

DIVISION 216

OAR 340-216-0020

AIR CONTAMINANT DISCHARGE PERMITS

Table 1

Part A: Activities and Sources

The following commercial and industrial sources must obtain a Basic ACDP under the procedures set forth in 340-216-0056 unless the source is required to obtain a different form of ACDP by Part B or C hereof: (Production and emission parameters are based on the latest consecutive 12 month period, or future projected operation, whichever is higher. Emission cutoffs are based on actual emissions.)

1. ** Autobody Repair or Painting Shops painting more than 25 automobiles in a year.
2. Concrete Manufacturing including Redimix and CTB more than 5,000 but less than 25,000 cubic yards per year output.
3. Crematory and Pathological Waste Incinerators with less than 20 tons/yr. material input.
4. Natural gas and propane fired boilers (with or without #2 diesel oil back-up****) of 10 or more MMBTU but less than 30 MMBTU/hr heat input constructed after June 9, 1989.
5. Prepared feeds for animals and fowl and associated grain elevators more than 1,000 tons/yr. but less than 10,000 tons per year throughput.
6. Rock, Concrete or Asphalt Crushing both portable and stationary more than 5,000 tons/yr. but less than 25,000 tons/yr. crushed.
7. Surface coating operations whose actual or expected usage of coating materials is greater than 250 gallons per month, excluding sources that exclusively use non-VOC and non-HAP containing coatings (e.g. powder coating operations).

Part B Activities and Sources

The following commercial and industrial sources must obtain either:

- a General ACDP, if one is available for the source classification and the source qualifies for a General ACDP under the procedures set forth in 340-216-0060;
 - a Simple ACDP under the procedures set forth in 340-216-0064; or
 - a Standard ACDP under the procedures set forth in 340-216-0066 if the source fits one of the criteria of Part C hereof.
1. Aerospace or Aerospace Parts Manufacturing
 2. Aluminum, Copper, and Other Nonferrous Foundries subject to an Area Source NESHAP
 3. Aluminum Production - Primary
 4. Ammonia Manufacturing
 5. Animal Rendering and Animal Reduction Facilities
 6. Asphalt Blowing Plants
 7. Asphalt Felts or Coating
 8. Asphaltic Concrete Paving Plants both stationary and portable
 9. Bakeries, Commercial over 10 tons of VOC emissions per year
 10. Battery Separator Manufacturing
 11. Battery Manufacturing and Re-manufacturing
 12. Beet Sugar Manufacturing

13. Boilers and other Fuel Burning Equipment over 10 MMBTU/hr. heat input, except exclusively Natural Gas and Propane fired units (with or without #2 diesel backup) under 30 MMBTU/hr. heat input
14. Building paper and Buildingboard Mills
15. Calcium Carbide Manufacturing
16. *** Can or Drum Coating
17. Cement Manufacturing
18. * Cereal Preparations and Associated Grain Elevators 10,000 or more tons/yr. throughput
19. Charcoal Manufacturing
20. Chlorine and Alkalies Manufacturing
21. Chrome Plating
22. Clay Ceramics Manufacturing subject to an Area Source NESHAP
23. Coffee Roasting (roasting 30 or more tons per year)
24. Concrete Manufacturing including Redimix and CTB 25,000 or more cubic yards per year output
25. Crematory and Pathological Waste Incinerators 20 or more tons/yr. material input
26. Degreasers (halogenated solvents subject to a NESHAP)
27. Electrical Power Generation from combustion, excluding units used exclusively as emergency generators and units less than 500 kW
28. Commercial Ethylene Oxide Sterilization, excluding facilities using less than 1 ton of ethylene oxide within all consecutive 12-month periods after December 6, 1996
29. Ferroalloy Production Facilities subject to an Area Source NESHAP
30. *** Flatwood Coating regulated by Division 232
31. *** Flexographic or Rotogravure Printing subject to RACT
32. * Flour, Blended and/or Prepared and Associated Grain Elevators 10,000 or more tons/yr. throughput
33. Galvanizing and Pipe Coating (except galvanizing operations that use less than 100 tons of zinc/yr.)
34. Gasoline Bulk Plants, Bulk Terminals, and Pipeline Facilities
35. Gasoline dispensing facilities, excluding gasoline dispensing facilities with monthly throughput of less than 10,000 gallons of gasoline per month
36. Glass and Glass Container Manufacturing
37. * Grain Elevators used for intermediate storage 10,000 or more tons/yr. throughput
38. Grain terminal elevators
39. Gray iron and steel foundries, malleable iron foundries, steel investment foundries, steel foundries 100 or more tons/yr. metal charged (not elsewhere identified)
40. Gypsum Products Manufacturing
41. Hardboard Manufacturing (including fiberboard)
42. Hospital sterilization operations subject to an Area Source NESHAP.
43. Incinerators with two or more ton per day capacity
44. Lime Manufacturing
45. *** Liquid Storage Tanks subject to OAR Division 232
46. Magnetic Tape Manufacturing
47. Manufactured and Mobile Home Manufacturing
48. Marine Vessel Petroleum Loading and Unloading
49. Metal Fabrication and Finishing Operations subject to an Area Source NESHAP, excluding facilities that meet all the following:
 - a. Do not perform any of the operations listed in OAR 340-216-0060(2)(b)(Y)(i) and (iii);
 - b. Do not perform shielded metal arc welding (SMAW) using metal fabrication and finishing hazardous air pollutant (MFHAP) containing wire or rod; and
 - c. Use less than 100 pounds of MFHAP containing welding wire and rod per year

50. Millwork (including kitchen cabinets and structural wood members) 25,000 or more bd. ft./maximum 8 hr. input
51. Molded Container
52. Motor Coach Manufacturing
53. Motor Vehicle and Mobile Equipment Surface Coating Operations subject to an Area Source NESHAP, excluding motor vehicle surface coating operations painting less than 10 vehicles per year or using less than 20 gallons of coating per year and motor vehicle surface coating operations registered pursuant to OAR 340-210-0100(2)
54. Natural Gas and Oil Production and Processing and associated fuel burning equipment
55. Nitric Acid Manufacturing
56. Non-Ferrous Metal Foundries 100 or more tons/yr. of metal charged
57. Organic or Inorganic Chemical Manufacturing and Distribution with ½ or more tons per year emissions of any one criteria pollutant (sources in this category with less than ½ ton/yr. of each criteria pollutant are not required to have an ACDP)
58. Paint and Allied Products Manufacturing subject to an Area Source NESHAP
59. Paint Stripping and Miscellaneous Surface Coating Operations subject to an Area Source NESHAP
60. *** Paper or other Substrate Coating
61. Particleboard Manufacturing (including strandboard, flakeboard, and waferboard)
62. Perchloroethylene Dry Cleaning Operations subject to an Area Source NESHAP, excluding perchloroethylene dry cleaning operations registered pursuant to OAR 340-210-0100(2)
63. Pesticide Manufacturing 5,000 or more tons/yr. annual production
64. Petroleum Refining and Re-refining of Lubricating Oils and Greases including Asphalt Production by Distillation and the reprocessing of oils and/or solvents for fuels
65. Plating and Polishing Operations subject to an Area Source NESHAP
66. Plywood Manufacturing and/or Veneer Drying
67. Prepared Feeds Manufacturing for animals and fowl and associated grain elevators 10,000 or more tons per year throughput
68. Primary Smelting and/or Refining of Ferrous and Non-Ferrous Metals
69. Pulp, Paper and Paperboard Mills
70. Rock, Concrete or Asphalt Crushing both portable and stationary 25,000 or more tons/yr. crushed
71. Sawmills and/or Planing Mills 25,000 or more bd. ft./maximum 8 hr. finished product
72. Secondary Nonferrous Metals Processing subject to an Area Source NESHAP
73. Secondary Smelting and/or Refining of Ferrous and Non-Ferrous Metals
74. * Seed Cleaning and Associated Grain Elevators 5,000 or more tons/yr. throughput
75. Sewage Treatment Facilities employing internal combustion for digester gasses
76. Soil Remediation Facilities stationary or portable
77. Steel Works, Rolling and Finishing Mills
78. *** Surface Coating in Manufacturing subject to RACT
79. Surface Coating Operations with actual emissions of VOCs before add on controls of 10 or more tons/yr.
80. Synthetic Resin Manufacturing
81. Tire Manufacturing
82. Wood Furniture and Fixtures 25,000 or more bd. ft./maximum 8 hr. input
83. Wood Preserving (excluding waterborne)
84. All Other Sources not listed herein that the Department determines an air quality concern exists or one which would emit significant malodorous emissions
85. All Other Sources not listed herein which would have actual emissions, if the source were to operate uncontrolled, of 5 or more tons a year of direct PM2.5 or PM10 if

located in a PM2.5 or PM10 non-attainment or maintenance area, or 10 or more tons of any single criteria pollutant in any part of the state

Part C: Activities and Sources

The following sources must obtain a Standard ACDP under the procedures set forth in 340-216-0066:

1. Incinerators for PCBs and / or other hazardous wastes
2. All Sources that the Department determines have emissions that constitute a nuisance
3. All Sources electing to maintain the source’s baseline emission rate, or netting basis
4. All Sources subject to a RACT, BACT, LAER, NESHAP adopted in OAR 340-244-0220, NSPS, State MACT, or other significant Air Quality regulation(s), except:
 - a. Source categories for which a General ACDP has been issued.
 - b. Sources with less than 10 tons/yr. actual emissions that are subject to RACT, NSPS or a NESHAP adopted in OAR 340-244-0220 which qualify for a Simple ACDP.
 - c. Sources registered pursuant to OAR 340-210-0100(2).
 - d. Electrical power generation units used exclusively as emergency generators and units less than 500 kW.
 - e. Gasoline dispensing facilities, provided the gasoline dispensing facility has monthly throughput of less than 10,000 gallons of gasoline per month
 - f. Motor vehicle surface coating operations painting less than 10 vehicles per year or using less than 20 gallons of coating per year.
 - g. Commercial ethylene oxide sterilization operations using less than 1 ton of ethylene oxide within all consecutive 12-month periods after December 6, 1996.
 - h. Metal fabrication and finishing operations that meet all the following:
 - A. Do not perform any of the operations listed in OAR 340-216-0060(2)(b)(Y)(i) and (iii);
 - B. Do not perform shielded metal arc welding (SMAW) using metal fabrication and finishing hazardous air pollutant (MFHAP) containing wire or rod; and
 - C. Use less than 100 pounds of MFHAP containing welding wire and rod per year
5. All sources having the potential to emit more than 100,000 tons CO₂e of GHG emissions in a year.
6. All Sources having the Potential to Emit more than 100 tons of any regulated air contaminant in a year, other than GHGs and HAPs
7. All Sources having the Potential to Emit more than 10 tons of a single hazardous air pollutant in a year
8. All Sources having the Potential to Emit more than 25 tons of all hazardous air pollutants combined in a year

Notes:

- * Applies only to Special Control Areas
- ** Portland AQMA only
- *** Portland AQMA, Medford-Ashland AQMA or Salem SKATS only
- **** “back-up” means less than 10,000 gallons of fuel per year

Table 2

Part 1. Initial Permitting Application Fees: (in addition to first annual fee)

a. Short Term Activity ACDP	\$3,000.00
b. Basic ACDP	\$120.00
c. Assignment to General ACDP	\$1,200.00*
d. Simple ACDP	\$6,000.00
e. Construction ACDP	\$9,600.00
f. Standard ACDP	\$12,000.00
g. Standard ACDP (PSD/NSR)	\$42,000.00

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

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

a. Short Term Activity ACDP		\$NA
b. Basic ACDP		\$360.00
c. General ACDP	(A) Fee Class One	\$720.00
	(B) Fee Class Two	\$1,296.00
	(C) Fee Class Three	\$1,872.00
	(D) Fee Class Four	\$360.00
	(E) Fee Class Five	\$120.00
	(F) Fee Class Six	\$240.00
d. Simple ACDP	(A) Low Fee	\$1,920.00
	(B) High Fee	\$3,840.00
e. Standard ACDP		\$7,680.00

*The payment due date for dry cleaners or gasoline dispensing facilities may be extended by the Department until March 1st.

Part 3. Specific Activity Fees:

a. Non-Technical Permit Modification (1)	\$360.00
b. Non-PSD/NSR Basic Technical Permit Modification (2)	\$360.00
c. Non-PSD/NSR Simple Technical Permit Modification(3)	\$1,200.00
d. Non-PSD/NSR Moderate Technical Permit Modification (4)	\$6,000.00
e. Non-PSD/NSR Complex Technical Permit Modification (5)	\$12,000.00
f. PSD/NSR Modification	\$42,000.00
g. Modeling Review (outside PSD/NSR)	\$6,000.00
h. Public Hearing at Source's Request	\$2,400.00
i. State MACT Determination	\$6,000.00
j. Compliance Order Monitoring (6)	\$120.00/month
k. Greenhouse Gas Reporting, as required by OAR 340-215-	15% of the applicable annual fee in Part 2

Part 4. Late Fees:

- a. 8-30 days late 5%
 - b. 31-60 days late 10%
 - c. 61 or more days late 20%
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1. Non-Technical modifications include, but are not limited to name changes, change of ownership and similar administrative changes. 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).
 2. Basic Technical Modifications include, but are not limited to corrections of emission factors in compliance methods, changing source test dates for extenuating circumstances, and similar changes.
 3. Simple Technical Modifications include, but are not limited to, incorporating a PSEL compliance method from a review report into an ACDP, modifying a compliance method to use different emission factors or process parameter, changing source test dates for extenuating circumstances, changing reporting frequency, incorporating NSPS and NESHAP requirements that do not require judgment, and similar changes.
 4. Moderate Technical Modifications include, but are not limited to incorporating a relatively simple new compliance method into a permit, adding a relatively simple compliance method or monitoring for an emission point or control device not previously addressed in a permit, revising monitoring and reporting requirements other than dates and frequency, adding a new applicable requirement into a permit due to a change in process or change in rules and that does not require judgment by the Department, incorporating NSPS and NESHAP requirements that do not require judgment, and similar changes.
 5. Complex Technical Modifications include, but are not limited to incorporating a relatively complex new compliance method into a permit, adding a relatively complex compliance method or monitoring for an emission point or control device not previously addressed in a permit, adding a relatively complex new applicable requirement into a permit due to a change in process or change in rules and that requires judgment by the Department, and similar changes.
 6. This is a one time fee payable when a Compliance Order is established in a Permit or a Department Order containing a compliance schedule becomes a Final Order of the Department and is based on the number of months the Department will have to oversee the Order.