



State of Oregon
Department of
Environmental
Quality

Oregon Department of Environmental Quality
April 1, 2019

Notice of Proposed Rulemaking

Federal Landfill Emission Guidelines 2019

Table of Contents

Introduction	2
Overview	5
Statement of need.....	7
Rules affected, authorities, supporting documents	9
Fee Analysis	10
Statement of fiscal and economic impact.....	11
Federal relationship	15
Land use	16
Stakeholder and public involvement	17
Public notice and hearings	18
Draft Rules - With Edits Highlighted.....	21
Draft Rules – With Edits Incorporated.....	54
Supporting documents	85

Introduction

DEQ invites public input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules.

Background

DEQ proposal

DEQ proposes the following changes to OAR 340, division numbers 200, 236, 238 and 244 that would:

- Adopt new federal new source performance standards for municipal solid waste landfills
- Adopt rules to implement new federal emission guidelines for municipal solid waste landfills
- Adopt newly amended federal standards
- Make corrections to the list of federal regulations adopted by reference in OAR 340, division 244

In addition to the changes above, OAR 340-236-0010 is also part of Oregon's EPA-approved State Implementation Plan. With EQC adoption of the revised rules, the amended OAR 340-236-0010 would be submitted to EPA to be incorporated into and made part of the Oregon SIP.

More information

Information about this rulemaking is on this rulemaking's web page: [Federal Landfill Emissions Guidelines 2019](#)

Public Hearings

DEQ will hold one public hearing for this rulemaking.

Anyone can attend the public hearing, either in person or through a webinar or teleconference. The details are listed below

Hearing	
Date	May 2, 2019
Time	4:00 PM
Address Line 1	700 NE Multnomah St., Suite 600
Address Line 2	Conference Room 610
City	Portland, OR 97232
Presiding Officer	Don Hendrix
Staff Presenter	Dan DeFehr
Call-in Phone Number	888-278-0296

Call-in Access Code	8040259
---------------------	---------

What will happen next?

DEQ will include a written response to comments in a staff report DEQ will submit to the Environmental Quality Commission. DEQ may modify the rule proposal based on the comments.

Present proposal to the EQC

Proposed rules only become effective if the Environmental Quality Commission adopts them. DEQ plans to present the proposed rules to the commission for a decision at its meeting in July 2019.

How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. A person can submit comments through an online web page, by regular mail or at the public hearing.

Comment deadline

DEQ will only consider comments on the proposed rules that DEQ receives by 4 p.m., on May 10, 2019.

Submit comment online

[Federal Landfill Emissions Guidelines 2019 Comment Page](#)

Note for public university students:

ORS 192.501(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student you may omit your email address when you complete the online form to submit a comment.

By mail

Oregon DEQ
Attn: Dan DeFehr
700 NE Multnomah St., Suite 600
Portland, OR, 97232

At hearing

May 2, 2019

Sign up for rulemaking notices

Get email or text updates about this rulemaking by either:

- Signing up through this link: [NSPS/NESHAP Email List](#);
- Signing up on the rulemaking web site: [Federal Landfill Emissions Guidelines 2019 rulemaking web page](#).

Get email or text updates about other, future DEQ rulemaking by signing up through this link: [DEQ Email Notice List](#).

Accessibility information

You may review copies of all documents referenced in this announcement at:

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR, 97232

To schedule a review of all websites and documents referenced in this announcement, call Dan DeFehr, Portland, at 503-229-6442 (800-452-4011, ext. 5622 toll-free in Oregon).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. Hearing impaired persons may call 711.

Overview

Short summary

DEQ proposes rules to adopt new and amended federal air quality regulations. This includes:

- Adopting new federal new source performance standards for municipal solid waste landfills
- Adopting rules to implement new federal emission guidelines for municipal solid waste landfills
- Adopting newly amended federal standards
- Making typographical corrections to the list of federal regulations adopted by reference

In addition to the changes above, OAR 340-236-0010 is also part of Oregon's EPA-approved State Implementation Plan. With EQC adoption of the revised rules, the amended OAR 340-236-0010 would be submitted to EPA to be incorporated into and made part of the Oregon SIP.

Brief history

The federal Clean Air Act requires the U.S. Environmental Protection Agency to establish National Emission Standards for Hazardous Air Pollutants, known as NESHAPs, for both major and area sources of hazardous air pollutants. EPA finished establishing major source standards in 2004. EPA began establishing area source standards in 2006 and concluded in 2011. EPA may adopt additional NESHAPs in the future for new source categories or source categories it may have missed.

The Clean Air Act also requires EPA to develop New Source Performance Standards for categories of sources that cause or significantly contribute to air pollution that may endanger public health or welfare. Such regulations apply to each new source within a category without regard to source location or existing air quality. When EPA establishes New Source Performance Standards for a category of sources, it may also establish emission guidelines for existing sources in the same category. States must develop rules and a state plan to implement Emission Guidelines or request delegation of the federal plan. State plans, called Section 111(d) plans, are subject to EPA review and approval.

EPA performs a residual risk analysis for major source NESHAPs and periodic technology reviews for New Source Performance Standards and NESHAPs. These reviews are ongoing and in some cases result in EPA updating the standards. EPA also revises NESHAPs to address errors, implementation issues and lawsuits.

Regulated parties

This rulemaking regulates facilities subject to new and modified NESHAPs and New Source Performance Standards outlined below.

Request for other options

During the public comment period, DEQ requests public comment on whether to consider other options for achieving the rules' substantive goals while reducing the rules' negative economic impact on business.

Statement of need

What need would the proposed rule address?

Oregon does not have rules to implement the following federal standards and emission guidelines:

- a. Sources that may endanger public health and welfare. EPA identified municipal solid waste landfills as potentially causing or significantly contributing to air pollution that may endanger public health or welfare. EPA adopted new source performance standards to regulate the amount of emissions municipal solid waste landfills can produce to better protect public health and welfare. Not adopting federal standards impacts the public and the environment, because DEQ cannot enforce federal standards not yet adopted by EQC.
- b. Federal emission guidelines. EPA adopted emission guidelines for municipal solid waste landfills. States are required to develop rules and state plans to implement federal emission guidelines. The new guidelines update the emission guidelines for municipal solid waste landfills established by EPA in 1996.

The updated emission guidelines retain the current design capacity thresholds of 2.5 million megagrams and 2.5 million cubic meters, but reduce the nonmethane organic compounds emission threshold for the installation and removal of a gas collection and control system from 50 megagrams per year to 34 megagrams per year. A municipal solid waste landfill that exceeds the design capacity thresholds must install and start up a gas collection and control system within 30 months after landfill gas emissions reach or exceed a nonmethane organic compounds emissions level of 34 megagrams per year. Currently there are no municipal solid waste landfills in Oregon that emit between 34 and 50 megagrams of nonmethane organic compounds per year. Therefore, the proposed rules to implement the updated federal emission guidelines would not require any uncontrolled landfills to install a gas collection and control system unless in the future a landfill were to exceed the 34 megagrams per year control threshold.

The updated federal emission guidelines also add new or updated monitoring and compliance demonstration provisions that need to be incorporated into DEQ's existing rule that implements the federal emissions guidelines.

- c. Revised federal standards. EPA revised several standards since EQC's previous adoption of federal standards. Not adopting the most recent version of federal standards impacts Oregon businesses, because they may be subject to two different standards, the revised federal standards and the outdated state standards. Not adopting the most recent version of the federal standards also impacts the public and the environment, because DEQ cannot enforce federal standards not yet adopted by EQC.

How would the proposed rule address the need?

The proposed rules would update Oregon rules to reflect new and amended federal standards and implement the federal emission guidelines for municipal solid waste landfills. This would advance DEQ's work to protect Oregonians from toxic pollutants by updating state rules to be consistent with federal rules.

- a. Sources that may endanger public health and welfare. DEQ proposes adopting the new federal new source performance standards for municipal solid waste landfills.
- b. Federal emission guidelines. DEQ proposes to amend its rule that implements the emission guidelines for existing municipal solid waste landfills.
- c. Revised federal standards. DEQ proposes adopting revised federal standards by reference.

How will DEQ know the rule addressed the need?

Upon EQC adoption, DEQ would submit the rules to EPA to update Oregon's New Source Performance Standard and NESHAP delegation. DEQ would also submit a plan to EPA to implement the federal emission guidelines for municipal solid waste landfills.

DEQ will know the goals of this rulemaking have been addressed when EPA reviews and approves the delegation request and plan to implement the updated emission guidelines for municipal solid waste landfills.

Rules affected, authorities, supporting documents

Lead division

Air Quality

Program or activity

Air Operations

Chapter 340 action

Recommendation	Division	Rule	Title
Amend	200	0040	State of Oregon Clean Air Act Implementation Plan
Amend	236	0010	Definitions
Amend	236	0500	Emissions Standards for Municipal Solid Waste Landfills
Amend	238	0040	Definitions
Amend	238	0060	Federal Regulations Adopted by Reference
Amend	244	0030	Definitions
Amend	244	0220	Federal Regulations Adopted by Reference

Statutory authority - ORS

468.020	468A.025	468A.035	468A.040	468A.050	468A.310
468A					

Statute implemented - ORS

468.020	468A.025	468A.035	468A.040	468A.050	468A.310
468A.135					

Documents relied on for rulemaking

Document title	Document location
Code of Federal Regulations	http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR
Federal Register	http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR
Oregon Administrative Rules	https://www.oregon.gov/deq/Regulations/Pages/Administrative-Rules.aspx
Oregon Revised Statutes	https://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx

Fee Analysis

This rulemaking does not involve fees.

Statement of fiscal and economic impact

Fiscal and Economic Impact

EPA evaluates the impacts of new federal standards when promulgated and lists them in the regulation's preamble. The fiscal and economic impacts of the new federal standards included in this rulemaking have already occurred.

The list of proposed new and amended National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards includes links to the federal rules and EPA's evaluation of fiscal and economic impacts in their preambles. The list is available at the end of this document.

Statement of Cost of Compliance

State agencies

DEQ expects any fiscal and economic impacts on state agencies to be the same as those estimated for local governments as discussed below.

Local governments

Direct impact: DEQ expects direct fiscal and economic impacts on local governments that operate facilities subject to federal emission standards would be the same as those estimated for small businesses.

Indirect impact: The proposed rules could have an indirect impact on local governments if large and small businesses change the price of goods and services to offset any increased or decreased costs from obtaining a permit or paying permit fees.

There would be an indirect impact on Oregon cities and counties when affected businesses that are required to have a permit request a Land Use Compatibility Statement. Local governments process those Land Use Compatibility Statements. Some cities and counties charge a fee to complete the Land Use Compatibility Statement and may have sufficient revenue to cover the added workload. Cities that do not charge a fee, or do not charge sufficient fees to cover their costs, may have new workload without adequate revenue. DEQ does not have available information to estimate these fiscal impacts.

Public

Indirect impact: The proposed rules could affect the public indirectly if large and small businesses change the price of goods and services to offset any increased or decreased costs from obtaining a permit and paying permit fees.

Direct impact: The proposed rules would not affect the public directly.

Large businesses - businesses with more than 50 employees

DEQ expects any fiscal and economic impacts on large businesses to be the same as those estimated for small businesses as discussed below.

Small businesses – businesses with 50 or fewer employees

Indirect impact: The proposed rules could have an indirect impact on small businesses if other businesses change the price of goods and services to offset any increased or decreased costs from obtaining a permit or paying a permit fee.

Direct impact: Small businesses might see increased or decreased costs due to the following proposed rules:

1. Adopt by reference federal new source performance standards for municipal solid waste landfills.

DEQ anticipates no additional fiscal and economic impacts from adopting the federal new source performance standards for municipal solid waste landfills. The fiscal and economic impacts occurred when EPA adopted the new source performance standards. EPA provides its evaluation of the fiscal and economic effects of the new source performance standards in the preamble to the regulation.

2. Adopt rules to implement updated federal emission guidelines for municipal solid waste landfills.

DEQ anticipates no additional fiscal and economic impacts from adopting standards equivalent to the federal emission guidelines for municipal solid waste landfills. The fiscal and economic impacts occurred when EPA adopted the federal emission guidelines. EPA provides its evaluation of the fiscal and economic effects of their guidelines in the preambles to their regulations.

3. Update the adoption by reference of previously adopted NESHAPs and NSPSs.

DEQ anticipates no fiscal and economic impacts from updating previously adopted federal standards because the fiscal and economic impacts occurred when EPA adopted the rule amendments. EPA evaluated the fiscal and economic effects of their rules and lists those effects in the preambles to their regulations.

a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.

Estimated number of businesses subject to the federal new source performance standards and emission guidelines: municipal solid waste landfills (8).

Estimated number of businesses subject to the amended federal standards: area source industrial, commercial, and institutional boilers (26); coal and oil-fired electric utility steam generating units (1); manufacturing nutritional yeast (0); ferroalloy production (0); publicly owned treatment works (0); petroleum refineries-catalytic cracking, catalytic reforming & sulfur recovery (0); wool fiberglass manufacturing (0); petroleum refineries (0); Portland cement manufacturing (1); aerospace manufacturing and rework (0); chemical recovery combustion sources at kraft, soda, sulfite, and stand-alone semichemical pulp mills (4); phosphoric acid manufacturing (0); petroleum refineries (0); crude oil and natural gas production, transmission and distribution (0); and stationary internal combustion engines (66).

b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.

Adoption of new and amended federal standards and rules to implement emission guidelines do not add any new reporting, recordkeeping and other administrative activities other than those already required by the federal standards and emission guidelines.

The requirement that businesses affected by the new federal standards obtain a permit may increase the administrative activities or costs of professional services on small businesses. These activities include permit application preparation and any additional recordkeeping and reporting required in the permit to comply with other Oregon rules and regulations.

c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.

Adoption of new and amended federal standards and rules to implement emission guidelines would not require small businesses to add any equipment, supplies, labor or administration because Oregon rules would adopt the federal standards by reference. Rules to implement emissions guidelines would be identical to implementing federal emission guidelines.

The requirement that businesses affected by the adoption of updated federal new source performance standards and rules to implement the updated federal emission guidelines for municipal solid waste landfills obtain a permit may require small businesses to add equipment, supplies, labor or administration to comply with other Oregon related rules and regulations. These rules and regulations include requirements to minimize visible emissions, fugitive emissions, particulate matter fallout, nuisances, and odors. To comply with these requirements, affected businesses may be required to install equipment and receive training to control and monitor emissions.

d. Describe how DEQ involved small businesses in developing this proposed rule.

DEQ did not appoint an advisory committee for this rulemaking because the rulemaking would primarily adopt federal regulations by reference and rules identical to the federal emission guidelines.

Documents relied on for fiscal and economic impact

Document title	Document location
Code of Federal Regulations	http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR
Federal Register	http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR

Advisory committee

DEQ did not appoint an advisory committee for this rulemaking because the rulemaking would primarily adopt federal regulations by reference and rules that are identical to the federal emission guidelines for municipal solid waste landfills.

Housing cost

To comply with ORS 183.534, DEQ determined the proposed rules could have a negative impact on the cost of development of a 6,000 square-foot parcel and the construction of a 1,200 square-foot detached single-family dwelling on that parcel. This impact could occur if permit holders affected by new federal standards obtain a permit and pass the permitting fees for such development and construction through to the consumer. DEQ does not have available information to quantify how many permit holders would pass the permitting fees through to the consumer and any such estimate would be speculative.

Federal relationship

Relationship to federal requirements

The proposed rules would adopt federal new source performance standards and NESHAPs by reference, and adopt standards that are equivalent to the federal emission guidelines for municipal solid waste landfills. The proposed rules are not different from or in addition to federal requirements.

What alternatives did DEQ consider if any?

DEQ considered:

- Not taking delegation of the updated federal new source performance standards for municipal solid waste landfills. DEQ rejected this alternative because all of the affected sources are currently on DEQ permits and it is important to have all requirements applying to a source in the permit to ensure that the source is in compliance with all applicable air quality regulations.
- Not adopting standards to implement the updated federal emission guidelines for municipal solid waste landfills. DEQ rejected this alternative because it would reduce DEQ's ability to ensure compliance and provide assistance to Oregon sources.
- Making state specific changes to some federal standards. DEQ rejected this alternative because the federal rules address Oregon's immediate concerns and consistency with the federal rules reduces cost and complexity for affected sources.

Land use

Land-use considerations

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with state wide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005 and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
 - Resources, objectives or areas identified in the statewide planning goals, or
 - Present or future land uses identified in acknowledged comprehensive plans

To determine whether the proposed rules involve programs or actions that affect land use, DEQ reviewed its Statewide Agency Coordination plan, which describes the DEQ programs that have been determined to significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

Goal	Title
5	Open Spaces, Scenic and Historic Areas, and Natural Resources
6	Air, Water and Land Resources Quality
9	Ocean Resources
11	Public Facilities and Services
16	Estuarial Resources

Statewide goals also specifically reference the following DEQ programs:

- Nonpoint source discharge water quality program – Goal 16
- Water quality and sewage disposal systems – Goal 16
- Water quality permits and oil spill regulations – Goal 19

Determination

DEQ determined that the proposed rules will be implemented for major source categories through DEQ's Title V Operating Permit program and the standards for non-major source categories through DEQ's Air Contaminant Discharge Program. These are existing programs that the DEQ State Agency Coordination Program considers a land-use program.

Stakeholder and public involvement

Advisory committee

DEQ did not convene an advisory committee for this rulemaking because the rulemaking would primarily adopt federal regulations by reference and rules that are identical to the federal emission guidelines for municipal solid waste landfills.

EQC prior involvement

DEQ shares general rulemaking information with EQC through the monthly Director's Report. DEQ did not present additional information specific to this proposed rule revision.

Public notice and hearings

Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing on April 1, 2019 by:

- On March 29, 2019 Filing notice with the Oregon Secretary of State for publication in the April 2019 Oregon Bulletin;
- Notifying the EPA;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at: [Federal Landfill Emissions Guidelines 2019](#);
- Emailing approximately 10,281 interested parties on the following DEQ lists through GovDelivery:
 - Agency Rulemaking
 - DEQ Public Notices
 - NSPS/NESHAP
- Emailing eight stakeholders potentially affected by the new federal landfill standards
- Emailing the following key legislators required under [ORS 183.335](#):
 - Senator Michael Dembrow, Chair, Environment and Natural Resources Committee
 - State Representative Ken Helm, Chair, House Committee on Energy and Environment
 - Senate President Peter Courtney
 - House Speaker Tina Kotek
- Emailing advisory committee members,
- Postings on Twitter and Facebook
- Posting on the DEQ event calendar: [DEQ Calendar](#)

Public hearings

DEQ plans to hold one public hearing. The details are listed below. Anyone can attend a hearing in person, or by webinar or teleconference.

DEQ will consider all written comments received at the hearings listed below before completing the draft rules. DEQ will summarize all comments and respond to comments in the Environmental Quality Commission staff report.

Hearing 1	
Date	May 2, 2019
Time	4:00 PM
Street Address	700 NE Multnomah St., Suite 600
City	Portland, OR 97232
Presiding Officer	Don Hendrix

Staff Presenter	Dan DeFehr
Call-in Phone Number	888-278-0296
Participant ID	8040259

How to comment on the proposed rules:

Submit comment online

[Federal Land Fill Emissions Guidelines 2019 Comment Page](#)

Note for public university students:

ORS 192.501(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student you may omit your email address when you complete the online form to submit a comment.

By mail

Oregon DEQ
Attn: Dan DeFehr
700 NE Multnomah St., Suite 600
Portland, OR, 97232

At the hearing

Close of public comment period

The comment period will close 4 p.m. on May 10, 2019.

Accessibility Information

You may review copies of all documents referenced in this announcement at:
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR, 97232

To schedule a review of all websites and documents referenced in this announcement, call Dan DeFehr, 700 NE Multnomah St., Suite 600, Portland, OR 97232, (503) 229-6442 (800-452-4011, ext. 5622 toll-free in Oregon).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696;

fax to 503-229-6762; or email to deqinfo@deq.state.or.us. Hearing impaired persons may call 711

Draft Rules - With Edits Highlighted

Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION 236

EMISSION STANDARDS FOR SPECIFIC INDUSTRIES

340-200-0040

State of Oregon Clean Air Act Implementation Plan

(1) This implementation plan, consisting of Volumes 2 and 3 of the State of Oregon Air Quality Control Program, contains control strategies, rules and standards prepared by DEQ and is adopted as the State Implementation Plan (SIP) of the State of Oregon under the FCAA, 42 U.S.C.A 7401 to 7671q.

(2) Except as provided in section (3), revisions to the SIP will be made under the EQC's rulemaking procedures in OAR 340 division 11 of this chapter and any other requirements contained in the SIP and will be submitted to the EPA for approval. The SIP was last modified by the EQC on ~~January 24~~July 18-19, 2019.

(3) Notwithstanding any other requirement contained in the SIP, DEQ may:

(a) Submit to the EPA any permit condition implementing a rule that is part of the federally-approved SIP as a source-specific SIP revision after DEQ has complied with the public hearings provisions of 40 C.F.R. 51.102; and

(b) Approve the standards submitted by LRAPA if LRAPA adopts verbatim, other than non-substantive differences, any standard that the EQC has adopted, and submit the standards to EPA for approval as a SIP revision.

(4) Revisions to the State of Oregon Clean Air Act Implementation Plan become federally enforceable upon approval by the EPA. If any provision of the federally approved State Implementation Plan conflicts with any provision adopted by the EQC, DEQ must enforce the more stringent provision.

Statutory/Other Authority: ORS 468.020 & 468A

Statutes/Other Implemented: ORS 468A.035 & 468A.135

History:

[DEQ 4-2019, amend filed 01/24/2019, effective 01/24/2019](#)

[DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018](#)

[DEQ 192-2018, amend filed 09/14/2018, effective 09/14/2018](#)

[DEQ 190-2018, amend filed 07/13/2018, effective 07/13/2018](#)

[DEQ 11-2018, amend filed 03/23/2018, effective 03/23/2018](#)

DEQ 7-2017, f. & cert. ef. 7-13-17

DEQ 35, f. 2-3-72, ef. 2-15-72; DEQ 54, f. 6-21-73, ef. 7-1-73; DEQ 19-1979, f. & ef. 6-25-79; DEQ 21-1979, f. & ef. 7-2-79; DEQ 22-1980, f. & ef. 9-26-80; DEQ 11-1981, f. & ef. 3-26-81; DEQ 14-1982, f. & ef. 7-21-82; DEQ 21-1982, f. & ef. 10-27-82; DEQ 1-1983, f. & ef. 1-21-83; DEQ 6-1983, f. & ef. 4-18-83; DEQ 18-1984, f. & ef. 10-16-84; DEQ 25-1984, f. & ef. 11-27-84; DEQ 3-1985, f. & ef. 2-1-85; DEQ 12-1985, f. & ef. 9-30-85; DEQ 5-1986, f. & ef. 2-21-86; DEQ 10-1986, f. & ef. 5-9-86; DEQ 20-1986, f. & ef. 11-7-86; DEQ 21-1986, f. & ef. 11-7-86; DEQ 4-1987, f. & ef. 3-2-87; DEQ 5-1987, f. & ef. 3-2-87; DEQ 8-1987, f. & ef. 4-23-87; DEQ 21-1987, f. & ef. 12-16-87; DEQ 31-1988, f. 12-20-88, cert. ef. 12-23-88; DEQ 2-1991, f. & cert. ef. 2-14-91; DEQ 19-1991, f. & cert. ef. 11-13-91; DEQ 20-1991, f. & cert. ef. 11-13-91; DEQ 21-1991, f. & cert. ef. 11-13-91; DEQ 22-1991, f. & cert. ef. 11-13-91; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 24-1991, f. & cert. ef. 11-13-91; DEQ 25-1991, f. & cert. ef. 11-13-91; DEQ 1-1992, f. & cert. ef. 2-4-92; DEQ 3-1992, f. & cert. ef. 2-4-92; DEQ 7-1992, f. & cert. ef. 3-30-92; DEQ 19-1992, f. & cert. ef. 8-11-92; DEQ 20-1992, f. & cert. ef. 8-11-92; DEQ 25-1992, f. 10-30-92, cert. ef. 11-1-92; DEQ 26-1992, f. & cert. ef. 11-2-92; DEQ 27-1992, f. & cert. ef. 11-12-92; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 8-1993, f. & cert. ef. 5-11-93; DEQ 12-1993, f. & cert. ef. 9-24-93; DEQ 15-1993, f. & cert. ef. 11-4-93; DEQ 16-1993, f. & cert. ef. 11-4-93; DEQ 17-1993, f. & cert. ef. 11-4-93; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 1-1994, f. & cert. ef. 1-3-94; DEQ 5-1994, f. & cert. ef. 3-21-94; DEQ 14-1994, f. & cert. ef. 5-31-94; DEQ 15-1994, f. 6-8-94, cert. ef. 7-1-94; DEQ 25-1994, f. & cert. ef. 11-2-94; DEQ 9-1995, f. & cert. ef. 5-1-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 14-1995, f. & cert. ef. 5-25-95; DEQ 17-1995, f. & cert. ef. 7-12-95; DEQ 19-1995, f. & cert. ef. 9-1-95; DEQ 20-1995 (Temp), f. & cert. ef. 9-14-95; DEQ 8-1996(Temp), f. & cert. ef. 6-3-96; DEQ 15-1996, f. & cert. ef. 8-14-96; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 22-1996, f. & cert. ef. 10-22-96; DEQ 23-1996, f. & cert. ef. 11-4-96; DEQ 24-1996, f. & cert. ef. 11-26-96; DEQ 10-1998, f. & cert. ef. 6-22-98; DEQ 15-1998, f. & cert. ef. 9-23-98; DEQ 16-1998, f. & cert. ef. 9-23-98; DEQ 17-1998, f. & cert. ef. 9-23-98; DEQ 20-1998, f. & cert. ef. 10-12-98; DEQ 21-1998, f. & cert. ef. 10-12-98; DEQ 1-1999, f. & cert. ef. 1-25-99; DEQ 5-1999, f. & cert. ef. 3-25-99; DEQ 6-1999, f. & cert. ef. 5-21-99; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-020-0047; DEQ 15-1999, f. & cert. ef. 10-22-99; DEQ 2-2000, f. 2-17-00, cert. ef. 6-1-01; DEQ 6-2000, f. & cert. ef. 5-22-00; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 13-2000, f. & cert. ef. 7-28-00; DEQ 16-2000, f. & cert. ef. 10-25-00; DEQ 17-2000, f. & cert. ef. 10-25-00; DEQ 20-2000 f. & cert. ef. 12-15-00; DEQ 21-2000, f. & cert. ef. 12-15-00; DEQ 2-2001, f. & cert. ef. 2-5-01; DEQ 4-2001, f. & cert. ef. 3-27-01; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 15-2001, f. & cert. ef. 12-26-01; DEQ 16-2001, f. & cert. ef. 12-26-01; DEQ 17-2001, f. & cert. ef. 12-28-01; DEQ 4-2002, f. & cert. ef. 3-14-02; DEQ 5-2002, f. & cert. ef. 5-3-02; DEQ 11-2002, f. & cert. ef. 10-8-02;

DEQ 5-2003, f. & cert. ef. 2-6-03; DEQ 14-2003, f. & cert. ef. 10-24-03; DEQ 19-2003, f. & cert. ef. 12-12-03; DEQ 1-2004, f. & cert. ef. 4-14-04; DEQ 10-2004, f. & cert. ef. 12-15-04; DEQ 1-2005, f. & cert. ef. 1-4-05; DEQ 2-2005, f. & cert. ef. 2-10-05; DEQ 4-2005, f. 5-13-05, cert. ef. 6-1-05; DEQ 7-2005, f. & cert. ef. 7-12-05; DEQ 9-2005, f. & cert. ef. 9-9-05; DEQ 2-2006, f. & cert. ef. 3-14-06; DEQ 4-2006, f. 3-29-06, cert. ef. 3-31-06; DEQ 3-2007, f. & cert. ef. 4-12-07; DEQ 4-2007, f. & cert. ef. 6-28-07; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 5-2008, f. & cert. ef. 3-20-08; DEQ 11-2008, f. & cert. ef. 8-29-08; DEQ 12-2008, f. & cert. ef. 9-17-08; DEQ 14-2008, f. & cert. ef. 11-10-08; DEQ 15-2008, f. & cert. ef. 12-31-08; DEQ 3-2009, f. & cert. ef. 6-30-09; DEQ 8-2009, f. & cert. ef. 12-16-09; DEQ 2-2010, f. & cert. ef. 3-5-10; DEQ 5-2010, f. & cert. ef. 5-21-10; DEQ 14-2010, f. & cert. ef. 12-10-10; DEQ 1-2011, f. & cert. ef. 2-24-11; DEQ 2-2011, f. 3-10-11, cert. ef. 3-15-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11; DEQ 18-2011, f. & cert. ef. 12-21-11; DEQ 1-2012, f. & cert. ef. 5-17-12; DEQ 7-2012, f. & cert. ef. 12-10-12; DEQ 10-2012, f. & cert. ef. 12-11-12; DEQ 4-2013, f. & cert. ef. 3-27-13; DEQ 11-2013, f. & cert. ef. 11-7-13; DEQ 12-2013, f. & cert. ef. 12-19-13; DEQ 1-2014, f. & cert. ef. 1-6-14; DEQ 4-2014, f. & cert. ef. 3-31-14; DEQ 5-2014, f. & cert. ef. 3-31-14; DEQ 6-2014, f. & cert. ef. 3-31-14; DEQ 7-2014, f. & cert. ef. 6-26-14; DEQ 6-2015, f. & cert. ef. 4-16-15; DEQ 7-2015, f. & cert. ef. 4-16-15; DEQ 10-2015, f. & cert. ef. 10-16-15; DEQ 14-2015, f. & cert. ef. 12-10-15; DEQ 2-2017, f. & cert. ef. 1-19-17

340-236-0010

Definitions

Definitions

The definitions in OAR 340-200-0020, 340-204-0010 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020 or 340-204-0010, the definition in this rule applies to this division.

(1) "C.F.R." means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2018⁷ edition.

(2) "Dusts" means minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, or sweeping.

(3) "Hot mix asphalt plants" means those facilities and equipment which convey or batch load proportioned quantities of cold aggregate to a drier, and heat, dry, screen, classify, measure, and mix the aggregate with asphalt for purposes of paving, construction, industrial, residential, or commercial use.

(4) "Portable hot mix asphalt plants" means those hot mix asphalt plants which are designed to be dismantled and are transported from one job site to another job site.

(54) "Process weight" means the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

(65) "Special control areas" means an area designated in OAR 340-204-0070 and:

- (a) Any incorporated city or within six miles of the city limits of said incorporated city;
- (b) Any area of the state within one mile of any structure or building used for a residence;
- (c) Any area of the state within two miles straight line distance or air miles of any paved public road, highway, or freeway having a total of two or more traffic lanes.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.]

~~[Publications: Publications referenced are available from the agency [DEQ](#).]~~

Statutory/Other Authority: ORS 468.020 & 468A.025

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 7-2015, f. & cert. ef. 4-16-15

DEQ 8-2007, f. & cert. ef. 11-8-07

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0105, 340-025-0260

DEQ 18-1998, f. & cert. ef. 10-5-98

DEQ 26-1995, f. & cert. ef. 12-6-95

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 4-1993, f. & cert. ef. 3-10-93

DEQ 10-1982, f. & ef. 6-18-82

DEQ 60, f. 12-5-73, ef. 12-25-73

DEQ 4-1993, f. & cert. ef. 3-10-93

DEQ 49, f. 2-9-73, ef. 3-1-73 ~~Stat. Auth.: ORS 468.020 & 468A.025~~

~~Stats. Implemented: ORS 468A.025~~

~~Hist.: [DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 4-1993, f. & cert. ef. 3-10-93]; [DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 26-1995, f. & cert. ef. 12-6-95; DEQ 18-1998, f. & cert. ef. 10-5-98]; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0105, 340-025-0260; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 7-2015, f. & cert. ef. 4-16-15~~

~~Solid Waste Landfills~~

340-236-0500;

Solid Waste Landfills: Emission Standards for Municipal Solid Waste Landfills

~~Emission Standards for Municipal Solid Waste Landfills~~

~~(1) Applicability. This rule applies to small and large municipal solid waste landfills in the following categories:~~

~~(a) Landfills that have accepted waste since 11/08/87;~~

~~(b) Landfills with no modifications after 5/30/91;~~

~~(c) Landfills that closed after 11/08/87 with no modifications after 5/30/91.~~

~~(2) General Requirements. Landfills subject to this rule must comply with 40 CFR Section 60.751 through 60.759, as adopted under OAR 340-238-0060, except as noted in Section 4 of this rule.~~

~~(3) Permitting requirements. Landfills subject to this rule must comply with Oregon Title V Operating Permit program requirements (Title V) as specified in OAR 340 divisions 218 and 220 except as noted in (c):~~

~~(a) Existing large landfills must submit a complete Oregon Title V Operating Permit application one year after EPA approves the 111(d) State Plan associated with this rule;~~

~~(b) Existing small landfills that are major sources as defined in OAR 340-200-0020 must submit a complete Title V Operating Permit application within one year of becoming a major source;~~

~~(c) The exemption from the Oregon Title V Operating Permit program in OAR 340-218-0020 for sources that are not major does not apply to sources subject to this rule.~~

~~(4) Reporting requirements. Landfills subject to this rule must comply with the following:~~

~~(a) Large landfills listed in Subsection (1)(a) through (c) must comply with the following:~~

~~(A) Submit an Initial Design Capacity Report and an Initial Non-methane Organic Compound Report within 90 days of the effective date of this rule; and~~

~~(B) Submit an annual Nonmethane Organic Compound Report until non-methane emissions are 50 Mg/year.~~

~~(b) Small landfills listed in subsection (1)(a) through (c) must submit an Initial Design Capacity Report and an Initial Non-methane Organic Compound Report within 90 days of the effective date of this rule.~~

~~(5) Definitions. As used in this rule:~~

~~(a) "Closed municipal solid waste landfill" or "closed landfill" means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under 40 CFR 60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed. A landfill is considered closed after meeting the criteria of 40 CFR 258.60;~~

~~(b) "Effective date" means the date this rule is filed with the Secretary of State;~~

~~(c) "Existing municipal solid waste landfill" or "existing landfill" means a municipal solid waste landfill that began construction, reconstruction or modification before 5/30/91 and has accepted waste at any time since 11/08/87 or has additional design capacity available for future waste deposition;~~

~~(d) "Large municipal solid waste landfill" or "large landfill" means a municipal solid waste landfill with a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters;~~

~~(e) "Modification" means an action that results in an increase in the design capacity of the landfill;~~

~~(f) "Municipal solid waste landfill" or landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads and may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion (modification);~~

~~(g) "New municipal solid waste landfill" or "new landfill" means a municipal solid waste landfill that began construction, reconstruction or modification or began accepting waste on or after 5/30/91; and~~

~~(h) "Small municipal solid waste landfill" or "small landfill" means a municipal solid waste landfill with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters.~~

(1) Designated facilities.

(a) The designated facility to which this rule applies is each existing municipal solid waste landfill for which construction, reconstruction, or modification was commenced on or before July 17, 2014.

(b) Physical or operational changes made to an existing municipal solid waste landfill solely to comply with this rule are not considered a modification or reconstruction and

would not subject an existing municipal solid waste landfill to the requirements of a standard of performance for new municipal solid waste landfills.

(2) Compliance times. Planning, awarding of contracts, installing, and starting up municipal solid waste landfill air emission collection and control equipment that is capable of meeting the emission standards in section (7) of this rule must be completed within 30 months after the date a non-methane organic compound emission rate report shows non-methane organic compound emissions equal or exceed 34 megagrams per year (50 megagrams per year for the closed landfill subcategory); or within 30 months after the date of the most recent non-methane organic compound emission rate report that shows non-methane organic compound emissions equal or exceed 34 megagrams per year (50 megagrams per year for the closed landfill subcategory), if Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(3) Startup, shutdown and malfunction. The provisions of this rule apply at all times, including periods of startup, shutdown, or malfunction. During periods of startup, shutdown, and malfunction, the owner or operator must operate the gas collection system such that all collected gases are vented to a control system designed and operated in compliance with 40 C.F.R. 60.33f(c). In the event the collection or control system is not operating, the gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating.

(4) Design capacity. The owner or operator of a municipal solid waste landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume must submit an initial design capacity report to DEQ as provided in 40 C.F.R. 60.38f(a). The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions must be documented and submitted with the report. Submittal of the initial design capacity report fulfills the requirements of this rule except as follows:

(a) The owner or operator must submit an amended design capacity report providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to meet or exceed 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density. If the design capacity increase is the result of a modification, as defined in 40 C.F.R. 60.41f, which was commenced after July 17, 2014, then the landfill becomes subject to 40 C.F.R. part 60 subpart XXX instead of this rule. If the design capacity increase is the result of a change in operating practices, density, or some other change that is not a modification as defined in 40 C.F.R. 60.41f, then the landfill remains subject to this rule.

(b) When an increase in the maximum design capacity of a landfill with an initial design capacity less than 2.5 million megagrams or 2.5 million cubic meters results in a revised

maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator must comply with section (5) of this rule.

(5) Emissions. The owner or operator of a municipal solid waste landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must either install a collection and control system as provided in section (7) of this rule or calculate an initial NMOC emission rate for the landfill using the procedures specified in 40 C.F.R. 60.35f(a). The NMOC emission rate must be recalculated annually, except as provided in 40 C.F.R. 60.38f(c)(3).

(a) If the calculated NMOC emission rate is less than 34 megagrams per year, the owner or operator must:

(A) Submit an annual NMOC emission rate report according to 40 C.F.R. 60.38f(c), except as provided in 40 C.F.R. 60.38f(c)(3); and

(B) Recalculate the NMOC emission rate annually using the procedures specified in 40 C.F.R. 60.35f(a) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, or the landfill is closed.

(i) If the calculated NMOC emission rate, upon initial calculation or annual recalculation required in paragraph (54)(a)(B) of this rule, is equal to or greater than 34 megagrams per year, the owner or operator must either comply with section (7) of this rule; calculate NMOC emissions using the next higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(ii) If the landfill is permanently closed, a closure report must be submitted to DEQ as provided in 40 C.F.R. 60.38f(f), except for the exemption allowed under section (14) of this rule.

(iii) For the closed landfill subcategory, if the most recently calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator must either: submit a gas collection and control system design plan as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed under subsection (13)(c) of this rule, and install a collection and control system as provided in section (7) of this rule; calculate NMOC emissions using the next higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(b) If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either submit a collection and control system design plan prepared by a professional engineer to DEQ within 1 year, of the first NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year, as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed in 40 C.F.R. 60.31f(e); calculate NMOC emissions using a higher tier in 40 C.F.R.

60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(c) For the closed landfill subcategory, if the calculated NMOC emission rate is equal to or greater than 50 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either submit a collection and control system design plan as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed in 40 C.F.R. 60.31f(e); calculate NMOC emissions using a higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(6) Removal criteria. The collection and control system may be capped, removed, or decommissioned if the following criteria are met:

(a) The landfill is a closed landfill (as defined in 40 C.F.R. 60.41f). A closure report must be submitted to DEQ as provided in 40 C.F.R. 60.38f(f).

(b) The collection and control system has been in operation a minimum of 15 years or the landfill owner or operator demonstrates that the GCCS will be unable to operate for 15 years due to declining gas flow.

(c) Following the procedures specified in 40 C.F.R. 60.35f(b), the calculated NMOC emission rate at the landfill is less than 34 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

(d) For the closed landfill subcategory (as defined in 40 C.F.R. 60.41), following the procedures specified in 40 C.F.R. 60.35f(b), the calculated NMOC emission rate at the landfill is less than 50 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

(7) Emission standards. Landfills having a design capacity greater than or equal to 2.5 million megagrams by mass and 2.5 million cubic meters by volume must comply with the requirements in 40 C.F.R. 60.33f(b) (collection system requirement) and 60.33f(c) (control system requirement) if meeting the following conditions:

(a) The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

(b) The landfill commenced construction, reconstruction, or modification on or before July 17, 2014.

(c) The landfill has an NMOC emission rate greater than or equal to 34 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(d) The landfill is in the closed landfill subcategory and has an NMOC emission rate greater than or equal to 50 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(8) Operational standards for collection and control systems. The owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of section (7) of this rule must comply with the operational standards in 40 C.F.R. 60.34f(a) through (f). If monitoring demonstrates that the operational requirements in 40 C.F.R. 60.34f(b), (c) or (d) are not met, corrective action must be taken as specified in 40 C.F.R. 60.36f(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 C.F.R. 60.36f, the monitored exceedance is not a violation of the operational requirements.

(9) Specifications for active collection systems. The owner or operator of a municipal solid waste landfill seeking to comply with the collection system requirements of 40 C.F.R. 60.33f(b) must meet the following:

(a) The active collection wells, horizontal collectors, surface collectors, or other extraction devices siting requirements in 40 C.F.R. 60.40f(a), unless alternative procedures have been approved by the Administrator.

(b) The gas collection devices equipment and procedure requirements in 40 C.F.R. 60.40f(b).

(c) The landfill gas collection header pipe(s) and ~~to a~~ control system requirements in 40 C.F.R. 60.40f(c).

(10) Test methods and procedures. The owner or operator of a municipal solid waste landfill subject to this rule must calculate the landfill non-methane emission rate or conduct a surface emission monitoring demonstration in accordance with 40 C.F.R. 60.35f.

(11) Compliance provisions. The owner or operator of a municipal solid waste landfill subject to this rule must meet the compliance provisions of 40 C.F.R. 60.36f, as applicable.

(12) Monitoring of operations. The owner or operator of a municipal solid waste landfill subject to this rule must meet the monitoring requirements of 40 C.F.R. 60.37f, except as provided in 60.38f(d)(2).

(13) Permitting requirements.

(a) For purposes of obtaining an operating permit under OAR 340 division 218, the owner or operator of a municipal solid waste landfill subject to this rule with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters is not subject to the requirement to obtain an operating permit for the landfill under OAR 340 division 218, unless the landfill is otherwise subject to OAR 340 division 218.

(b) For purposes of submitting a timely application for an operating permit under OAR 340-218-0040(1)(a), the owner or operator of a municipal solid waste landfill subject to this rule with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters on the effective date of EPA approval of this rule, and not otherwise subject to OAR 340 division 218, becomes subject to OAR 340 division 218 90 days after the effective date of EPA approval of this rule, even if the design capacity report is submitted earlier.

(c) When a municipal solid waste landfill subject to this rule is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under OAR 340 division 218 for the landfill if the landfill is not otherwise subject to the requirements of OAR 340 division 218 and if either of the following conditions are met:

(A) The landfill was never subject to the requirement to install and operate a gas collection and control system under 40 C.F.R. 60.33f; or

(B) The landfill meets the conditions for control system removal specified in section (6) of this rule.

(14) When a municipal solid waste landfill is in the closed landfill subcategory, the owner or operator is not subject to the following reports, provided the owner or operator submitted these reports under 40 C.F.R. part 60 subpart WWW on or before July 17, 2014:

(a) Initial design capacity report specified in 40 C.F.R. 60.38f(a).

(b) Initial or subsequent non-methane organic compound emission rate report specified in 40 C.F.R. 60.38f(c), provided that the most recent non-methane organic compound emission rate report indicated the non-methane organic compound emissions were below 50 Mg/yr.

(c) Collection and control system design plan specified in 40 C.F.R. 60.38f(d).

(d) Closure report specified in 40 C.F.R. 60.38f(f).

(e) Equipment removal report specified in 40 C.F.R. 60.38f(g).

(f) Initial annual report specified in 40 C.F.R. 60.38f(h).

(g) Initial performance test specified in 40 C.F.R. 60.38f(i).

(15) Reporting requirements. The owner or operator of a municipal solid waste landfill subject to this rule must meet the reporting requirements of 40 C.F.R. 60.38f, as applicable.

(16) Recordkeeping guidelines. The owner or operator of a municipal solid waste landfill subject to this rule must meet the recordkeeping requirements of 40 C.F.R. 60.39f, as applicable.

[\(17\) Definitions. Terms used in this rule are as defined in 40 C.F.R. 60.41f.](#)

Statutory/Other Authority: ORS 468.020, 468A.025, 468A.040 & 468A.050

Statutes/Other Implemented: ORS 468A.025, 468A.040 & 468A.050

History:

DEQ 146-2018, minor correction filed 04/11/2018, effective 04/11/2018

DEQ 7-2015, f. & cert. ef. 4-16-15

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0745

DEQ 22-1998, f. & cert. ef. 10-21-98

DEQ 8-1997, f. & cert. ef. 5-6-97

DIVISION 238

NEW SOURCE PERFORMANCE STANDARDS

340-238-0040

Definitions

Definitions

The definitions in OAR 340-200-0020 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020, the definition in this rule applies to this division.

(1) "Administrator" means the Administrator of the EPA or authorized representative.

(2) "Affected facility" means, with reference to a stationary source, any apparatus to which a standard is applicable.

(3) "Capital expenditures" means an expenditure for a physical or operational change to an existing facility that exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in [the latest edition of](#) Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

(4) "C.F.R." means the July 1, 201~~8~~⁷6 edition Code of Federal Regulations unless otherwise identified.

(5) "Closed municipal solid waste landfill" (closed landfill) means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under 40 C.F.R. 60.7(a)(4).

Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

(6) "Commenced", with respect to the definition of "new source" in section 111(a)(2) of the federal Clean Air Act, means that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

(7) "Existing municipal solid waste landfill" (existing landfill) means a municipal solid waste landfill that began construction, reconstruction or modification before 5/30/91 and has accepted waste at any time since 11/08/87 or has additional design capacity available for future waste deposition.

(8) "Existing facility", with reference to a stationary source, means any apparatus of the type for which a standard is promulgated in 40 C.F.R. Part 60, and the construction or modification of which commenced before the date of proposal by EPA of that standard; or any apparatus that could be altered in such a way as to be of that type.

(9) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(10) "Large municipal solid waste landfill" (large landfill) means a municipal solid waste landfill with a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters.

(11) "Modification:"

(a) except as provided in subsection (b) of this section, means any physical change in, or change in the method of operation of, an existing facility that increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or that results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted;

(b) As used in OAR 340-238-0100 means an action that results in an increase in the design capacity of a landfill.

(12) "Municipal solid waste landfill" (landfill) means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads and may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion (modification).

(13) "New municipal solid waste landfill" (new landfill) means a municipal solid waste landfill that began construction, reconstruction or modification or began accepting waste on or after 5/30/91.

(14) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(a) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and

(b) It is technologically and economically feasible to meet the applicable standards set forth in 40 C.F.R. Part 60.

(15) "Reference method" means any method of sampling and analyzing for an air pollutant as specified in 40 C.F.R. Part 60.

(16) "Small municipal solid waste landfill" (small landfill) means a municipal solid waste landfill with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters.

(17) "Standard" means a standard of performance proposed or promulgated under 40 C.F.R. Part 60.

(18) "State Plan" means a plan developed for the control of a designated pollutant provided under 40 C.F.R. Part 60.

[NOTE: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 8-2009, f. & cert. ef. 12-16-09

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 4-2003, f. & cert. ef. 2-06-03

DEQ 22-2000, f. & cert. ef. 12-18-00

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0510

DEQ 22-1998, f. & cert. ef. 10-21-98

DEQ 8-1997, f. & cert. ef. 5-6-97

DEQ 27-1996, f. & cert. ef. 12-11-96

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 17-1993, f. & cert. ef. 11-4-93
DEQ 4-1993, f. & cert. ef. 3-10-93
DEQ 24-1989, f. & cert. ef. 10-26-89
DEQ 17-1987, f. & ef. 8-24-87
DEQ 19-1986, f. & ef. 11-7-86
DEQ 15-1985, f. & ef. 10-21-85
DEQ 16-1984, f. & ef. 8-21-84
DEQ 17-1983, f. & ef. 10-19-83
DEQ 22-1982, f. & ef. 10-21-82
DEQ 97, f. 9-2-75, ef. 9-25-75

340-238-0060.

Federal Regulations Adopted by Reference

(1) Except as provided in section (2) of this rule, 40 C.F.R. Part 60 Subparts A, D through EE, GG, HH, KK through NN, PP, ~~QQ, TT~~ through XX, BBB, DDD, FFF through LLL, NNN through ~~XXX~~WWW, AAAA, CCCC, EEEE, KKKK, LLLL, OOOO, and TTTT are by this reference adopted and incorporated herein, 40 C.F.R. Part 60 Subpart OOO is by this reference adopted and incorporated herein for major sources only, 40 C.F.R. 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.

(2) Where "Administrator" or "EPA" appears in 40 C.F.R. Part 60, "DEQ" is substituted, except in any section of 40 C.F.R. Part 60 for which a federal rule or delegation specifically indicates that authority must not be delegated to the state.

(3) 40 C.F.R. Part 60 Subparts adopted by this rule are titled as follows:

(a) Subpart A — General Provisions;

(b) Subpart D — Fossil-fuel-fired steam generators for which construction is commenced after August 17, 1971;

(c) Subpart Da — Electric utility steam generating units for which construction is commenced after September 18, 1978;

(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 — Municipal waste combustors for which construction is commenced after September 20, 1994;
- (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;
- (p) Subpart K — Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and before May 19, 1978;
- (q) Subpart Ka — Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978, and before July 23, 1984;
- (r) Subpart Kb — Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984;
- (s) Subpart L — Secondary lead smelters;
- (t) Subpart M — Secondary brass and bronze production plants;
- (u) Subpart N — Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;
- (v) Subpart Na — Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;
- (w) Subpart O — Sewage treatment plants;
- (x) Subpart P — Primary copper smelters;
- (y) Subpart Q — Primary Zinc smelters;

- (z) Subpart R — Primary lead smelters;
- (aa) Subpart S — Primary aluminum reduction plants;
- (bb) Subpart T — Phosphate fertilizer industry: wet-process phosphoric acid plants;
- (cc) Subpart U — Phosphate fertilizer industry: superphosphoric acid plants;
- (dd) Subpart V — Phosphate fertilizer industry: diammonium phosphate plants;
- (ee) Subpart W — Phosphate fertilizer industry: triple superphosphate plants;
- (ff) Subpart X — Phosphate fertilizer industry: granular triple superphosphate storage facilities;
- (gg) Subpart Y — Coal preparation plants;
- (hh) Subpart Z — Ferroalloy production facilities;
- (ii) Subpart AA — Steel plants: electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;
- (jj) Subpart AAa — Steel plants: electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;
- (kk) Subpart BB — Kraft pulp mills;
- (ll) Subpart BBa — Kraft pulp mills affected sources for which construction, reconstruction, or modification commences after May 23, 2013;
- (mm) Subpart CC — Glass manufacturing plants;
- (nn) Subpart DD — Grain elevators.
- (oo) Subpart EE — Surface coating of metal furniture;
- (pp) Subpart GG — Stationary gas turbines;
- (qq) Subpart HH — Lime manufacturing plants;
- (rr) Subpart KK — Lead-acid battery manufacturing plants;
- (ss) Subpart LL — Metallic mineral processing plants;
- (tt) Subpart MM — Automobile and light-duty truck surface coating operations;

- (uu) Subpart NN — Phosphate rock plants;
- (vv) Subpart PP — Ammonium sulfate manufacture;
- (ww) Subpart QQ — Graphic arts industry: publication rotogravure printing;
- (xx) Subpart RR — pressure sensitive tape and label surface coating operations;
- (yy) Subpart SS — Industrial surface coating: large appliances;
- (zz) Subpart TT — Metal coil surface coating;
- (aaa) Subpart UU — Asphalt processing and asphalt roofing manufacture;
- (bbb) Subpart VV — Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;
- (ccc) Subpart VVa — Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;
- (ddd) Subpart WW — Beverage can surface coating industry;
- (eee) Subpart XX — Bulk gasoline terminals;
- (fff) Subpart BBB — Rubber tire manufacturing industry;
- (ggg) Subpart DDD — Volatile organic compound (VOC) emissions for the polymer manufacture industry;
- (hhh) Subpart FFF — Flexible vinyl and urethane coating and printing;
- (iii) Subpart GGG — Equipment leaks of VOC in petroleum refineries;
- (jjj) Subpart GGGa — Equipment leaks of VOC in petroleum refineries;
- (kkk) Subpart HHH — Synthetic fiber production facilities;
- (lll) Subpart III — Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;
- (mmm) Subpart JJJ — Petroleum dry cleaners;
- (nnn) Subpart KKK — Equipment leaks of VOC from onshore natural gas processing plants;
- (ooo) Subpart LLL — Onshore natural gas processing; SO₂ emissions;

(ppp) Subpart NNN — Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations;

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

(rrr) Subpart PPP — Wool fiberglass insulation manufacturing plants;

(sss) Subpart QQQ — VOC emissions from petroleum refinery wastewater systems;

(ttt) Subpart RRR — Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes;

(uuu) Subpart SSS — Magnetic tape coating facilities;

(vvv) Subpart TTT — Industrial surface coating: surface coating of plastic parts for business machines;

(www) Subpart UUU — Calciners and dryers in mineral industries;

(xxx) Subpart VVV — Polymeric coating of supporting substrates facilities;

(yyy) Subpart WWW — Municipal solid waste landfills, as clarified by OAR 340-238-0100;

[\(zzz\) Subpart XXX – Municipal solid waste landfills that commenced construction, reconstruction, or modification after July 17, 2014;](#)

(~~aaaa~~zzz) Subpart AAAA — Small municipal waste combustion units;

(~~bbbb~~aaaa) Subpart CCCC — Commercial and industrial solid waste incineration units;

(~~cccc~~bbbb) Subpart EEEE — Other solid waste incineration units;

(~~dddd~~eeee) 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 C.F.R. 60.4201 through 60.4203, 60.4210, 60.4215, and 60.4216);

(~~eeee~~dddd) 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 C.F.R. 60.4231 through 60.4232, 60.4238 through 60.4242, and 60.4247);

(~~ffff~~eeee) Subpart KKKK — Stationary combustion turbines;

(~~gggg~~~~ffff~~) Subpart LLLL — Sewage sludge incineration units;

(~~hhhh~~~~gggg~~) Subpart OOOO — Crude oil and natural gas production, transmission and distribution.

(~~iiii~~~~hhhh~~) Subpart OOOOa — Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015;

(~~jjjj~~~~iiii~~) Subpart TTTT — Greenhouse gas emissions for electric generating units.

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 4-2003, f. & cert. ef. 2-06-03

DEQ 22-2000, f. & cert. ef. 12-18-00

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0535

DEQ 22-1998, f. & cert. ef. 10-21-98

DEQ 8-1997, f. & cert. ef. 5-6-97

DEQ 27-1996, f. & cert. ef. 12-11-96

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 17-1993, f. & cert. ef. 11-4-93

DEQ 24-1989, f. & cert. ef. 10-26-89

DEQ 17-1987, f. & ef. 8-24-87

DEQ 19-1986, f. & ef. 11-7-86

DEQ 15-1985, f. & ef. 10-21-85

DEQ 16-1984, f. & ef. 8-21-84

DEQ 17-1983, f. & ef. 10-19-83

DEQ 22-1982, f. & ef. 10-21-82

Sections (1) thru (12) of this rule renumbered to 340-025-0550 thru 340-025-0605

DEQ 16-1981, f. & ef. 5-6-81

DEQ 97, f. 9-2-75, ef. 9-25-75

DIVISION 244

OREGON FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM

General Provisions for Stationary Sources

340-244-0030₅

-General Provisions for Stationary Sources: Definitions

The definitions in OAR 340-200-0020, 340-218-0030 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020 or 340-218-0030, the definition in this rule applies to this division.

- (1) "Affected source" is as defined in 40 C.F.R. 63.2.
- (2) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.
- (3) "Area Source" means any stationary source which has the potential to emit hazardous air pollutants but is not a major source of hazardous air pollutants.
- (4) "C.F.R." means the July 1, 201~~876~~ edition Code of Federal Regulations unless otherwise identified.
- (5) "Construct a major source" means to fabricate, erect, or install at any greenfield site a stationary source or group of stationary sources which is located within a contiguous area and under common control and which emits or has the potential to emit 10 tons per year of any HAPs or 25 tons per year of any combination of HAP, or to fabricate, erect, or install at any developed site a new process or production unit which in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, unless the process or production unit satisfies criteria in paragraphs (a) through (f) of this definition:
 - (a) All HAP emitted by the process or production unit that would otherwise be controlled under the requirements of 40 C.F.R. Part 63, Subpart B will be controlled by emission control equipment which was previously installed at the same site as the process or production unit;
 - (b) DEQ has determined within a period of 5 years prior to the fabrication, erection, or installation of the process or production unit that the existing emission control equipment represented the best available control technology (BACT), lowest achievable emission rate (LAER) under 40 C.F.R. Part 51 or 52, toxics-best available control technology (T-BACT), or MACT based on State air toxic rules for the category of pollutants which includes those HAP to be emitted by the process or production unit; or DEQ determines that the control of HAP emissions provided by the existing equipment will be equivalent to that level of control currently achieved by other well-controlled similar sources (i.e., equivalent to the level of control that would be provided by a current BACT, LAER, T-BACT, or State air toxic rule MACT determination).
 - (c) DEQ determines that the percent control efficiency for emission of HAP from all sources to be controlled by the existing control equipment will be equivalent to the percent

control efficiency provided by the control equipment prior to the inclusion of the new process or production unit;

(d) DEQ has provided notice and an opportunity for public comment concerning its determination that criteria in paragraphs (a), (b), and (c) of this definition apply and concerning the continued adequacy of any prior LAER, BACT, T-BACT, or State air toxic rule MACT determination;

(e) If any commenter has asserted that a prior LAER, BACT, T-BACT, or State air toxic rule MACT determination is no longer adequate, DEQ has determined that the level of control required by that prior determination remains adequate; and

(f) Any emission limitations, work practice requirements, or other terms and conditions upon which the above determinations by DEQ are predicated will be construed by DEQ as applicable requirements under section 504(a) and either have been incorporated into any existing Title V permit for the affected facility or will be incorporated into such permit upon issuance.

(6) "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.

(7) "Emissions Limitation" and "Emissions Standard" mean a requirement adopted by DEQ or Regional Agency, or proposed or promulgated by the Administrator of the EPA, which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

(8) "Equipment leaks" means leaks from pumps, compressors, pressure relief devices, sampling connection systems, open ended valves or lines, valves, connectors, agitators, accumulator vessels, and instrumentation systems in hazardous air pollutant service.

(9) "Existing Source" means any source, the construction of which commenced prior to proposal of an applicable standard under sections 112 or 129 of the FCAA.

(10) "Facility" means all or part of any public or private building, structure, installation, equipment, or vehicle or vessel, including but not limited to ships.

(11) "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.

(12) "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.

(13) "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. In Clackamas, Multnomah and Washington Counties, the Medford-Ashland Air Quality Maintenance Area, and the Salem-Keizer Area Transportation Study area, "gasoline dispensing facility" includes any stationary facility which dispenses gasoline into the fuel tank of an airplane.

(14) "Hazardous Air Pollutant" (HAP) means an air pollutant listed by the EPA under section 112(b) of the FCAA or determined by the Commission to cause, or reasonably be anticipated to cause, adverse effects to human health or the environment.

(15) "Major Source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. The EPA may establish a lesser quantity, or in the case of radionuclides different criteria, for a major source on the basis of the potency of the air pollutant, persistence, potential for bioaccumulation, other characteristics of the air pollutant, or other relevant factors.

(16) "Maximum Achievable Control Technology (MACT)" means an emission standard applicable to major sources of hazardous air pollutants that requires the maximum degree of reduction in emissions deemed achievable for either new or existing sources.

(17) "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.

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

(19) "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.

(20) "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.

(21) "New Source" means a stationary source, the construction of which is commenced after proposal of a federal MACT or January 3, 1993 of this Division, whichever is earlier.

(22) "Potential to Emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, ~~shall~~ must be treated as part of its design if the limitation is enforceable by the EPA. This section does not alter or affect the use of this section for any other purposes under the Act, or the term "capacity factor" as used in Title IV of the Act or the regulations promulgated thereunder. Secondary emissions shall not be considered in determining the potential to emit of a source.

(23) "Reconstruct a Major Source" means the replacement of components at an existing process or production unit that in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever: the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and; it is technically and economically feasible for the reconstructed major source to meet the applicable maximum achievable control technology emission limitation for new sources established under 40 C.F.R. Part 63 Subpart B.

(24) "Regulated Air Pollutant" as used in this Division means:

(a) Any pollutant listed under OAR 340-244-0040; or

(b) Any pollutant that is subject to a standard promulgated under Section 129 of the Act.

(25) "Section 112(n)" means that subsection of the FCAA that includes requirements for the EPA to conduct studies on the hazards to public health prior to developing emissions standards for specified categories of hazardous air pollutant emission sources.

(26) "Section 112(r)" means that subsection of the FCAA that includes requirements for the EPA promulgate regulations for the prevention, detection and correction of accidental releases.

(27) "Solid Waste Incineration Unit" as used in this Division ~~shall have~~ has the same meaning as given in Section 129(g) of the FCAA.

(28) "Stationary Source", as used in OAR 340 division 244, means any building, structure, facility, or installation which emits or may emit any regulated air pollutant;

(29) "Submerged filling" means the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in OAR 340-244-0240(3) from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

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

(31) "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.

(32) "Vapor-tight" means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by checking 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.

(33) "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).

[Publications: Publications referenced are available from [the agency](#) [DEQ](#).]

Statutory/Other Authority: ORS 468.020 & 468A.025

Statutes/Other Implemented: ORS 468A.040

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 8-2009, f. & cert. ef. 12-16-09

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-032-0120

DEQ 18-1998, f. & cert. ef. 10-5-98

DEQ 20-1997, f. & cert. ef. 9-25-97

DEQ 26-1996, f. & cert. ef. 11-26-96

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 24-1994, f. & cert. ef. 10-28-94

DEQ 18-1993, f. & cert. ef. 11-4-93

DEQ 13-1993, f. & cert. ef. 9-24-93

[340-244-0220](#)

Emission Standards: Federal Regulations Adopted by Reference

(1) Except as provided in sections (2) and (3) of this rule, 40 C.F.R. 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, PPPP through UUUUU, WWWWW, YYYYY, ZZZZZ, BBBBBB, DDDDDD through ~~FFFFFF~~HHHHHH, LLLLLL through TTTTTT, VVVVVV through EEEEEEE, and HHHHHHH are adopted by reference and incorporated herein, and 40 C.F.R. Part 63, Subparts ZZZZ and JJJJJ 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, "DEQ" is substituted, except in any section of 40 C.F.R. Part 61 or 63, for which a federal rule or delegation specifically indicates that authority will not be delegated to the state.

(3) 40 C.F.R. Part 63 Subpart M — Dry Cleaning Facilities using Perchloroethylene: 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 rule 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 Metal Arsenic 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 C.F.R. Part 63 Subparts adopted by this rule are titled as follows:

(a) Subpart A — General Provisions;

(b) Subpart F — SOCFMI;

(c) Subpart G — SOCFMI — Process Vents, Storage Vessels, Transfer Operations, and Wastewater;

(d) Subpart H — SOCFMI — Equipment Leaks;

(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 (Bulk Gasoline Terminals and Pipeline Breakout Stations);

(m) Subpart S — Pulp and Paper Industry;

(n) Subpart T — Halogenated Solvent Cleaning;

(o) Subpart U — Group I Polymers and Resins;

(p) Subpart W — Epoxy Resins 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 Fertilizer 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 Semi-Chemical Pulp Mills;
- (ee) Subpart NN — Area Sources: Wool Fiberglass Manufacturing;
- (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;

(aaa) Subpart UUUU — Cellulose Production Manufacturing;

(bbb) Subpart VVVV — Boat Manufacturing;

(ccc) Subpart WWWW — Reinforced Plastics Composites Production;

(ddd) Subpart XXXX — Rubber Tire Manufacturing;

(eee) Subpart YYYY — Stationary Combustion Turbines;

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

(ggg) Subpart AAAAA — Lime Manufacturing;

(hhh) Subpart BBBB — Semiconductor Manufacturing;

(iii) Subpart CCCCC — Coke Ovens: Pushing, Quenching & Battery Stacks;

(jjjj) Subpart DDDDD – 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 — Misc. 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 & 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;

(aaaa) Subpart WWWW — Area Sources: Hospital Ethylene Oxide Sterilization;

(bbbb) Subpart YYYYY — Area Sources: Electric Arc Furnace Steelmaking Facilities;

(cccc) Subpart ZZZZZ — Area Sources: Iron and Steel Foundries;

(dddd) Subpart BBBBB — Area Sources: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities;

(eeee) Subpart DDDDD — Area Sources: Polyvinyl Chloride and Copolymers Production;

- (ffff) Subpart EEEEEEE — Area Sources: Primary Copper Smelting;
- (ggggg) Subpart FFFFFFF — Area Sources: Secondary Copper Smelting;
- (hhhhh) Subpart GGGGGG — Area Sources: Primary Nonferrous Metals — Zinc, Cadmium, and Beryllium;
- (iiii) Subpart HHHHHH — Area Sources: Paint Stripping and Miscellaneous Surface Coating Operations;
- (jjjj) Subpart JJJJJ — Area Sources: Industrial, Commercial, and Institutional Boilers (adopted only for sources required to have a Title V or ACDP permit);
- (kkkkk) Subpart LLLLLL — Area Sources: Acrylic and Modacrylic Fibers Production;
- (llll) Subpart MMMMMM — Area Sources: Carbon Black Production;
- (mmmmm) Subpart NNNNNN — Area Sources: Chemical Manufacturing: Chromium Compounds;
- (nnnnn) Subpart OOOOOO — Area Sources: Flexible Polyurethane Foam Production;
- (oooo) Subpart PPPPPP — Area Sources: Lead Acid Battery Manufacturing;
- (ppppp) Subpart QQQQQQ — Area Sources: Wood Preserving;
- (qqqqq) Subpart RRRRRR — Area Sources: Clay Ceramics Manufacturing;
- (rrrrr) Subpart SSSSSS — Area Sources: Glass Manufacturing;
- (sssss) Subpart TTTTTT — Area Sources: Secondary Nonferrous Metals Processing;
- (tttt) Subpart VVVVVV — Area Sources: Chemical Manufacturing;
- (uuuuu) Subpart WWWWWW — Area Source: Plating and Polishing Operations;
- (vvvvv) Subpart XXXXXX — Area Source: Nine Metal Fabrication and Finishing Source Categories;
- (wwwww) Subpart YYYYYY — Area Sources: Ferroalloys Production Facilities;
- (xxxxx) Subpart ZZZZZZ — Area Sources: Aluminum, Copper, and Other Nonferrous Foundries;
- (yyyyy) Subpart AAAAAA — Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing;

- (zzzzz) Subpart BBBBbbb — Area Sources: Chemical Preparations Industry;
- (aaaaa) Subpart CCCCCC — Area Sources: Paints and Allied Products Manufacturing;
- (bbbbb) Subpart DDDDDDD — Area Sources: Prepared Feeds Manufacturing;
- (ccccc) Subpart EEEEEEE — Area Sources: Gold Mine Ore Processing and Production;
- (dddddd) Subpart HHHHHHH — Polyvinyl Chloride and Copolymers Production.

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 8-2009, f. & cert. ef. 12-16-09

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 4-2003, f. & cert. ef. 2-06-03

DEQ 15-2001, f. & cert. ef. 12-26-01

DEQ 11-2000, f. & cert. ef. 7-27-00

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-032-0510, 340-032-5520

DEQ 32-1994, f. & cert. ef. 12-22-94

DEQ 18-1993, f. & cert. ef. 11-4-93

DEQ 18-1998, f. & cert. ef. 10-5-98

DEQ 28-1996, f. & cert. ef. 12-19-96

DEQ 16-1995, f. & cert. ef. 6-21-95

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION 236

EMISSION STANDARDS FOR SPECIFIC INDUSTRIES

340-200-0040

State of Oregon Clean Air Act Implementation Plan

(1) This implementation plan, consisting of Volumes 2 and 3 of the State of Oregon Air Quality Control Program, contains control strategies, rules and standards prepared by DEQ and is adopted as the State Implementation Plan (SIP) of the State of Oregon under the FCAA, 42 U.S.C.A 7401 to 7671q.

(2) Except as provided in section (3), revisions to the SIP will be made under the EQC's rulemaking procedures in OAR 340 division 11 of this chapter and any other requirements contained in the SIP and will be submitted to the EPA for approval. The SIP was last modified by the EQC on July 18-19, 2019.

(3) Notwithstanding any other requirement contained in the SIP, DEQ may:

(a) Submit to the EPA any permit condition implementing a rule that is part of the federally-approved SIP as a source-specific SIP revision after DEQ has complied with the public hearings provisions of 40 C.F.R. 51.102; and

(b) Approve the standards submitted by LRAPA if LRAPA adopts verbatim, other than non-substantive differences, any standard that the EQC has adopted, and submit the standards to EPA for approval as a SIP revision.

(4) Revisions to the State of Oregon Clean Air Act Implementation Plan become federally enforceable upon approval by the EPA. If any provision of the federally approved State Implementation Plan conflicts with any provision adopted by the EQC, DEQ must enforce the more stringent provision.

Statutory/Other Authority: ORS 468.020 & 468A

Statutes/Other Implemented: ORS 468A.035 & 468A.135

History:

[DEQ 4-2019, amend filed 01/24/2019, effective 01/24/2019](#)

[DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018](#)

[DEQ 192-2018, amend filed 09/14/2018, effective 09/14/2018](#)

[DEQ 190-2018, amend filed 07/13/2018, effective 07/13/2018](#)

[DEQ 11-2018, amend filed 03/23/2018, effective 03/23/2018](#)

DEQ 7-2017, f. & cert. ef. 7-13-17

DEQ 35, f. 2-3-72, ef. 2-15-72; DEQ 54, f. 6-21-73, ef. 7-1-73; DEQ 19-1979, f. & ef. 6-25-79; DEQ 21-1979, f. & ef. 7-2-79; DEQ 22-1980, f. & ef. 9-26-80; DEQ 11-1981, f. & ef. 3-26-81; DEQ 14-1982, f. & ef. 7-21-82; DEQ 21-1982, f. & ef. 10-27-82; DEQ 1-1983, f. & ef. 1-21-83; DEQ 6-1983, f. & ef. 4-18-83; DEQ 18-1984, f. & ef. 10-16-84; DEQ 25-1984, f. & ef. 11-27-84; DEQ 3-1985, f. & ef. 2-1-85; DEQ 12-1985, f. & ef. 9-30-85; DEQ 5-1986, f. & ef. 2-21-86; DEQ 10-1986, f. & ef. 5-9-86; DEQ 20-1986, f. & ef. 11-7-86; DEQ 21-1986, f. & ef. 11-7-86; DEQ 4-1987, f. & ef. 3-2-87; DEQ 5-1987, f. & ef. 3-2-87; DEQ 8-1987, f. & ef. 4-23-87; DEQ 21-1987, f. & ef. 12-16-87; DEQ 31-1988, f. 12-20-88, cert. ef. 12-23-88; DEQ 2-1991, f. & cert. ef. 2-14-91; DEQ 19-1991, f. & cert. ef. 11-13-91; DEQ 20-1991, f. & cert. ef. 11-13-91; DEQ 21-1991, f. & cert. ef. 11-13-91; DEQ 22-1991, f. & cert. ef. 11-13-91; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 24-1991, f. & cert. ef. 11-13-91; DEQ 25-1991, f. & cert. ef. 11-13-91; DEQ 1-1992, f. & cert. ef. 2-4-92; DEQ 3-1992, f. & cert. ef. 2-4-92; DEQ 7-1992, f. & cert. ef. 3-30-92; DEQ 19-1992, f. & cert. ef. 8-11-92; DEQ 20-1992, f. & cert. ef. 8-11-92; DEQ 25-1992, f. 10-30-92, cert. ef. 11-1-92; DEQ 26-1992, f. & cert. ef. 11-2-92; DEQ 27-1992, f. & cert. ef. 11-12-92; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 8-1993, f. & cert. ef. 5-11-93; DEQ 12-1993, f. & cert. ef. 9-24-93; DEQ 15-1993, f. & cert. ef. 11-4-93; DEQ 16-1993, f. & cert. ef. 11-4-93; DEQ 17-1993, f. & cert. ef. 11-4-93; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 1-1994, f. & cert. ef. 1-3-94; DEQ 5-1994, f. & cert. ef. 3-21-94; DEQ 14-1994, f. & cert. ef. 5-31-94; DEQ 15-1994, f. 6-8-94, cert. ef. 7-1-94; DEQ 25-1994, f. & cert. ef. 11-2-94; DEQ 9-1995, f. & cert. ef. 5-1-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 14-1995, f. & cert. ef. 5-25-95; DEQ 17-1995, f. & cert. ef. 7-12-95; DEQ 19-1995, f. & cert. ef. 9-1-95; DEQ 20-1995 (Temp), f. & cert. ef. 9-14-95; DEQ 8-1996(Temp), f. & cert. ef. 6-3-96; DEQ 15-1996, f. & cert. ef. 8-14-96; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 22-1996, f. & cert. ef. 10-22-96; DEQ 23-1996, f. & cert. ef. 11-4-96; DEQ 24-1996, f. & cert. ef. 11-26-96; DEQ 10-1998, f. & cert. ef. 6-22-98; DEQ 15-1998, f. & cert. ef. 9-23-98; DEQ 16-1998, f. & cert. ef. 9-23-98; DEQ 17-1998, f. & cert. ef. 9-23-98; DEQ 20-1998, f. & cert. ef. 10-12-98; DEQ 21-1998, f. & cert. ef. 10-12-98; DEQ 1-1999, f. & cert. ef. 1-25-99; DEQ 5-1999, f. & cert. ef. 3-25-99; DEQ 6-1999, f. & cert. ef. 5-21-99; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-020-0047; DEQ 15-1999, f. & cert. ef. 10-22-99; DEQ 2-2000, f. 2-17-00, cert. ef. 6-1-01; DEQ 6-2000, f. & cert. ef. 5-22-00; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 13-2000, f. & cert. ef. 7-28-00; DEQ 16-2000, f. & cert. ef. 10-25-00; DEQ 17-2000, f. & cert. ef. 10-25-00; DEQ 20-2000 f. & cert. ef. 12-15-00; DEQ 21-2000, f. & cert. ef. 12-15-00; DEQ 2-2001, f. & cert. ef. 2-5-01; DEQ 4-2001, f. & cert. ef. 3-27-01; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 15-2001, f. & cert. ef. 12-26-01; DEQ 16-2001, f. & cert. ef. 12-26-01; DEQ 17-2001, f. & cert. ef. 12-28-01; DEQ 4-2002, f. & cert. ef. 3-14-02; DEQ 5-2002, f. & cert. ef. 5-3-02; DEQ 11-2002, f. & cert. ef. 10-8-02; DEQ 5-2003, f. & cert. ef. 2-6-03; DEQ 14-2003, f. & cert. ef. 10-24-03; DEQ 19-2003, f. & cert. ef. 12-12-03; DEQ 1-2004, f. & cert. ef. 4-14-04; DEQ 10-2004, f. & cert. ef. 12-15-04; DEQ 1-2005, f. & cert. ef. 1-4-05; DEQ 2-2005, f. & cert. ef. 2-10-05; DEQ 4-2005, f. 5-13-05, cert. ef. 6-1-05; DEQ 7-2005, f. & cert. ef. 7-12-05; DEQ 9-2005, f. & cert. ef. 9-9-05; DEQ 2-2006, f. & cert. ef. 3-14-06; DEQ 4-2006, f. 3-29-06, cert. ef. 3-31-06; DEQ 3-2007,

f. & cert. ef. 4-12-07; DEQ 4-2007, f. & cert. ef. 6-28-07; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 5-2008, f. & cert. ef. 3-20-08; DEQ 11-2008, f. & cert. ef. 8-29-08; DEQ 12-2008, f. & cert. ef. 9-17-08; DEQ 14-2008, f. & cert. ef. 11-10-08; DEQ 15-2008, f. & cert. ef. 12-31-08; DEQ 3-2009, f. & cert. ef. 6-30-09; DEQ 8-2009, f. & cert. ef. 12-16-09; DEQ 2-2010, f. & cert. ef. 3-5-10; DEQ 5-2010, f. & cert. ef. 5-21-10; DEQ 14-2010, f. & cert. ef. 12-10-10; DEQ 1-2011, f. & cert. ef. 2-24-11; DEQ 2-2011, f. 3-10-11, cert. ef. 3-15-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11; DEQ 18-2011, f. & cert. ef. 12-21-11; DEQ 1-2012, f. & cert. ef. 5-17-12; DEQ 7-2012, f. & cert. ef. 12-10-12; DEQ 10-2012, f. & cert. ef. 12-11-12; DEQ 4-2013, f. & cert. ef. 3-27-13; DEQ 11-2013, f. & cert. ef. 11-7-13; DEQ 12-2013, f. & cert. ef. 12-19-13; DEQ 1-2014, f. & cert. ef. 1-6-14; DEQ 4-2014, f. & cert. ef. 3-31-14; DEQ 5-2014, f. & cert. ef. 3-31-14; DEQ 6-2014, f. & cert. ef. 3-31-14; DEQ 7-2014, f. & cert. ef. 6-26-14; DEQ 6-2015, f. & cert. ef. 4-16-15; DEQ 7-2015, f. & cert. ef. 4-16-15; DEQ 10-2015, f. & cert. ef. 10-16-15; DEQ 14-2015, f. & cert. ef. 12-10-15; DEQ 2-2017, f. & cert. ef. 1-19-17

340-236-0010

Definitions

The definitions in OAR 340-200-0020, 340-204-0010 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020 or 340-204-0010, the definition in this rule applies to this division.

- (1) "C.F.R." means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2018 edition.
- (2) "Dusts" means minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, or sweeping.
- (3) "Hot mix asphalt plants" means those facilities and equipment which convey or batch load proportioned quantities of cold aggregate to a drier, and heat, dry, screen, classify, measure, and mix the aggregate with asphalt for purposes of paving, construction, industrial, residential, or commercial use.
- (4) "Portable hot mix asphalt plants" means those hot mix asphalt plants which are designed to be dismantled and are transported from one job site to another job site.
- (5) "Process weight" means the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

- (6) "Special control areas" means an area designated in OAR 340-204-0070 and:
- (a) Any incorporated city or within six miles of the city limits of said incorporated city;
 - (b) Any area of the state within one mile of any structure or building used for a residence;
 - (c) Any area of the state within two miles straight line distance or air miles of any paved public road, highway, or freeway having a total of two or more traffic lanes.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.]

Statutory/Other Authority: ORS 468.020 & 468A.025

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 7-2015, f. & cert. ef. 4-16-15

DEQ 8-2007, f. & cert. ef. 11-8-07

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0105, 340-025-0260

DEQ 18-1998, f. & cert. ef. 10-5-98

DEQ 26-1995, f. & cert. ef. 12-6-95

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 4-1993, f. & cert. ef. 3-10-93

DEQ 10-1982, f. & ef. 6-18-82

DEQ 60, f. 12-5-73, ef. 12-25-73

DEQ 4-1993, f. & cert. ef. 3-10-93

DEQ 49, f. 2-9-73, ef. 3-1-73

340-236-0500

Solid Waste Landfills: Emission Standards for Municipal Solid Waste Landfills

(1) Designated facilities.

(a) The designated facility to which this rule applies is each existing municipal solid waste landfill for which construction, reconstruction, or modification was commenced on or before July 17, 2014.

(b) Physical or operational changes made to an existing municipal solid waste landfill solely to comply with this rule are not considered a modification or reconstruction and would not subject an existing municipal solid waste landfill to the requirements of a standard of performance for new municipal solid waste landfills.

(2) Compliance times. Planning, awarding of contracts, installing, and starting up municipal solid waste landfill air emission collection and control equipment that is capable of meeting the emission standards in section (7) of this rule must be completed within 30 months after the date a non-methane organic compound emission rate report shows non-methane organic compound emissions equal or exceed 34 megagrams per year (50

megagrams per year for the closed landfill subcategory); or within 30 months after the date of the most recent non-methane organic compound emission rate report that shows non-methane organic compound emissions equal or exceed 34 megagrams per year (50 megagrams per year for the closed landfill subcategory), if Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(3) Startup, shutdown and malfunction. The provisions of this rule apply at all times, including periods of startup, shutdown, or malfunction. During periods of startup, shutdown, and malfunction, the owner or operator must operate the gas collection system such that all collected gases are vented to a control system designed and operated in compliance with 40 C.F.R. 60.33f(c). In the event the collection or control system is not operating, the gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating.

(4) Design capacity. The owner or operator of a municipal solid waste landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume must submit an initial design capacity report to DEQ as provided in 40 C.F.R. 60.38f(a). The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions must be documented and submitted with the report. Submittal of the initial design capacity report fulfills the requirements of this rule except as follows:

(a) The owner or operator must submit an amended design capacity report providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to meet or exceed 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density. If the design capacity increase is the result of a modification, as defined in 40 C.F.R. 60.41f, which was commenced after July 17, 2014, then the landfill becomes subject to 40 C.F.R. part 60 subpart XXX instead of this rule. If the design capacity increase is the result of a change in operating practices, density, or some other change that is not a modification as defined in 40 C.F.R. 60.41f, then the landfill remains subject to this rule.

(b) When an increase in the maximum design capacity of a landfill with an initial design capacity less than 2.5 million megagrams or 2.5 million cubic meters results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator must comply with section (5) of this rule.

(5) Emissions. The owner or operator of a municipal solid waste landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must either install a collection and control system as provided in section (7) of this rule or calculate an initial NMOC emission rate for the landfill using the procedures specified in 40 C.F.R. 60.35f(a). The NMOC emission rate must be recalculated annually, except as provided in 40 C.F.R. 60.38f(c)(3).

(a) If the calculated NMOC emission rate is less than 34 megagrams per year, the owner or operator must:

(A) Submit an annual NMOC emission rate report according to 40 C.F.R. 60.38f(c), except as provided in 40 C.F.R. 60.38f(c)(3); and

(B) Recalculate the NMOC emission rate annually using the procedures specified in 40 C.F.R. 60.35f(a) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, or the landfill is closed.

(i) If the calculated NMOC emission rate, upon initial calculation or annual recalculation required in paragraph (5)(a)(B) of this rule, is equal to or greater than 34 megagrams per year, the owner or operator must either comply with section (7) of this rule; calculate NMOC emissions using the next higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(ii) If the landfill is permanently closed, a closure report must be submitted to DEQ as provided in 40 C.F.R. 60.38f(f), except for the exemption allowed under section (14) of this rule.

(iii) For the closed landfill subcategory, if the most recently calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator must either: submit a gas collection and control system design plan as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed under subsection (13)(c) of this rule, and install a collection and control system as provided in section (7) of this rule; calculate NMOC emissions using the next higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(b) If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either submit a collection and control system design plan prepared by a professional engineer to DEQ within 1 year, of the first NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year, as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed in 40 C.F.R. 60.31f(e); calculate NMOC emissions using a higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(c) For the closed landfill subcategory, if the calculated NMOC emission rate is equal to or greater than 50 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either submit a collection and control system design plan as specified in 40 C.F.R. 60.38f(d), except for exemptions allowed in 40 C.F.R. 60.31f(e); calculate NMOC emissions using a higher tier in 40 C.F.R. 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 C.F.R. 60.35f(a)(6).

(6) Removal criteria. The collection and control system may be capped, removed, or decommissioned if the following criteria are met:

(a) The landfill is a closed landfill (as defined in 40 C.F.R. 60.41f). A closure report must be submitted to DEQ as provided in 40 C.F.R. 60.38f(f).

(b) The collection and control system has been in operation a minimum of 15 years or the landfill owner or operator demonstrates that the GCCS will be unable to operate for 15 years due to declining gas flow.

(c) Following the procedures specified in 40 C.F.R. 60.35f(b), the calculated NMOC emission rate at the landfill is less than 34 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

(d) For the closed landfill subcategory (as defined in 40 C.F.R. 60.41), following the procedures specified in 40 C.F.R. 60.35f(b), the calculated NMOC emission rate at the landfill is less than 50 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

(7) Emission standards. Landfills having a design capacity greater than or equal to 2.5 million megagrams by mass and 2.5 million cubic meters by volume must comply with the requirements in 40 C.F.R. 60.33f(b) (collection system requirement) and 60.33f(c) (control system requirement) if meeting the following conditions:

(a) The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

(b) The landfill commenced construction, reconstruction, or modification on or before July 17, 2014.

(c) The landfill has an NMOC emission rate greater than or equal to 34 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(d) The landfill is in the closed landfill subcategory and has an NMOC emission rate greater than or equal to 50 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.

(8) Operational standards for collection and control systems. The owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of section (7) of this rule must comply with the operational standards in 40 C.F.R. 60.34f(a) through (f). If monitoring demonstrates that the operational requirements in 40 C.F.R. 60.34f(b), (c) or (d) are not met, corrective action must be taken as specified in 40 C.F.R. 60.36f(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 C.F.R. 60.36f, the monitored exceedance is not a violation of the operational requirements.

(9) Specifications for active collection systems. The owner or operator of a municipal solid waste landfill seeking to comply with the collection system requirements of 40 C.F.R. 60.33f(b) must meet the following:

(a) The active collection well, horizontal collector, surface collector, or other extraction device siting requirements in 40 C.F.R. 60.40f(a), unless alternative procedures have been approved by the Administrator.

(b) The gas collection device equipment and procedure requirements in 40 C.F.R. 60.40f(b).

(c) The landfill gas collection header pipe(s) and control system requirements in 40 C.F.R. 60.40f(c).

(10) Test methods and procedures. The owner or operator of a municipal solid waste landfill subject to this rule must calculate the landfill non-methane emission rate or conduct a surface emission monitoring demonstration in accordance with 40 C.F.R. 60.35f.

(11) Compliance provisions. The owner or operator of a municipal solid waste landfill subject to this rule must meet the compliance provisions of 40 C.F.R. 60.36f, as applicable.

(12) Monitoring of operations. The owner or operator of a municipal solid waste landfill subject to this rule must meet the monitoring requirements of 40 C.F.R. 60.37f, except as provided in 60.38f(d)(2).

(13) Permitting requirements.

(a) For purposes of obtaining an operating permit under OAR 340 division 218, the owner or operator of a municipal solid waste landfill subject to this rule with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters is not subject to the requirement to obtain an operating permit for the landfill under OAR 340 division 218, unless the landfill is otherwise subject to OAR 340 division 218.

(b) For purposes of submitting a timely application for an operating permit under OAR 340-218-0040(1)(a), the owner or operator of a municipal solid waste landfill subject to this rule with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters on the effective date of EPA approval of this rule, and not otherwise subject to OAR 340 division 218, becomes subject to OAR 340 division 218 90 days after the effective date of EPA approval of this rule, even if the design capacity report is submitted earlier.

(c) When a municipal solid waste landfill subject to this rule is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under OAR 340 division 218 for the landfill if the landfill is not otherwise subject to the requirements of OAR 340 division 218 and if either of the following conditions are met:

(A) The landfill was never subject to the requirement to install and operate a gas collection and control system under 40 C.F.R. 60.33f; or

(B) The landfill meets the conditions for control system removal specified in section (6) of this rule.

(14) When a municipal solid waste landfill is in the closed landfill subcategory, the owner or operator is not subject to the following reports, provided the owner or operator submitted these reports under 40 C.F.R. part 60 subpart WWW on or before July 17, 2014:

(a) Initial design capacity report specified in 40 C.F.R. 60.38f(a).

(b) Initial or subsequent non-methane organic compound emission rate report specified in 40 C.F.R. 60.38f(c), provided that the most recent non-methane organic compound emission rate report indicated the non-methane organic compound emissions were below 50 Mg/yr.

(c) Collection and control system design plan specified in 40 C.F.R. 60.38f(d).

(d) Closure report specified in 40 C.F.R. 60.38f(f).

(e) Equipment removal report specified in 40 C.F.R. 60.38f(g).

(f) Initial annual report specified in 40 C.F.R. 60.38f(h).

(g) Initial performance test specified in 40 C.F.R. 60.38f(i).

(15) Reporting requirements. The owner or operator of a municipal solid waste landfill subject to this rule must meet the reporting requirements of 40 C.F.R. 60.38f, as applicable.

(16) Recordkeeping guidelines. The owner or operator of a municipal solid waste landfill subject to this rule must meet the recordkeeping requirements of 40 C.F.R. 60.39f, as applicable.

(17) Definitions. Terms used in this rule are as defined in 40 C.F.R. 60.41f.

Statutory/Other Authority: ORS 468.020, 468A.025, 468A.040 & 468A.050

Statutes/Other Implemented: ORS 468A.025, 468A.040 & 468A.050

History:

DEQ 146-2018, minor correction filed 04/11/2018, effective 04/11/2018

DEQ 7-2015, f. & cert. ef. 4-16-15

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0745

DEQ 22-1998, f. & cert. ef. 10-21-98

DEQ 8-1997, f. & cert. ef. 5-6-97

DIVISION 238

NEW SOURCE PERFORMANCE STANDARDS

340-238-0040

Definitions

The definitions in OAR 340-200-0020 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020, the definition in this rule applies to this division.

- (1) "Administrator" means the Administrator of the EPA or authorized representative.
- (2) "Affected facility" means, with reference to a stationary source, any apparatus to which a standard is applicable.
- (3) "Capital expenditures" means an expenditure for a physical or operational change to an existing facility that exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.
- (4) "C.F.R." means the July 1, 2018 edition Code of Federal Regulations unless otherwise identified.
- (5) "Closed municipal solid waste landfill" (closed landfill) means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under 40 C.F.R. 60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.
- (6) "Commenced", with respect to the definition of "new source" in section 111(a)(2) of the federal Clean Air Act, means that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.
- (7) "Existing municipal solid waste landfill" (existing landfill) means a municipal solid waste landfill that began construction, reconstruction or modification before 5/30/91 and has accepted waste at any time since 11/08/87 or has additional design capacity available for future waste deposition.
- (8) "Existing facility", with reference to a stationary source, means any apparatus of the type for which a standard is promulgated in 40 C.F.R. Part 60, and the construction or modification of which commenced before the date of proposal by EPA of that standard; or any apparatus that could be altered in such a way as to be of that type.

(9) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(10) "Large municipal solid waste landfill" (large landfill) means a municipal solid waste landfill with a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters.

(11) "Modification:"

(a) except as provided in subsection (b) of this section, means any physical change in, or change in the method of operation of, an existing facility that increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or that results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted;

(b) As used in OAR 340-238-0100 means an action that results in an increase in the design capacity of a landfill.

(12) "Municipal solid waste landfill" (landfill) means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads and may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion (modification).

(13) "New municipal solid waste landfill" (new landfill) means a municipal solid waste landfill that began construction, reconstruction or modification or began accepting waste on or after 5/30/91.

(14) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(a) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and

(b) It is technologically and economically feasible to meet the applicable standards set forth in 40 C.F.R. Part 60.

(15) "Reference method" means any method of sampling and analyzing for an air pollutant as specified in 40 C.F.R. Part 60.

(16) "Small municipal solid waste landfill" (small landfill) means a municipal solid waste landfill with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters.

(17) "Standard" means a standard of performance proposed or promulgated under 40 C.F.R. Part 60.

(18) "State Plan" means a plan developed for the control of a designated pollutant provided under 40 C.F.R. Part 60.

[NOTE: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 8-2009, f. & cert. ef. 12-16-09

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 4-2003, f. & cert. ef. 2-06-03

DEQ 22-2000, f. & cert. ef. 12-18-00

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0510

DEQ 22-1998, f. & cert. ef. 10-21-98

DEQ 8-1997, f. & cert. ef. 5-6-97

DEQ 27-1996, f. & cert. ef. 12-11-96

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 17-1993, f. & cert. ef. 11-4-93

DEQ 4-1993, f. & cert. ef. 3-10-93

DEQ 24-1989, f. & cert. ef. 10-26-89

DEQ 17-1987, f. & ef. 8-24-87

DEQ 19-1986, f. & ef. 11-7-86

DEQ 15-1985, f. & ef. 10-21-85

DEQ 16-1984, f. & ef. 8-21-84

DEQ 17-1983, f. & ef. 10-19-83

DEQ 22-1982, f. & ef. 10-21-82

DEQ 97, f. 9-2-75, ef. 9-25-75

340-238-0060

Federal Regulations Adopted by Reference

(1) Except as provided in section (2) of this rule, 40 C.F.R. Part 60 Subparts A, D through EE, GG, HH, KK through NN, PP through XX, BBB, DDD, FFF through LLL, NNN through XXX, AAAA, CCCC, EEEE, KKKK, LLLL, OOOO, and TTTT are by this reference adopted and incorporated herein, 40 C.F.R. Part 60 Subpart OOO is by this

reference adopted and incorporated herein for major sources only, 40 C.F.R. 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.

(2) Where "Administrator" or "EPA" appears in 40 C.F.R. Part 60, "DEQ" is substituted, except in any section of 40 C.F.R. Part 60 for which a federal rule or delegation specifically indicates that authority must not be delegated to the state.

(3) 40 C.F.R. Part 60 Subparts adopted by this rule are titled as follows:

(a) Subpart A — General Provisions;

(b) Subpart D — Fossil-fuel-fired steam generators for which construction is commenced after August 17, 1971;

(c) Subpart Da — Electric utility steam generating units for which construction is commenced after September 18, 1978;

(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 — Municipal waste combustors for which construction is commenced after September 20, 1994;

(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;
- (p) Subpart K — Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and before May 19, 1978;
- (q) Subpart Ka — Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978, and before July 23, 1984;
- (r) Subpart Kb — Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984;
- (s) Subpart L — Secondary lead smelters;
- (t) Subpart M — Secondary brass and bronze production plants;
- (u) Subpart N — Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;
- (v) Subpart Na — Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;
- (w) Subpart O — Sewage treatment plants;
- (x) Subpart P — Primary copper smelters;
- (y) Subpart Q — Primary Zinc smelters;
- (z) Subpart R — Primary lead smelters;
- (aa) Subpart S — Primary aluminum reduction plants;
- (bb) Subpart T — Phosphate fertilizer industry: wet-process phosphoric acid plants;
- (cc) Subpart U — Phosphate fertilizer industry: superphosphoric acid plants;
- (dd) Subpart V — Phosphate fertilizer industry: diammonium phosphate plants;
- (ee) Subpart W — Phosphate fertilizer industry: triple superphosphate plants;
- (ff) Subpart X — Phosphate fertilizer industry: granular triple superphosphate storage facilities;
- (gg) Subpart Y — Coal preparation plants;
- (hh) Subpart Z — Ferroalloy production facilities;

- (ii) Subpart AA — Steel plants: electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;
- (jj) Subpart AAa — Steel plants: electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;
- (kk) Subpart BB — Kraft pulp mills;
- (ll) Subpart BBa — Kraft pulp mills affected sources for which construction, reconstruction, or modification commences after May 23, 2013;
- (mm) Subpart CC — Glass manufacturing plants;
- (nn) Subpart DD — Grain elevators.
- (oo) Subpart EE — Surface coating of metal furniture;
- (pp) Subpart GG — Stationary gas turbines;
- (qq) Subpart HH — Lime manufacturing plants;
- (rr) Subpart KK — Lead-acid battery manufacturing plants;
- (ss) Subpart LL — Metallic mineral processing plants;
- (tt) Subpart MM — Automobile and light-duty truck surface coating operations;
- (uu) Subpart NN — Phosphate rock plants;
- (vv) Subpart PP — Ammonium sulfate manufacture;
- (ww) Subpart QQ — Graphic arts industry: publication rotogravure printing;
- (xx) Subpart RR — pressure sensitive tape and label surface coating operations;
- (yy) Subpart SS — Industrial surface coating: large appliances;
- (zz) Subpart TT — Metal coil surface coating;
- (aaa) Subpart UU — Asphalt processing and asphalt roofing manufacture;
- (bbb) Subpart VV — Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;
- (ccc) Subpart VVa — Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

- (ddd) Subpart WW — Beverage can surface coating industry;
- (eee) Subpart XX — Bulk gasoline terminals;
- (fff) Subpart BBB — Rubber tire manufacturing industry;
- (ggg) Subpart DDD — Volatile organic compound (VOC) emissions for the polymer manufacture industry;
- (hhh) Subpart FFF — Flexible vinyl and urethane coating and printing;
- (iii) Subpart GGG — Equipment leaks of VOC in petroleum refineries;
- (jjj) Subpart GGGa — Equipment leaks of VOC in petroleum refineries;
- (kkk) Subpart HHH — Synthetic fiber production facilities;
- (lll) Subpart III — Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;
- (mmm) Subpart JJJ — Petroleum dry cleaners;
- (nnn) Subpart KKK — Equipment leaks of VOC from onshore natural gas processing plants;
- (ooo) Subpart LLL — Onshore natural gas processing; SO₂ emissions;
- (ppp) Subpart NNN — Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations;
- (qqq) Subpart OOO — Nonmetallic mineral processing plants (adopted by reference for major sources only);
- (rrr) Subpart PPP — Wool fiberglass insulation manufacturing plants;
- (sss) Subpart QQQ — VOC emissions from petroleum refinery wastewater systems;
- (ttt) Subpart RRR — Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes;
- (uuu) Subpart SSS — Magnetic tape coating facilities;
- (vvv) Subpart TTT — Industrial surface coating: surface coating of plastic parts for business machines;
- (www) Subpart UUU — Calciners and dryers in mineral industries;

- (xxx) Subpart VVV — Polymeric coating of supporting substrates facilities;
- (yyy) Subpart WWW — Municipal solid waste landfills, as clarified by OAR 340-238-0100;
- (zzz) Subpart XXX — Municipal solid waste landfills that commenced construction, reconstruction, or modification after July 17, 2014;
- (aaaa) Subpart AAAA — Small municipal waste combustion units;
- (bbbb) Subpart CCCC — Commercial and industrial solid waste incineration units;
- (cccc) Subpart EEEE — Other solid waste incineration units;
- (dddd) 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 C.F.R. 60.4201 through 60.4203, 60.4210, 60.4215, and 60.4216);
- (eeee) 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 C.F.R. 60.4231 through 60.4232, 60.4238 through 60.4242, and 60.4247);
- (ffff) Subpart KKKK — Stationary combustion turbines;
- (gggg) Subpart LLLL — Sewage sludge incineration units;
- (hhhh) Subpart OOOO — Crude oil and natural gas production, transmission and distribution.
- (iiii) Subpart OOOOa — Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015;
- (jjjj) Subpart TTTT — Greenhouse gas emissions for electric generating units.

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468A.025

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05
DEQ 4-2003, f. & cert. ef. 2-06-03
DEQ 22-2000, f. & cert. ef. 12-18-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0535
DEQ 22-1998, f. & cert. ef. 10-21-98
DEQ 8-1997, f. & cert. ef. 5-6-97
DEQ 27-1996, f. & cert. ef. 12-11-96
DEQ 22-1995, f. & cert. ef. 10-6-95
DEQ 17-1993, f. & cert. ef. 11-4-93
DEQ 24-1989, f. & cert. ef. 10-26-89
DEQ 17-1987, f. & ef. 8-24-87
DEQ 19-1986, f. & ef. 11-7-86
DEQ 15-1985, f. & ef. 10-21-85
DEQ 16-1984, f. & ef. 8-21-84
DEQ 17-1983, f. & ef. 10-19-83
DEQ 22-1982, f. & ef. 10-21-82
Sections (1) thru (12) of this rule renumbered to 340-025-0550 thru 340-025-0605
DEQ 16-1981, f. & ef. 5-6-81
DEQ 97, f. 9-2-75, ef. 9-25-75

DIVISION 244

OREGON FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM

340-244-0030

General Provisions for Stationary Sources: Definitions

The definitions in OAR 340-200-0020, 340-218-0030 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020 or 340-218-0030, the definition in this rule applies to this division.

- (1) "Affected source" is as defined in 40 C.F.R. 63.2.
- (2) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.
- (3) "Area Source" means any stationary source which has the potential to emit hazardous air pollutants but is not a major source of hazardous air pollutants.
- (4) "C.F.R." means the July 1, 2018 edition Code of Federal Regulations unless otherwise identified.
- (5) "Construct a major source" means to fabricate, erect, or install at any greenfield site a stationary source or group of stationary sources which is located within a contiguous area and under common control and which emits or has the potential to emit 10 tons per year of

any HAPs or 25 tons per year of any combination of HAP, or to fabricate, erect, or install at any developed site a new process or production unit which in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, unless the process or production unit satisfies criteria in paragraphs (a) through (f) of this definition:

(a) All HAP emitted by the process or production unit that would otherwise be controlled under the requirements of 40 C.F.R. Part 63, Subpart B will be controlled by emission control equipment which was previously installed at the same site as the process or production unit;

(b) DEQ has determined within a period of 5 years prior to the fabrication, erection, or installation of the process or production unit that the existing emission control equipment represented the best available control technology (BACT), lowest achievable emission rate (LAER) under 40 C.F.R. Part 51 or 52, toxics-best available control technology (T-BACT), or MACT based on State air toxic rules for the category of pollutants which includes those HAP to be emitted by the process or production unit; or DEQ determines that the control of HAP emissions provided by the existing equipment will be equivalent to that level of control currently achieved by other well-controlled similar sources (i.e., equivalent to the level of control that would be provided by a current BACT, LAER, T-BACT, or State air toxic rule MACT determination).

(c) DEQ determines that the percent control efficiency for emission of HAP from all sources to be controlled by the existing control equipment will be equivalent to the percent control efficiency provided by the control equipment prior to the inclusion of the new process or production unit;

(d) DEQ has provided notice and an opportunity for public comment concerning its determination that criteria in paragraphs (a), (b), and (c) of this definition apply and concerning the continued adequacy of any prior LAER, BACT, T-BACT, or State air toxic rule MACT determination;

(e) If any commenter has asserted that a prior LAER, BACT, T-BACT, or State air toxic rule MACT determination is no longer adequate, DEQ has determined that the level of control required by that prior determination remains adequate; and

(f) Any emission limitations, work practice requirements, or other terms and conditions upon which the above determinations by DEQ are predicated will be construed by DEQ as applicable requirements under section 504(a) and either have been incorporated into any existing Title V permit for the affected facility or will be incorporated into such permit upon issuance.

(6) "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.

- (7) "Emissions Limitation" and "Emissions Standard" mean a requirement adopted by DEQ or Regional Agency, or proposed or promulgated by the Administrator of the EPA, which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.
- (8) "Equipment leaks" means leaks from pumps, compressors, pressure relief devices, sampling connection systems, open ended valves or lines, valves, connectors, agitators, accumulator vessels, and instrumentation systems in hazardous air pollutant service.
- (9) "Existing Source" means any source, the construction of which commenced prior to proposal of an applicable standard under sections 112 or 129 of the FCAA.
- (10) "Facility" means all or part of any public or private building, structure, installation, equipment, or vehicle or vessel, including but not limited to ships.
- (11) "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.
- (12) "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.
- (13) "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. In Clackamas, Multnomah and Washington Counties, the Medford-Ashland Air Quality Maintenance Area, and the Salem-Keizer Area Transportation Study area, "gasoline dispensing facility" includes any stationary facility which dispenses gasoline into the fuel tank of an airplane.
- (14) "Hazardous Air Pollutant" (HAP) means an air pollutant listed by the EPA under section 112(b) of the FCAA or determined by the Commission to cause, or reasonably be anticipated to cause, adverse effects to human health or the environment.
- (15) "Major Source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. The EPA may establish a lesser quantity, or in the case of radionuclides different criteria, for a

major source on the basis of the potency of the air pollutant, persistence, potential for bioaccumulation, other characteristics of the air pollutant, or other relevant factors.

(16) "Maximum Achievable Control Technology (MACT)" means an emission standard applicable to major sources of hazardous air pollutants that requires the maximum degree of reduction in emissions deemed achievable for either new or existing sources.

(17) "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.

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

(19) "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.

(20) "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.

(21) "New Source" means a stationary source, the construction of which is commenced after proposal of a federal MACT or January 3, 1993 of this Division, whichever is earlier.

(22) "Potential to Emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, must be treated as part of its design if the limitation is enforceable by the EPA. This section does not alter or affect the use of this section for any other purposes under the Act, or the term "capacity factor" as used in Title IV of the Act or the regulations promulgated thereunder. Secondary emissions shall not be considered in determining the potential to emit of a source.

(23) "Reconstruct a Major Source" means the replacement of components at an existing process or production unit that in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever: the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and; it is technically and economically feasible for the reconstructed major source to meet the applicable maximum achievable control technology emission limitation for new sources established under 40 C.F.R. Part 63 Subpart B.

(24) "Regulated Air Pollutant" as used in this Division means:

(a) Any pollutant listed under OAR 340-244-0040; or

(b) Any pollutant that is subject to a standard promulgated under Section 129 of the Act.

(25) "Section 112(n)" means that subsection of the FCAA that includes requirements for the EPA to conduct studies on the hazards to public health prior to developing emissions standards for specified categories of hazardous air pollutant emission sources.

(26) "Section 112(r)" means that subsection of the FCAA that includes requirements for the EPA promulgate regulations for the prevention, detection and correction of accidental releases.

(27) "Solid Waste Incineration Unit" as used in this Division has the same meaning as given in Section 129(g) of the FCAA.

(28) "Stationary Source", as used in OAR 340 division 244, means any building, structure, facility, or installation which emits or may emit any regulated air pollutant;

(29) "Submerged filling" means the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in OAR 340-244-0240(3) from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

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

(31) "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.

(32) "Vapor-tight" means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by checking 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.

(33) "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).

[Publications: Publications referenced are available from DEQ.]

Statutory/Other Authority: ORS 468.020 & 468A.025

Statutes/Other Implemented: ORS 468A.040

History:

DEQ 6-2017, f. & cert. ef. 7-13-17

DEQ 8-2015, f. & cert. ef. 4-17-15

DEQ 4-2013, f. & cert. ef. 3-27-13

DEQ 1-2011, f. & cert. ef. 2-24-11

DEQ 8-2009, f. & cert. ef. 12-16-09

DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 13-2006, f. & cert. ef. 12-22-06

DEQ 2-2006, f. & cert. ef. 3-14-06

DEQ 2-2005, f. & cert. ef. 2-10-05

DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-032-0120

DEQ 18-1998, f. & cert. ef. 10-5-98

DEQ 20-1997, f. & cert. ef. 9-25-97

DEQ 26-1996, f. & cert. ef. 11-26-96

DEQ 22-1995, f. & cert. ef. 10-6-95

DEQ 24-1994, f. & cert. ef. 10-28-94

DEQ 18-1993, f. & cert. ef. 11-4-93

DEQ 13-1993, f. & cert. ef. 9-24-93

340-244-0220

Emission Standards: Federal Regulations Adopted by Reference

(1) Except as provided in sections (2) and (3) of this rule, 40 C.F.R. 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, YYYYYY, ZZZZZ, BBBBBB, DDDDDD through HHHHHH, LLLLLL through TTTTTT, VVVVVV through EEEEEEE, and HHHHHHHH are adopted by reference and incorporated herein, and 40 C.F.R. Part 63, Subparts ZZZZ and JJJJJ 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, "DEQ" is substituted, except in any section of 40 C.F.R. Part 61 or 63, for which a federal rule or delegation specifically indicates that authority will not be delegated to the state.

(3) 40 C.F.R. Part 63 Subpart M — Dry Cleaning Facilities using Perchloroethylene: 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 rule 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 Metal Arsenic 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 C.F.R. Part 63 Subparts adopted by this rule are titled as follows:
- (a) Subpart A — General Provisions;
 - (b) Subpart F — SOCFI;
 - (c) Subpart G — SOCFI — Process Vents, Storage Vessels, Transfer Operations, and Wastewater;
 - (d) Subpart H — SOCFI — Equipment Leaks;
 - (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 (Bulk Gasoline Terminals and Pipeline Breakout Stations);
- (m) Subpart S — Pulp and Paper Industry;
- (n) Subpart T — Halogenated Solvent Cleaning;
- (o) Subpart U — Group I Polymers and Resins;
- (p) Subpart W — Epoxy Resins 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 Fertilizer 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 Semi-Chemical Pulp Mills;

- (ee) Subpart NN — Area Sources: Wool Fiberglass Manufacturing;
- (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 Manufacturing;
- (bbbb) Subpart VVVV — Boat Manufacturing;
- (cccc) Subpart WWWW — Reinforced Plastics Composites Production;
- (dddd) Subpart XXXX — Rubber Tire Manufacturing;
- (eeee) Subpart YYYY — Stationary Combustion Turbines;
- (ffff) Subpart ZZZZ — Reciprocating Internal Combustion Engines (adopted only for sources required to have a Title V or ACDP permit);
- (gggg) Subpart AAAAA — Lime Manufacturing;
- (hhhh) Subpart BBBB — Semiconductor Manufacturing;
- (iiii) Subpart CCCCC — Coke Ovens: Pushing, Quenching & Battery Stacks;
- (jjjj) Subpart DDDDD — 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 — Misc. Coating Manufacturing;
- (oooo) Subpart IIII — Mercury Cell Chlor-Alkali Plants;
- (pppp) Subpart JJJJ — Brick and Structural Clay Products Manufacturing;
- (qqqq) Subpart KKKKK — Clay Ceramics Manufacturing;
- (rrrr) Subpart LLLLL — Asphalt Processing & 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;
- (aaaa) Subpart WWWW — Area Sources: Hospital Ethylene Oxide Sterilization;
- (bbbb) Subpart YYYYY — Area Sources: Electric Arc Furnace Steelmaking Facilities;
- (cccc) Subpart ZZZZ — Area Sources: Iron and Steel Foundries;
- (dddd) Subpart BBBBB — Area Sources: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities;
- (eeee) Subpart DDDDD — Area Sources: Polyvinyl Chloride and Copolymers Production;
- (ffff) Subpart EEEEE — Area Sources: Primary Copper Smelting;
- (gggg) Subpart FFFFF — Area Sources: Secondary Copper Smelting;
- (hhhh) Subpart GGGGG — Area Sources: Primary Nonferrous Metals — Zinc, Cadmium, and Beryllium;
- (iiii) Subpart HHHHH — Area Sources: Paint Stripping and Miscellaneous Surface Coating Operations;
- (jjjj) Subpart JJJJJ — Area Sources: Industrial, Commercial, and Institutional Boilers (adopted only for sources required to have a Title V or ACDP permit);
- (kkkk) Subpart LLLLL — Area Sources: Acrylic and Modacrylic Fibers Production;
- (llll) Subpart MMMMM — Area Sources: Carbon Black Production;
- (mmmm) Subpart NNNNN — Area Sources: Chemical Manufacturing: Chromium Compounds;

- (nnnnn) Subpart OOOOOO — Area Sources: Flexible Polyurethane Foam Production;
- (ooooo) Subpart PPPPPP — Area Sources: Lead Acid Battery Manufacturing;
- (ppppp) Subpart QQQQQQ — Area Sources: Wood Preserving;
- (qqqqq) Subpart RRRRRR — Area Sources: Clay Ceramics Manufacturing;
- (rrrrr) Subpart SSSSSS — Area Sources: Glass Manufacturing;
- (sssss) Subpart TTTTTT — Area Sources: Secondary Nonferrous Metals Processing;
- (ttttt) Subpart VVVVVV – Area Sources: Chemical Manufacturing;
- (uuuuu) Subpart WWWWWW — Area Source: Plating and Polishing Operations;
- (vvvvv) Subpart XXXXXX — Area Source: Nine Metal Fabrication and Finishing Source Categories;
- (wwwww) Subpart YYYYYY — Area Sources: Ferroalloys Production Facilities;
- (xxxxx) Subpart ZZZZZZ — Area Sources: Aluminum, Copper, and Other Nonferrous Foundries;
- (yyyyy) Subpart AAAAAA – Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing;
- (zzzzz) Subpart BBBBBB — Area Sources: Chemical Preparations Industry;
- (aaaaa) Subpart CCCCCC — Area Sources: Paints and Allied Products Manufacturing;
- (bbbbb) Subpart DDDDDD — Area Sources: Prepared Feeds Manufacturing;
- (ccccc) Subpart EEEEEEE — Area Sources: Gold Mine Ore Processing and Production;
- (ddddd) Subpart HHHHHH — Polyvinyl Chloride and Copolymers Production.

Statutory/Other Authority: ORS 468.020
Statutes/Other Implemented: ORS 468A.025

History:
 DEQ 6-2017, f. & cert. ef. 7-13-17
 DEQ 8-2015, f. & cert. ef. 4-17-15
 DEQ 4-2013, f. & cert. ef. 3-27-13
 DEQ 1-2011, f. & cert. ef. 2-24-11
 DEQ 8-2009, f. & cert. ef. 12-16-09
 DEQ 15-2008, f. & cert. ef. 12-31-08

DEQ 2-2006, f. & cert. ef. 3-14-06
DEQ 2-2005, f. & cert. ef. 2-10-05
DEQ 4-2003, f. & cert. ef. 2-06-03
DEQ 15-2001, f. & cert. ef. 12-26-01
DEQ 11-2000, f. & cert. ef. 7-27-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-032-0510, 340-032-5520
DEQ 32-1994, f. & cert. ef. 12-22-94
DEQ 18-1993, f. & cert. ef. 11-4-93
DEQ 18-1998, f. & cert. ef. 10-5-98
DEQ 28-1996, f. & cert. ef. 12-19-96
DEQ 16-1995, f. & cert. ef. 6-21-95

Supporting documents



New and Amended Standards Proposed for EQC Adoption

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption							
Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
New EPA Standards in Bold							
Part 60 – NSPS							
A	General Provisions	12/23/1971	36 FR 24877	6/30/2016	81 FR 42542	8/29/2016	81 FR 59313
						8/30/2016	81 FR 59809
						7/17/2017	82 FR 32646
D	Fossil-Fuel-Fired Steam Generators	6/14/1974	39 FR 20791	2/16/2012	77 FR 9447		
Da	Electric Utility Steam Generating Units	6/11/1979	44 FR 33613	4/6/2016	81 FR 20180		
Db	Industrial-Commercial-Institutional Steam Generating Units	12/16/1987	52 FR 47842	2/16/2012	77 FR 9459		
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	9/12/1990	55 FR 37683	2/16/2012	77 FR 9461		
E	Incinerators	12/23/1971	36 FR 24877	5/10/2006	71 FR 27335		
Ea	Municipal Waste Combustors Constructed After 12/20/89 and on or Before 9/20/94	2/11/1991	56 FR 5507	10/17/2000	65 FR 61753		
Eb	Municipal Waste Combustors Constructed After 9/20/94	12/19/1995	60 FR 65419	5/10/2006	71 FR 27335		
Ec	Hospital/Medical/Infectious Waste Incinerators Constructed After 6/20/96 or Modified After 3/16/98	9/15/1997	62 FR 48382	5/13/2013	78 FR 25187		
F	Portland Cement Plants	12/23/1971	36 FR 24877	7/27/2015	81 FR 44776		
G	Nitric Acid Plants	6/14/1974	39 FR 20794	8/14/2012	77 FR 48445		
Ga	Nitric Acid Plants Constructed, Reconstructed, or Modified After October 14, 2011	8/14/2012	77 FR 48445	5/6/2014	79 FR 25681		
H	Sulfuric Acid Plants	12/23/1971	36 FR 24877	10/17/2000	65 FR 61753		
I	Hot Mix Asphalt Facilities	3/8/1974	39 FR 9314	2/14/1989	54 FR 6667		
J	Petroleum Refineries	3/8/1974	39 FR 9315	12/1/2015	80 FR 75229		
Ja	Petroleum Refineries Constructed, Reconstructed, Modified After 5/14/07	6/24/2008	73 FR 35867	12/1/2015	80 FR 75230	7/13/2016	81 FR 45240
K	Storage Vessels for Petroleum Liquids Constructed, Reconstructed, Modified After 6/11/73 and Prior to 5/19/78	3/8/1974	39 FR 9317	10/17/2000	65 FR 61755		
Ka	Storage Vessels for Petroleum Liquids Constructed, Reconstructed, Modified After 5/18/78 and Prior to 7/23/84	4/4/1980	45 FR 23379	12/14/2000	65 FR 78275		
Kb	Volatile Organic Liquid Storage Vessels Constructed After 7/23/84	4/8/1987	52 FR 11429	10/15/2003	68 FR 59332		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
				Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold						
L	Secondary Lead Smelters	3/8/1974	39 FR 9317	10/17/2000	65 FR 61756		
M	Secondary Brass and Bronze Production Plants	3/8/1974	39 FR 9318	10/17/2000	65 FR 61756		
N	Primary Emissions from Basic Oxygen Process Furnaces Constructed After 6/11/73	3/8/1974	39 FR 9318	10/17/2000	65 FR 61756		
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Furnaces Constructed After 1/20/83	1/2/86	51 FR 161	10/17/2000	65 FR 61756		
O	Sewage Treatment Plants	3/8/1974	39 FR 9319	10/17/2000	65 FR 61756		
P	Primary Copper Smelters	1/15/1976	41 FR 2338	10/17/2000	65 FR 61756		
Q	Primary Zinc Smelters	1/15/1976	41 FR 2340	2/14/1989	54 FR 6668		
R	Primary Lead Smelters	1/15/1976	41 FR 2340	2/14/1989	54 FR 6668		
S	Primary Aluminum Reduction Plants	7/25/1977	42 FR 37937	10/17/2000	65 FR 61757		
T	Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants	8/6/1975	40 FR 33154	8/19/2015	80 FR 50432		
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	8/6/1975	40 FR 33155	8/19/2015	80 FR 50433		
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	8/6/1975	40 FR 33155	8/19/2015	80 FR 50434		
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	8/6/1975	40 FR 33156	8/19/2015	80 FR 50435		
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	8/6/1975	40 FR 33156	8/19/2015	80 FR 50435		
Y	Coal Preparation Plants	1/15/1976	41 FR 2234	10/8/2009	74 FR 51977		
Z	Ferrous Alloy Production Facilities	5/4/1976	41 FR 18501	10/17/2000	65 FR 61758		
AA	Steel Plants: Electric Arc Furnaces Constructed After 10/21/74 and on or Before 8/17/83	9/23/1975	40 FR 43852	2/22/2005	70 FR 8530		
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After 8/7/83	10/31/1984	49 FR 43845	2/22/2005	70 FR 8532		
BB	Kraft Pulp Mills	2/23/1978	43 FR 7572	9/21/2006	71 FR 55127		
BBa	Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commences After May 23, 2013	4/4/2014	79 FR 18966				
CC	Glass Manufacturing Plants	10/7/1980	45 FR 66751	10/17/2000	65 FR 61759		
DD	Grain Elevators	8/3/1978	43 FR 34347	10/17/2000	65 FR 61759		
EE	Surface Coating of Metal Furniture	10/29/1982	47 FR 49287	10/17/2000	65 FR 61759		
GG	Stationary Gas Turbines	9/10/1979	44 FR 52798	6/30/2016	81 FR 42542		
HH	Lime Manufacturing Plants	4/26/1984	49 FR 18080	10/17/2000	65 FR 61760		
KK	Lead-Acid Battery Manufacturing Plants	4/16/1982	47 FR 16573	10/17/2000	65 FR 61760		
LL	Metallic Mineral Processing Plants	2/21/1984	49 FR 6464	10/17/2000	65 FR 61760		
MM	Automobile and Light-Duty Truck Surface Coating Operations	12/24/1980	45 FR 85415	10/17/2000	65 FR 61760		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold						
NN	Phosphate Rock Plants	4/16/1982	47 FR 16589	10/17/2000	65 FR 61760		
PP	Ammonium Sulfate Manufacture	11/12/1980	45 FR 74850	10/17/2000	65 FR 61760		
QQ	Graphic Arts Industry: Publication Rotogravure Printing	11/8/1982	47 FR 50649	10/17/2000	65 FR 61761		
TT	Metal Coil Surface Coating	11/1/1982	47 FR 49612	10/17/2000	65 FR 61761		
UU	Asphalt Processing and Asphalt Roofing Manufacture	8/6/1982	47 FR 34143	10/17/2000	65 FR 61762		
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	10/18/1983	48 FR 48335	6/2/2008	73 FR 31375		
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	11/16/2007	72 FR 64883	6/2/2008	73 FR 31375		
WW	Beverage Can Surface Coating Industry	11/1/1982	48 FR 38737	10/17/2000	65 FR 61763		
XX	Bulk Gasoline Terminals	8/18/1983	48 FR 37590	12/19/2003	68 FR 70965		
BBB	Rubber Tire Manufacturing Industry	9/15/1987	52 FR 34874	6/30/2016	81 FR 42542		
DDD	VOC Emissions from the Polymer Manufacture Industry	12/11/1990	55 FR 51035	6/30/2016	81 FR 42542		
FFF	Flexible Vinyl and Urethane Coating and Printing	6/29/1984	49 FR 26892	10/17/2000	65 FR 61768		
GGG	Equipment Leaks of VOC in Petroleum Refineries	5/30/1984	49 FR 22606	6/2/2008	73 FR 31376		
GGGa	Equipment Leaks of VOC in Petroleum Refineries	11/16/2007	72 FR 64896	6/2/2008	73 FR 31376		
HHH	Synthetic Fiber Production Facilities	4/5/1984	49 FR 13651	10/17/2000	65 FR 61768		
III	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	6/29/1990	55 FR 26922	6/30/2016	81 FR 42542		
JJJ	Petroleum Dry Cleaners	9/21/1984	49 FR 37331	10/17/2000	65 FR 61773		
KKK	Equipment Leaks of VOC from Onshore Natural Gas Processing Plants	6/24/1985	50 FR 26124	8/16/2012	77 FR 49542		
LLL	Onshore Natural Gas Processing; SO ₂ Emissions	10/1/1985	50 FR 40160	6/30/2016	81 FR 42542		
NNN	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations	6/29/1990	55 FR 26942	6/30/2016	81 FR 42542		
OOO	Nonmetallic Mineral Processing Plants	8/1/1985	51 FR 31337	4/28/2009	74 FR 19309		
PPP	Wool Fiberglass Insulation Manufacturing Plants	2/25/1985	50 FR 7699	10/17/2000	65 FR 61778		
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	11/23/1988	53 FR 47623	10/17/2000	65 FR 61778		
RRR	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations	8/31/1993	58 FR 45962	12/14/2000	65 FR 78279		
SSS	Magnetic Tape Coating Facilities	10/3/1988	53 FR 38914	2/12/1999	64 FR 7467		
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	1/29/1988	53 FR 2676	10/17/2000	65 FR 61778		
UUU	Calciners and Dryers in Mineral Industries	9/28/1992	57 FR 44503	10/17/2000	65 FR 61778		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold						
VVV	Polymetric Coating of Supporting Substrates Facilities	9/11/1989	54 FR 37551				
WWW	Municipal Solid Waste Landfills built after May, 1991	3/12/1996	61 FR 9919	9/21/2006	71 FR 55127		
XXX	Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification after July 17, 2014	8/29/2016	81 FR 59368			5/31/2017	82 FR 24879
AAAA	Small Waste Combustion Units	12/6/2000	65 FR 76355				
CCCC	Commercial and Industrial Solid Waste Incineration Units	12/1/2000	65 FR 75350	6/23/2016	81 FR 40970		
EEEE	Other Solid Waste Incineration Units	12/16/2005	70 FR 74892	11/24/2006	71 FR 67806		
IIII	Stationary Compression Ignition Internal Combustion Engines	7/11/2006	71 FR 39172	1/30/2013	78 FR 6695	7/7/2016	81 FR 44219
JJJJ	Stationary Spark Ignition Internal Combustion Engines	1/18/2008	73 FR 3591	1/30/2013	78 FR 6696	8/30/2016	81 FR 59809
KKKK	Stationary Combustion Turbines	7/6/2006	71 FR 38497	6/30/2016	81 FR 42542		
LLLL	Sewage Sludge Incineration Units	3/21/2011	76 FR 15404	5/18/2011	76 FR 28661		
OOOO	Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after Aug. 23, 2011 and on or before Sep. 18, 2015	9/12/2012	77 FR 49542	6/30/2016	81 FR 42542		
OOOOa	Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015	6/3/2016	81 FR 35898			6/5/2017	82 FR 25733
TTTT	Greenhouse Gas Emissions for Electric Generating Units	10/23/2015	80 FR 64648				
PART 61 – NESHAP							
A	General Provisions	4/6/1973	38 FR 8826	4/21/2015	80 FR 22115		
B	Radon Emissions from Underground Storage Tanks	12/15/1989	54 FR 51694				
C	Beryllium	4/6/1973	38 FR 8826	11/7/1985	50 FR 46294		
D	Beryllium Rocket Motor Firing	4/6/1973	38 FR 8826	11/7/1985	50 FR 46294		
E	Mercury	4/6/1973	38 FR 8826	9/23/1988	53 FR 36972		
F	Vinyl Chloride	10/21/1976	41 FR 46564	12/23/1992	57 FR 60999		
I	Radionuclide Emissions from Federal Facilities Other than Nuclear Regulatory Commission Licensee and Not Covered by Subpart H	12/15/1989	54 FR 51697	12/30/1996	61 FR 68981		
J	Equipment Leaks (Fugitive Emission Sources) of Benzene	6/6/1984	49 FR 23513	12/14/2000	65 FR 78280		
L	Benzene Emissions from Coke By-Product Recovery Plants	9/14/1989	54 FR 38073	2/12/1999	64 FR 7467		
N	Inorganic Arsenic Emissions from Glass Manufacturing Plants	8/4/1986	51 FR 28025	2/12/1999	64 FR 7467		
O	Inorganic Arsenic Emissions from Primary Copper Smelters	8/4/1986	51 FR 28029	5/31/1990	55 FR 22027		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
P	Inorganic Arsenic Emissions from Arsenic Trioxide and Metal Arsenic Facilities	8/4/1986	51 FR 28033	10/3/1986	51 FR 35355		
V	Equipment Leaks (Fugitive Emission Sources)	6/6/1984	49 FR 23513	12/14/2000	65 FR 78280		
Y	Benzene Emissions from Benzene Storage Vessels	9/14/1989	54 FR 38077	12/14/2000	65 FR 78283		
FF	Benzene Waste Operations	3/7/1990	55 FR 8346	12/4/2003	68 FR 67935		
PART 63 – NESHAP							
A	General Provisions	3/16/1994	59 FR 12430	12/4/2015	80 FR 75817	8/30/2016	81 FR 59825
						1/18/2017	82 FR 5407
						10/11/2017	82 FR 47347
						10/16/2017	82 FR 48178
F	Synthetic Organic Chemical Manufacturing Industry (SOCMI)	4/22/1994	59 FR 19454	12/21/2006	71 FR 76614		
G	SOCMI - Process Vents, Storage Vessels, Transfer Operations, and Wastewater	4/22/1994	59 FR 19468	12/22/2008	73 FR 78213		
H	SOCMI - Equipment Leaks	4/22/1994	59 FR 19568	12/22/2008	73 FR 78213		
I	Certain Processes Subject to the Negotiated Regulations for Equipment Leaks	4/22/1994	59 FR 19587	6/23/2003	68 FR 37345		
J	Polyvinyl Chloride and Copolymers Production	7/10/2002	67 FR 45892				
L	Coke Oven Batteries	10/27/1993	58 FR 57911	4/20/2006	70 FR 20456		
M	Perchloroethylene Dry Cleaning	9/22/1993	58 FR 49376	7/11/2008	73 FR 39874		
N	Hard and Decorative Chromium Electroplating and Chromium Anodizing	1/25/1995	60 FR 4963	4/21/2015	80 FR 22116		
O	Ethylene Oxide Sterilization	12/6/1994	59 FR 62589	12/19/2005	70 FR 75345		
Q	Industrial Process Cooling Towers	9/8/1994	59 FR 46350	4/7/2006	71 FR 17738		
R	Gasoline Distribution Facilities	12/14/1994	59 FR 64318	12/22/2008	73 FR 78213		
S	Pulp and Paper Industry	4/15/1998	63 FR 18616	9/11/2012	77 FR 55710		
T	Halogenated Solvent Cleaning	12/2/1994	59 FR 61805	5/3/2007	72 FR 25157		
U	Group I Polymers and Resins	9/5/1996	61 FR 46924	12/22/2008	73 FR 78213		
W	Epoxy Resins Production and Non-Nylon Polyamides Production	3/8/1995	60 FR 12676	4/20/2006	70 FR 20457		
X	Secondary Lead Smelting	6/23/1995	60 FR 32594	1/3/2014	79 FR 371		
Y	Marine Tank Loading Operations	9/15/1995	60 FR 48399	12/1/2015	80 FR 75237		
AA	Phosphoric Acid Manufacturing	6/10/1999	64 FR 31376	8/19/2015	80 FR 50436	9/28/2017	82 FR 45199
BB	Phosphate Fertilizer Production	6/10/1999	64 FR 31382	8/19/2015	80 FR 50450		
CC	Petroleum Refineries	8/18/1995	60 FR 43260	12/1/2015	80 FR 75237	7/13/2016	81 FR 45241
DD	Off-Site Waste and Recovery	7/1/1996	61 FR 34158	3/18/2015	80 FR 14271		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold						
EE	Magnetic Tape Manufacturing	12/15/1994	59 FR 64596	6/23/2003	68 FR 37352		
GG	Aerospace Manufacturing and Rework	9/1/1995	60 FR 45956	12/7/2015	80 FR 76179	8/3/2016	81 FR 51116
HH	Oil and Natural Gas Production	6/17/1999	64 FR 32628	8/16/2012	77 FR 49568		
II	Shipbuilding and Ship Repair (Surface Coating)	12/15/1995	60 FR 64336	11/21/2011	76 FR 72068		
JJ	Wood Furniture Manufacturing	12/7/1995	60 FR 62936	6/23/2003	68 FR 37353		
KK	Printing and Publishing	5/30/1996	61 FR 27140	5/24/2006	71 FR 29799		
LL	Primary Aluminum Reduction	10/7/1997	62 FR 52407	10/15/2015	80 FR 62414		
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills	1/12/2001	66 FR 3193	4/20/2006	70 FR 20458	10/11/2017	82 FR 47347
NN	Area Sources: Wool Fiberglass Manufacturing	7/29/2015	80 FR 45325	7/29/2015	80 FR 45325		
OO	Tanks - Level 1	7/1/1996	61 FR 34184	6/23/2003	68 FR 37354		
PP	Containers	7/1/1996	61 FR 34186	6/23/2003	68 FR 37355		
QQ	Surface Impoundments	7/1/1996	61 FR 34190	6/23/2003	68 FR 37355		
RR	Individual Drain Systems	7/1/1996	61 FR 34193	6/23/2003	68 FR 37355		
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	6/29/1999	64 FR 34866	4/20/2006	70 FR 20458		
TT	Equipment Leaks - Control Level 1	6/29/1999	64 FR 34886	7/12/2002	67 FR 46278		
UU	Equipment Leaks - Control Level 2	6/29/1999	64 FR 34899	7/12/2002	67 FR 46279		
VV	Oil-Water Separators and Organic-Water Separators	7/1/1996	61 FR 34195	6/23/2003	68 FR 37355		
WW	Storage Vessels (Tanks) - Control Level 2	6/29/1999	64 FR 34918	7/12/2002	67 FR 46279		
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations	7/12/2002	67 FR 46271	4/13/2005	70 FR 19271		
YY	Generic MACT	6/29/1999	64 FR 34921	10/8/2014	79 FR 60922		
CCC	Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants	6/22/1999	64 FR 33218	4/20/2006	70 FR 20459		
DDD	Mineral Wool Production	6/1/1999	64 FR 29503	7/29/2015	80 FR 45329		
EEE	Hazardous Waste Combustors	6/19/1998	63 FR 33820	10/28/2008	73 FR 64094		
GGG	Pharmaceuticals Production	9/21/1998	63 FR 50326	12/22/2008	73 FR 78214		
HHH	Natural Gas Transmission and Storage Facilities	6/17/1999	64 FR 32647	8/16/2012	77 FR 49584		
III	Flexible Polyurethane Foam Production	10/7/1998	63 FR 53996	8/15/2014	79 FR 48086		
JJJ	Group IV Polymers and Resins	9/12/1996	61 FR 48229	3/27/2014	79 FR 17363		
LLL	Portland Cement Manufacturing	6/14/1999	64 FR 31925	9/11/2015	80 FR 54729	7/25/2016	81 FR 48359
						6/23/2017	82 FR 28565

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold					8/22/2017	82 FR 39673
MMM	Pesticide Active Ingredient Production	6/23/1999	64 FR 33589	3/27/2014	79 FR 17371		
NNN	Wool Fiberglass Manufacturing	6/14/1999	64 FR 31708	4/20/2006	71 FR 20460	7/27/2017	82 FR 34861
						10/24/2017	82 FR 49132
						12/26/2017	82 FR 60873
OOO	Manufacture of Amino/Phenolic Resins	1/20/2000	65 FR 3290	10/8/2014	79 FR 60929		
PPP	Polyether Polyols Production	6/1/1999	64 FR 29439	3/27/2014	79 FR 17376		
QQQ	Primary Copper	6/12/2002	67 FR 40491	4/20/2006	71 FR 20461		
RRR	Secondary Aluminum Production	3/23/2000	65 FR 15689	6/13/2016	81 FR 38087		
TTT	Primary Lead Smelting	6/4/1999	64 FR 30204	11/15/2011	76 FR 70852		
UUU	Petroleum Refineries-Catalytic Cracking, Catalytic Reforming & Sulfur Recovery	4/11/2002	67 FR 17773	12/1/2015	80 FR 75273	7/13/2016	81 FR 45243
VVV	Publicly Owned Treatment Works	10/26/1999	64 FR 57579	12/22/2008	73 FR 78215	10/26/2017	82 FR 49525
XXX	Ferrous Alloys Production: Ferromanganese and Silicomanganese	5/20/1999	64 FR 27458	6/30/2015	80 FR 37390	1/18/2017	82 FR 5408
AAAA	Municipal Solid Waste Landfills	1/16/2003	68 FR 2238	4/20/2006	71 FR 20462		
CCCC	Manufacturing Nutritional Yeast	5/21/2001	66 FR 27884	4/20/2006	71 FR 20462	10/16/2017	82 FR 48178
DDDD	Plywood and Composite Wood Products	7/30/2004	69 FR 46011	10/29/2007	72 FR 61062		
EEEE	Organic Liquids Distribution (non-gasoline)	2/3/2004	69 FR 5063	12/22/2008	73 FR 78215		
FFFF	Misc. Organic Chemical Production and Processes (MON)	11/10/2003	68 FR 63888	12/22/2008	73 FR 78216		
GGGG	Solvent Extraction for Vegetable Oil Production	4/12/2001	66 FR 19011	4/20/2006	71 FR 20463		
HHHH	Wet Formed Fiberglass Mat Production	4/11/2002	67 FR 17835	4/20/2006	71 FR 20464		
IIII	Auto and Light Duty Trucks (Surface Coating)	4/26/2004	69 FR 22623	4/24/2007	72 FR 20233		
JJJJ	Paper & Other Web (Surface Coating)	12/4/2002	67 FR 72341	5/24/2006	71 FR 29805		
KKKK	Metal Can (Surface Coating)	11/23/2003	68 FR 64446	4/20/2006	71 FR 20465		
MMMM	Misc. Metal Parts and Products (Surface Coating)	1/2/2004	69 FR 157	12/22/2006	71 FR 76927		
NNNN	Large Appliances (Surface Coating)	7/23/2002	67 FR 48262	4/20/2006	71 FR 20465		
OOOO	Fabric Printing, Coating and Drying	5/29/2003	68 FR 32189	5/24/2006	71 FR 29805		
PPPP	Plastic Parts (Surface Coating)	4/19/2004	69 FR 20990	4/24/2007	72 FR 20237		
QQQQ	Wood Building Products (Surface Coating)	5/28/2003	68 FR 31760	4/20/2006	71 FR 20465		
RRRR	Metal Furniture (Surface Coating)	5/23/2003	68 FR 28619	4/20/2006	71 FR 20466		
SSSS	Metal Coil	6/10/2002	67 FR 39812	3/17/2003	68 FR 12592		
TTTT	Leather Finishing Operations	2/27/2002	67 FR 9162	2/7/2005	70 FR 6360		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
	New EPA Standards in Bold						
UUUU	Cellulose Production Manufacturing	6/11/2002	67 FR 40055	12/22/2008	73 FR 78213		
VVVV	Boat Manufacturing	8/22/2001	66 FR 44232	10/3/2001	66 FR 50504		
WWWW	Reinforced Plastics Composites Production	4/21/2003	68 FR 19402	4/20/2006	71 FR 20466		
XXXX	Tire Manufacturing	7/9/2002	67 FR 45598	4/20/2006	71 FR 20466		
YYYY	Combustion Turbines	3/5/2004	69 FR 10537	4/20/2006	71 FR 20467		
ZZZZ	Stationary Reciprocating Internal Combustion Engines	6/15/2004	69 FR 33506	3/6/2013	78 FR 14457		
AAAAA	Lime Manufacturing	1/5/2004	69 FR 416	4/20/2006	71 FR 20467		
BBBBB	Semiconductor Manufacturing	5/22/2003	68 FR 27925	7/22/2008	73 FR 42532		
CCCCC	Coke Oven: Pushing, Quenching & Battery Stacks	4/14/2003	68 FR 18025	4/20/2006	71 FR 20467		
DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	3/21/11	76 FR 15664	11/20/2015	80 FR 72807		
EEEEE	Iron and Steel Foundries	4/22/2004	69 FR 21923	2/7/2008	73 FR 7218		
FFFFF	Integrated Iron & Steel	5/20/2003	68 FR 27663	7/13/2006	71 FR 39585		
GGGGG	Site Remediation	10/8/2003	68 FR 58190	12/22/2008	73 FR 78216		
HHHHH	Misc. Coating Manufacturing	12/11/2003	68 FR 69185	12/22/2008	73 FR 78217		
IIIII	Mercury Cell Chlor-Alkali Plants	12/19/2003	68 FR 70928	4/20/2006	71 FR 20469		
JJJJJ	Brick and Structural Clay Products Manufacturing	5/16/2003	68 FR 26722				
KKKKK	Clay Ceramics Manufacturing	5/16/2003	68 FR 26738	12/4/2015	80 FR 65543		
LLLLL	Asphalt Processing & Asphalt Roofing Manufacturing	4/29/2003	68 FR 22991	4/20/2006	71 FR 20649		
MMMMM	Flexible Polyurethane Foam Fabrication Operations	4/14/2003	68 FR 18070	4/20/2006	71 FR 20470		
NNNNN	Hydrochloric Acid Production	4/17/2003	68 FR 19090	4/20/2006	71 FR 20470		
PPPPP	Engine Test Cells/Standards	5/27/2003	68 FR 28785	4/20/2006	71 FR 20470		
QQQQQ	Friction Products Manufacturing	10/18/2002	67 FR 64507	4/20/2006	71 FR 20470		
RRRRR	Taconite Iron Ore Processing	10/30/2003	68 FR 61888	4/20/2006	71 FR 20470		
SSSSS	Refractories Products Manufacturing	4/16/2003	68 FR 18747	4/20/2006	71 FR 20471		
TTTTT	Primary Magnesium Refining	10/10/2003	68 FR 58620	4/20/2006	71 FR 20471		
UUUUU	Coal- and Oil-Fired Electric Utility Steam Generating Units	2/16/2012	77 FR 9464	4/6/2016	80 FR 20180	4/6/2017	82 FR 16739
WWWWW	Area Sources: Hospital Ethylene Oxide Sterilizers	12/28/2007	72 FR 73623				
YYYYY	Area Sources: Electric Arc Furnace Steelmaking Facilities	12/28/2007	72 FR 74111	6/24/2015	80 FR 36247		
ZZZZZ	Area Sources: Iron and Steel Foundries	1/20/2008	73 FR 252				
BBBBBB	Area Sources: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	1/10/2008	73 FR 1934	1/24/2011	76 FR 4176		

New and Amended NESHAPs/NSPSs Proposed for EQC Adoption

Subpart	Source Category New EPA Standards in Bold	EPA Promulgated		Last EPA Revision Adopted by EQC (before 7/1/2016)		Subsequent EPA Revisions Proposed for EQC Adoption	
		Date	FR Citation	Date	FR Citation	Date	FR Citation
DDDDDD	Area Sources: Polyvinyl Chloride and Copolymers Production	1/23/2007	72 FR 2943	2/4/2015	80 FR 5940		
EEEEEE	Area Sources: Primary Copper Smelting	1/23/2007	72 FR 2944	7/3/2007	72 FR 36367		
FFFFFF	Area Sources: Secondary Copper Smelting	1/23/2007	72 FR 2952	7/3/2007	72 FR 36367		
JJJJJJ	Area Sources: Industrial, Commercial, and Institutional Boilers	3/21/11	76 FR 15591	2/1/2013	78 FR 7506	9/14/2016	81 FR 63125
LLLLLL	Area Sources: Acrylic and Modacrylic Fibers Production	7/16/2007	72 FR 38899	3/26/2008	73 FR 15928		
MMMMMM	Area Sources: Carbon Black Production	7/16/2007	72 FR 38904	3/26/2008	73 FR 15928		
NNNNNN	Area Sources: Chemical Manufacturing: Chromium Compounds	7/16/2007	72 FR 38905	3/26/2008	73 FR 15928		
OOOOOO	Area Sources: Flexible Polyurethane Production and Fabrication	7/16/2007	72 FR 38910	3/26/2008	73 FR 15928		
PPPPPP	Area Sources: Lead Acid Battery Manufacturing	7/16/2007	72 FR 38913	3/26/2008	73 FR 15929		
QQQQQQ	Area Sources: Wood Preserving	7/16/2007	72 FR 38915	3/26/2008	73 FR 15929		
RRRRRR	Area Sources: Clay Ceramics Manufacturing	12/26/2007	72 FR 73197				
SSSSSS	Area Sources: Glass Manufacturing	12/26/2007	72 FR 73201				
TTTTTT	Area Sources: Secondary Nonferrous Metals Processing	12/26/2007	72 FR 73207				
VVVVVV	Area Sources: Chemical Manufacturing	10/29/2009	74 FR 56041	12/21/2012	77 FR 75756		
WWWWWW	Area Sources: Plating and Polishing Operations	7/1/2008	73 FR 37741	9/19/2011	76 FR 57919		
XXXXXX	Area Sources: Nine Metal Fabrication and Finishing	7/23/2008	73 FR 43000				
YYYYYY	Area Sources: Ferroalloys Production	12/23/2008	73 FR 78644				
ZZZZZZ	Area Sources: Aluminum, Copper, and Other Nonferrous Foundries	6/25/2009	74 FR 30393	9/10/2009	74 FR 46495		
AAAAAAA	Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing	12/2/2009	74 FR 63260	3/18/2010	75 FR 12989		
BBBBBBB	Area Sources: Chemical Preparations	12/30/2009	74 FR 69208				
CCCCCCC	Area Sources: Paints and Allied Products Manufacturing	12/3/2009	74 FR 63525	6/3/2010	75 FR 31320		
DDDDDDD	Area Sources: Prepared Feeds Manufacturing	1/5/2010	75 FR 546	12/23/2011	76 FR 80265		
EEEEEEE	Area Sources: Gold Mine Ore Processing and Production	2/17/2011	76 FR 9480				
HHHHHHH	Polyvinyl Chloride and Copolymers Production	4/17/2012	77 FR 22907				