

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 16, 2012, by the

Oregon Department of Environmental Quality

Agency and Division

Date prior to or same as filing date
340

Administrative Rules Chapter Number

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to become effective upon filing.

Rulemaking Notice was published in the August 2011 Oregon Bulletin.**

RULE CAPTION

Small and mid-size boiler rule amendments.

RULEMAKING ACTION

ADOPT: N/A

AMEND: OAR 340-200-0020, 340-200-0040, 340-210-0100, 340-210-0110, 340-210-0120, 340-210-0250, 340-228-0020, 340-228-0210, 340-262-0450 and 340-262-0600

REPEAL: N/A

RENUMBER: N/A

AMEND & RENUMBER: N/A

Stat. Auth.: ORS 468, 468A, 468.020, 468A.025, 468A.035, 468A.050, 468A.055, 468A.070, 468A.460 to 468A.515 and 468A.310

Other Auth.: N/A

Stats. Implemented: ORS 468, 468A, 468.020, 468A.025, 468A.035, 468A.050, 468A.055, 468A.070, 468A.460 to 468A.515

RULE SUMMARY

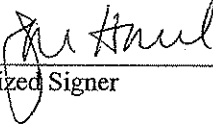
The Heat Smart rules under OAR chapter 340 division 262 prohibit the sale of uncertified biomass boilers and other solid fuel burning devices with maximum heat output capacities below one million British thermal units per hour in Oregon. For small-scale and mid-size commercial, industrial and institutional solid fuel-fired boilers that are not under a DEQ air quality permit but are already subject to federal National Emission Standards for Hazardous Air Pollutants, the rules adopted by the EQC:

- Provide an exemption from Heat Smart certification requirements if the owner or operator obtains construction approval from DEQ under OAR chapter 340 division 210.
- Require registration of a boiler with DEQ upon written request. Registration includes confirmation that the boiler complies with existing applicable state visible emissions standards and federal air toxics regulations.

The exemption from Heat Smart allows small-scale commercial, industrial and institutional biomass boilers already subject to federal National Emission Standards for Hazardous Air Pollutants to be sold in Oregon while ensuring it meets applicable air quality standards. Registration of a boiler does not authorize its operation like an air quality permit; however, it does provide DEQ with information about the location and compliance status of solid fuel boilers located at facilities that are not required to obtain air emissions permits.



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

	JOUL HAMMOND	5-14-12
Authorized Signer	Printed name	Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

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