

Table 6: Infrastructure SIP Submittal for Purposes of Clean Air Act (CAA) sections 110(a)(1) and (2) for the 2008 Pb NAAQS

Submitted by: Oregon Department of Environmental Quality
 Date Submitted: July 15, 2013
 Subject: Clean Air Act sections 110(a)(2)(a)(2)(A)-(M) SIP Infrastructure Elements for the 2008 Pb NAAQS

CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
Pb Definition		<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality General</p> <p>ORS 468.020 Rules and Standards</p> <p>ORS 468A Air Quality</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules</p> <p>ORS 468A.035 General Comprehensive Plan</p> <p>ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules</p> <p><u>Oregon Administrative Rules:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>OAR 340-200 General Air Pollution Procedures and Definitions, General -0020 General Air Quality Definitions (7) Aggregate insignificant emissions.... (b) 120 pounds for lead; (31) "Criteria Pollutant" means nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, or lead.</p> <p>OAR 340-204 Designation of Air Quality Areas -0010 Definitions (5) "Criteria Pollutant" (means any of the six pollutants set out by the Clean Air Act (sulfur oxides, particulate matter, ozone, carbon monoxide, nitrogen dioxide, and lead) for which the EPA has promulgated standards in 40 CFR 50.4 through 50.12 (July, 1993).</p> <p>OAR 340-250 General Conformity -0030 General Conformity Definitions (22) "National ambient air quality standards" or "NAAQS" means those standards established pursuant to Section 109 of the Act and include standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO2), ozone, particulate matter (PM10), and sulfur dioxide (SO2).</p>
§110(a)(2)(A) Emission limits & other control measures	<i>include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.</i>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.010 Policy</p> <p>ORS 468A.015 Purpose of air pollution laws</p> <p>ORS 468A.020 Rules and Standards: Gives Environmental Quality Commission (EQC) authority to adopt rules and standards to perform function vested by law</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules: EQC may establish...</p> <ul style="list-style-type: none"> (1) areas of state & prescribe air pollution & contamination levels (3) air quality standards including emission standards (4) emission treatment and control provisions <p>ORS 468A.035 General Comprehensive Plan: Oregon Department of Environmental Quality (DEQ) shall develop a general comprehensive plan for the control or abatement of air pollution</p> <p>ORS 468A.040 Permits; Rules: Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State.</p> <p>ORS 468A.045 Activities Prohibited Without Permit; Limit on Activities with Permit</p> <p>ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>Reporting of Sources; Rules; Fees</p> <p>ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules: Authority to establish a measurement and testing program pursuant to rules adopted by the EQC.</p> <p>ORS 468A.310 Federal operating permit program approval; rules; content of plan</p> <p>ORS 468A.315 Emission Fees for Major Sources; Base Fees; Basis of Fees; Rules</p> <p>ORS 468A.350 -.455 Motor Vehicle Pollution Control: Provides authority to implement emissions reductions programs related to motor vehicles.</p> <p>ORS 468A.365 Certification of Motor Vehicle Pollution Control Systems and Inspection of Motor Vehicles; Rules: Designate methods and standards for testing systems and inspecting motor vehicles</p> <p>ORS 468A.400 Fees; collection; use, Motor Vehicle Pollution Control</p> <p>ORS 468A.990 Penalties for air pollution offenses</p> <p>ORS 815 Vehicle Equipment Generally; Oregon Vehicle Code; General Provisions</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-200 General Air Pollution Procedures and Definitions: Defines “Criteria Pollutant” at (31) as nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, or lead. Defines significant emissions rates, de minimis emission levels, and plant site emission rates for specific air pollutants and precursors.</p> <p>OAR 340-202 Ambient Air Quality Standards and PSD Increments: Defines ambient air quality standards for all NAAQS. Specifies PSD increments & ceilings. -0130 Ambient Air Quality Standard for Lead</p> <p>OAR 340-204 Designation of Air Quality Areas: Designates air quality areas in Oregon: Air Quality Control Regions and nonattainment, maintenance, PSD, special control, motor vehicle inspection boundary and oxygenated gas control areas.</p> <p>OAR 340-216 Air Contaminant Discharge Permits: Federally-enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review programs. The SIP-approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate.</p> <p>OAR 340-222 Stationary Source Plant Site Emission Limits: Establishes criteria and method for regulating plant site emission limits of permit holders, to protect ambient air quality standards, PSD increments & visibility</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>OAR 340-224 Major New Source Review: Establishes permit program for major new and modified sources.</p> <p>OAR 340-225 Air Quality Analysis Requirements*: Establishes definitions and requirements for air quality analysis referred to in OAR 340 divisions 200 through 268 -0020 Definitions, TABLE 1 -0090 Requirements for Demonstrating a Net Air Quality Benefit</p> <p>OAR 340-228 Requirements for Fuel Burning Equipment and Fuel Sulfur Content -0430 WEB Trading Program Applicability</p> <p>OAR 340-234 Emission Standards for Wood Products Industries: Emission Limitations -0210-0250 Kraft Pulp Mills -0310-0360 Neutral Sulfite Semi-Chemical Pulp Mills -0410 Sulfite Pulp Mills -0500-0530 Board Products Industries</p> <p>OAR 340-236 Emission Standards for Specific Industries: Emission Limits -0120-0130 Aluminum Plants -0220 Laterite Ore Production of Ferronickel -0410-0440 Hot Mix Asphalt Plants</p> <p>OAR 340-250 General Conformity Implements requirements under Section 176(c) of the Clean Air Act with respect to the conformity of general federal actions to the applicable implementation plan</p> <p>OAR 340-252 Transportation Conformity Establishes policy, criteria, and procedures for demonstrating</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>and assuring conformity of planning activities to an applicable implementation plan developed pursuant to section 110 and Part D of the CAA.</p> <p>OAR 340-256 Motor Vehicles Air pollution control for mobile sources including motor vehicle inspection & maintenance program and fee schedule -0320 Motor Vehicle Inspection Program Fee Schedule</p> <p>OAR 340-258 Motor Vehicle Fuel Specifications Regulates motor vehicle fuel content standards, operating permits, recordkeeping & reporting persons or facilities who sells or otherwise markets gasoline for use in motor vehicles. -0170 Oxygenated Gasoline Blending</p> <p>OAR 340-268 Emission Reduction Credits (ERC) Addresses creation and banking of ERCs</p> <p>NOTE: The Oregon Environmental Quality Commission adopted the revised National Ambient Air Quality Standard for lead in May of 2010. On May 21, 2010, the revision was submitted as part of Oregon's SIP revision. EPA approved the May 5, 2011 revisions (NSR, PM2.5 and GHG permitting rule updates) on 12/27/2011 (76 FR 80747).</p>
<p>§110(a)(2)(B)</p> <p>Ambient air quality monitoring & data analysis system</p>	<p><i>provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to (i) monitor, compile, and analyze data on ambient air quality, and (ii) upon request, make such data available to the Administrator;</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468.035 (a-e, m) Functions of the Department: Authority to conduct & supervise inquiries and programs to assess and communicate air conditions and to obtain necessary resources (assistance, materials, supplies, etc.) to meet these responsibilities</p> <p><u>Oregon Administrative Rules:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>OAR 340-212 Stationary Source Testing and Monitoring</p> <p>NOTE: A comprehensive air quality monitoring plan, intended to meet the requirements of 40 CFR part 58, was submitted by DEQ on December 27, 1979 (40 CFR 52.1970) and was approved by the EPA on March 4, 1981 (46 FR 15136). This air quality monitoring plan has been subsequently updated, with the most recent submittal dated July 1, 2012 and approved by the EPA on October 25, 2012. This plan includes, among other things, the locations for the lead (Pb) monitoring network. Oregon provides an annual air quality data report to the public on the DEQ website at http://www.deq.state.or.us/aq/forms/annrpt.htm .</p>
<p>§110(a)(2)(C) Program to enforce control measures, regulate modification & construction of stationary sources and a permit program</p>	<p><i>include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D of this subchapter;</i></p>	<p><i>Two elements identified in section 110(a)(2) include requirements that are not governed by the 3-year submission deadline of section 110(a)(1). The requirements pertain to part D, of title I of the CAA, which addresses plan requirements for nonattainment areas. Therefore, the following section 110(a)(2) elements are considered by EPA to be outside the scope of infrastructure SIP actions: (1) section 110(a)(2)(C) to the extent it refers to permit programs (known as "nonattainment new source review") required under part D; and (2) section 110(a)(2)(I) in its entirety. EPA does not expect infrastructure SIP submittals to include regulations or emission limits developed specifically for attaining the relevant standard. Those submittals are due at the time the nonattainment area planning requirements are due (18 months following designation).</i></p> <p><u>Oregon Revised Statutes:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 183.415 Notice of right to hearing</p> <p>ORS 183.745 Civil penalty procedures; notice; hearing; judicial review; exemptions; recording; enforcement</p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468.035 (j, k) Functions of the Department</p> <p style="padding-left: 40px;">-j Shall seek enforcement of state air quality pollution laws</p> <p style="padding-left: 40px;">-k Shall compel compliance with any rule, standard, order, permit or condition</p> <p>ORS 468.065 Issuance of Permits; Consent; Fees; Use: Provides authority and requirements to ODEQ for issuing permits, the content of those permits, fee schedules, and reporting.</p> <p>ORS 468.070 Denial, Modification, Suspension or Revocation of Permits: Provides authority to deny, modify, suspend or revoke a permit if it finds a material misrepresentation or false statement in the application; failure to comply with the permit; or violation of an applicable law, rule, standard or order. ODEQ may also modify a permit if it is necessary for the proper administration, implementation or enforcement of the provisions in applicable laws.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 468.090-.140 Enforcement: Provides DEQ with authority to investigate complaints, investigate and inspect sources for compliance, access records, commence enforcement procedures, and impose civil penalties.</p> <p>ORS 459A.590 Use, management, disposal and resource recovery; rules</p> <p>ORS 459A.595 Use for dust suppression or as herbicide</p> <p>ORS 468.920-.963 Environmental Crimes: Authorizes and provides categories related to criminal enforcement and associated fines.</p> <p>ORS 468.996-.997 Civil Penalties: Provides additional penalties for persons who intentionally or recklessly violate provisions of specific chapters of ORS, including 468 and 468A or any rule, standard, or order pursuant to ORS 468 and 468A “which results in or creates the imminent likelihood for an extreme hazard to the public health or which causes extensive damage to the environment.”</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility.</p> <p>ORS 468A.035 General comprehensive plan Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 468A.040 Permits; Rules EQC may require permits for air contamination sources, etc.</p> <p>ORS 468A.045 Activities Prohibited Without Permit; Limit on Activities With Permit: Prohibits any person from discharging, emitting or allowing to be discharged or emitted any air contaminant for which a permit is required. Prohibits construction, installation, modification, operation, increase in emissions, etc. of any air contamination source for which a permit is required.</p> <p>ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and Reporting of Sources; Rules; Fees</p> <p>ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal: Provides authority to EQC (or DEQ) to establish notice requirements prior to construction of new sources, issue orders to prohibit the construction of a new source, and lays out an appeal process.</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules</p> <p>ORS 468A.310 Federal operating permit program approval; rules; content of plan</p> <p>ORS 468A.990 Penalties for air pollution offenses: Establishes that violations of any rule or standard or order issued by a regional authority relating to air pollution is a Class A misdemeanor and that each day of violation of constitutes a separate offense.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-012 Enforcement Procedure and Civil Penalties: Establishes enforcement actions to encourage compliance with environmental regulations and to protect public health & the environment</p> <p>OAR 340-202 Ambient Air Quality Standards and PSD Increments: Defines ambient air quality standards for all NAAQS. Specifies PSD increments & ceilings. -0210 Ambient Air Increments</p> <p>OAR 340-210 Stationary Source Notification Requirements: Establishes registration requirements for stationary air contaminant sources not subject to ADCP or title V permits and regulates construction & modification of these sources and air pollution control equipment</p> <p>OAR 340-214 Stationary Source Reporting Requirements: Establishes reporting requirements for stationary sources, and requires recordkeeping on the nature, type and amount of emissions. -0120 Enforcement of Reporting requirements -0350 Enforcement action criteria for excess emissions</p> <p>OAR 340-216 Air Contaminant Discharge Permits (ACDP): Federally-enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review programs. The SIP-approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>OAR 340-224 Major New Source Review Regulates construction & modification of proposed major sources within nonattainment & maintenance areas and federal major sources & modifications within attainment & unclassified areas.</p> <p>NOTE: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747).</p>
<p>§110(a)(2)(D)(i)(I) Interstate transport as it relates to significant contribution to nonattainment and interference with maintenance</p>	<p><i>contain adequate provisions</i> <i>(i) prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will</i> <i>(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any such national primary or secondary ambient air quality standard, or</i></p>	<p><u>CAA section 110(a)(2)(D)(i)(I) Interstate Transport as it relates to significant contribution to nonattainment and interference with maintenance:</u></p> <p><i>In accordance with the panel of the U.S. Court of Appeals for the D.C. Circuit opinion, the EPA at this time is not treating the 110(a)(2)(D)(i)(I) SIP submission from the State of Oregon as a required SIP submission. See EME Homer City generation, L.P. v. EPA, 696 F .3d 7. Unless the EME Homer City decision is reversed or otherwise modified by the Supreme Court, states are not required to submit 110(a)(2)(D)(i)(I) SIPs until the EPA has quantified their obligations under that section. The portions of the SIP submission relating to 110(a)(2)(D)(i)(II) and 110(a)(2)(D)(ii), in contrast, are required and therefore, the State of Oregon is submitting for purposes of 110(a)(2)(D)(i)(II) and 110(a)(2)(D)(ii) below. For more information, please visit: http://www.gpo.gov/fdsys/pkg/FR-2013-02-26/pdf/2013-04293.pdf</i></p> <p>NOTE: Finding of Failure to Submit Infrastructure SIPs for 2008 Pb NAAQS included a finding of failure to submit for Oregon, but did not find that Oregon failed to submit for section 110(a)(2)(D)(i)(I) for the 2008 Pb NAAQS:</p>
<p>§110(a)(2)(D)(i)(II) Interstate transport as it relates to PSD and visibility</p>	<p><i>(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C of this subchapter to prevent significant deterioration</i></p>	<p><u>CAA section 110(a)(2)(D)(i)(II) Interstate transport as it relates to PSD:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
	<i>of air quality or to protect visibility,</i>	<p><u>Oregon Revised Statutes</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p><u>Oregon Administrative Rules:</u> <i>Oregon's Administrative Rules are consistent with federal requirements per Appendix N of 40 CFR 50 pertaining to the notification of interstate pollution abatement.</i></p> <p>OAR 340-200 General Air Pollution Definitions and Procedures: Defines general air pollution terms. -0020 General Air Quality Definitions (6) "Affected States" Specifies neighboring states.</p> <p>OAR 340-202 Ambient Air Quality and PSD Increments: Defines ambient air quality standards for all NAAQS. Specifies <u>PSD</u> increments & ceilings. -0130 Ambient Air Quality Standard for Lead -0220 Ambient Air Ceilings</p> <p>NOTE: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747).</p>
§110(a)(2)(D)(ii) Interstate and international pollution	<i>(ii) insuring compliance with the applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement);</i>	<p><u>Oregon Revised Statutes</u></p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p><u>Oregon Administrative Rules:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>OAR 340-209 Public Participation: specifies the requirements for notifying the public of certain permit actions and providing an opportunity for the public to participate in those permit actions.</p> <p>-0060 Persons Required to be Notified: includes state notification</p> <p>NOTE: State regulations are consistent with Federal requirements in Appendix N of 40 CFR part 50 pertaining to the notification of interstate pollution abatement.</p>
<p>§110(a)(2)(E)(i) Adequate personnel, funding and authority to carry out plan</p>	<p><i>provide (i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof);</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468.035 Functions of Department (d, h) Authority to employ personnel, purchase supplies, enter into contracts, and to receive, appropriate and expend federal and other funds for purposes of air pollution research and control</p> <p>ORS 468A.045 Functions of Director; Delegation Power to hire, assign, reassign, and coordinate personnel of the department</p> <p><u>Grant Programs:</u></p> <p>DEQ received CAA section 105 grants from EPA and DEQ matches through the state's General Fund. In addition, for near roadway NO₂ monitoring site establishment, DEQ received a one-time CAA section 103 grant from EPA for (Grant number 00J58401). DEQ's Performance and Partnership Agreement with EPA contains more information.</p> <p><u>Interagency Agreements:</u></p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>Intergovernmental Agreement between DEQ and LRAPA (DEQ Agreement # 003-12)</p> <p>DEQ's Performance and Partnership Agreement with EPA</p>
<p>§110(a)(2)(E)(ii) Comply with state boards</p>	<p><i>(ii) requirements that the state comply with the requirements respecting state boards under section 128 of this title, and</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-200-0100: Purpose</p> <p>OAR 340-200-0110: Public Interest Representation</p> <p>OAR 340-200-0120: Disclosure of Potential Conflicts of Interest</p> <p>NOTE: EPA approved OAR 340-200-0100 through OAR 340-200-0120 as meeting the requirements of CAA section 128 on January 22, 2003 (68 FR 2891).</p>
<p>§110(a)(2)(E)(iii) oversee local & regional gov/agencies</p>	<p><i>(iii) necessary assurances that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provision;</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 468.035 (c) Functions of Department: Authority to advise, consult, and cooperate with other states, state and federal agencies, or political subdivisions on all air quality control matters.</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.010 Policy: Calls for joint responsibility for “a coordinated statewide program of air quality control and to allocate [responsibility] between the state and the units of local government”</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility.</p> <p>ORS 468A.040 Permits; Rules: Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State.</p> <p>ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and Reporting of Sources; Rules; Fees</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules</p> <p>ORS 468A.100-180 Regional Air Quality Control Authorities: Describes the establishment, role, and function of Regional Authorities.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p><u>Oregon Administrative Rules</u></p> <p>OAR 340-200 General Air Pollution Procedures and Definitions -0010 Specifies that Lane Regional Air Protection Agency (LRAPA) has authority in Lane County -0020 defines a “Regional Agency”. -0040 describes inclusion of the regional agency’s actions into the SIP</p> <p>OAR 340-204 Designation of Air Quality Areas Includes Designation of Control Areas within Lane County.</p> <p>OAR 340-216 Air Contaminant Discharge Permits Relating to ACDP includes authorities for LRAPA and inclusion in the SIP.</p>
<p>§110(a)(2)(F) Stationary source emissions monitoring and reporting system</p>	<p><i>require, as may be prescribed by the Administrator</i> <i>(i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,</i> <i>(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and</i> <i>(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rule and Standards Gives Environmental Quality Commission (EQC) authority to adopt rules and standards to perform function vested by law</p> <p>ORS 468.035 (b, d) Functions of Department Authority to conduct & supervise inquiries and programs to assess and communicate air conditions and to obtain necessary resources (assistance, materials, supplies, etc.) to meet these responsibilities</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>ORS 468A.025 (4) Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules Commission shall adopt rules, require permit conditions for operation and maintenance of pollution control equipment, and require typically achievable control technology for new, modified and existing sources of air contaminants or precursors for stationary sources</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules Authority to establish a measurement and testing program pursuant to rules adopted by the EQC.</p> <p>ORS 468A.310 Federal operating permit program approval; rules; content of plan</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-212 Stationary Source Testing and Monitoring Requires facilities to monitor & report emissions, including requirements for monitoring methods & design, and Monitoring & Quality Improvement plans, etc.</p> <p>OAR 340-214 Stationary Source Reporting Requirements Requires stationary sources to maintain written records to determine compliance with emission rules, limitations or control measures for any regulated air pollutant and provides requirements for reporting and recordkeeping.</p> <p>OAR 340-222 Stationary Source Plant Site Emission Limits -0080 Plant Site Emission Limit Compliance: Specifies permittee must monitor and maintain records to</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>demonstrate compliance. Specifies frequency and method of monitoring for PSELs.</p> <p>OAR 340-225 Air Quality Analysis Requirements (stationary source: mostly about modeling, but one section about monitoring)</p> <p>OAR 340-236 Emission Standards for Specific Industries: Emissions Monitoring & Reporting -0120-0130 Aluminum Plants -0220 Laterite Ore Production of Ferronickel -0410-0440 Hot Mix Asphalt Plants</p>
<p>§110(a)(2)(G) Authority to declare air pollution emergency and notify public</p>	<p><i>provide for authority comparable to that in section 303 of this title and adequate contingency plans to implement such authority;</i></p>	<p><i>The EPA October 14, 2011 Pb infrastructure guidance states that the EPA expects that an emergency episode associated with Pb emission would be unlikely and, if it were to occur, would be the result of a malfunction or other emergency situation at a relatively large source of Pb. Accordingly, the EPA believes the central components of a contingency plan would be to reduce emissions from the source at issue and public communication as needed.</i></p> <p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468.115 Enforcement in Cases of Emergency Authorizes the DEQ Director, at the direction of the Governor, to enter a cease & desist order for polluting activities that present an imminent and substantial danger to</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>public health.</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.310 Federal operating permit program approval; rules; content of plan</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-206 Air Pollution Emergencies Air pollution emergency episode procedures. Authorizes the DEQ Director to declare an air pollution alert or warning, or to issue an advisory to notify the public. The Department shall notify the Governor when declaring an emergency. This section describes the existing emergency episode procedures in place.</p> <p>OAR 340-214 Stationary Source Reporting Requirements -0300-0360 Requires reporting of emergencies and excess emissions and reporting requirements (adequate contingency plans to implement such authority).</p>
<p>§110(a)(2)(H) Future SIP revisions</p>	<p><i>provide for revision of such plan</i></p> <p><i>(i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and</i></p> <p><i>(ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468A.035 General Comprehensive Plan: Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution.</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules</p>

Section 110(a) Element	Summary of Element	How Addressed
	<i>attain the national ambient air quality standard which it implements, or to otherwise comply with any additional requirements established under this Act;</i>	<p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-200 General Air Pollution Procedures and Definitions</p> <p>-0040 State of Oregon Clean Air Act Implementation Plan Provides for revisions to Oregon's SIP and submittal of revisions to the EPA - this includes standards submitted by a regional authority and adopted verbatim to DEQ rules.</p>
§110(a)(2)(I) Nonattainment requirements	<i>in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);</i>	<i>Two elements identified in section 110(a)(2) include requirements that are not governed by the 3-year submission deadline of section 110(a)(1). The requirements pertain to part D, of title I of the CAA, which addresses plan requirements for nonattainment areas. Therefore, the following section 110(a)(2) elements are considered by EPA to be outside the scope of infrastructure SIP actions: (1) section 110(a)(2)(C) to the extent it refers to permit programs (known as "nonattainment new source review") required under part D; and (2) section 110(a)(2)(I) in its entirety. EPA does not expect infrastructure SIP submittals to include regulations or emission limits developed specifically for attaining the relevant standard. Those submittals are due at the time the nonattainment area planning requirements are due (18 months following designation).</i>
§110(a)(2)(J) (§ 121 consultation)	<i>meet the applicable requirements of section 121 (relating to consultation), ...</i>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 183.335 Filing and taking effect of rules; filing of executive orders; copies; fees</p> <p>ORS 468.035 (a, c, f-g) Functions of department</p> <p>-a. encourages voluntary cooperation with local govt. and</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>others in restoring & preserving air quality</p> <p>-c. Shall advise, consult, and cooperate with state & federal agencies and political subdivisions in air quality control matters</p> <p>-f. Shall provide advisory technical consultation and services to local & state agencies</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468A.010 (1) b & c Policy Facilitates cooperation between state and local government in air quality control</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-209 Public Participation Provides for notification to, and participation by, the public in certain permit actions.</p> <p>NOTE: On April 22, 2011, the Oregon Environmental Quality Commission adopted revisions updating the PSD program in Oregon. On May 5, 2011, these PSD updates were submitted as part of Oregon's SIP revision. EPA approved the revisions on December 27, 2011 (76 FR 80747).</p>
<p>§110(a)(2)(J) (Section 127 public notification)</p>	<p><i>meet the applicable requirements of... section 127 (relating to public notification)</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468.035 (a, c, f-g) Functions of department</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>-a. encourages voluntary cooperation with local govt. and others in restoring & preserving air quality -e. shall conduct and supervise air pollution control education programs</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-206 Air Pollution Emergencies Provides for public notification for both emergency and non-emergency air quality conditions.</p> <p>OAR 340-209 Public Participation</p> <p>OAR 340-216 Air Contaminant Discharge Permits</p> <p>OAR 340- 252 Transportation Conformity</p> <p>OAR 340-223 Regional Haze Rules</p>
<p>§110(a)(2)(J) PSD & visibility protection</p>	<p><i>meet the applicable requirements of ... part C (relating to prevention of significant deterioration of air quality and visibility protection);</i></p>	<p><i>EPA does not believe that the visibility element of 110(a)(2)(J) is triggered by a NAAQS revision. Therefore, the visibility protection element of 110(a)(2)(J) is not addressed within this crosswalk. For more information, please see 77 FR 6044.</i></p> <p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p>on any proposed rule or standard prior to adoption</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility.</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-202 Ambient Air Quality Standards and PSD Increments -0200-0220 PSD Increments Specifies ambient air increments & ceilings.</p> <p>OAR 340-204 Designation of Air Quality Areas -0050-0060 Designation & re-designation of PSD areas</p> <p>OAR 340-224 Major New Source Review -0070 Prevention of Significant Deterioration (PSD) requirements for proposed new federal major sources or modifications in attainment or unclassified areas.</p> <p>OAR 340-225 Air Quality Analysis Requirements -0050-0060 In PSD areas: Requirements for analysis and demonstrating compliance with standards & increments.</p> <p>NOTE: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747).</p>
§110(a)(2)(K)	<i>provide for:</i>	<u>Oregon Revised Statutes:</u>

Section 110(a) Element	Summary of Element	How Addressed
Air quality modeling/data	<p><i>(i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and</i></p> <p><i>(ii) the submission, upon request, of data related to such air quality modeling to the Administrator;</i></p>	<p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468.035 (b) Functions of department -b May conduct studies, investigations, etc. to determine air quality.</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-225 Air Quality Analysis Requirements (includes modeling) -0040 Air Quality Models Refers to modeled estimates of ambient concentrations. -0045 Requirements for Analysis in Maintenance Areas -0050 Requirements for Analysis in PSD Class II and Class III Areas -0060 Requirements for Demonstrating Compliance with Standards and Increments in PSD Class I Areas -0070 Requirements for Demonstrating Compliance with AQRV Protection</p>
§110(a)(2)(L) Major Stationary source permitting fees	<p><i>require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover</i></p> <p><i>(i) the reasonable costs of reviewing and acting upon any application for such a permit, and</i></p> <p><i>(ii) if the owner or operator receives a permit for such source, the reasonable costs of</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption.</p> <p>ORS 468.065 Issuance of Permits: Content; Fees; use Commission may establish a schedule of fees for permits based upon cost of filing & investigating application, issuing</p>

Section 110(a) Element	Summary of Element	How Addressed
	<p><i>implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V;</i></p>	<p>or denying permit, carrying out Title V requirements and determining compliance.</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.040 Permits; Rules: Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State.</p> <p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-216 Air Contaminant Discharge Permits: Requires payment of permit fees.</p> <ul style="list-style-type: none"> -0020 (Table 2) ACDP Fee Schedule -0090 (Table 1) Sources Subject to ADCP and Fees
<p>§110(a)(2)(M) Consultation/Participation by affected local entities</p>	<p><i>provide for consultation and participation by local political subdivisions affected by the plan.</i></p>	<p><u>Oregon Revised Statutes:</u></p> <p>ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration</p> <p>ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption</p> <p>ORS 468.035 (a, c, f-g) Functions of Department</p> <ul style="list-style-type: none"> -a. encourages voluntary cooperation with local govt. and others in restoring & preserving AQ -c. Shall advise, consult, and cooperate with state & federal agencies and political subdivisions in AQ control matters -f. Shall provide advisory technical consultation and services to local & state agencies -g. Shall develop & conduct demonstration programs

Section 110(a) Element	Summary of Element	How Addressed
		<p>with local govt.</p> <p>ORS 468A Air Quality, Public Health and Safety, Air Pollution Control</p> <p>ORS 468A.010 (1) b & c Policy Calls for joint responsibility for “a coordinated statewide program of air quality control and to allocate [responsibility] between the state and the units of local government.”</p> <p>ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility.</p> <p>ORS 468A.035 General Comprehensive Plan: Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution.</p> <p>ORS 468A.040 Permits; Rules: Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State.</p> <p>ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal</p> <p>ORS 468A.070 Measurement and Testing of Contamination Sources; Rules</p> <p>ORS 468A.100-180 Regional Air Quality Control Authorities Describes the establishment, role, and function of Regional Authorities.</p>

Section 110(a) Element	Summary of Element	How Addressed
		<p><u>Oregon Administrative Rules:</u></p> <p>OAR 340-200 General Air Pollution Procedures and Definitions -0010 Specifies that Lane Regional Air Protection Agency (LRAPA) has authority in Lane County. -0020 defines a “Regional Agency”. -0040 describes inclusion of the regional agency’s actions into the SIP.</p> <p>OAR 340-204 Designation of Air Quality Areas Includes Designation of Control Areas within Lane County.</p> <p>OAR 340-216 Air Contaminant Discharge Permits Relating to ACDP includes authorities for LRAPA and inclusion in the SIP.</p>