

DEPARTMENT OF ENVIRONMENTAL QUALITY
NOTICE OF PROPOSED RULEMAKING, HEARING

A Statement of Need and Fiscal Impact accompanies this form.

Department of Environmental Quality

Agency and Division

OAR Chapter 340

Administrative Rules Chapter Number

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**New Source Review, Particulate Matter and Greenhouse Gas Permitting
Requirements and Other Permitting Rule Updates**

The Lane Regional Air Protection Agency (LRAPA) is proposing rules that would update New Source Review/Prevention of Significant Deterioration (NSR/PSD) for fine particles and greenhouse gases, update standards for particulate matter, and make other permitting rule updates.

HEARING

January 24, 2011	12:30 pm	LRAPA 1010 Main St Springfield, OR 97477	
Hearing Date	Time	Conference Room Location	Max Hueftle Hearings Officer
February 28, 2011	12:30 pm	LRAPA 1010 Main St Springfield, OR 97477	
Hearing Date	Time	Conference Room Location	Max Hueftle Hearings Officer

Auxiliary aids for persons with disabilities are available at hearings upon advance request.

RULEMAKING ACTION

ADOPT: NA

AMEND:

OAR 340-200-0040 and LRAPA Rules and Regulations Sections: 12-005, 12-010, Title 12 Table 1, Title 12 Table 2, Title 12 Table 3, 32-075, 34-025, 34-030, 34-035, 34-036, 36-020, 37-0020, 37-0040, 37-0060, 37-0062, 37-0064, 37 Table 1, 37 Table 2, 38-0010, 38-0050, 38-0060, 38-0070, 40-0020, 40-0030, 40-0045, 40-0050, 40-0060, 40-0090, 42-0020, 44-015, 46-535, 50-001, 50-015, 50-055, 50-055 Table 1,

REPEAL:

NA

RENUMBER: NA

AMEND AND RENUMBER: NA

Stat. Auth.: ORS 468.020, 468A.025

Other Authority: LRAPA Title 14

Stats. Implemented: 468.065, 468A.040, 468A.055, 468A.310

RULE SUMMARY

Attachment E

PM_{2.5} New Source Review/Prevention of Significant Deterioration: This proposed rulemaking would adopt NSR/PSD rules for fine particles (PM_{2.5} or particulate matter less than 2.5 microns in diameter) adopted by a temporary rule on August 23, 2010. The unexpired temporary rule will be repealed upon adoption of the final rule. The proposed rule amendments align LRAPA's rules with federal requirements to allow LRAPA to continue to implement the NSR/PSD program in Lane County.

Greenhouse Gas (GHG) New Source Review/Prevention of Significant Deterioration: LRAPA is proposing rules that would update the PSD program to include greenhouse gases in response to regulations promulgated by EPA. Additional proposed changes clarify requirements based on past implementation of LRAPA's NSR/PSD rules. Adoption of the rules will allow LRAPA to continue implementing the Prevention of Significant Deterioration program in Lane County.

Small Scale Renewable Energy Sources: EPA requires state and local air agencies to have minor source construction approval programs, but gives flexibility in how to do this. LRAPA's minor source construction approval program basically applies major source NSR/PSD requirements to any source with emissions over the Significant Emission Rate (SER). HB 2952 revised how the minor source construction approval program works for small scale local energy projects.

Permitting Rule Updates The permitting rule updates would align rules with federal standards, correct typographical errors and create permitting and/or registration requirements for many sources subject to new Area Source National Emission Standards for Hazardous Air Pollutants (Area Source NESHAPs).

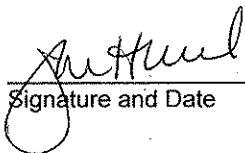
These amendments, if adopted, will be submitted to the DEQ and U.S. Environmental Protection Agency (EPA) as a revision to the State Implementation Plan, which is a requirement of the Clean Air Act

To request additional information regarding this rulemaking or submit comments, please contact Max Hueftle, Lane Regional Air Protection Agency (LRAPA), 1010 Main St., Springfield, OR 97477, toll free at 877-285-7272 or (541) 736-1056, or at max@lrapa.org or fax at (541) 726-1205, or visit LRAPA's website www.lrapa.org.

12:30PM on February 28, 2011

Last day to receive public comments

ORS 183.335(2)(b)(G), The Department of Environmental Quality requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.



Signature and Date

12-13-10

JONI HAMMOND

Printed name

The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.