscellaneous surface coating operations subject to an area source NESHAP under title 44.
81. Paint and allied products manufacturing subject to an area source NESHAP under title 44.
82. Plating and polishing operations subject to an area source NESHAP under title 44.
83. Fiberglass lay-up and/or reinforced plastic composites production.
84. Chemical manufacturing facilities subject to 40 CFR Part 63, subpart VVVVVV.
85. Stationary internal combustion engines if:
    a. For emergency generators and firewater pumps, the aggregate engine horsepower rating is greater than 30,000 horsepower; or
    b. For any individual non-emergency or non-fire pump engine, the engine is subject to 40 CFR Part 63, subpart ZZZZ and is rated at 500 horsepower or more, excluding two stroke lean burn engines, engines burning exclusively landfill or digester gas, and four stroke engines located in remote areas; or
    c. For any individual non-emergency engine, the engine is subject to 40 CFR Part 60, subpart IIII and:
        A. The engine has a displacement of 30 liters or more per cylinder; or
        B. The engine has a displacement of less than 30 liters per cylinder and is rated at 500 horsepower or more and the engine and control device are either not certified by the manufacturer to meet the NSPS or not operated and maintained according to the manufacturer's emission-related instructions; or
    d. For any individual non-emergency engine, the engine is subject to 40 CFR Part 60, subpart JJJJ and is rated at 500 horsepower or more and the engine and control device are either not certified by the manufacturer to meet the NSPS or not operated and maintained according to the manufacturer's emission-related instructions.
86. Pathological waste incinerators.
87. Clay ceramics manufacturing subject to an area source NESHAP under title 44.
88. Secondary nonferrous metals processing subject to an Area Source NESHAP under title 44.
89. All sources subject to BACT or LAER under title 38, a NESHAP title 44, a NSPS under title 46, or State MACT under 44-140(2), except sources:
    a. Exempted in any of the categories above;
    b. For which a Basic ACDP is available; or
    c. Registered pursuant to 34-025(2).

90. Landfills with more than 200,000 tons of waste in place and calculated methane generation rate is less than 664 metric tons per year which are subject to the requirements in OAR chapter 340, division 239.

Part C: Standard ACDP

1. Incinerators for PCBs, other hazardous wastes, or both.
2. All sources that LRAPA determines have emissions that constitute a nuisance.
3. All sources electing to maintain the source's netting basis.
4. All sources that request a PSEL equal to or greater than the SER for a regulated pollutant.
5. All sources having the potential to emit more than 100 tons or more of any regulated pollutant, except GHG, in a year.
6. All sources having the potential to emit more than 10 tons or more of a single hazardous air pollutant in a year.
7. All sources having the potential to emit more than 25 tons or more of all hazardous air pollutants combined in a year.
8. Landfills with more than 200,000 tons of waste in place and calculated methane generation rate is greater than or equal to 664 metric tons per year which are subject to the requirements in OAR chapter 340, division 239.

Notes:

For more information contact:

Lane Regional Air Protection Agency

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1 "monthly throughput" means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at the gasoline dispensing facility during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at the gasoline dispensing facility during the month, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at the gasoline dispensing facility during the previous 11 months, and then dividing that sum by 12.

2 A source subject to permitting from this category may be able to obtain a Basic ACDP under Part A number 12 of this table. For sources that meet the criteria of Part A number 12 of this table, the enforceable production and/or hours limitation in an issued ACDP may be used to demonstrate a permit is not required by Part B number 75 of this table irrespective of the term 'uncontrolled'.

LANE REGIONAL AIR PROTECTION AGENCY

TABLE 2 - SECTION 37-8020

AIR CONTAMINANT DISCHARGE PERMIT

Part 1. Initial Permitting Application Fees:

a. Short Term Activity ACDP	$5,446
b. Basic ACDP	$218
c. Assignment to General ACDP*	$2,178
d. Simple ACDP	$10,891
e. Construction ACDP	$17,426
f. Standard ACDP	$21,781
g. Standard ACDP (Major NSR or Type A State NSR)	$76,233

*LRAPA may waive the assignment fee for an existing source requesting to be assigned to a General ACDP because the source is subject to a newly adopted area source NESHAP as long as the existing source requests assignment within 90 days of notification by LRAPA.

Part 2. Annual Fees: (Due date 12/1* for 1/1 to 12/31 of the following year)

a. Short Term Activity ACDP	NA
b. Basic ACDP	$ 655
c. General ACDP	
(A) Fee Class One	$1,307
(B) Fee Class Two	$2,354
(C) Fee Class Three	$3,399
(D) Fee Class Four	$655
(E) Fee Class Five	$218
(F) Fee Class Six	$444
(G) Attachment	$218
d. Simple ACDP	
(A) Low Fee	$3,484
(B) High Fee	$6,970
e. Standard ACDP	$13,940
f. Greenhouse Gas reporting, as required by OAR chapter 340, division 215	$500.00 or 20% of the applicable ACDP annual fee in Part 2, whichever is greater and not to exceed $9,000

* LRAPA may extend the payment due date for dry cleaners or gasoline dispensing facilities until March 1st.

Part 3. Cleaner Air Oregon Annual Fees: (Due date 12/1 for 1/1 to 12/31 of the following year)

a. Basic ACDP	$ 165
b. General ACDP	
(A) Fee Class One	$330
(B) Fee Class Two	$594
(C) Fee Class Three	$859
(D) Fee Class Four	$165
(E) Fee Class Five	$55

(F) Fee Class Six	$109
(G) Attachment	$52
c. Simple ACDP	
(A) Low Fee	$881
(B) High Fee	$1,761
d. Standard ACDP	$3,524

* LRAPA may extend the payment due date for dry cleaners or gasoline dispensing facilities until March 1st.

Part 4. Specific Activity Fees:

a. Notice of Intent to Construct Type 2[1]		$810
Permit Modification	b. Non-Technical Permit Modification	$218
	c. Basic Technical Permit Modification	$655
	d. Simple Technical Permit Modification	$2,178
	e. Moderate Technical Permit Modification	$10,891
	f. Complex Technical Permit Modification	$21,781
Toxic Air Contaminant Discharge Permit Addendum Modification	g. Non-Technical Permit Modification	$201
	h. Basic Technical Permit Modification	$487
	i. Simple Technical Permit Modification	$1,620
	j. Moderate Technical Permit Modification	$8,056
	k. Complex Technical Permit Modification	$16,122
l. Major NSR or Type A State NSR Permit Modification		$76,233
m. Modeling Review (outside Major NSR or Type A State NSR)		$10,891
n. Public Hearing at Source's Request		$4,357
o. LRAPA MACT Determination		$10,891
p. Compliance Order Monitoring[2]		$218/month

1. The Type 2 Notice of Intent to Construct does not apply to existing Basic ACDP or General ACDP sources.
2. Compliance Order Monitoring is a one-time fee payable when a compliance order is established in a permit or an LRAPA order containing a compliance schedule becomes a final order of LRAPA and is based on the number of months LRAPA will have to oversee the order.

Part 5. Late Fees:

a. 8-30 days late 5%

b. 31-60 days late 10%

c. 61 or more days late 20%

Part 6. Specific Registration Fees:

1. Gasoline Dispensing Facilities subject to area source NESHAPs not required to otherwise obtain an LRAPA permit must pay a one-time registration fee of $56.
2. Motor vehicle surface coating operations registered pursuant to section 34-025 must pay $376 per year.
3. Dry cleaners using perchloroethylene registered pursuant to section 34-025 must pay $282 per year.

LANE REGIONAL AIR PROTECTION AGENCY

TABLE 3 - SECTION 37-8030

CLEANER AIR OREGON SPECIFIC ACTIVITY FEES

LRAPA sources subject to OAR chapter 340, division 245, Cleaner Air Oregon, are required to pay the specific activity fees in Table 3.

#	ACTIVITY	Permit Type			
		Title V	Standard ACDP	Simple ACDP	General or Basic ACDP
1	Existing Source Call-In Fee	$10,470	$10,470	$1,047	$523
2	New Source Consulting Fee	$12,564	$12,564	$1,989	$1,047
3	Submittal Document Modification Fee	$2,617	$2,617	$523	$262
Risk Assessment Fees					
4	Level 1 Risk Assessment - de minimis (no permit required)	$1,570	$1,570	$1,047	$838
5	Level 1 Risk Assessment - not de minimis	$2,094	$2,091	$1,570	$1,152
6	Level 2 Risk Assessment - de minimis (no permit amendment required)	$3,246	$3,246	$2,408	$2,094
7	Level 2 Risk Assessment - not de minimis	$3,769	$3,769	$2,932	$2,408
8	Level 3 Risk Assessment - de minimis (no permit required)	$89,214	$9,214	$5,249	$4,711

#	ACTIVITY	Permit Type			
		Title V	Standard ACDP	Simple ACDP	General or Basic ACDP
9	Level 3 Risk Assessment - not de minimis	$20,835	$11,831	$8,062	$6,596
10	Level 4 Risk Assessment - de minimis (no permit required)	$22,406	$19,369	$12,250	NA
11	Level 4 Risk Assessment - not de minimis	$36,226	$27,012	$16,228	NA
Risk Above Risk Action Levels					
12	Risk Reduction Plan Fee	$7,015	$7,015	$2,722	$2,722
13	Air Oregon Monitoring Plan Fee (includes risk assessment)	$26,327	$26,327	NA	NA
14	Postponement of Risk Reduction Fee	$4,607	$4,607	$4,607	$2,094
15	TBACT/TLAER Review (per Toxic Emissions Unit and type of toxic air contaminant)	$3,141	$3,141	$1,570	$1,570
Other Fees					
16	TEU Risk Assessment – no permit mod	$1,047	$1,047	$523	$523
17	TEU Risk Assessment – permit mod	$4,188	$4,188	$2,094	$1,047
18	Level 2 Modeling review only for TEU approval	$1,989	$1,361	$838	$733
19	Level 3 Modeling review only for TEU approval	$3,979	$3,979	$3,664	$3,664
20	Community Engagement Meeting Fee - high	$8,376	$8,376	$8,376	$8,376
21	Community Engagement Meeting Fee - medium	$4,188	$4,188	$4,188	$4,188
22	Community Engagement Meeting Fee - low	$1,047	$1,047	$1,047	$1,047

#	ACTIVITY	Permit Type			
		Title V	Standard ACDP	Simple ACDP	General or Basic ACDP
23	Source Test Review Fee (plan and data review) - complex	$6,282	$6,282	$6,282	$6,282
24	Source Test Review Fee (plan and data review) – moderate	$4,397	$4,397	$4,397	$4397
25	Source Test Review Fee (plan and data review) - simple	$1,466	$1,466	$1,466	$1,466

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 39

Contingency for PM10 Sources in Eugene-Springfield Non-Attainment Area

[Repeal]

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 44

HAZARDOUS AIR POLLUTANT PROGRAM

General Provisions for Stationary Sources

Section 44-015 Definitions

The definitions in title 12, OAR 340-218-0030, and this section apply to this title. If the same term is defined in this section and title 12 or 340-218-0030, the definition in this section applies to this title.

(4) "CFR" means the January 1, 2025 Code of Federal Regulations unless otherwise identified.

Section 44-150 Federal Regulations Adopted by Reference

(1) Except as provided in subsection (2) and (3) of this section, 40 CFR part 61, subparts A, C through F, J, L, N through P, V, Y, BB, and FF and 40 C.F.R. part 63, subparts A, F through J, L, through O, Q through U, W through Y, AA through EE, GG through YY, CCC through EEE, GGG through JJJ, LLL through RRR, TTT through VVV, XXX, AAAA, CCCC through KKKK, MMMM through YYYY, AAAAA through NNNNN, PPPPP through UUUUU, WWWWW, YYYYY, ZZZZZ, BBBBBB, DDDDDD through FFFFFF, LLLLLL through TTTTTT, VVVVVV through EEEEEEE, and HHHHHHH are adopted by reference and incorporated herein. 40 CFR part 63, subparts ZZZZ and JJJJJJ are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit.

(2) Where "Administrator" or "EPA" appears in 40 C.F.R. part 61 or 63, "LRAPA" is be substituted, except in any section of 40 CFR part 61 or 63 for which a federal rule or delegation specifically indicates that authority will not be delegated to LRAPA.

(3) 40 C.F.R part 63, subpart M – Perchloroethylene Air Emission Standards for Dry Cleaning Facilities: The exemptions in 40 C.F.R. 63.320(d) and (e) do not apply.

(4) 40 C.F.R. part 61 subparts adopted by this section are titled as follows:

(a) Subpart A – General Provisions;

(b) Subpart C – Beryllium;

(c) Subpart D – Beryllium Rocket Motor Firing;

(d) Subpart E – Mercury;

(e) Subpart F – Vinyl Chloride;

(f) Subpart J – Equipment Leaks (Fugitive Emission Sources) of Benzene;

(g) Subpart L – Benzene Emissions from Coke By-Product Recovery Plants;

(h) Subpart N – Inorganic Arsenic Emissions from Glass Manufacturing Plants;

(i) Subpart O – Inorganic Arsenic Emissions from Primary Copper Smelters;

(j) Subpart P – Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities;

(k) Subpart V – Equipment Leaks (Fugitive Emission Sources);

(l) Subpart Y – Benzene Emissions from Benzene Storage Vessels;

(m) Subpart BB – Benzene Emissions from Benzene Transfer Operations; and

(n) Subpart FF – Benzene Waste Operations.

(5) 40 CFR part 63 Subparts adopted by this section are titled as follows:

(a) Subpart A – General Provisions. Standards adopted include final rule promulgations through July 1, 2020 of the CFR;

(b) Subpart F – Synthetic Organic Chemical Manufacturing Industry (SOCMI);

(c) Subpart G – SOCMI - Process Vents, Storage Vessels, Transfer Operations, and Wastewater;

(d) Subpart H –Equipment Leaks and Fenceline Monitoring for All Emission Sources;

(e) Subpart I – Certain Processes Subject to the Negotiated Regulation for Equipment Leaks;

(f) Subpart J – Polyvinyl Chloride and Copolymers Production;

(g) Subpart L – Coke Oven Batteries;

(h) Subpart M – Perchloroethylene Air Emission Standards for Dry Cleaning Facilities;

(i) Subpart N – Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks;

(j) Subpart O – Ethylene Oxide Emissions Standards for Sterilization Facilities;

(k) Subpart Q – Industrial Process Cooling Towers;

(l) Subpart R – Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations);

(m) Subpart S – Pulp and Paper Industry;

(n) Subpart T – Halogenated Solvent Cleaning;

(o) Subpart U – Emissions: Group I Polymers and Resins;

(p) Subpart W – Epoxy Resins Production and Non-Nylon Polyamides Production;

(q) Subpart X – Secondary Lead Smelting;

(r) Subpart Y – Marine Tank Vessel Loading Operations;

(s) Subpart AA – Phosphoric Acid Manufacturing Plants;

(t) Subpart BB – Phosphate Fertilizers Production Plants;

(u) Subpart CC – Petroleum Refineries;

(v) Subpart DD – Off-Site Waste and Recovery Operations;

(w) Subpart EE – Magnetic Tape Manufacturing Operations;

(x) Subpart GG – Aerospace Manufacturing and Rework Facilities;

(y) Subpart HH – Oil and Natural Gas Production Facilities;

(z) Subpart II – Shipbuilding and Ship Repair (Surface Coating);

(aa) Subpart JJ – Wood Furniture Manufacturing Operations;

(bb) Subpart KK – Printing and Publishing Industry;

(cc) Subpart LL – Primary Aluminum Reduction Plants;

(dd) Subpart MM – Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills;

(ee) Subpart NN –Wool Fiberglass Manufacturing at Area Sources;

(ff) Subpart OO – Tanks - Level 1;

(gg) Subpart PP – Containers;

(hh) Subpart QQ – Surface Impoundments;

(ii) Subpart RR – Individual Drain Systems;

(jj) Subpart SS – Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process;

(kk) Subpart TT – Equipment Leaks - Control Level 1;

(ll) Subpart UU – Equipment Leaks - Control Level 2;

(mm) Subpart VV – Oil-Water Separators and Organic-Water Separators;

(nn) Subpart WW – Storage Vessels (Tanks) - Control Level 2;

(oo) Subpart XX – Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations;

(pp) Subpart YY – Generic Maximum Achievable Control Technology Standards;

(qq) Subpart CCC – Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants;

(rr) Subpart DDD – Mineral Wool Production;

(ss) Subpart EEE – Hazardous Waste Combustors;

(tt) Subpart GGG – Pharmaceuticals Production;

(uu) Subpart HHH – Natural Gas Transmission and Storage Facilities;

(vv) Subpart III – Flexible Polyurethane Foam Production;

(ww) Subpart JJJ – Group IV Polymers and Resins;

(xx) Subpart LLL – Portland Cement Manufacturing Industry;

(yy) Subpart MMM – Pesticide Active Ingredient Production;

(zz) Subpart NNN – Wool Fiberglass Manufacturing;

(aaa) Subpart OOO – Manufacture of Amino/Phenolic Resins;

(bbb) Subpart PPP – Polyether Polyols Production;

(ccc) Subpart QQQ – Primary Copper Smelting;

(ddd) Subpart RRR – Secondary Aluminum Production

(eee) Subpart TTT – Primary Lead Smelting;

(fff) Subpart UUU – Petroleum Refineries – Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units;

(ggg) Subpart VVV – Publicly Owned Treatment Works;

(hhh) Subpart XXX – Ferroalloys Production: Ferromanganese, and Silicomanganese;

(iii) Subpart AAAA – Municipal Solid Waste Landfills;

(jjj) Subpart CCCC – Manufacturing of Nutritional Yeast;

(kkk) Subpart DDDD – Plywood and Composite Wood Products;

(lll) Subpart EEEE – Organic Liquids Distribution (non-gasoline);

(mmm) Subpart FFFF – Miscellaneous Organic Chemical Manufacturing;

(nnn) Subpart GGGG – Solvent Extraction for Vegetable Oil Production;

(ooo) Subpart HHHH – Wet Formed Fiberglass Mat Production;

(ppp) Subpart IIII – Surface Coating of Automobiles and Light-Duty Trucks;

(qqq) Subpart JJJJ – Paper and Other Web Coating;

(rrr) Subpart KKKK – Surface Coating of Metal Cans;

(sss) Subpart MMMM – Surface Coating of Miscellaneous Metal Parts and Products;

(ttt) Subpart NNNN – Surface Coating of Large Appliances;

(uuu) Subpart OOOO – Printing, Coating, and Dyeing of Fabrics and Other Textiles;

(vvv) Subpart PPPP – Surface Coating of Plastic Parts and Products;

(www) Subpart QQQQ – Surface Coating of Wood Building Products;

(xxx) Subpart RRRR – Surface Coating of Metal Furniture;

(yyy) Subpart SSSS – Surface Coating of Metal Coil;

(zzz) Subpart TTTT – Leather Finishing Operations;

(aaaa) Subpart UUUU – Cellulose Products Manufacturing;

(bbbb) Subpart VVVV – Boat Manufacturing;

(cccc) Subpart WWWW – Reinforced Plastic Composites Production;

(dddd) Subpart XXXX – Rubber Tire Manufacturing;

(eeee) Subpart YYYY – Stationary Combustion Turbines;

(ffff) Subpart ZZZZ – Stationary Reciprocating Internal Combustion Engines (adopted only for sources required to have a Title V or ACDP permit);

(gggg) Subpart AAAAA – Lime Manufacturing Plants;

(hhhh) Subpart BBBBB – Semiconductor Manufacturing;

(iiii) Subpart CCCCC – Coke Ovens: Pushing, Quenching and Battery Stacks;

(jjjj) Subpart DDDDD – Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

(kkkk) Subpart EEEEE – Iron and Steel Foundries;

(llll) Subpart FFFFF – Integrated Iron and Steel Manufacturing Facilities;

(mmmm) Subpart GGGGG – Site Remediation;

(nnnn) Subpart HHHHH – Miscellaneous Coating Manufacturing;

(oooo) Subpart IIIII – Mercury Cell Chlor-Alkali Plants;

(pppp) Subpart JJJJJ – Brick and Structural Clay Products Manufacturing;

(qqqq) Subpart KKKKK – Clay Ceramics Manufacturing;

(rrrr) Subpart LLLLL – Asphalt Processing and Asphalt Roofing Manufacturing;

(ssss) Subpart MMMMM – Flexible Polyurethane Foam Fabrication Operations;

(tttt) Subpart NNNNN – Hydrochloric Acid Production;

(uuuu) Subpart PPPPP – Engine Tests Cells/Stands;

(vvvv) Subpart QQQQQ – Friction Materials Manufacturing Facilities;

(wwww) Subpart RRRRR – Taconite Iron Ore Processing;

(xxxx) Subpart SSSSS – Refractory Products Manufacturing;

(yyyy) Subpart TTTTT – Primary Magnesium Refining;

(zzzz) Subpart UUUUU – Coal- and Oil-Fired Electric Utility Steam Generating Units

(aaaaa) Subpart WWWWW –Hospital Ethylene Oxide Sterilizers;

(bbbbb) Subpart YYYYY – Area Sources: Electric Arc Furnace Steelmaking Facilities;

(ccccc) Subpart ZZZZZ –Iron and Steel Foundries Area Sources;

(ddddd) Subpart BBBBBB –Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities Area Sources;

(eeeee) Subpart DDDDDD –Polyvinyl Chloride and Copolymers Production Area Sources;

(fffff) Subpart EEEEEE –Primary Copper Smelting Area Sources;

(ggggg) Subpart FFFFFF –Secondary Copper Smelting Area Sources;

(hhhhh) Subpart GGGGGG –Primary Nonferrous Metals - Zinc, Cadmium, and Beryllium Area Sources;

(iiiii) Subpart HHHHHH –Paint Stripping and Miscellaneous Surface Coating Operations Area Sources;

(jjjjj) Subpart JJJJJJ –Industrial, Commercial, and Institutional Boilers Area Sources (adopted only for sources required to have a Title V or ACDP permit);

(kkkkk) Subpart LLLLLL –Acrylic and Modacrylic Fibers Production Area Sources;

(lllll) Subpart MMMMMM –Carbon Black Production Area Sources;

(mmmmm) Subpart NNNNNN –Chemical Manufacturing: Chromium Compounds Area Sources;

(nnnnn) Subpart OOOOOO –Flexible Polyurethane Foam Production and Fabrication Area Sources;

(ooooo) Subpart PPPPPP –Lead Acid Battery Manufacturing Area Sources;

(ppppp) Subpart QQQQQQ –Wood Preserving Area Sources;

(qqqqq) Subpart RRRRRR –Clay Ceramics Manufacturing Area Sources;

(rrrrr) Subpart SSSSSS –Glass Manufacturing Area Sources;

(sssss) Subpart TTTTTT –Secondary Nonferrous Metals Processing Area Sources;

(ttttt) Subpart VVVVVV –Chemical Manufacturing Area Sources;

(uuuuu) Subpart WWWWWW – Area Source Standards for Plating and Polishing Operations;

(vvvvv) Subpart XXXXXX – Area Source Standards for Nine Metal Fabrication and Finishing Source Categories;

(wwwww) Subpart YYYYYY – Area Sources: Ferroalloys Production Facilities;

(xxxxx) Subpart ZZZZZZ – Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries;

(yyyyy) Subpart AAAAAAA – Area Sources: Asphalt Processing and Asphalt Roof Manufacturing;

(zzzzz) Subpart BBBBBBB – Area Sources: Chemical Preparations Industry;

(aaaaaa) Subpart CCCCCCC – Area Sources: Paints and Allied Products Manufacturing;

(bbbbbb) Subpart DDDDDDD – Area Sources: Prepared Feeds Manufacturing;

(cccccc) Subpart EEEEEEE –Gold Mine Ore Processing and Production Area Source Catgory;

(dddddd) Subpart HHHHHHH – Polyvinyl Chloride and Copolymers Production.

(Section 37-150 Original Adoption 06/11/02, includes updated provisions of sections 43-020 through 43-035 which were deleted from title 43 by 06/11/02 rulemaking; Amended 1/12/2010, Amended 04/25/2011, Amended 11/12/2015, Amended 1/11/18)

EMISSION STANDARDS FOR GASOLINE DISPENSING FACILITIES

Section 44-170 General Provisions for Stationary Sources: Delegation of Authority

(1) In accordance with OAR 340-244-0020 LRAPA implements the applicable requirements in OAR 340-244-0231 through OAR 340-244-0252 in Lane County.

TITLE 46

NEW SOURCE PERFORMANCE STANDARDS

Section 46-510 Definitions

The definitions in title 12 and this section apply to this title. If the same term is defined in this section and title 12, the definition in this section applies to this title.

(4) "CFR" means the January 1, 2025 edition of the Code of Federal Regulations unless otherwise identified.

PERFORMANCE STANDARDS

Section 46-535 Federal Regulations Adopted by Reference

(5) Except as provided in subsection (2), 40 C.F.R. part 60, subparts A, D through EE, GG, HH, KK through NN, PP through XXa, BBB, DDD, FFF through LLL, NNN through XXX, AAAA, CCCC, EEEE, KKKK, LLLL, OOOO, OOOOa and TTTT are by this reference adopted and incorporated herein.

(a) 40 CFR Part 60 subpart OOO is by this reference adopted and incorporated herein for major sources only.

(6) 40 CFR Part 60, subpart IIII and JJJJ are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit and excluding the requirements for engine manufacturers.

(7) The definitions of LRAPA 12-005 and LRAPA 46-510 do not apply to the Subparts of 40 CFR Part 60 incorporated by reference in this section, except for the definition of "CFR" in LRAPA 46-510. Where "Administrator" or "EPA" appears in 40 CFR part 60, "LRAPA" is substituted, except in any section of 40 CFR part 60 for which a federal rule or delegation specifically indicates that authority will not be delegated to the state or regional authority.

(8) 40 CFR part 60 Subparts adopted by this section are titled as follows:

(a) Subpart A – General Provisions;

(b) Subpart D – Fossil-fuel-fired steam generators;

(c) Subpart Da – Electric utility steam generating units;

(d) Subpart Db – Industrial-commercial-institutional steam generating units;

(e) Subpart Dc – Small industrial-commercial-institutional steam generating units;

(f) Subpart E – Incinerators;

(g) Subpart Ea – Municipal waste combustors for which construction is commenced after December 20, 1989 and on or before September 20, 1994;

(h) Subpart Eb – Large municipal waste combustors for which construction is commenced after September 20, 1994 or for which modification or reconstruction is commenced after June 19, 1996;

(i) Subpart Ec – Hospital/Medical/Infectious waste incinerators;

(j) Subpart F – Portland cement plants;

(k) Subpart G – Nitric acid plants;

(l) Subpart Ga – Nitric acid plants for which construction, reconstruction, or modification commenced after October 14, 2011;

(m) Subpart H – Sulfuric acid plants;

(n) Subpart I – Hot mix asphalt facilities;

(o) Subpart J – Petroleum refineries;

(p) Subpart Ja — Petroleum refineries for which construction, reconstruction, or modification commenced after May 14, 2007;

(q) Subpart K – Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and prior to May 19, 1978;

(r) Subpart Ka – Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978, and prior to July 23, 1984;

(s) Subpart Kb – Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984 and on or before October 4, 2023;

(t) Subpart Kc — Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after October 4, 2023;

(u) Subpart L – Secondary lead smelters for which construction, reconstruction, or modification commenced after June 11, 1973 and on or before December 1, 2022;

(v) Subpart La — Secondary lead smelters for which construction, reconstruction, or modification commenced after December 1, 2022;

(w) Subpart M – Secondary brass and bronze production plants;

(x) Subpart N – Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;

(y) Subpart Na – Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;

(z) Subpart O – Sewage treatment plants;

(aa) Subpart P – Primary copper smelters;

(bb) Subpart Q – Primary zinc smelters;

(cc) Subpart R – Primary lead smelters;

(dd) Subpart S – Primary aluminum reduction plants;

(ee) Subpart T – Phosphate fertilizer industry: Wet-process phosphoric acid plants;

(ff) Subpart U – Phosphate fertilizer industry: Superphosphoric acid plants;

(gg) Subpart V – Phosphate fertilizer industry: Diammonium phosphate plants;

(hh) Subpart W – Phosphate fertilizer industry: Triple superphosphate plants;

(ii) Subpart X – Phosphate fertilizer industry: Granular triple superphosphate storage facilities;

(jj) Subpart Y – Coal preparation and processing plants;

(kk) Subpart Z – Ferroalloy production facilities;

(ll) Subpart AA – Steel plants: Electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;

(mm) Subpart AAa – Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels constructed after August 17, 1983 and on or before May 16, 2022;

(nn) Subpart AAb — Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels constructed after May 16, 2022;

(oo) Subpart BB – Kraft pulp mills;

(pp) Subpart BBa – Kraft pulp mill affected sources for which construction,

reconstruction, or modification commences after May 23, 2013.

(qq) Subpart CC – Glass manufacturing plants;

(rr) Subpart DD – Grain elevators;

(ss) Subpart EE – Surface coating of metal furniture;

(tt) Subpart GG – Stationary gas turbines;

(uu) Subpart HH – Lime manufacturing plants;

(vv) Subpart KK – Lead-acid battery manufacturing plants for which construction, reconstruction, or modification commenced after January 14, 1980, and on or before February 23, 2022;

(ww) Subpart KKa — Lead acid battery manufacturing plants for which construction, modification, or reconstruction commenced after February 23, 2022;

(xx) Subpart LL – Metallic mineral processing plants;

(yy) Subpart MM – Automobile and light-duty truck surface coating operations for which construction, modification, or reconstruction commenced after October 5, 1979 and on or before May 18, 2022;

(zz) Subpart MMa — Automobile and light duty truck surface coating operations for which construction, modification, or reconstruction commenced after May 18, 2022;

(aaa) Subpart NN – Phosphate rock plants;

(bbb) Subpart PP – Ammonium sulfate manufacture;

(ccc) Subpart QQ – Graphic arts industry: Publication rotogravure printing;

(ddd) Subpart RR – Pressure sensitive tape and label surface coating operations;

(eee) Subpart SS – Industrial surface coating: Large appliances;

(fff) Subpart TT – Metal coil surface coating;

(ggg) Subpart UU – Asphalt processing and asphalt roofing manufacture;

(hhh) Subpart VV – Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry for which construction, reconstruction, or modification commenced after January 5, 1981, and on or before November 7, 2006;

(iii) Subpart VVa – Equipment leaks of VOC in the synthetic organic chemicals

manufacturing industry for which construction, reconstruction, or modification commenced after November 7, 2006 and on or before April 25, 2023;

(jjj) Subpart VVb — Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry for which construction, reconstruction, or modification commenced after April 25, 2023;

(kkk) Subpart WW – Beverage can surface coating industry;

(lll) Subpart XX – Bulk gasoline terminals that commenced construction, modification, or reconstruction after December 17, 1980 and on or before June 10, 2022;

(mmm) Subpart XXa — Bulk gasoline terminals that commenced construction, modification, or reconstruction after June 10, 2022;

(nnn) Subpart BBB – Rubber tire manufacturing industry;

(ooo) Subpart DDD – Volatile organic compound (VOC) emissions from the polymer manufacture industry;

(ppp) Subpart FFF – Flexible vinyl and urethane coating and printing;

(qqq) Subpart GGG – Equipment leaks of VOC in petroleum refineries for which construction, reconstruction, or modification commenced after January 4, 1983, and on or before November 7, 2006;

(rrr) Subpart GGGa-- Equipment leaks of VOC in petroleum refineries for which construction, reconstruction, or modification commenced after November 7, 2006;

(sss) Subpart HHH – Synthetic fiber production facilities;

(ttt) Subpart III – Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes after October 21, 1983 and on or before April 25, 2023;

(uuu) Subpart IIIa — Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes for which construction, reconstruction, or modification commenced after April 25, 2023;

(vvv) Subpart JJJ – Petroleum dry cleaners;

(www) Subpart KKK – Equipment leaks of VOC from onshore natural gas processing plants for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011;

(xxx) Subpart LLL – SO_2 emissions from onshore natural gas processing for which construction, reconstruction, or modification commenced after January 20, 1984, and on or before August 23, 2011;

(yyy) Subpart NNN – Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations after December 30, 1983 and on or before April 25, 2023;

(zzz) Subpart NNNa — Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations for which construction, reconstruction, or modification commenced after April 25, 2023;

(aaaa) Subpart OOO – Nonmetallic mineral processing plants (adopted by reference for major sources only);

(bbbb) Subpart PPP – Wool fiberglass insulation manufacturing plants;

(cccc) Subpart QQQ – VOC emissions from petroleum refinery wastewater systems;

(dddd) Subpart RRR – Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes after June 29, 1990 and on or before April 25, 2023;

(eeee) Subpart RRRa — Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes for which construction, reconstruction, or modification commenced after April 25, 2023;

(ffff) Subpart SSS – Magnetic tape coating facilities;

(gggg) Subpart TTT – Industrial surface coating: surface coating of plastic parts for business machines;

(hhhh) Subpart TTTa — Industrial surface coating: Surface coating of plastic parts for business machines for which construction, reconstruction, or modification commenced after June 21, 2022;

(iiii) Subpart UUU – Calciners and dryers in mineral industries;

(jjjj) Subpart VVV – Polymeric coating of supporting substrates facilities;

(kkkk) Subpart WWW – Municipal solid waste landfills that commenced construction, reconstruction, or modification on or after May 30, 1991, but before July 18, 2014, as clarified by section 46-900;

(llll) Subpart XXX – Municipal solid waste landfills that commenced construction, reconstruction, or modification after July 17, 2014;

(mmmm) Subpart AAAA – Small municipal waste combustion units for which construction is commenced after August 30, 1999 or for which modification or reconstruction is commenced after June 6, 2001;

(nnnn) Subpart CCCC – Commercial and industrial solid waste incineration units;

(oooo) Subpart EEEE – Other solid waste incineration units for which construction is commenced after December 9, 2004, or for which modification or reconstruction is commenced on or after June 16, 2006;

(pppp) Subpart IIII – Stationary compression ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 CFR 60.4201 through 60.4203, 60.4210, 60.4215, and 60.4216);

(qqqq) Subpart JJJJ – Stationary spark ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 CFR 60.4231 through 60.4232, 60.4238 through 60.4242, and 60.4247);

(rrrr) Subpart KKKK – Stationary combustion turbines;

(ssss) Subpart LLLL – New sewage sludge incineration units;

(tttt) Subpart OOOO – Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after August 23, 2011, and on or before September 18, 2015. Standards adopted include final rule promulgations through July 1, 2020 of the CFR;

(uuuu) Subpart OOOOa – Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015 and on or before December 6, 2022. Standards adopted include final rule promulgations through July 1, 2020 of the CFR; and

(vvvv) Subpart TTTT – Greenhouse gas emissions for electric generating units. Standards adopted include final rule promulgations through July 1, 2020 of the CFR.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 50

AMBIENT AIR STANDARDS AND PSD INCREMENTS

Section 50-015 Suspended Particulate Matter

(1) Concentrations of the fraction of suspended particulate that is equal to or less than 2.5 microns in aerodynamic diameter in ambient air as measured by an approved method must not exceed:

(a) 9.0 $\mu g/m^3$ of $PM_{2.5}$ as a 3-year average of the annual arithmetic mean. This standard is attained when the 3-year average of the arithmetic mean concentrations is equal to or less than 9.0 $\mu g/m^3$ as determined in accordance with Appendix N of 40 CFR part 50.

(b) 35 $\mu g/m^3$ of $PM_{2.5}$ as a 3-year average of annual 98^{th} percentile 24-hour average values recorded at each monitoring site. This standard is attained when the 3-year average of annual 98^{th} percentile 24-hour average concentrations is equal to or less than 35 $\mu g/m^3$ as determined in accordance with Appendix N of 40 CFR part 50.

Section 50-025 Sulfur Dioxide

(1) Concentrations of sulfur dioxide in ambient air as measured by an approved method for each averaging time must not exceed the following concentrations:

(a) Annual average: 10 ppb as a three-year average of annual arithmetic means for any calendar year at any monitoring site as determined by appendix T of 40 CFR par 50, and as measured by the reference method described in appendix A-1 of 40 CFR part 50 or by an equivalent method designated in accordance with 40 CFR part 53.

(b) 1-hour average: 75 ppb as a three-year average of the annual 99th percentile of the daily maximum 1-hour average concentration recorded at any monitoring site as determined by appendix T of 40 CFR part 50, and as measured by a reference method based on appendix A-1 of 40 CFR part 50, or by an equivalent method designated in accordance with 40 CFR part 53.