

LANE REGIONAL AIR PROTECTION AGENCY
1010 Main Street, Springfield, Oregon 97477
Telephone: (541) 736-1056

STANDARD
AIR CONTAMINANT DISCHARGE PERMIT (ACDP)

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

Issued To:
J.H. Baxter & Co.
Eugene Plant
3494 Roosevelt Blvd.
Eugene, Oregon 97402

Information Relied Upon
Application Number: 65304
Date Received: 07/26/19

Land Use Compatibility Statement:
From: City of Eugene
Date: April 28, 1999


Mailing Address:
P.O. Box 23138
Eugene, Oregon 97402

Fee Basis:
Title 37, Table 1, Part B:
73 Wood Preserving
Title 37, Table 1, Part C:
3 Elect to maintain baseline

Permit Number: 200502
Permit Type: Standard
SIC: 2491 Wood Preserving
4961 Fuel-burning Equipment
Date Issued: June 7, 2018
Modified Date: August 27, 2019
Expiration Date: June 7, 2023

Permitted Sources:
5 Retorts
2 Natural Gas-fired Boilers
(1 Boiler with Fuel Oil Backup)
3 Dry Kilns
3 Cyclones
1 Vapor-Phase Carbon Ventilation System
1 Water Treatment System

Issued
By: _____


Meryn L. Hough, Director

Effective
Date: _____

AUG 27 2019

ADDENDUM NO. 1
Basic Technical Permit Modification

In accordance with Section 37-0066(4)(b)(A) of LRAPA's Rules and Regulations, Air Contaminant Discharge Permit No. 200502 is hereby amended to modify the description of EU-5 for the Process Water System in permit Condition 2. The steam-fired evaporator and splash-fill cooling tower systems were removed and replaced with a hybrid film-fill cooling tower. Condition 2 now reads as follows:

Emission Unit Description

2. The emission units regulated by this permit are the following:

Emission Unit	Emission Unit Description	Control Equipment
EU-1	Waterborne and Oil-based Wood Preserving including: <ul style="list-style-type: none"> • 5 Retorts (#81, #82, #83, #84, and #85) • Storage and Work Tanks, • Railcar agitation/recirculation and unloading, • Treated Storage 	Vacuum Pumps and Condensers with one (1) Carbon Ventilation System (VPC-6) One ammonia scrubber (S1)
EU-2	3 Dry Kilns: Pole Kiln and Kilns 1 and 2	NA
EU-3	2 Gas-Fired Boilers with No. 2 Oil Backup: <ul style="list-style-type: none"> • Johnstone – 16.8 MMBtu/hr, tangential, fire tube • Kewanee – 25.2 MMBtu/hr, tangential, fire tube 	NA
EU-4	Wood working: <ul style="list-style-type: none"> • Deep Incisor • Lumber Incisor • Timber Incisor 	NA
EU-5	Process Water System and Water Treatment: <ul style="list-style-type: none"> • Cooling Tower (EUG-STFD-CT-001) • Hot Water Well 	NA

LANE REGIONAL AIR PROTECTION AGENCY

1010 Main Street, Springfield, Oregon 97477

Telephone: (541) 736-1056

Toll Free: (877) 285-7272

Fax: (541) 726-1205

Web Page: www.lrapa.org

STANDARD
AIR CONTAMINANT DISCHARGE PERMIT (ACDP)

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

Issued To:

J.H. Baxter & Co.

Eugene Plant

3494 Roosevelt Blvd.

Eugene, Oregon 97402

Land Use Compatibility Statement:

From: City of Eugene

Date: April 28, 1999

Mailing Address:

P.O. Box 23138

Eugene, Oregon 97402

Fee Basis:

Title 37, Table 1, Part B:

73 Wood Preserving

Title 37, Table 1, Part C:

3 Elect to maintain baseline

Permit Number: 200502

Permit Type: Standard

SIC: 2491 Wood Preserving

4961 Fuel-burning Equipment

Date Issued: June 7, 2018

Expiration Date: June 7, 2023

Permitted Sources:

5 Retorts and Wood Treatment Activities

2 Natural Gas-fired Boilers

(with #2 Fuel Oil Backup)

3 Dry Kilns

1 Vapor-Phase Carbon Ventilation System

1 Water Treatment System



Issued

By: _____

Merlyn L. Hough, Director

Effective

Date: _____

June 6, 2018

Permitted Activities

1. Until this permit expires or is revoked, the permittee is herewith allowed to discharge exhaust gases containing contaminants only in accordance with the permit application and the requirements, limitations, and conditions contained in this permit. This specific listing of requirements, limitations, and conditions does not relieve the permittee from complying with all other rules of Lane Regional Air Protection Agency (LRAPA).

Emission Unit Description

2. The emission units regulated by this permit are the following:

Emission Unit	Emission Unit Description	Control Equipment
EU-1	Waterborne and Oil-based Wood Preserving including: <ul style="list-style-type: none"> • 5 Retorts (#81, #82, #83, #84, and #85) • Storage and Work Tanks, • Railcar agitation/recirculation and unloading, • Treated Storage 	Vacuum Pumps and Condensers with one (1) Carbon Ventilation System (VPC-6) One ammonia scrubber (S1)
EU-2	3 Dry Kilns: Pole Kiln and Kilns 1 and 2	NA
EU-3	2 Gas-Fired Boilers with No. 2 Oil Backup: <ul style="list-style-type: none"> • Johnstone – 16.8 MMBtu/hr, tangential, fire tube • Kewanee – 25.2 MMBtu/hr, tangential, fire tube 	NA
EU-4	Wood working: <ul style="list-style-type: none"> • Deep Incisor • Lumber Incisor • Timber Incisor 	NA
EU-5	Process Water System and Water Treatment: <ul style="list-style-type: none"> • Cooling Tower (CT) • Evaporator (T40-S, T45-S, and T46-S) • Hot Water Well 	NA

Production Limits

3. The permittee must limit production to the following: [LRAPA 32-007 and 49-030(2)]
 - a. Retort door openings must be limited to no more than two (2) in any 60-minute period for retorts operating with creosote and/or pentachlorophenol.
 - b. Total creosote (includes 100% and 50/50 product types) production must be limited to a level of one million cubes (1,000,000 cubic feet) per 12-month rolling period. Each cube of 50/50 product will be counted at a rate of 48% of the rate that cubes of 100% creosote products are counted. The permittee must notify LRAPA at least 30 days prior to any change in the creosote product treating solutions that could affect this count/rate.

Odor Abatement Requirements

4. The permittee must comply with the following conditions, along with the methods described in the Operation and Maintenance (O&M) Plan as required by Condition 20, to abate odors and to evaluate the need for additional controls as reasonable and appropriate to abate such odors: [LRAPA 49-030(2)]
 - a. The permittee must operate the vacuum pump systems on the Numbers (#'s) 81, 83, and 85 Retorts during the time periods when the #81, #83, or #85 Retorts are operating;
 - b. Operate the condensers on the #81 and #85 Retorts to increase efficiency of the heat exchange system during the time periods when the #81 and #85 Retorts are operating;
 - c. Operate the water pumps on the #81 and #85 Retorts to improve the vacuum system operation and to increase the strength of the vacuum fume cycle when the Numbers 81 and 85 Retorts are operating;
 - d. Operate the valving and piping on the #81 and #83 Retorts to increase the volume of air moving over treated material, or charge, within the Retort to more effectively cool the charges when the #81 and #83 Retorts are operating;
 - e. Continuously operate carbon adsorber ventilation control equipment on Work Tanks #2, #3, #4 and #7 and on the Retort vacuum pump systems VP-81 and VP-83;
 - f. Maintain an LRAPA-approved Ecosorb-based, or equivalently-based, odor reduction plan;
 - h. Maintain an LRAPA-approved treated product storage plan; and
 - i. In accordance with LRAPA 49-030, the conditions of the Best Work Practices Agreement and Addendum are superseded by this permit and are no longer in effect.

Emission Standards and Limits

5. The total emissions must not exceed the rolling 12-month limits below. [LRAPA 42-0040 and 42-0041]

Annual Plant Site Emission Limits (PSELS)
(tons/year)

Source	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	GHG
Totals	24	14	9	39	39	39	99	74,000

General Emission Limits

6. Emissions from any air contaminant source must not equal or exceed 20 percent opacity for a period or periods aggregating more than three minutes in any one hour. [LRAPA 32-010(2) and (3)]
7. Particulate matter emissions must not exceed 0.10 grains per dry standard cubic foot (dscf) from any air contaminant source constructed or modified after June 1, 1970. [LRAPA 32-015(2)(b)(A)]

Boiler (EU-3) Emission Limits

8. Emissions of particulate matter from each boiler must not exceed 0.14 grains per cubic foot of exhaust gas, adjusted to 50 percent excess air or calculated to 12 percent carbon dioxide. [LRAPA 32-030(1)(b) and (3)]
9. The permittee must not use any fuel other than natural gas, ASTM grade fuel oils, or on-specification used oil. [LRAPA 32-065]
10. ASTM Grade 2 fuel oils must not contain more than 0.5% sulfur by weight. Periodic testing, maintenance, or operator training on liquid fuel must not exceed a combined total of 48 hours during any calendar year for each boiler in EU-3. [LRAPA 32-065 and 40 CFR 63 Subpart JJJJJJ]

Fugitive Emissions

11. The permittee must take reasonable precautions to prevent particulate matter from becoming airborne by: [LRAPA 48-015]
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
 - b. Application of water or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts;
 - c. Full or partial enclosure of materials stockpiles in cases where application of water or other suitable chemicals is not sufficient to prevent particulate matter from becoming airborne;

- d. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
- e. Adequate containment during sandblasting or other similar operations;
- f. The covering of moving, open-bodied trucks transporting materials likely to become airborne;
- g. The prompt removal from paved streets of earth or other material which does or may become airborne; and
- h. Developing an LRAPA approved fugitive emission control plan upon request by LRAPA and implementing the plan whenever fugitive emissions leave the property for more than 18 seconds in a six-minute period.

Subpart QQQQQQ – National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources

- 12. All wood preservative applied by way of a pressure treatment process (involving pneumatic or hydrostatic pressure to expedite movement of the preservative into the wood) must be applied to the wood product inside a retort. [40 CFR 63.11430(a)]
- 13. For all wood preservative containing chromium, arsenic, dioxins, or methylene chloride, the permittee must prepare and operate according to a management practice plan to minimize air emissions from the preservative treatment of wood. The permittee may use the standard operating procedures to meet the requirements for a management practice plan if it includes the minimum activities required for a management practice plan. The management practice plan must include, but is not limited to, the following activities: [40 CFR 63.11430(c)]
 - a. Minimize preservative usage;
 - b. Maintain records on the type of treatment process and types and amounts of wood preservatives at the facility;
 - c. For the pressure treatment process, maintain charge records identifying pressure reading(s) inside the retorts;
 - d. Store treated wood product on drip pads or in a primary containment area to convey preservative drippage to a collection system until drippage has ceased;
 - e. Fully drain the retort to the extent practicable, prior to opening the retort door;
 - f. Promptly collect any spills; and
 - g. Perform relevant corrective actions or preventative measures in the event of a malfunction before resuming operations.
- 14. The permittee must comply with the requirements of the General Provisions in 40 CFR Part 63 Subpart A, according to Table 1 to Subpart QQQQQQ, attached to the review report. [40 CFR 63.11432(a)]
- 15. The permittee must report any deviation from the requirements of Subpart QQQQQQ within 30 days of the deviation. [40 CFR 63.11432(d)]

Carbon Ventilation System (VPC-6) Requirements

16. The permittee must monitor the performance of the carbon ventilation system in accordance with an approved Operation and Maintenance Plan required by Condition 20 and as follows: [LRAPA 32-007, 35-0120 and 35-0140]
 - a. Beginning 90 days after each carbon changeout, the permittee must use a properly calibrated photo ionization detector (PID), or LRAPA-approved equivalent method, to monitor the carbon efficiency of VP-6 at least monthly and must provide LRAPA at least 48 hours of notice prior to conducting the monitoring.
 - b. If the results of the testing required by Condition 16.a show that the VP-6 reduction efficiency is less than 75%, the facility must notify LRAPA immediately as per General Condition G12. The permittee must also identify and follow corrective action(s) to return the ventilation system to a reduction efficiency of at least 75% and retest as soon as possible.
 - c. Gauge pressure must be monitored at least weekly. If the indicated pressure exceeds 25 inches of water column, the permittee must determine if maintenance is needed.
 - d. At least once within 12 months of issuance and once 12 months prior to expiration, the permittee must use a properly calibrated PID, or LRAPA-approved equivalent method, to evaluate the capture effectiveness of the ventilation hoods above any and all work tanks and must provide LRAPA at least 72 hours of notice prior to conducting the monitoring.
 - e. If the results of any testing required by Condition 16.d show that ventilation hoods are ineffective at capturing vapors, the facility must notify LRAPA within 24 hours. The permittee must also identify and follow corrective action(s) to increase the effective capture of the ventilation hoods and retest as soon as possible.

Monitoring, Recordkeeping and Reporting Requirements

17. To ensure compliance with the annual PSEs, a record of the following data must be maintained for a period of five (5) years at the plant site and must be available for inspection by authorized representatives of LRAPA: [LRAPA 34-016]

Item	Parameter	Minimum Recording Frequency
a.	Date, time, type, and quantity (cubic feet) of material removed from the retorts	Daily
b.	Amount of wood treated by treatment solution type (cubic feet)	Monthly
c.	Amount of wood dried by type (species) in dry kilns	Monthly
d.	Date and time of retort door openings	Per opening
e.	Name, type and quantity (gallons or pounds) of all chemicals used in the wood treatment process	Monthly
f.	Maintenance of scrubber and carbon ventilation system	As performed
g.	Amount of natural gas combusted (MMBtu)	Monthly
h.	Amount of oil combusted (gallons)	Monthly
i.	Hours of operation of each boiler on liquid fuel (hours)	Monthly

Item	Parameter	Minimum Recording Frequency
j.	Certification by supplier of sulfur content in oil	Upon request
k.	Pressure drop and inlet/outlet temperatures of the carbon ventilation system	Weekly
l.	Results of the Carbon Ventilation System (VP-6) efficiency monitoring	As performed
m.	A calendar year average of estimated naphthalene content (%) in creosote treating solution(s)	Monthly

PSEL Monitoring

18. **By the 20th of each month**, the permittee must estimate actual emissions to ensure compliance with the PSELs in Condition 5. Compliance with the PSELs are determined for each 12-month rolling period based on the following calculation for each pollutant, except for GHGs: [LRAPA 34-016 and 35-0270]

$$E = \sum_{i=1}^{12} \frac{EF \cdot P_i}{2000}$$

where,

- E = Emissions in tons/year;
- Σ = Symbol representing “summation of”;
- i = Month, beginning with the most recent, summing for 12 preceding, consecutive calendar months;
- EF = Pollutant emissions factor (see Condition 19);
- P = Process production or parameter (see Condition 17);

19. The permittee must use the following emission factors for calculating pollutant emissions, unless alternative emission factors are approved by LRAPA. The permittee may request or LRAPA may require using alternative emission factors provided they are based on actual test data or other documentation (e.g., AP-42 compilation of emission factors) that has been reviewed and approved by LRAPA. [LRAPA 34-160]

Emission Unit	Pollutant	Emission Factor (EF)	EF units
EU-1: Wood Preserving (Creosote 100% and 50/50)	VOC	4.7 (See Condition 3.b)	lb/1000 cubic ft
EU-2 Dry Kilns (Pine)	PM/PM ₁₀ /PM _{2.5}	0.02	lb/1000 Bd Ft
	VOC	3.8	lb/1000 Bd Ft
EU-2 Dry Kilns (Doug Fir)	PM/PM ₁₀ /PM _{2.5}	0.02	lb/1000 Bd Ft
	VOC	1.62	lb/1000 Bd Ft
EU-2 Dry Kilns (Cedar)	PM/PM ₁₀ /PM _{2.5}	0.05	lb/1000 Bd Ft
	VOC	1.0	lb/1000 Bd Ft
EU-2 Dry Kilns – Natural Gas	PM/PM ₁₀ /PM _{2.5}	2.5	lb/MMCF
	SO ₂	1.7	lb/MMCF
	NO _x	100	lb/MMCF
	CO	84	lb/MMCF
	VOC	5.5	lb/MMCF
EU-3 Boilers – Natural Gas	PM/PM ₁₀ /PM _{2.5}	2.5	lb/MMCF

	SO ₂	1.7	lb/MMCF
	NO _x	100	lb/MMCF
	CO	84	lb/MMCF
	VOC	5.5	lb/MMCF
EU-3 Boilers – Distillate #2	PM/PM ₁₀ /PM _{2.5}	3.3/2.3/1.6	lb/1000 gal
	SO ₂	71	lb/1000 gal
	NO _x	20	lb/1000 gal
	CO	5	lb/1000 gal
	VOC	0.2	lb/1000 gal
EU-4 Woodworking	PM/PM ₁₀ /PM _{2.5}	NA	lb/BDT

Operation and Maintenance Plan

20. The permittee must prepare and follow an LRAPA-approved Operation and Maintenance (O&M) Plan for air pollution control devices and emission reduction processes at the facility, and submit it to LRAPA for approval as required by permit Condition 22. The O&M Plan must include, but is not limited to, the following: [LRAPA 32-007]
- a. Description of operating and maintenance procedures, including startup and shutdown of air emission control equipment (i.e., piping, ductwork, fans, carbon unit, and carbon). A schedule of control equipment inspections and routine maintenance must also be provided.
 - b. Corrective actions that will be used in the event that control equipment is not performing at the highest reasonable efficiency and effectiveness to minimize emissions.
 - c. Flow rates, temperatures, or other physical or chemical parameters related to the operation of air pollution control equipment and emission reduction processes.
 - d. Description of retort operations including methods to cool charges and condense vapors.
 - e. An appendix containing example forms used to record inspections, maintenance, and corrective actions.
 - f. Odor abatement and emission control from railcar receiving, storage, and offloading preparation.
21. A log of inspections, routine maintenance, and corrective actions must be maintained by the permittee for a period of at least five (5) years. The O&M Plan must be reviewed by the permittee at least annually by February 15th each year and updated as necessary. Updated O&M Plans must be submitted to LRAPA for approval within 10 days of completion. [LRAPA 32-007 and 34-016]

Reporting Requirements

22. **By February 15th of each year** the permittee must submit an annual summary containing the following information: [LRAPA 34-016]
- a. Information required by Condition 18 for the preceding calendar year;

- b. The upset log information specified in Condition G15, if required; and [LRAPA 36-025]
 - c. If the annual emission rate of greenhouse gases (CO₂e) is greater than or equal to 2,756 tons (2,500 metric tons), the permittee must register and report its greenhouse gas emissions with LRAPA in accordance with OAR 340-215. [OAR 340-215-0010 and 340-215-0040]
23. **By July 20th of each year** the permittee must submit a copy of the Toxics Release Inventory (TRI) report for the preceding calendar year, and include an estimate for naphthalene and treated wood storage emissions. [LRAPA 34-016]
24. In accordance with 40 CFR 60.48(c), the permittee must submit semi-annual reports to LRAPA of the use of fuel oil for quarters when distillate fuel oil is used. The semi-annual reports must be postmarked by the 30th day following the end of each six-month reporting period, and include the following information: [40 CFR 60.48(c)]
- a. Calendar dates covered in the reporting period;
 - b. Records of fuel oil supplier certification that include:
 - i. The name of the supplier; and
 - ii. A statement from the supplier that the fuel oil complies with the specifications for Distillate Fuel Oil Numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, "Standard Specification for Fuel Oils";
 - c. In addition to supplier certification, the semi-annual report must include a certified statement signed by the permittee that the supplier certifications submitted cover all of the fuel oil combusted during the semi-annual period.

Open Burning

25. The permittee is prohibited from conducting open burning, except as may be allowed by LRAPA Title 47. [LRAPA 47-001]

Fee Schedule

26. In accordance with adopted regulations, the permittee will be invoiced for the Annual Fee by **October 1st** and due **December 1st** each year. [LRAPA 37-0064 Table 2]
27. Unless otherwise specified, all reports, test results, notifications, etc., required by the above terms and conditions must be reported to the following office: [LRAPA 34-016]

Lane Regional Air Protection Agency
1010 Main Street
Springfield, Oregon 97477
(541) 736-1056

Abbreviations and Acronyms

The following is a list of abbreviations and acronyms that may be used in this permit:

ACDP	Air Contaminant Discharge Permit	NSPS	New Source Performance Standard
ASTM	American Society for Testing and Materials	NSR	New Source Review
AQMA	Air Quality Maintenance Area	O ₂	oxygen
BDT	Bone dry ton	OAR	Oregon Administrative Rules
calendar year	The 12-month period beginning January 1st and ending December 31st	ORS	Oregon Revised Statutes
CFR	Code of Federal Regulations	O&M	operation and maintenance
CO	Carbon Monoxide	Pb	lead
CO _{2e}	Carbon dioxide equivalent	PCD	pollution control device
DEQ	Oregon Department of Environmental Quality	PM	particulate matter
dscf	dry standard cubic foot	PM ₁₀	particulate matter less than 10 microns in size
EPA	US Environmental Protection Agency	PM _{2.5}	particulate matter less than 2.5 microns in size
FCAA	Federal Clean Air Act	ppm	part per million
ft ²	square foot	PSD	Prevention of Significant Deterioration
GHG	Greenhouse gases	PSEL	Plant Site Emission Limit
gr/dscf	grains per dry standard cubic foot	PTE	Potential to Emit
HAP	Hazardous Air Pollutant as defined by LRAPA Title 44	RACT	Reasonably Available Control Technology
I&M	inspection and maintenance	scf	standard cubic foot
lb	pound(s)	SER	Significant Emission Rate
LRAPA	Lane Regional Air Protection Agency	SIC	Standard Industrial Code
MSF	Thousand square feet	SIP	State Implementation Plan
MM	million	SO ₂	sulfur dioxide
MMBtu	million British thermal units	Special Control Area	as defined in LRAPA Title 29
NA	not applicable	TRI	Toxics Release Inventory
NESHAP	National Emissions Standards for Hazardous Air Pollutants	VE	visible emissions
NO _x	nitrogen oxides	VOC	volatile organic compound
		year	A period consisting of any 12-consecutive calendar months

GENERAL PERMIT CONDITIONS

General Conditions and Disclaimers

- G1. A copy of the permit application and this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request. [LRAPA 37-0020(3)]
- G2. The permittee must allow the Director or his/her authorized representatives access to the plant site and pertinent records at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant discharge records and otherwise conducting necessary functions related to this permit in accordance with ORS 468.095. [LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

Performance Standards and Emission Limits

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

Excess Emissions: General Policy

- G11. Emissions of air contaminants in excess of applicable standards or permit conditions are

unauthorized and are subject to enforcement action, pursuant to LRAPA 36-010 and 36-030. These rules apply to any permittee operating a source which emits air contaminants in violation of any applicable air quality rule or permit condition, including but not limited to excess emissions resulting from the breakdown of air pollution control devices or operating equipment, process upset, startup, shutdown, or scheduled maintenance. Sources that do not emit air contaminants in excess of any applicable rule or permit condition are not subject to the recordkeeping and reporting requirements in LRAPA Title 36. Emissions in excess of applicable standards are not excess emissions if the standard is in an NSPS or NESHAP and the NSPS or NESHAP exempts startups, shutdowns and malfunctions as defined in the applicable NSPS or NESHAP. [LRAPA 36-001(1)]

Excess Emissions: Notification and Record-keeping

- G12. For all other excess emissions not addressed in LRAPA Sections 36-010, 36-015, or 36-040, the following requirements apply: [LRAPA 36-020(1)]
- a. The owner or operator, of a small source, as defined by LRAPA 36-005(7), need not notify LRAPA of excess emissions events immediately unless otherwise required by permit condition, written notice by LRAPA, or if the excess emission is of a nature that could endanger public health.
 - b. Notification must be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. - 5 p.m., M-F) is (541) 736-1056. During nonbusiness hours, weekends, or holidays, the permittee must immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.
 - c. Follow-up reporting, if required by LRAPA, must contain all information required by Condition G15.
- G13. At each annual reporting period specified in this permit, or sooner if required by LRAPA, the permittee must submit a copy of the upset log entries for the reporting period, as required by Condition G15. [LRAPA 36-025(4)(a)]
- G14. Any excess emissions which could endanger public health or safety must immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
- G15. The permittee must keep an upset log of all planned and unplanned excess emissions. The upset log must include the following: [LRAPA 36-025(3) and 36-030(1)]
- a. date and time each event was reported to LRAPA;
 - b. whether the process handling equipment and the air pollution control equipment were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
 - c. whether repairs or corrections were made in an expeditious manner when the permittee knew or should have known that emission limits were being or were likely to be exceeded;
 - d. whether the event was one in a recurring pattern of incidents which indicate inadequate design, operation, or maintenance; and
 - e. final resolution of the cause of the excess emissions.

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

Excess Emissions: Scheduled Maintenance

- G16. If the permittee anticipates that scheduled maintenance of air contaminant sources or air pollution control devices may result in excess emissions, the permittee must obtain prior LRAPA authorization of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance must be submitted and received by LRAPA in writing at least seventy-two (72) hours prior to the event. The application must include the following: [LRAPA 36-015(1)]
- a. reasons explaining the need for maintenance, including but not limited to: why the maintenance activity is necessary; why it would be impractical to shut down the source operation during the maintenance activity; if applicable, why air pollution control devices must be by-passed or operated at reduced efficiency during the maintenance activity; and why the excess emissions could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
 - b. identification of the specific production or emission control device or system to be maintained;
 - c. identification of the nature of the air contaminants likely to be emitted during the maintenance period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and
 - d. identification of specific procedures to be followed which will minimize excess emissions at all times during the scheduled maintenance.
- G17. No scheduled maintenance associated with the approved procedures in Condition G16 that is likely to result in excess emissions may occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced yellow or red woodstove advisory period, in areas determined by LRAPA as PM_{2.5} or PM₁₀ nonattainment areas. [LRAPA 36-015(6)]
- G18. In cases where LRAPA has not received notification of scheduled maintenance that is likely to cause excess emissions within the required seventy-two (72) hours prior to the event, or where such approval has not been waived pursuant to LRAPA 36-015(3), the permittee must immediately notify LRAPA by telephone of the situation, and must be subject to the requirements of Conditions G12 and G13. [LRAPA 36-015(7)]

Air Pollution Emergencies

- G19. The permittee must, upon declaration of an air pollution alert, air pollution warning, or air pollution emergency, take all emission reduction measures specified in Tables 1, 2, and 3 of LRAPA Title 51. Permittees responsible for a source of air contamination within a Priority I AQCR must, upon declaration of an episode condition affecting the locality of the air contamination source, take all appropriate actions specified in the applicable table and must take all appropriate actions specified in an LRAPA-approved preplanned abatement strategy for such condition which has been submitted and is on file with LRAPA. [LRAPA 51-015]

Notification of Construction/Modification

- G20. The permittee must notify LRAPA in writing using an LRAPA "Notice of Intent to Construct" form,

or other permit application forms and obtain approval in accordance with LRAPA 34-010 and 34-034 through 34-038 before:

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

Notification of Name Change

G21. The permittee must notify LRAPA in writing, using an LRAPA Application for Administrative Amendment to ACDP form, within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon. [LRAPA 37-0030(4)]

Applicable administrative fees must be submitted with an application for the name change.

Permit Renewal

G22. Application for renewal of this permit must be submitted not less than 120 days prior to the permit expiration date for Simple ACDPs, and 180 days prior to the permit expiration date for Standard ACDP. [LRAPA 37-0040(2)(b)]

G23. A source may not be operated after the expiration date of a permit, unless any of the following occur prior to the expiration date of the permit: [LRAPA 37-0082(1)(a)]

- a. A timely and complete application for renewal or for an LRAPA Title V Operating Permit has been submitted; or
- b. Another type of permit, ACDP or Title V, has been issued authorizing operation of the source.

G24. For a source operating under an ACDP or LRAPA Title V Operating Permit, a requirement established in an earlier ACDP remains in effect notwithstanding expiration of the ACDP, unless the provision expires by its terms or unless the provision is modified or terminated according to the procedures used to establish the requirement initially. [LRAPA 37-0082(1)(c)]

G25. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application must, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. [LRAPA 37-0040(4)]

Termination Conditions

G26. This permit will be automatically terminated upon: [LRAPA 37-0082(2)]

- a. Issuance of a renewal or new ACDP for the same activity or operation;
- b. Written request of the permittee, if LRAPA determines that a permit is no longer required;

- c. Failure to submit a timely application for permit renewal. Termination is effective on the permit expiration date; or;
 - d. Failure to pay annual fees within 90 days of invoice by LRAPA, unless prior arrangements for payment have been approved in writing by LRAPA.
- G27. If LRAPA determines that a permittee is in noncompliance with the terms of the permit, submitted false information in the application or other required documentation, or is in violation of any applicable rule or statute, LRAPA may revoke the permit. LRAPA will provide notice of the intent to revoke the permit to the permittee under LRAPA Title 31. The notice will include the reasons why the permit will be revoked, and include an opportunity for the permittee to request a contested case hearing prior to the revocation. A written request for hearing must be received by LRAPA within 60 days from service of the notice on the permittee, and must state the grounds of the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The permit will continue in effect until the 60th day after service of the notice on the permittee, if the permittee does not timely request a hearing, or until a final order is issued if the permittee timely requests a hearing. [LRAPA 37-0082(4)(a)]
- G28. A permit automatically terminated under LRAPA 37-0082(2)(b) through (2)(d) may only be reinstated by the permittee by applying for a new permit. The permittee must also pay the applicable new source permit application fees in this title unless the owner or operator submits the renewal application within three months of the permit expiration date. [LRAPA 37-0082(3)]
- G29. If LRAPA finds there is a serious danger to the public health, safety or the environment caused by a permittee's activities, LRAPA may immediately revoke or refuse to renew the permit without prior notice or opportunity for a hearing. If no advance notice is provided, notification will be provided to the permittee as soon as possible as provided under LRAPA Title 31. The notification will set forth the specific reasons for the revocation or refusal to renew and will provide an opportunity for the permittee to request a contested case hearing for review of the revocation or refusal to renew. A permittee's written request for hearing must be received by LRAPA within 90 days of service of the notice on the permittee and must state the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The revocation or refusal to renew becomes final without further action by LRAPA if a request for a hearing is not received within the 90 days. If a request for a hearing is timely received, the revocation or refusal to renew will remain in place until issuance of a final order. [LRAPA 37-0082(4)(b)]
- G30. Any hearing requested must be conducted pursuant to the rules of LRAPA. [LRAPA Title 14]

Asbestos

- G31. The permittee must comply with the asbestos abatement requirements in LRAPA Title 43 for all activities involving asbestos-containing materials, including, but not limit to, demolition, renovation, repair, construction, and maintenance. [LRAPA Title 43]

[Revised 1/12/2018]