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 ~~brought~~ 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~~s~~ 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 (µg/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} (µg/m^3)				
	24-hour	0.30	1.0	1.0
$PM_{2.5}$ (µg/m^3)	Annual	0.~~06~~03	0.13	0.13
	24-hour	0.07	1.2	1.2
NO_2 (µg/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 ~~that are in excess of the PSEL but less than the netting basis~~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, ~~2023~~ 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 ~~solid, infectious waste and~~ crematory incinerators, in order to minimize air contaminant emissions and provide adequate protection of public health. ~~The rules apply to all existing solid and infectious waste and crematory incinerators and to all that will be built, modified, or installed within Lane County, Oregon. These rules shall not apply to municipal waste combustors.~~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. "Acid Gases" means any exhaust gas which includes hydrogen chloride and sulfur dioxide.~~

~~2.~~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.

~~3.~~2. "CFR" means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2016 edition.

~~4. "Continuous Emissions Monitoring (CEM)" means a monitoring system for continuously measuring the emissions of a pollutant from an affected incinerator.~~

~~Continuous monitoring equipment and operation shall be certified in accordance with EPA performance specifications and quality assurance procedures outlined in 40 CFR 60, Appendices B and F, and the DEQ CEM Manual.~~

~~5.~~3. "Crematory Incinerator" means an incinerator used solely for the cremation of non-pathological human, non-pathological animal remains, and appropriate containers.

~~6. "Cultures and stocks" includes etiologic agents and associated biologicals, including specimen cultures and dishes and devices used to transfer, inoculate and mix cultures, wastes from production of biologicals, and serums and discarded live and attenuated vaccines. "Cultures" does not include throat and urine cultures (see also "infectious waste".~~

~~7. "Dioxins and Furans" means total tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.~~

~~8.~~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.

~~(212)~~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.

~~(213)~~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.

~~(214) "Infectious Waste" means waste which contains or may contain any disease-producing microorganism or material including, but not limited to, biological waste, cultures and stocks, pathological waste, and sharps (see individual definitions for these terms).~~

~~(215) "Infectious Waste Incinerator" means an incinerator which is operated or utilized for the disposal or treatment of infectious waste, including combustion for the recovery of heat.~~

~~1. "Parts Per Million (ppm)" means parts of a contaminant per million parts of gas by volume on a dry-gas basis (1 ppm equals 0.0001% by volume).~~

~~2. "Pathological waste" includes biopsy materials and all human tissues; anatomical parts that emanate from surgery, obstetrical procedures, autopsy and laboratory procedures; and animal carcasses exposed to pathogens in research and the bedding and other waste from such animals. "Pathological wastes" does not include teeth, or formaldehyde or other preservative agents (see also "infectious waste").~~

~~(216)~~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.

~~(217)~~8. "Pyrolisis" means the endothermic gasification of waste material using external energy.

~~(218) "Refuse" means unwanted matter.~~

~~(219) "Refuse Burning Equipment" means a device designed to reduce the volume of solid, liquid, or gaseous refuse by combustion.~~

~~(220)~~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.

~~(221) "Sharps" includes needles, IV tubing with needles attached, scalpel blades, lancets, glass tubes that could be broken during handling, and syringes that have been removed from their original sterile containers (see also "infectious waste").~~

~~(222) "Solid Waste" means refuse, more than 50% of which is waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials, and noncombustible materials such as metal, glass, and rock.~~

~~(223) "Solid Waste Incinerator" means an incinerator which is operated or utilized for the disposal or treatment of solid waste, including combustion for the recovery of heat.~~

~~(224) "Transmissometer" means a device that measures opacity and conforms to EPA specification Number 1 in Title 40 CFR, Part 60, Appendix B.~~

~~**Section 30-015 Best Available Control Technology for Solid and Infectious Waste Incinerators**~~

(1) Notwithstanding the specific emission limits set forth in Section 30-020, in order to maintain overall air quality at the highest possible levels, each solid and infectious waste incinerator is required to use best available control technology (BACT). In no event shall the application of BACT result in emissions of any air contaminant which would exceed the emission limits set forth in these rules.

(2) All installed equipment shall be operated and maintained in such a manner that emissions of air contaminants are kept at the lowest possible level.

Section 30-020 Emission Limitations for Solid and Infectious Waste Incinerators

No person shall cause, suffer, allow, or permit the operation of any solid or infectious waste incinerator in a manner which violates the following emission limits and requirements:

(1) Particulate Matter Emissions (PM)

(a) For solid and infectious waste incinerators constructed or modified on or after March 13, 1990, emissions from each stack shall not exceed 0.015 grains per dry standard cubic foot of exhaust gases corrected to seven (7) percent O_2 at standard conditions.

(b) For solid and infectious waste incinerators constructed or modified before March 13, 1990, emissions from each stack shall not exceed 0.030 grains per day standard cubic foot of exhaust gases corrected to seven (7) percent O_2 at standard conditions.

(2) Hydrogen Chloride (HCl)

(a) For existing and new solid and infectious waste incinerators, emissions of hydrogen chloride from each stack shall not exceed 50 ppm as an average during any sixty (60)-minute period, corrected to 7% 0_2 (dry basis); or

(b) Shall be reduced by at least ninety (90)% by weight from their potential HCl emissions rate on an hourly basis.

(3) Sulfur Dioxide (SO_2)

(a) For existing and new solid and infectious waste incinerators, emissions of sulfur dioxide from each stack shall not exceed 50 ppm as a running three (3) hour average, corrected to 7% 0_2, (dry basis); or

(b) Shall be reduced by at least 70% by weight from their potential SO_2 emission rate on a three (3) hour basis.

(4) Carbon Monoxide (CO). For existing and new solid and infectious waste incinerators, emissions of carbon monoxide from each stack shall not exceed 100 ppm as a running eight (8) hour average, corrected to 7% 0_2 (dry basis).

(5) Nitrogen Oxide (NO_x). For solid and infectious waste incinerators constructed or modified on or after March 13, 1990 with the potential to process 250 tons/day or more of wastes, emissions of nitrogen oxide from each stack shall not exceed 200 ppm as a running 24 hour average, corrected to 7% 0_2 (dry basis).

(6) Opacity. Opacity, as measured visually by an applicable EPA Method or by a transmissometer, shall not exceed 10% for a period aggregating more than six (6) minutes in any sixty (60) minute period.

(7) Fugitive Emissions. All solid and infectious waste incinerators shall be operated in a manner which prevents or minimizes fugitive emissions, including but not limited to the paving of all normally traveled roadways within the plant boundary and enclosing of all material transfer points.

(8) Dioxin/furans. For solid and infectious waste incinerators with a waste charging rate of 250 tons/day or greater, emissions from each stack shall not exceed 30 nanograms of dioxin/furans per dry standard cubic foot.

(9) Other Wastes. No solid or infectous waste incinerator subject to these rules shall burn radioactive or hazardous waste, or any other waste not specifically authorized in LRAPA's Air Contaminant Discharge Permit.

(10) Other contaminants. For any incinerator subject to these rules, in the absence of an air-contaminant-specific emission limit or ambient air quality standard, LRAPA may establish, by permit, emission limits for any other air contaminants to protect human health and the environment.

Section 30-025 Design and Operation for Solid and Infectious Waste Incinerators

(1) Each solid or infectious waste incinerator shall have at least a primary and secondary combustion chamber.

(2) Temperature and residence time. Each solid or infectious waste incinerator shall be designed and operated to maintain temperatures of at least 1400° F in the primary chamber. Combustion gases in the secondary chamber shall be maintained at a minimum temperature of 1800° F for at least one (1) second residence time.

(3) Auxiliary Burners. Each solid or infectious waste incinerator shall be designed and operated with automatically controlled auxiliary burners capable of maintaining the combustion chamber temperatures specified in section 2 of this rule, and shall have sufficient auxiliary fuel capacity to maintain said temperatures.

(4) Interlocks. Each solid or infectious waste incinerator shall be designed and operated with an interlock system which:

(a) Prevents charging until the final combustion chamber reaches 1800° F;

(b) For batch-fed solid or infectious waste incinerators, prevents recharging until each combustion cycle is complete;

(c) Ceases charging if the secondary chamber temperature falls below 1800° F for any continuous fifteen (15) minute period; and

(d) Ceases charging if carbon monoxide levels exceed 150 ppm (dry basis), corrected to 7% O_2 over a continuous fifteen (15) minute period.

(5) Air Locks. Each mechanically fed solid or infectious waste incinerator shall be designed and operated with an air lock control system to prevent opening the incinerator to the room environment. The volume of the loading system must be designed so as to prevent overcharging, to assure complete combustion of the waste.

(6) Combustion Efficiency. Except during periods of startup and shutdown, each solid or infectious waste incinerator shall achieve a combustion efficiency of 99.9% based on a running eight (8) hour average, computed as follows:

$$CE = \frac{CO_2}{CO_2 + CO} \times 100$$

CO = Carbon monoxide in the exhaust gas, parts per million by volume (dry) at standard conditions

CO_2 = Carbon dioxide in the exhaust gas, parts per million by volume (dry) at standard conditions

(7) Stack Height. Each solid or infectious waste incinerator stack shall be designed in accordance with Good Engineering Practice (GEP) as defined in Title 40 CFR, Parts 51.100(ii) and 5118, in order to avoid the flow of stack pollutants into any building ventilation intake plenum.

~~(8) Operator Training and Certification. Each solid or infectious waste incinerator shall be attended at all times during operation by one or more individuals who have received training necessary for proper operation. A description of the training program shall be submitted to the LRAPA for approval. A satisfactory training program shall consist of any of the following:~~

~~(a) Certification by the American Society of Mechanical Engineers (ASME) for solid waste incinerator operation; or~~

~~(b) For infectious waste incineration, successful completion of EPA's Medical Waste Incinerator Operating training course; or~~

~~(c) Other certification or training by a qualified organization as to proper operating practices and procedures, which has been pre-approved by LRAPA prior to enrollment. In addition, the owner or operator of a solid or infectious waste incinerator facility shall develop and submit a manual for proper operation and maintenance, to be reviewed with employees responsible for incinerator operation on an annual basis.~~

~~(d) Copies of the written certificate of training of the operator shall be kept on site at all times, available LRAPA review.~~

~~(9) Odors. In cases where solid or infectious waste incinerator operation causes odors which interfere with the use and enjoyment of property, LRAPA may require, by permit, additional practices and procedures to prevent or eliminate those odors, in accordance with Title 49.~~

~~Section 30-030 Continuous Emission Monitoring for Solid and Infectious Waste Incinerators~~

~~(1) Each solid waste incinerator shall be equipped with continuous monitoring for the following:~~

~~(a) Sulfur dioxide;~~

~~(b) Carbon monoxide;~~

~~(c) Opacity;~~

~~(d) Primary combustion chamber temperature;~~

~~(e) Final combustion chamber temperature;~~

~~(f) Flue gas outlet temperature;~~

~~(g) Oxygen;~~

~~(h) Nitrogen oxide--new incinerators with a potential waste feed rate of 250 tons/day or more; and~~

~~(i) HCl - for incinerators with a potential waste feed rate of 250 tons per day or more.~~

~~(2) Each infectious waste incinerator shall be equipped with continuous monitoring for the following:~~

~~(a) Carbon monoxide;~~

~~(b) Opacity;~~

~~(c) Primary combustion chamber temperature;~~

~~(d) Final combustion chamber temperature; and~~

~~(e) HCl.~~

~~(3) LRAPA may, at any time following the effective date of these rules, require the installation and operation of any other continuous emission monitors which LRAPA determines are necessary in order to demonstrate compliance with emission limits set forth in these regulations.~~

~~(4) The monitors specified above shall comply with EPA performance specifications in Title 40, CFR, Part 60, and the Department's CEM Manual. All monitoring equipment shall be located, operated and maintained so as to accurately monitor emission levels, in order to demonstrate compliance with LRAPA Title 30.~~

~~Section 30-035 Reporting and Testing for Solid and Infectious Waste Incinerators~~

~~(1) Reporting~~

(a) Compliance test results shall be reported to LRAPA within thirty (30) days of completion of the test.

(b) 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 two (2) years and shall be furnished to LRAPA upon request.

(2) Source Testing

(a) Each solid or infectious waste incinerator must be tested to demonstrate compliance with the standards in these rules.

(b) Compliance testing shall be conducted at the maximum design rate using waste that is representative of normal operation. If requested by the owner/ operator, compliance testing may be performed at a lower rate; however, permit limits will be established based on the lower rate of operation.

(c) Unless otherwise specified by LRAPA, each solid or infectious waste incinerator shall be tested at start-up for particulate matter, hydrogen chloride, sulfur dioxide, and carbon monoxide emissions. Solid and infectious waste incinerators with potential waste feed rates of 250 tons/day or more shall be tested for dioxin/furans and NO_x at startup.

(3) Other air contaminant compliance testing. LRAPA may, at any time after the effective date of this rule, conduct or require source testing and require access to information specific to the control, recovery, or release of other air contaminants.

Section 30-040 Compliance for Solid and Infectious Waste Incinerators

(1) All solid and infectious waste incinerators constructed or modified before March 13, 1990 must demonstrate compliance with the applicable provisions of these rules one year after the

~~effective date of this regulation. Subject to approval of LRAPA, existing data such as that collected in accordance with the requirements of an Air Contaminant Discharge Permit may be used to demonstrate compliance.~~

~~(2) Until compliance is demonstrated, existing solid and infectious waste incinerators shall continue to be subject to all applicable permit conditions.~~

~~(3) Solid and infectious waste incinerators constructed or modified on or after March 13, 1990 must demonstrate compliance with the applicable provisions of these rules in accordance with a schedule established by LRAPA before commencing regular operation.~~

~~(4) Compliance with these rules does not relieve the owner or operator of the solid or infectious waste incinerator from the responsibility to comply with requirements of the Department's Solid and Hazardous Waste rules (Oregon Administrative Rules, Chapter 340, Division 93) regarding the disposal of ash generated from solid and infectious waste incinerators.~~

Section 30-045 Emission Limitations of Crematory Incinerators

(1) No person ~~shall~~ 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 ~~shall~~ may be present except for ~~a~~ one 6-minute period ~~aggregating no more than three (3) minutes in any sixty (60) minute period~~per hour of not more than 20% opacity, as measured by EPA Method 9. ~~At no time shall visible emissions exceed an opacity of 10%.~~

(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.~~During the course of cremation, the temperature in the final combustion chamber shall be 1800° F for incinerators installed on or after March 13, 1993, and 1600° F for crematory incinerators installed on or before March 12, 1993, with a residence time of at least 0.5 second. The temperature in the final chamber must be 1400°F prior to firing material in the primary combustion chamber. At no time while firing waste shall the temperature in the final chamber fall below 1400° F for incinerators installed on or after March 13, 1993, or 1200° F for incinerators installed on or after March 13, 1993.~~

(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 ~~Title 12~~section 30-010(3)~~ of these rules~~, 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~~by 30-010.10 of these rules~~, may be incinerated unless specifically authorized in LRAPA's Air Contaminant Discharge Permit. ~~On a case-by-case basis, LRAPA may allow the cremation of human anatomical parts or fetal remains, upon request.~~

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 ~~two~~ five (5~~2~~) 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 ~~for the regulated pollutant emitted~~;

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

In addition to other applicable requirements, LRAPA may establish control requirements ~~in addition to otherwise applicable 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;

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

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

~~(C)~~(D) Hand-held sanding equipment;

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

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

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

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

~~(H)~~(I) Vacuum pumps;

~~(I)~~(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;

~~(J)~~(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;

~~(K)~~(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;

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

~~(M)~~(N) Dredging wet spoils handling and placement;

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

~~(O)~~(P) Ultraviolet disinfection processes;

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

~~(Q)~~(R) Ozone generators and ozonation equipment;

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

~~(S)~~(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;

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

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

~~(V)~~(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;

~~(W)~~(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;

~~(X)~~(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;

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

~~(Z)~~(AA) Contaminant detectors, sampling devices and recorders;

~~(AA)~~(BB) Environmental chambers and humidity chambers using only gases

that are not toxic air contaminants listed in OAR chapter 340, division 247;

~~(BB)~~(CC) Lithographic printing equipment which uses laser printing;

~~(CC)~~(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;

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

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

~~(FF)~~(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;

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

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

~~(II)~~(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 ~~General Policy and Discussion~~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.

~~(2)~~(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.~~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.~~

~~(3) The purpose of these rules is to:~~

~~(a) Require that, where applicable, the owner or operator immediately report all excess emissions to LRAPA;~~

~~(b) Require the owner or operator to submit information and data regarding conditions which resulted or could result in excess emissions;~~

~~(c) Identify criteria for LRAPA to use in determining whether it will take enforcement action against an owner or operator for an excess emission; and~~

~~(d) Provide owners and operators of sources with LRAPA Title V Operating Permits an affirmative defense to a penalty action when noncompliance with technology-based limits is due to an emergency pursuant to section 36-040.~~

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.~~; 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.~~

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: ~~is an individual person that is operating the facility or applying for the permit, and is not doing so under an assumed business name.~~

(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

~~(3)~~(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~~, and~~:

(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.~~; and.~~

~~(e) When LRAPA has determined that the information in an application is adequate for processing, LRAPA will so notify the applicant in writing~~.

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 ~~the state~~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~~ stage I~~ – Fee Class ~~Five~~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 ~~Two~~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 F~~-~~ee ~~- -~~ 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 (~~2~~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 ~~division~~ 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.

~~(3)~~(4) The fees in Table 2, section 37-8020, parts 1, ~~2, and~~ 4, and 6 will increase by ~~four~~ the Employment Cost Index or five (45) percent, whichever is less, on July 1 of each year, beginning July 1, 2030.

~~(4)~~(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.

~~1.~~

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 ~~or more~~ 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 ~~or more~~ tons per year.
22. Concrete manufacturing including redimix and CTB, both stationary and portable, more than 25,000 ~~or more~~ cubic yards per year output.
23. Crematory incinerators with more than 20 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ tons/year throughput.
35. Reserved.
36. Gray iron and steel foundries, malleable iron foundries, steel investment foundries, steel foundries with more than 100 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ tons/year crushed.
62. Sawmills and/or planing mills with more than 25,000 ~~or more~~ 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 ~~or more~~ 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 ~~or more~~ 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~~ 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~~ 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~~ 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~~ 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

1010 Main Street

Springfield, OR 97477

(541) 736-105

permitting@lrapa-or.gov

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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: ~~(in addition to first annual fee)~~

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 ~~12.5% of the applicable annual fee in Part 2~~

* 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	ba. Non-Technical Permit Modification	$218
	cb. Basic Technical Permit Modification	$655
	dc. Simple Technical Permit Modification	$2,178
	ed. Moderate Technical Permit Modification	$10,891
	fe. Complex Technical Permit Modification	$21,781
Toxic Air Contaminant Discharge Permit Addendum Modification	ag. Non-Technical Permit Modification	$201
	bh. Basic Technical Permit Modification	$487
	ci. Simple Technical Permit Modification	$1,620

	~~d~~j. Moderate Technical Permit Modification	$8,056
	~~e~~k. Complex Technical Permit Modification	$16,122
~~f~~l. Major NSR or Type A State NSR Permit Modification		$76,233
~~g~~m. Modeling Review (outside Major NSR or Type A State NSR)		$10,891
~~h~~n. Public Hearing at Source's Request		$4,357
~~i~~o. LRAPA MACT Determination		$10,891
~~j~~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,~~000~~470	$10,~~0004~~70	$1,~~0000~~47	$~~500~~523
2	New Source Consulting Fee	$12,~~000~~564	$12,~~0005~~64	$1,~~9009~~89	$1,~~0000~~47
3	Submittal Document Modification Fee	$2,~~5006~~17	$2,~~50061~~7	$~~500~~523	$~~250~~262
Risk Assessment Fees					
4	Level 1 Risk Assessment - de minimis (no permit required)	$1,~~5005~~70	$1,~~50057~~0	$1,~~0000~~47	$~~800~~838
5	Level 1 Risk Assessment - not de minimis	$2,~~0000~~94	$2,~~00009~~1	$1,~~5005~~70	$1,~~100~~152
6	Level 2 Risk Assessment - de minimis (no permit amendment required)	$3,~~100~~246	$3,~~10024~~6	$2,~~3004~~08	$2,~~0000~~94
7	Level 2 Risk Assessment - not de minimis	$3,~~6007~~69	$3,~~60076~~9	$2,~~8009~~32	$2,~~3004~~08
8	Level 3 Risk Assessment - de minimis (no permit required)	$8~~,8009~~,214	$~~8,2009,~~214	$5,~~3002~~49	$4,~~5007~~11
9	Level 3 Risk Assessment - not de minimis	$~~19,900~~20,835	$11,~~3008~~31	$~~7,7008~~,062	$6,~~3005~~96
10	Level 4 Risk Assessment - de minimis (no permit required)	$~~21,400~~22,406	$~~18,500~~19,369	$~~11,700~~12,250	NA
11	Level 4 Risk Assessment - not de minimis	$~~34,600~~36,226	$~~25,800~~27,012	$~~15,500~~16,228	NA
Risk Above Risk Action Levels					
12	Risk Reduction Plan Fee	$~~6,700~~7,015	$~~6,700~~7,015	$2,~~6007~~22	$2,~~6007~~22

#	ACTIVITY	Permit Type			
		Title V	Standard ACDP	Simple ACDP	General or Basic ACDP
13	Air Oregon Monitoring Plan Fee (includes risk assessment)	$~~25,900~~ 26,327	$~~25,9002~~ 6,327	NA	NA
14	Postponement of Risk Reduction Fee	$4,~~4006~~ 07	$4,~~40060~~ 7	$4,~~4006~~ 07	$2,~~0000~~ 94
15	TBACT/TLAER Review (per Toxic Emissions Unit and type of toxic air contaminant)	$3,~~0001~~ 41	$3,~~00014~~ 1	$1,~~5005~~ 70	$1,~~5005~~ 70
Other Fees					
16	TEU Risk Assessment – no permit mod	$1,~~0000~~ 47	$1,~~00004~~ 7	$~~500~~52 3	$~~500~~52 3
17	TEU Risk Assessment – permit mod	$4,~~0001~~ 88	$4,~~00018~~ 8	$2,~~0000~~ 94	$1,~~0000~~ 47
18	Level 2 Modeling review only for TEU approval	$1,~~9009~~ 89	$1,~~300~~36 1	$~~800~~83 8	$~~700~~73 3
19	Level 3 Modeling review only for TEU approval	$3,~~8009~~ 79	$3,~~80097~~ 9	$3,~~5006~~ 64	$3,~~5006~~ 64
20	Community Engagement Meeting Fee - high	$8,~~0003~~ 76	$8,~~00037~~ 6	$8,~~0003~~ 76	$8,~~0003~~ 76
21	Community Engagement Meeting Fee - medium	$4,~~0001~~ 88	$4,~~00018~~ 8	$4,~~0001~~ 88	$4,~~0001~~ 88
22	Community Engagement Meeting Fee - low	$1,~~0000~~ 47	$1,~~00004~~ 7	$1,~~0000~~ 47	$1,~~0000~~ 47
23	Source Test Review Fee (plan and data review) - complex	$6,~~0002~~ 82	$6,~~00028~~ 2	$6,~~0002~~ 82	$6,~~0002~~ 82
24	Source Test Review Fee (plan and data review) – moderate	$4,~~2003~~ 97	$4,~~20039~~ 7	$4,~~2003~~ 97	$4,~~2003~~ 97

#	ACTIVITY	Permit Type			
		Title V	Standard ACDP	Simple ACDP	General or Basic ACDP
25	Source Test Review Fee (plan and data review) - simple	$1,~~4004~~66	$1,~~400~~466	$1,~~4004~~66	$1,~~4004~~66

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 ~~July~~ January 1, ~~2020~~ 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~~, . and~~ 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 – ~~SOCMI -~~ 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 – ~~Area Sources:~~ 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 ~~Production~~ Products Manufacturing;

(bbbb) Subpart VVVV – Boat Manufacturing;

(cccc) Subpart WWWW – Reinforced Plastic~~s~~ 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 – ~~Area Sources:~~ Hospital Ethylene Oxide ~~Sterilization~~Sterilizers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ppppp) Subpart QQQQQQ – ~~Area Sources:~~ Wood Preserving Area Sources;

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

(rrrrr) Subpart SSSSSS – ~~Area Sources:~~ Glass Manufacturing Area Sources;

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

(ttttt) Subpart VVVVVV – ~~Area Sources:~~ Chemical Manufacturing Area Sources;

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

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

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

(xxxxx) Subpart ZZZZZZ – Area ~~Sources~~ 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 – ~~Area Sources:~~ 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 ~~Purpose~~General Provisions for Stationary Sources: Delegation of Authority

(1) ~~The sections 44-180 through 44-290 establish emission limitations and management practices for hazardous air pollutants (HAP) and volatile organic compounds (VOCs) emitted from the loading of gasoline storage tanks and dispensing of fuel at gasoline dispensing facilities (GDFs). Sections 44-180 through 44-290 also establish requirements to~~

~~demonstrate compliance with the emission limitations and management practices~~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.

~~Section 44-180 Definitions~~

~~The definitions in title 12 and this section apply to sections 44-170 through 44-290. If the same term is defined in this section and title 12, the definition in this section applies.~~

~~(6) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.~~

~~(7) "Aviation Gasoline" means a type of gasoline suitable for use as a fuel in an aviation gas spark-ignition internal combustion engine.~~

~~(8) "Dual Point Vapor Balance System" means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.~~

~~(9) "Gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 psi) or greater, which is used as a fuel for internal combustion engines.~~

~~(10) "Gasoline Cargo Tank" means a delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load.~~

~~(11) "Gasoline Dispensing Facility" (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline fueled engines and equipment.~~

~~(12) "Monthly Throughput" means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.~~

~~(13) "Motor Vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway.~~

~~(14) "Nonroad engine" means an internal combustion engine (including the fuel system) that~~

~~is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title [Note: for the context of the terms "section" and "title" as used in this definition, please refer to the definition of "nonroad engine" in 40 C.F.R. Part 63 Subpart CCCCCC].~~

~~(15) "Nonroad vehicle" means a vehicle that is powered by a nonroad engine, and that is not a motor vehicle or a vehicle used solely for competition.~~

~~(16) "Submerged Filling" as used in this title, means the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in section 44-230 from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.~~

~~(17) "Topping off" means, in the absence of equipment malfunction, continuing to fill a gasoline tank after the nozzle has clicked off.~~

~~(18) "Vapor Balance System" means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.~~

~~(19) "Vapor Tight" means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by monitoring to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.~~

~~(20) "Vapor-tight gasoline cargo tank" means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in 40 C.F.R. 63.11092(f).~~

~~Section 44-190 Affected Sources~~

~~(21) The affected source to which the emission standards apply is each GDF. The affected source includes each gasoline cargo tank during the unloading of gasoline to a GDF and also includes each storage tank.~~

~~(22) Gasoline storage tanks with a capacity of less than 250 gallons must comply with the work practices in subparagraph 44-230(1)(a) through 44-230(1)(e) but are not required to comply with the submerged fill requirements in section 44-230 and vapor balance requirements in section 44-240.~~

~~(23) The owner or operator of a GDF that has any gasoline storage tanks with a capacity of 250 gallons or more must comply with the work practices requirements and the submerged fill requirements in section 44-230.~~

(24) The owner or operator of a GDF whose total volume of gasoline that is loaded into all gasoline storage tanks greater than or equal to 250-gallon capacity must comply with the vapor balance requirements in section 44-240 if either:

(a) The annual throughput is 480,000 gallons or more in any 12 consecutive months; or

(b) The monthly throughput is 100,000 gallons or more, as calculated on a rolling 30-day basis.

(25) Each GDF must, upon request by LRAPA, demonstrate that their annual and average monthly gasoline throughput is below any applicable thresholds.

(26) The owner or operator of a GDF must comply with the requirements of subsection 44-240(4) for any gasoline storage tank equipped vapor balance system.

(27) The owner or operator of a GDF that installs a new tank with a capacity of 10,000 gallons or more after the effective date of this section must be equipped with a vapor balance system that meets the requirements in section 44-240.

(28) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two (2) or more GDFs at separate locations within the area source, each GDF is treated as a separate affected source.

(29) If the affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.

(30) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to subsection 44-230(1).

(31) For any affected source subject to the provisions of sections 44-170 through 44-290 and another federal rule, the owner or operator may elect to comply only with the more stringent provisions of the applicable rules. The owner or operator of an affected source must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. The owner or operator of an affected source must identify the affected source and provisions with which the owner or operator of an affected source will comply in the Notification of Compliance Status required under section 44-260. The owner or operator of an affected source also must demonstrate in the Notification of Compliance Status that each provision with which the owner or operator of an affected source will comply is at least as stringent as the otherwise applicable requirements in sections 44-170 through 44-290. The owner or operator of an affected source is responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this

rule is not excused if it is later determined that your determination was in error, and, as a result, the owner or operator of an affected source is violating sections 44-170 through 44-290. Compliance with this rule is the owner's or operator's responsibility and the Notification of Compliance Status does not alter or affect that responsibility.

Section 44-200 Exceptions

(32) Agricultural Operations. The emission standards in sections 44-210 through 44-290 do not apply to GDF used exclusively for agricultural operations as defined in ORS 468A.020. Agricultural operations are however required to comply with the applicable requirements in 40 CFR part 63, subpart CCCCCC – National Hazardous Air Pollutant Emission Standards (NESHAP) for Gasoline Dispensing Facilities.

(33) Aviation Gasoline. The provisions of this section do not apply to the loading of aviation gasoline in storage tanks at airports, and aviation gasoline is not included in paragraphs 44-190(4)(a) and 44-190(4)(b).

(34) The owner or operator of an affected source, as defined in section 44-190, is not required to obtain a Title V Operating Permit, as a result of being subject to sections 44-210 through 44-290. However, the owner or operator must still apply for and obtain an LRAPA Title V Operating Permit if meeting one or more of the applicability criteria found in OAR 340-218-0020.

Section 44-210 Affected Equipment or Processes

(1) The emission sources to which this section applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in section 44-190. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this section with the exception of topping off.

(2) New GDF. For purposes of this section, a GDF is a new GDF if the owner or operator commenced construction of the GDF after November 9, 2006 and meets the applicability criteria in section 44-190 upon startup of the GDF.

(3) Reconstructed GDF. A GDF is a reconstructed GDF if meeting the criteria for reconstruction as defined in 40 CFR 63.2.

(4) Existing GDF. A GDF is an existing GDF if it is not new or reconstructed.

Section 44-220 Compliance Dates

(1) For a new or reconstructed affected source, the owner or operator must comply with the standards in sections 44-230 and 44-240, as applicable, no later than January 10, 2008 or upon startup, whichever is later, except as follows:

(a) The owner or operator of a new or reconstructed GDF must comply with paragraphs 44-230(1)(b) and (c) no later than the effective date of this section or upon startup, whichever is later.

(b) For tanks located at a GDF with average monthly throughput of less than 10,000 gallons of gasoline, the owner or operator must comply with the standards in subsection 44-230(3) no later than the effective date.

(2) The owner or operator of an existing GDF must comply with paragraphs 44-230(1)(a) through 44-230(1)(c) no later than the effective date of this section or upon startup, whichever is later.

(3) For an existing affected source, the owner or operator must comply with the standards in sections 44-230 and 44-240, as applicable, by no later than January 10, 2011.

(4) The owner or operator of an existing affected source that becomes subject to the control requirements in this section because of an increase in the monthly throughput, as specified in section 44-190, must comply with the applicable standards in this section no later than January 10, 2011 or within two (2) years after the affected source becomes subject to the additional control requirements in this section, whichever is later.

(5) The initial compliance demonstration test required under paragraphs 44-250(2)(a) and (b) must be conducted as specified in paragraphs (5)(a) and (b).

(a) For a new or reconstructed affected source, the owner or operator must conduct the initial compliance test upon installation of the complete vapor balance system.

(b) For an existing affected source, the owner or operator must conduct the initial compliance test as specified in subparagraph (5)(b)(A) or (B).

(A) For vapor balance systems installed on or before December 15, 2009 at a GDF whose average monthly throughput is 100,000 gallons of gasoline or more, the owner or operator must test no later than 180 days after the applicable compliance date specified in subsection (2) or (3).

(B) For vapor balance systems installed after December 15, 2009, the owner or operator must test upon installation of a complete vapor balance system or a new gasoline storage tank.

(C) For a GDF whose average monthly throughput is less than or equal to 100,000 gallons of gasoline, the owner or operator is only required to test upon installation of a complete vapor balance system or a new gasoline storage tank.

(6) If the GDF is subject to the control requirements in sections 44-178 through 44-290 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in section 44-180, the owner or operator of the GDF must comply with the standards in

~~sections 44-178 through 44-290 as specified in paragraphs (6)(a) and (b).~~

~~(a) If the GDF is an existing facility, the owner or operator of the GDF must comply by January 24, 2014.~~

~~(b) If the GDF is a new or reconstructed facility, the owner or operator of the GDF must comply by the dates specified in subparagraphs (5)(b)(A) and (B).~~

~~(A) If startup of the GDF is after December 15, 2009, but before January 24, 2011, the owner or operator of the GDF must comply no later than January 24, 2011.~~

~~(B) If startup of the GDF is after January 24, 2011, the owner or operator of the GDF must comply upon startup of the GDF.~~

~~Section 44-225 General Duties to Minimize Emissions~~

~~Each owner or operator of an affected source must comply with the requirements of subsections (1) and (2).~~

~~(1) The owner or operator of an affected source must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA and the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.~~

~~(2) The owner or operator of an affected source must keep applicable records and submit reports as specified in subsections 44-270(4) and 44-280(2).~~

~~Section 44-230 Work Practice and Submerged Fill Requirements~~

~~(1) The owner or operator of a GDF must take reasonable precautions to prevent gasoline vapor releases to the atmosphere. Reasonable precautions include, but are not limited to, the following:~~

~~(a) Minimize gasoline spills;~~

~~(b) Do not top off or overfill vehicle tanks. If a person can confirm that a vehicle tank is not full after the nozzle clicks off, such as by checking the vehicle's fuel tank gauge, the person may continue to dispense fuel using best judgment and caution to prevent a spill;~~

~~(c) Post a sign at the GDF instructing a person filling up a motor vehicle to not top off vehicle tanks;~~

(d) Clean up spills as expeditiously as practicable;

(e) Cover all gasoline storage tank fill-pipes with a gasketed seal and all gasoline containers when not in use;

(f) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(g) Ensure that cargo tanks unloading at the GDF comply with paragraphs (1)(a), (1)(d) and (1)(e).

(2) Any cargo tank unloading at a GDF equipped with a functional vapor balance system must connect to the vapor balance system whenever gasoline is being loaded.

(3) The owner or operator of cargo tank or GDF must only load gasoline into storage tanks at the facility by utilizing submerged filling as specified in paragraph (3)(a), (3)(b) or (3)(c). The applicable distances in paragraphs (3)(a) and (3)(b) must be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank.

(a) Submerged fill pipes installed on or before November 9, 2006, must extend to no less than 12 inches from the bottom of the storage tank.

(b) Submerged fill pipes installed after November 9, 2006, must extend to no less than six (6) inches from the bottom of the storage tank.

(c) Submerged fill pipes not meeting the specifications of subsection (3)(a) or (3)(b) are allowed if the owner or operator of a GDF can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by LRAPA and the EPA Administrator during the course of a site visit.

(4) The GDF owner or operator must submit the applicable notifications as required in section 44-260.

(5) The GDF owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

(6) The GDF owner or operator must comply with the requirements of this section by the applicable dates specified in section 44-220.

(7) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F are considered acceptable for compliance with paragraph (1)(e).

Section 44-240 Vapor Balance Requirements

(1) Except as provided in subsection (2), the owner or operator of a GDF must meet the requirements in either paragraph (1)(a) or (1)(b) for all affected gasoline storage tanks.

(a) Each management practice in Table 4 of section 44-240 that applies to the GDF.

(b) If, prior to January 10, 2008, the owner or operator operates a vapor balance system on all affected tanks at the GDF that meets either requirement listed in subparagraph (1)(b)(A) or (1)(b)(B), the owner or operator of a GDF will be deemed in compliance with this subsection.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 4 of section 44-240.

(2) Gasoline storage tanks equipped with floating roofs or the equivalent are not required to comply with the control requirements in subsection (1).

(3) Cargo tanks unloading at a GDF must comply with the work practice requirements of subsection 44-230(1) and management practices in Table 5 of section 44-240.

(4) The owner or operator of a GDF subject to subsection (1) or having a gasoline storage tank equipped with a vapor balance system, must comply with the following requirements on and after the applicable compliance date in section 44-220:

(a) When loading a gasoline storage tank equipped with a vapor balance system, connect and ensure the proper operation of the vapor balance system whenever gasoline is being loaded.

(b) Maintain all equipment associated with the vapor balance system to be vapor tight and in good working order.

(c) Have the vapor balance equipment inspected on at least an annual basis to discover potential or actual equipment failures.

(d) Replace, repair or modify any worn or ineffective component or design element within 24 hours of discovery to ensure the vapor-tight integrity and efficiency of the vapor balance system. If repair parts must be ordered, either a written or verbal order for those parts must be initiated within two (2) working days of detecting such a leak. Such repair parts must be installed within five (5) working days after receipt.

(5) The owner or operator of a GDF subject to subsection (1) must also comply with the following requirements:

(a) The applicable testing requirements in section 44-250.

(b) The applicable notification requirements in section 44-260.

(c) The applicable recordkeeping and reporting requirements in sections 44-270 and 44-280.

(d) The owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

Section 44-250 Testing and Monitoring Requirements

(1) For all testing required by this section, submit notification to LRAPA at least ten (10) days prior to testing.

(2) If required to install a vapor balance system subject to the requirements of section 44-240, the owner or operator must comply with the testing requirements in paragraphs 44-250(2)(a) and 44-250(2)(b) at the time of installation of a vapor balance system or a new gasoline storage tank. Further, each owner or operator of a GDF with monthly throughput of 100,000 gallons of gasoline or more must also test every three (3) years after installation.

(a) The owner or operator must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 4 of section 44-240, for pressure/vacuum vent valves installed on gasoline storage tanks using test method identified in subparagraphs (a)(A) or (a)(B):

(A) PV (pressure/vacuum test valve) Vent Cap Testing in accordance with CARB TP-201.1E, Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see 40 CFR 63.14).

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 CFR 63.7(f).

(b) The owner or operator must demonstrate compliance with the static pressure performance requirement, specified in item 1(h) of Table 4 of section 44-240, for the vapor balance system by conducting a static pressure test on the gasoline storage tanks using test methods identified in subparagraph (b)(A) or (b)(B):

(A) Pressure Decay Testing in accordance with CARB TP-201.3, Determination of 2 inches of WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities.

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 CFR 63.7(f).

(C) Bay Area Air Quality Management District Source Test Procedure ST-30 — Static Pressure Integrity Test — Underground Storage Tanks, adopted November 30, 1983, and amended December 21, 1994 (incorporated by reference, see 40 CFR 63.14).

(3) Each owner or operator of a GDF, choosing, under the provisions of 40 CFR 63.6(g), to use a vapor balance system other than that described in Table 4 of section 44-240, must

demonstrate to the EPA the equivalency of their vapor balance system to that described in Table 4 of section 44-240 using the procedures specified in paragraphs (3)(a) through (c).

(a) The owner or operator must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction in accordance with CARB TP-201.1, Vapor Recovery Test Procedure, Volumetric Efficiency for Phase I Vapor Recovery Systems, incorporated by reference, see 40 CFR 63.14.

(b) The owner or operator must, during the initial performance test required in paragraph (3)(a), determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 4 of section 44-240 and for the static pressure performance requirement in item 1(h) of Table 4 of section 44-240.

(c) The owner or operator must also comply with the testing requirements specified in subsection (2).

(4) Conduct of performance tests. Performance tests must be conducted under such conditions as LRAPA or the EPA Administrator specifies to the owner or operator of a GDF based on representative performance, i.e., performance based on normal operating conditions, of the affected source. Upon request by LRAPA or the EPA Administrator, the owner or operator of a GDF must make available such records as may be necessary to determine the conditions of performance tests.

(5) Owners and operators of gasoline cargo tanks subject to the provisions of Table 4 of section 44-240 must conduct annual certification testing according to the vapor tightness testing requirements found in 40 CFR 63.11092(f).

Section 44-260 Notifications

(1) Each owner or operator of a GDF subject to the submerged fill requirements in subsection 44-230(3) or the vapor balance requirements in section 44-240 must comply with subsections (2) through (6).

(a) The owner or operator of a GDF must submit an Initial Notification that the owner or operator is subject to the GDF NESHAP by May 9, 2008, or at the time the owner or operator becomes subject to the submerged fill requirements in subsection 44-230(2) or the vapor balance requirements in section 44-240, unless the owner or operator meets the requirements in subsection 44-260(4). The Initial Notification must contain the information specified in paragraphs (a) through (c) of this section. The notification must be submitted to the EPA's Region 10 Office and LRAPA as specified in 40 CFR 63.13.

(A) The name and address of the owner and the operator.

(B) The physical address of the GDF.

(C) The volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks during the previous twelve months.

(D) A statement that the notification is being submitted in response to the GDF NESHAP and identifying the requirements in subsections 44-230(1) through (3) and section 44-240 that apply to the owner or operator of a GDF.

(b) The owner or operator of a GDF must submit a Notification of Compliance Status to the EPA's Region 10 Office and LRAPA as specified in 40 CFR 63.13, by the compliance date specified in section 44-220 unless the owner or operator meets the requirements in subsection (4). The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of sections 44-170 through 44-290. If the facility is in compliance with the requirements of sections 44-170 through 44-290 at the time the Initial Notification required in paragraph (a) is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required in subsection (2).

(c) If, prior to January 10, 2008 the owner or operator satisfies the requirements in paragraph (a) or (b), the owner or operator is not required to submit an Initial Notification or a Notification of Compliance Status specified in subsections (2) and subsection 44-260(3).

(d) The owner or operator is not subject to the vapor requirements in section 44-240, and is operating in compliance with an enforceable federal, state or local rule or permit that requires submerged fill as specified in subsection 44-230(2).

(e) The owner or operator is subject to the vapor requirements in section 44-240 and meets the requirements in paragraphs (b)(A) and (b)(B).

(A) The owner or operator operates a vapor balance system at the GDF that meets the requirements of either sub-subparagraphs (4)(b)(A)(i) or (ii):

(i) Achieves emissions reduction of at least 90 percent.

(ii) Operates using management practices at least as stringent as those in Table 4.

(B) The owner or operator is operating in compliance with an enforceable federal, state, or local rule or permit that requires submerged fill as specified in subsection 44-230(2), and requires the operation of a vapor balance system as specified in subparagraph 44-260(4)(b)(A).

(2) The owner or operator must submit a Notification of Performance Test as specified in 40

~~CFR 63.9(e), prior to initiating testing required by subsections 44-250(2) and 44-250(3) as applicable.~~

~~(a) The owner or operator must submit additional notifications specified in 40 CFR 63.9, as applicable.~~

~~Section 44-270 Recordkeeping Requirements~~

~~(1) Each owner or operator must keep the following records:~~

~~(a) Records of all tests performed in accordance with subsections 44-250(2) and 44-250(3).~~

~~(b) Records related to the operation and maintenance of vapor balance equipment required in section 44-240. Any vapor balance component defect must be logged and tracked by the GDF owner or operator using forms provided by LRAPA or a reasonable facsimile.~~

~~(c) Records of total monthly and annual throughput in gallons as defined.~~

~~(d) Records of permanent changes made at the GDF and to vapor balance equipment which may affect emissions.~~

~~(2) Records required under section (1) must be kept for a period of five (5) years and must be available within 24 hours of a request by LRAPA and the EPA Administrator.~~

~~(3) Each owner or operator of a gasoline cargo tank subject to the management practices in Table 5 of section 44-240 must keep records documenting vapor tightness testing for a period of five (5) years. Documentation must include each of the items specified in 40 CFR 63.11094(b)(2)(i) through (viii). Records of vapor tightness testing must be retained as specified in either subsection (3)(a) or (b).~~

~~(a) The owner or operator of a gasoline cargo tank must keep all vapor tightness testing records with the cargo tank.~~

~~(b) As an alternative to keeping all records with the cargo tank, the owner or operator of a gasoline cargo tank may comply with the requirements of subparagraphs (3)(a)(A) and (B).~~

~~(A) The owner or operator of a gasoline cargo tank may keep records of only the most recent vapor tightness test with the cargo tank and keep records for the previous four (4) years at their office or another central location.~~

~~(B) Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (e.g., via e-mail or facsimile) to LRAPA and the EPA Administrator during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying~~

signatures.

(4) Each owner or operator of a GDF must keep records as specified in subsections (4)(a) and (b).

(a) Records of the occurrence and duration of each malfunction of operation, i.e., process equipment, or the air pollution control and monitoring equipment.

(b) Records of actions taken during periods of malfunction to minimize emissions in accordance with subsection 44-225(2), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

Section 44-280 Reporting Requirements

(1) Each owner or operator subject to section 44-240 must report to the LRAPA and the EPA Administrator the results of all tests required in section 44-250. Test results must be submitted within 30 days of the completion of the performance testing.

(2) Annual report. Each owner or operator of a GDF that has monthly throughput of 10,000 gallons of gasoline or more must report, by February 15 of each year, the following information, as applicable.

(a) The total throughput volume of gasoline, in gallons, for each calendar month.

(b) A summary of changes made at the facility on vapor recovery equipment which may affect emissions.

(c) List of all major maintenance performed on pollution control devices.

(d) The number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded.

(e) A description of actions taken by the owner or operator of a GDF during a malfunction to minimize emissions in accordance with subsection 44-225(2), including actions taken to correct a malfunction.

Section 44-290 Federal NESHAP Subpart A Applicability

Table 3 to 40 CFR part 63, subpart CCCCCC shows which parts of the General Provisions apply to the owner or operator.

[Table 2: RESERVED]

[Table 3: RESERVED]

TITLE 44 – TABLE 4
(LRAPA 44-240)
MANAGEMENT PRACTICES FOR GASOLINE DISPENSING FACILITIES SUBJECT TO STAGE I VAPOR CONTROLS

If owning or operating	The owner or operator must
1. An existing GDF	Install and operate a vapor balance system on gasoline storage tanks that meets the design criteria in paragraphs (a) through (h). (a) All vapor connections and lines on the storage tank must be equipped with closures that seal upon disconnect. (b) The vapor line from the gasoline storage tank to the gasoline cargo tank must be vapor-tight, as defined in section 44-180. (c) The vapor balance system must be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer. (d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, must be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations. (e) If a gauge well separate from the fill tube is used, it must be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in section 44-240(2). (f) Liquid fill connections for all systems must be equipped with vapor-tight caps. (g) Pressure/vacuum (PV) vent valves must be installed on the storage tank vent pipes. The pressure specifications for PV vent valves must be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, must not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water. (h) The vapor balance system must be capable of meeting the static pressure performance requirement of the following equation: $Pf = 2e^{-500.887/v}$ Where: Pf = Minimum allowable final pressure, inches of water. v = Total ullage affected by the test, gallons. e = Dimensionless constant equal to approximately 2.718. 2 = The initial pressure, inches water.
2. For a new or reconstructed GDF with monthly throughput of 100,000 gallons of gasoline or more, or a new storage tank(s) at an existing GDF with monthly throughput of	Install and operate a dual-point vapor balance system, as defined in section 44-180, on each affected gasoline storage tank and comply with the design criteria in item 1 of this Table.

~~100,000 gallons of gasoline or more~~	

~~TITLE 44 – TABLE 5~~
~~(LRAPA 44-240)~~
~~MANAGEMENT PRACTICES FOR GASOLINE CARGO TANKS UNLOADING AT GASOLINE DISPENSING FACILITIES EQUIPPED WITH STAGE I VAPOR CONTROLS~~

~~If owning or operating~~	~~The owner or operator must~~
~~A gasoline cargo tank~~	~~Not unload gasoline into a storage tank at a GDF with stage I vapor controls unless the following conditions are met:~~ ~~i. All hoses in the vapor balance system are properly connected,~~ ~~ii. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect,~~ ~~iii. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight,~~ ~~iv. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and~~ ~~v. All hatches on the tank truck are closed and securely fastened.~~ ~~vi. The filling of storage tanks at GDF must be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 must be carried on the cargo tank.~~

~~*(Table 4 Original Adoption 01/12/2010)*~~

TITLE 46

NEW SOURCE PERFORMANCE STANDARDS

~~*The existing title 46 was rescinded in its entirety on November 10, 1994, and this new title 46 was adopted in its place. Subsequent updates and modifications were adopted on October 14, 2008 and November 12, 2015. These sections are the same as DEQ's Standards of Performance for New Stationary Sources contained in OAR chapter 340, division 238.*~~

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 ~~July~~ January 1, 202~~5~~5~~0~~ 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~~ Part 60 subpart OOO is by this reference adopted and incorporated herein for major sources only~~,~~.

~~(5)~~(6) 40 CFR ~~p~~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.

~~(6)~~(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.

~~(7)~~(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 ~~that commenced construction after June 20, 1996, or for which modification is commenced after March 16, 1998~~;

(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;

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

~~(p)~~(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;

~~(q)~~(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;

~~(r)~~(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;

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

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

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

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

~~(w)~~(z) Subpart O – Sewage treatment plants;

~~(x)~~(aa) Subpart P – Primary copper smelters;

~~(y)~~(bb) Subpart Q – Primary ~~Z~~zinc smelters;

~~(z)~~(cc) Subpart R – Primary lead smelters;

~~(aa)~~(dd) Subpart S – Primary aluminum reduction plants;

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

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

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

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

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

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

~~(hh)~~(kk) Subpart Z – Ferroalloy production facilities;

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

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

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

~~(kk)~~(oo) Subpart BB – Kraft pulp mills;

~~(ll)~~(pp) Subpart BBa – Kraft pulp mill affected sources for which construction, reconstruction, or modification commences after May 23, 2013.

~~(mm)~~(qq) Subpart CC – Glass manufacturing plants;

~~(nn)~~(rr) Subpart DD – Grain elevators;

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

~~(pp)~~(tt) Subpart GG – Stationary gas turbines;

~~(qq)~~(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;

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

~~(ss)~~(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;

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

~~(uu)~~(aaa) Subpart NN – Phosphate rock plants;

~~(vv)~~(bbb) Subpart PP – Ammonium sulfate manufacture;

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

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

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

~~(zz)~~(fff) Subpart TT – Metal coil surface coating;

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

~~(bbb)~~(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;

~~(ccc)~~(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;

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

~~(eee)~~(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;

~~(fff)~~(nnn) Subpart BBB – Rubber tire manufacturing industry;

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

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

~~(iii)~~(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;

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

~~(kkk)~~(sss) Subpart HHH – Synthetic fiber production facilities;

~~(lll)~~(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;

~~(mmm)~~(vvv) Subpart JJJ – Petroleum dry cleaners;

~~(nnn)~~(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;

~~(ooo)~~(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;

~~(ppp)~~(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;

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

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

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

~~(ttt)~~(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;

~~(uuu)~~(ffff) Subpart SSS – Magnetic tape coating facilities;

~~(vvv)~~(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;

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

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

~~(yyy)~~(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;

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

~~(aaaa)~~(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;

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

~~(cccc)~~(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;

~~(dddd)~~(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);

~~(eeee)~~(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);

~~(ffff)~~(rrrr) Subpart KKKK – Stationary combustion turbines;

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

~~(hhhh)~~(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;

~~(iiii)~~(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

~~(jjjj)~~(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) ~~12~~ 9.0 µg/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 ~~annual~~ arithmetic mean concentrations is equal to or less than ~~12~~ 9.0 µg/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: ~~0.02 ppm~~10 ppb as a~~n~~ 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 ~~A~~appendix A-1 of 40 CFR part 50 or by an equivalent method designated in accordance with 40 CFR part 53.

~~(b) 24-hour average: 0.10 ppm as a 24-hour average concentration more than once per year at any site as measured by the reference method described in Appendix A of 40 CFR part 50 or by an equivalent method designated in accordance with 40 CFR part 53.~~

~~(c) 3-hour average: 0.50 ppm as a 3-hour average concentration more than once per year at any site as measured by the reference method described in Appendix A of 40 CFR part 50 or by an equivalent method designated in accordance with 40 CFR part 53.~~

~~(d)~~(b) 1-hour average: ~~0.075 ppm~~ 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 ~~A~~appendix T of 40 CFR part 50, and as measured by a reference method based on appendix ~~A or~~ A-1 of 40 CFR part 50, or by ~~a Federal Equivalent Method (FEM)~~an equivalent method designated in accordance with 40 CFR part 53.