**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. Ethylene Oxide Sterilization

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 exclusively

aboveground tanks, provided the gasoline dispensing facility has monthly throughput

of less than 10,000 gallons of gasoline per month and does not sell gasoline for use

in motor vehicles

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

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 Stripping and Miscellaneous Surface Coating Operations subject to an Area

Source NESHAP

59. \*\*\* Paper or other Substrate Coating

60. Particleboard Manufacturing (including strandboard, flakeboard, and waferboard)

61. Perchloroethylene Dry Cleaning Operations subject to an Area Source NESHAP,

excluding perchloroethylene dry cleaning operations registered pursuant to OAR 340-

210-0100(2)

62. Pesticide Manufacturing 5,000 or more tons/yr. annual production

63. 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

64. Plating and Polishing Operations subject to an Area Source NESHAP

65. Plywood Manufacturing and/or Veneer Drying

66. Prepared feeds for animals and fowl and associated grain elevators 10,000 or more

tons per year throughput

67. Primary Smelting and/or Refining of Ferrous and Non-Ferrous Metals

68. Pulp, Paper and Paperboard Mills

69. Rock, Concrete or Asphalt Crushing both portable and stationary 25,000 or more

tons/yr. crushed

70. Sawmills and/or Planing Mills 25,000 or more bd. ft./maximum 8 hr. finished product

71. Secondary Nonferrous Metals Processing subject to an Area Source NESHAP

72. Secondary Smelting and/or Refining of Ferrous and Non-Ferrous Metals

73. \* Seed Cleaning and Associated Grain Elevators 5,000 or more tons/yr. throughput

74. Sewage Treatment Facilities employing internal combustion for digester gasses

75. Soil Remediation Facilities stationary or portable

76. Steel Works, Rolling and Finishing Mills

77. \*\*\* Surface Coating in Manufacturing subject to RACT

78. Surface Coating Operations with actual emissions of VOCs before add on controls of

10 or more tons/yr.

79. Synthetic Resin Manufacturing

80. Tire Manufacturing

81. Wood Furniture and Fixtures 25,000 or more bd. ft./maximum 8 hr. input

82. Wood Preserving (excluding waterborne)

83. All Other Sources not listed herein that the Department determines an air quality

concern exists or one which would emit significant malodorous emissions

84. 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 with exclusively above ground tanks, provided

the gasoline dispensing facility has monthly throughput of less than 10,000

gallons of gasoline per month and does not sell gasoline for use in motor

vehicles

f. Motor vehicle surface coating operations painting less than 10 vehicles per

year or using less than 20 gallons of coating per year.

5. All sources having the potential to emit more than 100,000 short tons 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 GHG 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 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 |

**\***If the Department issues an invoice for Dry Cleaners or Gasoline Dispensing Facilities that

combines fees from other Divisions on a single invoice the payment due 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 340-215-0050(2), due in Calendar Year 2010 | 15% of the applicable annual fee in Part 2 |

**Part 4. Late Fees for annual fees and greenhouse gas reporting fees:**

a. 8-30 days late 5%

b. 31-60 days late 10%

c. 61 or more days late 20%

1. Non-Technical modifications include, but are not limited to name changes, change of

ownership and similar administrative changes.

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 devise 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.