



Air Quality Permit Updates 2022

Draft Proposed Rule Changes – Crosswalk of Typo and Clarification Changes

Division	Rule	Suggested change	Reason/Issues	SIP
200		General Air Pollution Procedures and Definitions		
200	0020(22)	Change to: (22) "Carbon dioxide equivalent" or "CO ₂ e" means an amount of a greenhouse gas or gases expressed as the equivalent amount of carbon dioxide, and is be computed by multiplying the mass of each of the greenhouse gases by the global warming potential published for each gas at 40 C.F.R. part 98, subpart A, Table A-1-Global Warming Potentials, and adding the resulting value for each greenhouse gas to compute the total equivalent amount of carbon dioxide.	Correction.	SIP
	0020(63)	Change to: (63) "Excess emissions" means emissions in excess of an applicable requirement , a permit or permit attachment limit, in excess of a risk limit under OAR chapter 340, division 245, or in violation of any applicable air quality rule.	Clarification. If for any reason, an applicable requirement is not included in a permit (e.g., if a new rule is promulgated by EPA but not yet included in the permit; the rule was mistakenly omitted; the source is not permitted, etc.), excess emissions could occur if emissions were in excess of the applicable requirement. It may not necessarily be a violation of the applicable requirement, especially if the applicable requirement defines when a violation occurs.	SIP
200	0020(73)	Change to: (73) (a) "Greenhouse gases" or "GHGs" means the aggregate group of the following six gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Each gas is also individually a greenhouse gas: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and other fluorinated greenhouse gases or fluorinated GHG as defined in 40 C.F.R. part 98.	Correction. Align the definition of greenhouse gases with the definition in division 215 Oregon Greenhouse Gas Reporting Program	SIP
200	0020(84)	Change to: “(84) "Late payment" means a fee payment which is postmarked received after the due date.”	Correction. Your DEQ Online and the US Bank Lockbox will not account for postmarked dates so it needs to be the received date.	SIP
200	0020(91)	Change to: (b) As used in OAR 340 division 210, Stationary Source Notification Requirements; OAR 340 division 218, Oregon Title V Operating Permits; OAR 340 division 220, Oregon Title V Operating Permit Fees; OAR 340-216-0066 , Standard ACDPs; and OAR 340	Correction. The Compliance Assurance Monitoring rules in division 212 apply only to major sources.	SIP

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		<p>division 236, Emission Standards for Specific Industries; and Compliance Assurance Monitoring, 340-212-0200 through 0280, means any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties and are under common control of the same person or persons under common control belonging to a single major industrial grouping or supporting the major industrial group and that is described in paragraphs (A), (B), or (C). For the purposes of this subsection, a stationary source or group of stationary sources is considered part of a single industrial grouping if all of the regulated pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same major group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual (U.S. Office of Management and Budget, 1987) or support the major industrial group.</p>		
200	0020(124)	<p>Change to: (b) The maximum allowable regulated pollutant emissions taking into consideration any physical or operational limitation, including use of control devices and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, if the limitation is enforceable by the U.S. EPA Administrator.</p>	Clarification	SIP
200	0020(134)	<p>Change to: (c) As used in OAR 340 division 222, Plant Site Emission Limits and division 224, New Source Review, regulated pollutant does not include any pollutant listed in OAR 340 divisions 244 and 246 or 247.</p>	Correction. Hazardous Air Pollutants are regulated pollutants for division 222, Plant Site Emission Limits, because PSELS are used to set synthetic minor limits for HAPs in order for a source to avoid being a major HAP source. Toxic Air Contaminants are not regulated air pollutants for Plant Site Emission Limits or New Source Review.	SIP
200	0020(161)	<p>Change to: (k) Inorganic Fluorides compounds, excluding hydrogen fluoride, (as measured by EPA method 13A or 13B) = 3 tons per year.</p>	<p>Clarification. Aligning DEQ's definition with EPA's definition. 40 CFR 60.191 Definitions. Total fluorides means elemental fluorine and all fluoride compounds as measured by reference methods specified in §60.195 or by equivalent or alternative methods (see §60.8(b)). In addition, 67 FR 80240 states that the pollutants regulated under the Act are subject to Federal PSD review and permitting requirements include fluorides (excluding hydrogen fluoride).</p>	SIP
200	0020(161)	<p>Change to: (u) For the Medford-Ashland Air Quality Maintenance Area, the SER for PM10 is defined as <u>5.0</u> tons per year on an annual basis and 50.0 pounds per day on a daily basis.</p>	Correction. When Table 2 containing SERs was pulled into the text in the 2013 rulemaking, the annual SER for the Medford-Ashland Air Quality Maintenance Area was not incorporated correctly.	SIP

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200	0020(161)	(161) "Significant emission rate" or "SER," except as provided in subsections (v) and (w), means an emission rate equal to or greater than the rates specified for the regulated pollutants below: (v) For regulated pollutants not listed in subsections (a) through (u), the SER is zero unless DEQ determines the rate that constitutes a SER.	Correction. This DEQ discretion is not allowed by the EPA.	SIP
200	0020(163)	Change the definition of Significant Impact Level to: (163) "Significant impact level" or "SIL" means the ambient air quality concentrations listed below. The threshold concentrations listed below are used for comparison against the ambient air quality standards and PSD increments established under OAR 340 division 202, but do not apply for protecting air quality related values, including visibility. (a) For Class I areas: (A) PM2.5: (i) Annual = 0.06 µg/m3. (ii) 24-hour = 0.07 µg/m3. (B) PM10: (i) Annual = 0.20 µg/m3. (ii) 24-hour = 0.30 µg/m3. (b) For Class II areas: (A) PM2.5: (i) Annual = 0.3 µg/m3. (ii) 24-hour = 1.2 µg/m3. (B) PM10: (i) Annual = 0.20 µg/m3. (ii) 24-hour = 1.0 µg/m3. (c) For Class III areas: (A) PM2.5: (i) Annual = 0.3 µg/m3. (ii) 24-hour = 1.2 µg/m3. (B) PM10: (i) Annual = 0.20 µg/m3. (ii) 24-hour = 1.0 µg/m3.	Correction. The annual National Ambient Air Quality Standard for PM ₁₀ was revoked in 2006 so PM ₁₀ annual SILs are no longer needed.	SIP
200	0020(191)(a)	Change to: (a) VOC <u>This</u> includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity:	Clarification.	SIP
200	0020(191)(a)	Add: (III) cis-1,1,1,4,4,4-hexafluorobut-2-ene (also known as HFO-1336mzz-Z).	Correction. On November 16, 2018 - EPA added cis-1,1,1,4,4,4-hexafluorobut-2-ene (also known as HFO-1336mzz-Z) to the list of compounds excluded from the regulatory definition of volatile organic compounds or VOC. Evidence shows that HFO 1336mzz-Z is negligibly reactive in forming ground-level ozone. This action will allow states to	SIP

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			remove regulatory controls on HFO-1336mzz-Z that are part of State Implementation Plans designed to help meet the ground-level ozone standards. HFO-1336mzz-Z is used in a variety of applications as a replacement for foam expansion or blowing agents.	
200	0020(191)(b)	Change to: (b) For purposes of determining compliance with emissions limits, VOC will be measured by an applicable reference-test method in the DEQ Source Sampling Manual referenced in OAR 340-200-0035. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and DEQ approves the exclusion.	Correction. The definition of “reference method” is defined as any method of sampling and analyzing for a regulated pollutant as specified in 40 C.F.R. part 52, 60, 61 or 63. The Source Sampling Manual adopts EPA reference methods by reference. Not all methods in the Source Sampling Manual are EPA reference methods.	SIP
200	0020(191)(c)	Change to: (c) <u>When considering a requested exclusion of negligibly-reactive compounds under subsection (b)</u> , DEQ may require an owner or operator to provide monitoring or testing methods and results <u>that demonstrating</u> , to DEQ's satisfaction, the amount of negligibly-reactive compounds in the source's emissions.	Clarification.	SIP
200	0020(191)	Delete: (d) The following compounds are VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and must be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t butyl acetate.	Correction. On February 25, 2016 - EPA amended its regulatory definition of volatile organic compounds under the Clean Air Act. The regulatory definition of VOC currently excludes t-butyl acetate (also known as tertiary butyl acetate or TBAC; CAS Number: 540-88-5) for purposes of VOC emissions limitations or VOC content requirements on the basis that it makes a negligible contribution to tropospheric ozone formation. However, the current definition includes TBAC as a VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC. The EPA action removes the recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements related to the use of TBAC as a VOC. There is no evidence that TBAC is being used at levels that would cause concern for ozone formation. Additionally, the EPA believes these requirements, which are unique among all VOC-exempt compounds, are of limited utility because they do not provide sufficient information to judge the cumulative impacts of exempted compounds, and because the data have not been consistently collected and reported. Because these requirements are not addressing any of the concerns as they were intended, the EPA is removing the requirements for	SIP

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			TBAC to relieve industry and states of the associated information collection burden.	
200	0025(106)	Change to: (106) "SKATS" means Salem- Kaiser Keizer Area Transportation Study.	Correction.	SIP
		Change to: (1) "C.F.R." means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2021 0 edition.	Correction. Update to the latest version of the CFR	SIP
200	0035(3)	Change to: (3) The DEQ Continuous Monitoring Manual refers to the April March 2015 edition.	Correction.	
200	0040(2)	Change to: (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 19, 2021 November XX, 2022 .	Correction. Change the SIP submittal date to the latest EQC adoption date.	SIP
204		Designation of Air Quality Areas		
204	0300	Change SIP Note: NOTE: This rule, except sections (2), (3) and (4) , is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.	Correction. The designation of sustainment areas determines which rules are implemented in that area and as such, must be part of the SIP.	SIP
204	0310	Change SIP Note: NOTE: This rule, except sections (2) and (3) , is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.	Correction. The designation of attainment areas determines which rules are implemented in that area and as such, must be part of the SIP.	SIP
206		Air Pollution Emergencies		
206	0010	OAR 340-206-0030, 340-206-0050 and 340-206-0060 are effective within priority I and II air quality control regions (AQCR) as defined in 40 CFR part 51, subpart H (1995), when the AQCR contains an AQMA as defined in OAR 340-204-0010 , and a nonattainment area listed in 40 CFR part 81.	Correction. AQMAs was added to OAR 340-206-0050 Source Emission Reduction Plans as areas where SERPs are required. AQMA was not added to OAR 340-206-0010 Introduction which states where the rules are effective.	SIP
208		Visible Emissions and Nuisance Requirements		
208	0110(3)	Change to: (3) For all emission units sources, including wood-fired boilers installed, constructed, or modified on or after April 16, 2015, other than wood-fired boilers, installed, constructed or modified prior to June 1, 1970: (a) If located outside a special control area, no person may emit or allow to be emitted any visible emissions that equal or exceed : (A) An average of 40 percent opacity through December 31, 2019; and	Simplification. The Dec. 31, 2019 date is past so the rule language is no longer needed and all sources can be addressed in section (3), keeping the exceptions in the original section (4).	SIP

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		(B) An average of 20 percent opacity on and after January 1, 2020, except as allowed under subsection (a) or (b). (b) If located inside a special control area, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.		
208	0110(4)	Delete: (4) For sources, other than wood-fired boilers, installed, constructed, or modified on or after June 1, 1970, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.	Simplification. The Dec. 31, 2019 date is past so that rule language is no longer needed.	SIP
208	0110(5)	Change to: (a) An average of 40 percent opacity through December 31, 2019, with the exception that visible emissions may equal or exceed an average of 40 percent opacity for up to two independent six-minute blocks in any hour, as long as the average opacity during each of these two six-minute blocks is less than 55 percent. (b) An average of 20 percent opacity except as allowed under paragraph (A), (B), or (C) on or after January 1, 2020, with one or more of the following exceptions:	Simplification. The Dec. 31, 2019 date is past so that rule language is no longer needed.	SIP
208	0110(6)	Change to: (b) For wood-fired boilers installed, constructed, or modified on or after June 1, 1970 but before April 16, 2015, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity with the exception that visible emissions may equal or exceed an average of 20 percent opacity for up to two independent six-minute blocks in any hour, as long as the average opacity during each of these two six-minute blocks is less than 40 percent.	Simplification and clarification. This language is incorporated in subsection (3)(b).	SIP
208	0110(7)	Delete: (7) For all wood-fired boilers installed, constructed, or modified after April 16, 2015, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.	Simplification and clarification. This language is incorporated in section (3).	SIP
208	0510(1)	Change to: (1) The requirements contained in OAR 340-208-0510 through 340-208-0610 apply to all activities conducted in Clackamas, Columbia, Multnomah, and Washington Counties, other than those except for activities for which specific industrial standards have been adopted (under OAR 340, Divisions 230, 234, 236, and 238, and 244), and except for the reduction of animal matter, 340-236-0310(1) and (2).	Correction and clarification. Division 244 OREGON FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM contains National Emission Standards for Hazardous Air Pollutants (NESHAP), which are specific industrial standards, so should be included here when those rules were adopted. The exception for the reduction of animal matter is already included since all of division 236 is listed.	SIP

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208	0610	Change to : (1) Is a function of maximum heat input as determined from Figure 1, except that from existing fuel burning equipment <u>installed or constructed on or before June 2, 1980, and not modified after that date</u> , utilizing wood residue, it is 0.20 grain <u>per standard cubic foot of exhaust, corrected to 12 percent carbon dioxide</u> , and from new fuel burning equipment <u>installed, constructed, or modified after June 1, 1970</u> utilizing wood residue, it is 0.10 grain per standard cubic foot of exhaust gas, corrected to 12 percent carbon dioxide;	Correction. DEQ added significant figures to all grain loading limits during the 2015 rulemaking but overlooked this rule. When the rules were changed in 2015, the definition of “new source” [(6) "New source" means, for purposes of OAR 340-208-0110, any air contaminant source installed, constructed, or modified after June 1, 1970.] was removed and included in the text of the rules. OAR 340-208-0610 refers to existing fuel burning equipment and new fuel burning equipment, which are no longer defined. Even though the definition of “New source” only referred to OAR 340-208-0110, since it was included in division 208, it would apply to all of the rules in division 208. Therefore, this correction is added to OAR 340-208-0610(1).	SIP
210		Stationary Source Notification Requirements		
210	0100(2)	Change to: (2) The owner or operator of an air contaminant source listed in subsection (2)(a) that is certified through a DEQ approved environmental certification program, <u>as provided in subsection (b)</u> , and <u>that is</u> subject to an Area Source NESHAP may register the source with DEQ pursuant to OAR 340-210-0110 through 340-210-0120 in lieu of obtaining a permit according to with OAR 340-216-0020, unless DEQ determines that the source has not complied with the requirements of the environmental certification program. <u>A source registered under this section must pay fees as provided in subsection (c), is subject to termination for failure to pay fees as provided in subsection (d), and must keep records as provided in subsection (e).</u>	Clarification.	SIP
210	0100(2)	Change to: (c) Fees. In order to obtain and maintain registration, owners and operators of sources registered pursuant to this section must pay the following annual <u>registration fees in OAR 340-216-8020 Table 2</u> by March 1 of each year.± (A) Motor vehicle surface coating operations — \$288.00. (B) Dry cleaners using perchloroethylene — \$216.00. (C) Late fees. (i) 8–30 days late: 5% of annual fee. (ii) 31–60 days late: 10% of annual fee. (iii) 61 or more days late: 20% of annual fee.	Clarification. Move fees to OAR 340-216-8020 Table 2. Have all the fees in the same table.	SIP
210	0100(3)	Change to: (3) The owner or operator of an air contaminant source that is subject to a federal NSPS or NESHAP in 40 CFR part 60 or 40 CFR part <u>63</u> and that is not located at a source that is required to obtain a permit under OAR 340 division 216 (Air Contaminant Discharge	Correction. NESHAPs are included in 40 CFR part 63.	SIP

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		Permits) or OAR 340 division 218 (Oregon Title V Operating Permits), must register and maintain registration with DEQ pursuant to OAR 340-210-0110 through 340-210-0120 if requested in writing by DEQ (or by EPA at DEQ's request).		
210	0205(1)(c)	Change to: (c) All sources that use air pollution control devices to comply with emissions limits, or to avoid the requirement to obtain an Oregon Title V Operating Permit (OAR 340 division 218) or Major NSR or Type A State NSR (OAR 340 division 224) requirements, or MACT standards (OAR 340 division 244).	Correction. This conflicts with 210-0215(3) which requires NCs for all pollution control devices.	SIP
210	0205	Add: (3) OAR 340-210-0200 through 340-210-0250 apply to Title V sources under OAR 340-218-0190 but are called Notices of Approval. NOTE: This rule, with the exception of section (3) , is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.	Clarification. The rules in OAR 340-210-0200 through 340-210-0250 call them Notice of Intent to Construct (NCs). Division 218 refers to them as Notice of Approval. The Title V rules are not part of the SIP.	NOT SIP
210	0215(3)	Change to: (3) Air Pollution Control Devices. No person is allowed to construct or modify make a physical change or change in operation of any air pollution control device without first notifying DEQ in writing.	Clarification. DEQ does not define “modify” but only defines “modification.” Change the rule language to “make a physical change or change in operation of” to be consistent with section (2).	SIP
210	0230(1)	Change to: (1) Any person proposing a Type 1 or 2 change must provide notice and applicable fees in OAR 340-216-8020 to DEQ before constructing or modifying a stationary source or air pollution control device. The notice must be in writing on a paper or electronic form supplied by DEQ and include the following information as applicable:	Clarification. Provide for electronic forms submittals.	
210	0230(1)(o)	Change to: (o) (A) Land Use Compatibility Statement(s) signed by the applicable local (city or county) planning or jurisdiction(s) , either approving or disapproving construction or modification to the source if required by the local planning agency jurisdiction . Applications and construction notices that receive a disapproved LUCS will not be approved by DEQ. (B) If the local planning jurisdiction does not require approval or disapproval or declines review of the application or construction notice, the owner or operator must provide DEQ with its own analysis to demonstrate that the application or construction notice complies with all statewide planning goals and provisions of the local jurisdiction's acknowledged comprehensive plan and land use regulations.	Clarification. DEQ would not accept an application for a source if an approved Land Use Compatibility Statement was not included for the location of the source. For federal lands, local planning jurisdictions do not have the authority to approve LUCS so a different option is provided.	SIP

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210	0240(1)(c)	(c) For Type 3 changes, the owner or operator must obtain either a Construction ACDP or a new or modified Standard ACDP or a Construction ACDP and a new or modified Standard ACDP in accordance with OAR 340 division 216 before proceeding with the construction or modification.	Clarification. A source can obtain a new or modified Standard ACDP or they can obtain a Construction ACDP along with a new or modified Standard ACDP.	SIP
210	0240(1)(d)	Change to: (d) For Type 4 changes, the owner or operator must obtain either a Construction ACDP or a new or modified Standard ACDP in accordance with OAR 340 division 216 before proceeding with the construction or modification. Type 4 changes may also be subject to OAR 340 division 224, New Source Review requirements.	Clarification. Type 4 change may also be permitted under a Construction ACDP.	SIP
210	0250(2)(b)	Delete: (b) For new sources that are required to obtain an ACDP in accordance with OAR 340-216-0020, the ACDP, which allows operation, is required before operating the newly constructed equipment.	Clarification. A source would not be allowed to construct under an NC if they need a permit. This rule conflicts with 210-0205(1)(a).	SIP
210	0250(3)(a)	Change to: (3) Type 3 and 4 changes: (a) For new sources, Type 3 or 4 changes require either a Construction ACDP or a s Standard ACDP before operation of the changes.	Clarification. Sources are allowed to apply for a Construction ACDP or a Standard ACDP.	SIP
214		Stationary Source Reporting Requirements		
214	0114(4)	Change to: (4) All reports and certifications submitted to DEQ under divisions 200 to 264 and division 268 must accurately reflect the monitoring, record keeping and other documentation held or performed by the owner or operator.	Correction. Division 268 also requires reports and certifications.	SIP
214	0114(5)	Change to: (5) The owner or operator of any source required to obtain a permit under OAR 340 division 216 or 218 must retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. For the owner or operator of a source permitted under OAR 340 division 216, this requirement takes effect on July 1, 2015.	Simplification. The date is past.	SIP
214	0130(1)	Change to: (1) Pursuant to the provisions of ORS 192. 311440 to 192. 478505 , all information submitted to DEQ is subject to inspection upon request by any person unless such information is determined to be exempt from disclosure pursuant to section (2) or (3).	Correction. The ORS were renumbered.	SIP
214	0130(2)	Change to: (2) If an owner or operator claims that any writing, as that term is defined in ORS 192. 311440 , is confidential or otherwise exempt	Correction. The ORS were renumbered.	SIP

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		from disclosure, in whole or in part, the owner or operator must comply with the following procedures:		
216		Air Contaminant Discharge Permits		
216	0020(3)	Change to: (3) No person may construct, install, establish, develop or operate any air contaminant source listed in OAR 340-216-8010 without first obtaining an Air Contaminant Discharge Permit (ACDP) from DEQ or LRAPA and keeping a copy onsite at all times, unless otherwise deferred from the requirement to obtain an ACDP in subsection (3)(b) or DEQ has granted an exemption from the requirement to obtain an ACDP under subsection (3)(c). No person may continue to operate an air contaminant source if the ACDP expires, or is terminated, denied, or revoked; except as provided in 340-216-0082.	Correction. The cross reference is incorrect.	SIP
216	0020(3)(a)	Change to: (b) For portable sources, a single -permit may be issued -assigned by: <u>(A) DEQ</u> for operation at -in any area of the state <u>except Lane County; or</u> <u>(B) LRAPA for operation only in Lane County.</u> if the permit includes the requirements from both DEQ and LRAPA. DEQ or LRAPA, depending where the portable source's corporate offices are located, will be responsible for issuing the permit. If the corporate office of a portable source is located outside of the state, DEQ will be responsible for issuing the permit.	Clarification. Portable sources assigned permits by DEQ can operate anywhere in the state except Lane County. LRAPA will assign permits for portable sources that operate in Lane County.	SIP
216	0020(3)(c) & (d)	(c) An air contaminant source required to obtain an ACDP or ACDP Attachment under a NESHAP under OAR division 244 or NSPS under OAR division 238 is not required to submit an application for an ACDP or ACDP Attachment until four months after the effective date of the EQC's adoption of the NESHAP or NSPS, and is not required to obtain an ACDP or ACDP Attachment until six months after the EQC's adoption of the NESHAP or NSPS. In addition, DEQ may defer the requirement to submit an application for, or to obtain an ACDP or ACDP Attachment, or both, for up to an additional twelve months, <u>subject to paragraphs (A) and (B).</u> (A) Deferrals of Oregon permitting requirements do not relieve an air contaminant source from the responsibility of complying with federal NESHAP or NSPS requirements. (B) OAR 340-216-0060(1)(b)(A), 340-216-0062(2)(b)(A), 340-216-0064(3)(a), and 340-216-0066(3)(a), do not relieve a permittee from the responsibility of complying with federal NESHAP or NSPS requirements that apply to the source even if DEQ has not incorporated such requirements into the permit.	Clarification. Subsections (c) and (d) refer to subsection (b) so should be paragraphs (A) and (B). Correction. Change renumbered subsection (d) from 340-216-0064(4)(a) to 340-216-0064(3)(a) because this rule is talking about sources having to comply with NSPS and NESHAPs, not permit issuance.	SIP
216	0025(5)(a)	Change to:	Clarification.	SIP

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		(a) Owners and operators of sources and activities listed in OAR 340-216-8010 Part B that do not qualify for a General ACDP and are not required to obtain a Standard ACDP must, at a minimum, obtain a Simple ACDP. Any source required to obtain a Simple ACDP may choose to obtain a Standard ACDP. DEQ may determine that a source is ineligible for a Simple ACDP and must obtain a Standard ACDP based upon, but not limited to, the following considerations:		
216	0040(1)(a)	Change to: (a) Except for Short Term Activity ACDPs, any person required to obtain a new ACDP must provide the following general information, as applicable, using paper or electronic forms provided by DEQ in addition to any other information required for a specific permit type:	Streamlining. Provide for electronic forms submittals.	SIP
216	0040(1)(a)(K)	Change to: ((K)(i) A -Land Use Compatibility Statement(s) signed by the applicable local, city or county, planning jurisdiction(s) , either approving or disapproving construction or modification of the source, if required by the local planning jurisdiction agency . Applications and construction notices that receive a disapproved LUCS will not be approved by DEQ; (ii) If the local planning jurisdiction does require approval or disapproval or declines review of the application or construction notice, the owner or operator must provide DEQ with its own analysis to demonstrate that the application or construction notice complies with all applicable statewide planning goals and provisions of the local jurisdiction's acknowledged comprehensive plan and land use regulations;	Clarification. DEQ would not accept an application for a source if an approved Land Use Compatibility Statement was not included for the location of the source. For federal lands, local planning jurisdictions do not have the authority to approve LUCS so a different option is provided.	SIP
216	0040(9)	Change to: (9) All applications must include the appropriate fees as specified in OAR 340-216-8020 and OAR 340-216-8030 .	Correction. Fees for Cleaner Air Oregon must also be included with permit applications.	SIP
216	0040(11)	Change to: (11) Within 15 days after receiving the application, DEQ will preliminarily review the application to determine the adequacy of the information submitted, and :	Correction and restructuring.	SIP
216	0060(3)	Change to: (3) DEQ Initiated Modification. If DEQ determines that the conditions have changed such that a General ACDP for a category needs to be modified, DEQ may issue a new modified General ACDP for that category and assign all existing General ACDP permit holders to the new modified General ACDP.	Correction. DEQ would issue a modified General ACDP, not a new General ACDP.	SIP
216	0064(2)(c)	Change to: (c) If DEQ determines that a source was invoiced for the low annual fee but does not meet the low fee criteria outlined above, the source will be required to pay the difference between the low and high fees,	Clarification. Late fees to not start upon issuance of the initial invoice but upon the due date.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		plus applicable late fees in OAR 340-216-8020 Part 54 . Late fees start upon issuance of the initial invoice. In this case of late fees, DEQ will issue a new invoice specifying applicable fees.		
216	0064(3)(c)	Change to: (c) Testing, monitoring, recordkeeping, and paper or electronic reporting requirements sufficient to determine compliance with the PSEL and other emission limits and standards, as necessary.	Streamlining. Provide for electronic reports submittals.	SIP
216	0066(3)(c)	Change to: (c) Testing, monitoring, recordkeeping, and paper or electronic reporting requirements sufficient to determine compliance with the PSEL and other emission limits and standards, as necessary; and	Streamlining. Provide for electronic reports submittals.	SIP
216	0066(5)(b)(C)	Change to: (C) Public notice as a Category IV permit action for major modifications subject to Major NSR or Type A State NSR under OAR 340 division 224.	Correction. Renumbered subsection (5)(b) requires Category IV public notice for all major modifications subject to NSR. This is inconsistent with OAR 340-224-0030(2)(b)(B) which requires category IV for Major NSR and Type A State NSR, not Type B State NSR.	SIP
216	0068(2)(a)	Change to: (2) ACDP Attachment issuance procedures: (a) An ACDP Attachment issuance requires public notice as a Category II permit action under OAR 340 division 209, except that assigning ACDP Attachments to Simple or Standard ACDPs require notice as Category I permit actions.	Clarification. Public notice for issuing the ACDP Attachment requires Category III and attaching the ACDP Attachment requires Category I (like assigning a source to a General ACDP).	SIP
216	0068	Add: NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the EQC under OAR 340-200-0040.	Correction. Added SIP note to OAR 340-216-0068	SIP
216	0082(3)	Change to: (3) Reinstatement of Terminated Permit: A permit automatically terminated under any of subsections (2)(b) through (2)(d) may only be reinstated by the permittee by applying for a new permit. The permittee must also pay the applicable new source permit application fees in this division, unless the owner or operator submits the new or renewal application within three months of the permit expiration date.	Clarification. For sources that haven't paid annual fees and whose permit is automatically terminated, DEQ does not want to not charge initial permitting fees. These sources would be able to submit an application within 3 months to get another permit without paying the initial fees as well.	SIP
216	0084	Change to: If DEQ determines it is appropriate to modify an ACDP, other than a General ACDP, DEQ will notify the permittee by regular, registered or certified mail of the modification and will include the proposed modification and the reasons for the modification. The modification will become effective upon mailing unless the permittee requests a contested case hearing within 20 days. A request for hearing must be made in writing and must include the grounds for the request. The hearing will be conducted as a contested case hearing under ORS	Clarification. Department-initiated modifications must go through the public notice relative to that permit type.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		183.413 through 183.470 and OAR 340 division 011. If a hearing is requested, the existing permit will remain in effect until after a final order is issued following the hearing. The permit issuance procedures will be conducted in accordance with OAR 340-216-0056(4) for Basic ACDPs, OAR 340-216-0064(6) for Simple ACDPs, and OAR 340-216-0066(5) for Standard ACDPs.		
216	8010 Table 1	Change to: [NOTE: For the history of these tables prior to 2014 see the history of these tables under OAR 340-216-0020]	Clarification.	SIP
216	8010 Table 1 Part B	Change to: 13 Aggregated B boilers and other fuel burning equipment over 10 MMBTU/hour heat input, except exclusively Natural Gas and Propane fired units (with or without #2 diesel backup) under 30 MMBTU/hour heat input.	Clarification. DEQ has been permitting aggregated boilers over these thresholds.	SIP
216	8010 Table 1 Part B	Change to: 51 Molded plastic container manufacturing, using extrusion, molding, lamination, and foam processing and molded fiberglass container manufacturing, excluding injection molding.	Clarification. This category is not clearly defined.	SIP
216	8010 Table 1 Part B	Change to: 52 Motor coach, travel trailer, and camper manufacturing.	Clarification. This category is not clearly defined.	SIP
216	8010 Table 1 Part B	Change to: 59 Paint stripping and miscellaneous surface coating operations subject to an area source NESHAP under OAR 340 division 244, excluding paint stripping and miscellaneous surface coating operations using less than 20 gallons of coating and also using less than 20 gallons of methylene chloride containing paint stripper per year.	Clarification. The exempt source must use less than both 20 gallons of coating and 20 gallons of methylene chloride containing paint stripper per year.	SIP
216	8010 Table 1 Part B	Change to: 79 Surface coating operations with actual emissions of VOCs, if the source were to operate uncontrolled, before add-on controls of 10 or more tons/year.	Consistency. Category 85 says “if the source were to operate uncontrolled:	SIP
216	8010 Table 1 Part B	Change to: 86 Chemical manufacturing facilities that do not transfer liquids containing organic HAP listed in Table 1 of 40 CFR part 63 subpart VVVVVV to tank trucks or railcars and are not subject to emission limits in Table 2, 3, 4, 5, 6, or 8 of subject to 40 C.F.R. part 63 subpart VVVVVV.	Correction. EQC’s adoption and delegation of the NESHAP provides no exclusions and must be implemented as written.	SIP
216	8010 Table 1	Change to: NOTE: For the history of these tables prior to 2014 see the history under OAR 340-216-0020. This history is also shown below: NOTE: See history of these tables under OAR 340-216-0020	Clarification. Include the rulemaking history with Table 1.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		DEQ 9-2013(Temp), f. & cert. ef. 10-24-13 thru 4-22-14 DEQ 4-2013, f. & cert. ef. 3-27-13 DEQ 14-2011, f. & cert. ef. 7-21-11 DEQ 13-2011, f. & cert. ef. 7-21-11 DEQ 11-2011, f. & cert. ef. 7-21-11 DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11 DEQ 1-2011, f. & cert. ef. 2-24-11 DEQ 12-2010, f. & cert. ef. 10-27-10 DEQ 10-2010(Temp), f. 8-31-10, cert. ef. 9-1-10 thru 2-28-11 DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10 DEQ 8-2009, f. & cert. ef. 12-16-09 DEQ 15-2008, f. & cert. ef. 12-31-08 DEQ 8-2007, f. & cert. ef. 11-8-07 DEQ 7-2007, f. & cert. ef. 10-18-07 DEQ 4-2002, f. & cert. ef. 3-14-02 DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01 DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-1720 DEQ 22-1996, f. & cert. ef. 10-22-96 DEQ 19-1996, f. & cert. ef. 9-24-96 DEQ 22-1995, f. & cert. ef. 10-6-95 DEQ 22-1994, f. & cert. ef. 10-4-94 DEQ 19-1993, f. & cert. ef. 11-4-93 DEQ 12-1993, f. & cert. ef. 9-24-93, Renumbered from 340-020-0155 DEQ 4-1993, f. & cert. ef. 3-10-93 DEQ 27-1991, f. & cert. ef. 11-29-91 DEQ 12-1987, f. & cert. ef. 6-15-87 DEQ 3-1986, f. & cert. ef. 2-12-86 DEQ 11-1983, f. & cert. ef. 5-31-83 DEQ 23-1980, f. & cert. ef. 9-26-80 DEQ 20-1979, f. & cert. ef. 6-29-79 DEQ 125, f. & cert. ef. 12-16-76 DEQ 107, f. & cert. ef. 1-6-76, Renumbered from 340-020-0033 DEQ 63, f. 12-20-73, cert. ef. 1-11-74 DEQ 47, f. 8-31-72, cert. ef. 9-15-72		
216	8020	340-216-8020 Table 2 — Air Contaminant Discharge Permits Sources referred to in Table 1 of OAR 340-216-8010 are subject to air contaminant discharge permit fees in Table 2. Title V sources may be subject to the Cleaner Air Oregon annual fees and the specific activity permit fees in Table 2, if applicable.	Clarification. Title V sources may be subject to some of the ACDP fees.	SIP


Division	Rule	Suggested change	Reason/Issues	SIP
216	8020 Table 2	Change to: [NOTE: For the history of these tables prior to 2014 See the history of this table under OAR 340-216-0020.]	Clarification	SIP
216	8020 Table 2 Part 2a	Delete: Part 2a since “applicable through June 30, 2021” has past	Simplification.	SIP
216	8020 Table 2 Part 2b, and 2c	Include the registration fees from division 210	Clarification. Have all the fees in the same table.	SIP
216	8020 Table 2 Part 4b	Delete: 2. For gasoline dispensing facilities, a portion of these fees will be used to cover the fees required for changes of ownership in OAR 340-150-0052(4) if DEQ receives both forms at the same time.	Correction. Under the transition to the Environmental Data Management System (called Your DEQ Online), it cannot accommodate partial air quality fees going to another program (underground storage tanks) so this footnote must be removed.	SIP
218		Oregon Title V Operating Permits		
218	0020(4)(a)	Change to: (4) Source category exemptions. (a) All sources listed in 340-218-0020(1) that are not major sources, affected sources, or solid waste incineration units required to obtain a permit under section 129(e) of the FCAA are not required to obtain a Title V permit, except unless the source is a non-major sources subject to a standard under section 111 or section 112 of the FCAA that specifically requires the source to obtain a Title V permit promulgated after July 21, 1992 are required to obtain a Title V permit unless specifically exempted from the requirement to obtain a Title V permit in section 111 or 112 standards.	Clarification and simplification. Some regulations under section 111 or section 112 require non-major sources to obtain Title V permits regardless of promulgation dates.	NOT SIP
218	0040(1)(b)(A)	Change to: (b) Complete application: (A) To be deemed complete, an application must provide all information required pursuant to section (3), except applications for permit renewal only need to include information that has changed since issuance of the last permit and applications for permit revision only need to include information related to proposed changes. The application must include three one (13) copies of all required forms and exhibits in hard copy and one (1) copy in electronic format as specified by DEQ with any applicable fees . Information required under section (3) must be sufficient to evaluate the subject source and its application and to determine all applicable requirements. A responsible official must certify the submitted information under section (5);	Simplification and clarification. Only one hard copy of the application is needed along with the applicable fees.	NOT SIP
218	0040(1)(b)(C)	Change to: (C) If DEQ determines that additional information is necessary before making a completeness determination, it may request such information in writing and set a reasonable deadline for a response. The application will not be considered complete for processing until	Clarification. DEQ can still ask for additional information after the permit has expired as long as a timely application is submitted. If the additional information is not submitted, either before the permit expires or by the reasonable deadline	NOT SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		the adequate information has been received, <u>either before the expiration of the permit or by the reasonable deadline for response if after the expiration date of the permit</u> . When the information in the application is deemed adequate, the applicant will be notified that the application is complete for processing;	for response after the permit expires, the application is deemed incomplete and the permit has expired.	
218	0040(1)(b)(F)	((F) The source's ability to operate without a <u>under an expired</u> permit, as set forth in 340-218-0120(2), will be in effect from the date the application is determined or deemed to be complete until the final permit is issued, provided that the applicant submits any requested additional information by the deadline specified by DEQ.	Clarification. A source cannot operated without a permit but can continue to operate under an expired permit if a timely and complete renewal application is submitted.	NOT SIP
218	0040(3)(c)(A)	Change to: (A) All emissions of regulated pollutants for which the source is major, all emissions of regulated pollutants and all emissions of regulated pollutants listed in OAR 340-244-0040. A permit application must describe all emissions of regulated pollutants emitted from any emissions unit, except where such units are exempted under <u>this section</u> (3) . DEQ may require additional information related to the emissions of regulated pollutants sufficient to verify which requirements are applicable to the source, and other <u>information necessary to collect any permit fees owed</u> ;	Correction. Paragraph (3)(c)(E) contains the units that are exempted from reporting emissions. Simplify by stating "this" section rather than including the citation to the paragraph, which could change in the future.	NOT SIP
218	0050(3)(c)(A)	Change to: (A) Submittal of three-one (13) <u>paper copies and one (1) electronic copy</u> of reports of any required monitoring at least every 6 months, <u>unless otherwise required by permit</u> , completed on forms approved by DEQ. Unless otherwise approved in writing by DEQ, six-month periods are January 1 to June 30, and July 1 to December 31. The reports required by this rule must be submitted within 30 days after the end of each reporting period, unless otherwise approved in writing by DEQ. One copy of the report must be submitted to the EPA, and two copies to DEQ's regional office identified in the permit. All instances of deviations from permit requirements must be clearly identified in such reports:	Simplification. DEQ only needs one paper copy of reports and one electronic copy.	NOT SIP
218	0080(7)	Delete section (7): (7) Annual certification that the risk management plan is being properly implemented, OAR 340-244-0230.	Correction. OAR 340-244-0230 was repealed because it was a placeholder for and adopted prior to the federal RMP rules. EPA implements the federal RMP rules.	NOT SIP
218	0150(3)(a)	Change to: (a) The owner or operator must promptly submit an application for an administrative permit amendment, <u>along with the applicable fees</u> , upon becoming aware of the need for one on forms provided by DEQ along with a copy of the draft amendment;	Clarification. Fees must accompany applications.	NOT SIP
218	0170(2)(a)	Change to: (a) Application. An application requesting the use of minor permit modification procedures must meet the requirements of OAR 340-	Clarification. Fees must accompany applications.	NOT SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		218-0040(3), must be submitted on forms and electronic formats provided by DEQ, along with the applicable fees , and must include the following additional information:		
218	0180(1)	Change to: (1) Criteria. Significant modification procedures must be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. Significant modifications must include:	Correction. The subsections list what constitute significant modifications. Significant modifications are not required to include all of the subsections listed.	NOT SIP
218	0180(2)	Change to: (2) Significant permit modifications will be subject to all requirements of this division, including those for applications, applicable fees , public participation, review by affected States, and review by the EPA, as they apply to permit issuance and permit renewal.	Clarification. Fees must accompany applications.	NOT SIP
220		Oregon Title V Operating Permits		
220	0180	Change to: (1) Notwithstanding any enforcement action, the owner or operator will be subject to a late payment fee of: (a) Two hundred dollars for payments postmarked received more than seven or and less than 30 days late; and (b) Four hundred dollars for payments postmarked received on or after 30 days late.	Correction. Your DEQ Online and the US Bank Lockbox will not account for postmarked dates so will need to received date.	NOT SIP
222		Stationary Source Plant Site Emission Limits		
222	0035(6)	Change to: (6) PSEs must include aggregate insignificant emissions, if applicable. Emissions from aggregate insignificant activities must be considered when determining Major NSR or Type A State NSR applicability under OAR 340 division 224.	Clarification. All emissions must be included in the determination of New Source Review applicability.	SIP
224		New Source Review		
224	0100	Repeal Fugitive and Secondary Emissions rule.	Correction. This rule was renumbered to OAR 340-224-0038 in the 2015 rulemaking but OAR 340-224-0100 was inadvertently left in by the Secretary of State.	SIP
224	0520	Change to: When directed by the Major or State NSR rules, or OAR 340-222-0042, or OAR 340-226-0400 , the owner or operator must comply with this rule.	Correction. These rules need to reference 226-0400 (Alternative Emission Controls (Bubble)) because the bubble rules point to NAQB.	SIP
224	0530(1)	Change to: (1) When directed by the Major or State NSR rules, or OAR 340-222-0042, or OAR 340-226-0400 , the owner or operator of the source must comply with sections (2) through (6), as applicable. For purposes of this rule, priority sources are sources identified under OAR 340-204-0320 for the designated area.	Correction. These rules need to reference 226-0400 (Alternative Emission Controls (Bubble)) because the bubble rules point to NAQB.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
224	0530(4)(b) (B)(ii)	Change to: (ii) Plus- The impacts of emission increases or decreases since the date of the current area designation of all other sources within the designated area or having a significant impact on the designated area, are less than 10 percent of the AAQS at all receptors within the designated area;	Correction.	SIP
225				
Air Quality Analysis Requirements				
225	0050(2) and (3)	Change to: (2) If the requirement in section (1) is not satisfied, the owner or operator of a proposed source <u>or modification</u> being evaluated must complete a competing source analysis as follows: (a) For demonstrating compliance with the PSD Class II and III increments (as defined in OAR 340-202-0210), the owner or operator of the <u>proposed</u> source or modification must show that modeled impacts from the proposed increased emissions, above the modeled baseline concentration, plus competing PSD increment consuming source impacts above the modeled baseline concentration are less than the PSD increments for all averaging times; and (b) For demonstrating compliance with the AAQS, the owner or operator of the source must show that the total modeled impacts plus total competing source impacts plus general background concentrations are less than the AAQS for all averaging times. (3) The owner or operator of a source or modification must also provide an analysis of: (a) The impairment to visibility, soils and vegetation that would occur as a result of the <u>proposed</u> source or modification, and general commercial, residential, industrial and other growth associated with the source or modification. As a part of this analysis, deposition modeling analysis is required for sources emitting heavy metals above the SERs as defined in OAR 340-200-0020. Concentration and deposition modeling may also be required for sources emitting other compounds on a case-by-case basis; and	Correction. The Requirements for Analysis in PSD Class II and Class III Areas apply to the “proposed source or modification.”	SIP
226				
General Emission Standards				
226	0210(1)	Change to: (1) This rule does not apply to <u>the following</u> : <u>(a) F</u> ugitive emissions sources; <u>(b) F</u> uel burning equipment; <u>(c) R</u> efuse burning equipment; or to <u>(d) S</u> olid fuel burning devices certified under OAR 340-262-0500.	Clarification. Restructure.	SIP
226	0210(2)(a)	Change to: (a) For sources installed, constructed, or modified before June 1, 1970: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results collected prior to April	Simplification. The compliance dates allowing for higher grain loading limits have passed so the rule language is no longer needed.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		<p>16, 2015, demonstrate emissions no greater than 0.080 grains per dry standard cubic foot;</p> <p>(B) 0.015 grains per dry standard cubic foot If any representative compliance source test results collected prior to April 16, 2015 demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then:</p> <p>(i) 0.24 grains per dry standard cubic foot prior to Dec. 31, 2019; and</p> <p>(ii) 0.15 grains per dry standard cubic foot on or after Jan. 1, 2020;</p> <p>and</p> <p>(C) In addition to the limits in paragraphs (A) or (B), for equipment or a mode of operation that is used less than 876 hours per calendar year, 0.24 grains per dry standard cubic foot from April 16, 2015 through December 31, 2019, and 0.20 grains per dry standard cubic foot on or after Jan. 1, 2020.</p>		
226	0210(2)(c)	<p>Change to:</p> <p>(c) For sources installed, constructed or modified on or after April 16, 2015, 0.10 grains per dry standard cubic foot.</p>	Correction.	SIP
226	0210(2)(d)	<p>Delete:</p> <p>(d) The owner or operator of a source installed, constructed, or modified before June 1, 1970 who is unable to comply with the standard in subparagraph (a)(B)(ii) may request that DEQ grant an extension allowing the source up to one additional year to comply with the standard. The request for an extension must be submitted no later than Oct. 1, 2019.</p>	Simplification. The compliance date has passed.	SIP
228		Requirements For Fuel Burning Equipment and Fuel Sulfur Content		
228	0210(2)(a)	<p>Change to:</p> <p>(2) No person may cause, suffer, allow, or permit particulate matter emissions from any fuel burning equipment in excess of the following limits:</p> <p>(a) For sources installed, constructed, or modified before June 1, 1970:</p> <p>(A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results collected prior to April 16, 2015 demonstrate emissions no greater than 0.080 grains per dry standard cubic foot;</p> <p>(B) If any representative compliance source test results collected prior to April 16, 2015 demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then:</p> <p>(i) 0.24 grains per dry standard cubic foot until Dec. 31, 2019; and</p> <p>(ii) 0.15 grains per dry standard cubic foot on and after Jan. 1, 2020;</p> <p>and</p>	Simplification and clarification. The compliance dates allowing for higher grain loading limits have passed so the rule language is no longer needed.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		(C) In addition to the limits in paragraph (A) or (B), for equipment or a mode of operation (e.g., backup fuel) that is used less than 876 hours per calendar year, 0.24 grains per dry standard cubic foot from April 16, 2015 through December 31, 2019, and 0.20 grains per dry standard cubic foot on and after Jan. 1, 2020.		
228	0210(2)(b)	Change to: (b) For sources installed, constructed, or modified on or after June 1, 1970 but prior to April 16, 2015: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results prior to April 16, 2015 demonstrate emissions no greater than 0.080 grains per dry standard cubic foot; or (B) If any representative compliance source test results collected prior to April 16, 2015 ⁹ demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then 0.14 grains per dry standard cubic foot.	Correction. All the other dates for source testing are April 16, 2015.	SIP
228	0210(2)(d) (c)	Delete: (d)(A) The owner or operator of a source installed, constructed or modified before June 1, 1970 who is unable to comply with the standard in subparagraph (a)(B)(ii) may request that DEQ set a source specific limit of 0.17 grains per dry standard cubic foot. The owner or operator must submit an application for a permit modification to request the alternative limit by no later than Oct. 1, 2019 that demonstrates, based on a signed report prepared by a registered professional engineer that specializes in boiler/multiplone operation, that the fuel burning equipment will be unable to comply with the standard in subparagraph (a)(B)(ii) after either: (i) Maintenance or upgrades to an existing multiplone system; or (ii) Conducting a boiler tune-up if the boiler does not have a particulate matter emission control system. (B) If a source qualifies under paragraph (A), DEQ will add the 0.17 grains per dry standard cubic foot source specific limit as a significant permit modification (simple fee) for sources with an Oregon Title V Operating Permit or a Simple Technical Modification for sources with an Air Contaminant Discharge Permit. (e) The owner or operator of a source installed, constructed or modified before June 1, 1970 may request that DEQ grant an extension allowing the source up to one additional year to comply with the standard in paragraph (d)(A) provided that the owner or operator demonstrates, based on an engineering report signed by a registered professional engineer that specializes in boiler/multiplone operation, that the source cannot comply with the source specific limit established in OAR 340-228-0210(2)(d)(A) without making	Simplification. The compliance dates have passed.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		significant changes to the equipment or control equipment or adding control equipment. The request for an extension must be submitted no later than Oct. 1, 2019.		
232		Emission Standards for VOC Point Sources		
232	0030(33)	Change to: (33) "Leaking component" means any petroleum refinery source which has a VOC concentration exceeding 10,000 parts per million (ppm) when tested in the manner described in EPA Method 21. These sources include, but are not limited to, pumping seals, compressor seals, seal oil degassing vents, pipeline valves, flanges and other connections, pressure relief devices, process drains, and open-ended pipes. Excluded from these sources are valves which are not externally regulated.	Correction.	SIP
232	0030	Change to: [NOTE: View a PDF of referenced EPA Methods by clicking on "Tables" link following OAR 340-232-8010.]	Correction.	SIP
232	0090(2)	Change to: (2) Compliance with section (1) must be determined by testing in accordance with Method 33 on file with DEQ. [NOTE: This Method is in the DEQ Source Sampling Manual published at OAR 340-200-0035.]The method for determining compliance with section (1) are delineated in 40 CFR part 60, subpart XX, §60.503.	Correction.	SIP
232	0160(1)	Change to: (1) No person may operate a coating line which emits into the atmosphere VOCs in excess of the limits in section (5), expressed as pounds VOC per gallon of coating applied, excluding water and exempt solvents, unless an alternative emission limit is approved by DEQ pursuant to section (3) or emissions are controlled to an equivalent level pursuant to section (7). <u>If surface coating is performed but is not specifically listed in section (5), then that surface coating is subject to OAR 340-232-0040, if applicable.</u>	Clarification. If the coating type in question is not listed in section (5), sources should check the applicability of OAR 340-232-0040 General Non-Categorical Requirements instead of assuming no RACT limits apply.	SIP
232	0160(2)(b)	Change to: (b) This rule does not apply to: (A) Sources whose VOC potential to emit before add on controls from activities identified in section (5) are <u>is</u> less than 10 tons per year; <u>(B) Sources with VOC actual emissions before add on controls from activities identified in section (5) are less than (or 3 pounds VOC/per hour; or</u> <u>(C) Sources with VOC actual emissions before add on controls from activities identified in section (5) less than 15 pounds actual VOC/per day); or</u>	Clarification. Any of the emission thresholds will exempt the permittee from the surface coating rules.	SIP

Division	Rule	Suggested change	Reason/Issues	SIP
		(DB) Sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance, such as research facilities, pilot plant operations, and laboratories, unless:		
232	0160(7)(b)	Change to: (b) An incineration system which oxidizes at least 90.0 percent of the non-methane VOCs entering the incinerator, VOC measured as total combustible carbon, to carbon dioxide and water; or	Correction. Nonmethane is one word in the other rules.	SIP
232	0170(2)(b)	Change to: (b) Sources whose potential to emit from activities identified in section (1) before add on controls of VOCs are less than ten tons per year (or 3 pounds VOC/hour or 15 pounds VOC/day actual);	Correction.	SIP
234		Emission Standards for Wood Products Industries		
234	0010	Change to: [NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040 with the exception of references to Total Reduced Sulfur.]	Correction. TRS is not a criteria pollutant and is therefore, not regulated under the SIP.	NOT SIP
234	0210(1)(a)	Change to: (1) Emission of Total Reduced Sulfur (TRS): (a) Recovery Furnaces: (A) The emissions of TRS from each recovery furnace placed in operation before January 1, 1969, may not exceed 10 ppm or 0.15 Kg/metric ton (0.30 pound/ton) of production as daily arithmetic averages; (B) TRS emissions from each recovery furnace placed in operation after January 1, 1969, and before September 25, 1976, or any recovery furnace modified significantly after January 1, 1969, and before September 25, 1976, to expand production must be controlled such that the emissions of TRS may not exceed 5 ppm or 0.075 Kg/metric ton (0.150 pound/ton) of production as daily arithmetic averages. (b) Lime Kilns. Lime kilns must be operated and controlled such that emissions of TRS may not exceed 20 ppm as a daily arithmetic average or 0.05 Kg/metric ton (0.10 pound/ton) of production as a daily arithmetic average. This subsection applies to those sources where construction was initiated prior to September 25, 1976.	Clarification. The source does not need to exceed both limits for there to be a violation.	NOT SIP
234	0210	Change to [NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040 with the exception of references to Total Reduced Sulfur.] Except for OAR 340-234-0210(1), this rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.	Correction. It is better to generally exclude TRS from the SIP rather than a specific rule section in case the rules are ever renumbered.	SIP
236		Emission Standards for Specific Industries		

Division	Rule	Suggested change	Reason/Issues	SIP
236	8010	Change to: Hot Mix Asphalt Plants Solid Waste Landfills : Table-Process Weight Table	Correction. The table is referenced in the hot-mix asphalt rules, not the landfill rules of this division.	SIP
238		New Source Performance Standards		
238	0030(3)	Change to: This division applies to stationary sources subject to 40 CFR Part 60 as adopted under OAR 340-238-0050 and 340-238-0060.	Correction. OAR 340-238-0050 does not exist.	NOT SIP
238	0040(3)	Change to: (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 November 2016 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.	Correction. DEQ cannot adopt a prospective rule to incorporate future changes to the IRS Publication 534. DEQ proposes to update the rule to incorporate any changes that have occurred and cannot point to something that may be updated or revised without the Oregon public process.	NOT SIP
238	0070	Change to: Compliance with standards set forth in this division shall be determined by performance tests and monitoring methods as set forth in the Federal Regulation adopted by reference in OAR 340-238-006 5 0.	Correction. The rules adopted by reference are in OAR 340-238-0060. There is no OAR 340-238-0050.	NOT SIP