

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
ALL	ALL	NA	NA	Replace “Act” with “FCAA”	Simplification	NA
ALL	ALL	NA	NA	Replace “air pollutant” or “pollutant” or “regulated air pollutant” with “regulated pollutant” where appropriate	Clarification/simplification. The defined terms are “regulated air pollutant” and “regulated pollutant” but use “regulated pollutant”	NA
ALL	ALL	NA	NA	Replace “control equipment” with “control device”	Clarification. The defined term is control device	NA
ALL	ALL	NA	NA	Replace “the Commission” or “the Environmental Quality Commission” with “the EQC”	Simplification	NA
ALL	ALL	NA	NA	Replace “the Department” with “DEQ”	Simplification	NA
ALL	ALL	NA	NA	Replace “Division” with “division”	correction	NA
ALL	ALL	NA	NA	Replace “Environmental Protection Agency” with “EPA”	Simplification	NA
ALL	ALL	NA	NA	Replace “modification” with “major modification” where appropriate	Clarification/correction	NA
ALL	ALL	NA	NA	Replace “New Source Review” with “NSR”	Simplification	NA
ALL	ALL	NA	NA	Replace “Plant Site Emission Limit” with PSEL	Simplification	NA
ALL	ALL	NA	NA	Replace “Prevention of Significant Deterioration” with “PSD”	Simplification	NA
ALL	ALL	NA	NA	Replace “Regional Authority” or “Regional Agency” with “LRAPA”	Simplification	NA
ALL	ALL	NA	NA	Replace “shall” with “must” or “may”	Shall imposes an obligation on a person, not a thing	NA
ALL	ALL	NA	NA	Replace “should” with “must”	Clarification	NA
ALL	ALL	NA	NA	Replace “source” with “major source” where appropriate	Clarification/correction	NA
ALL	ALL	NA	NA	Replace “significant emission rate” with “SER”	Simplification	NA
ALL	ALL	NA	NA	Replace “State Implementation Plan” with “SIP”	Simplification	NA
ALL	ALL	NA	NA	Replace “unclassifiable” with “unclassified”	Correction. The defined term is “unclassified area”	NA
ALL	ALL	NA	NA	Delete CFR date	CFR date is included in Reference Materials rule, OAR 340-200-0035	NA
ALL	ALL	NA	NA	Do not capitalize “part” or “subpart” or “appendix” after 40 CFR	Correction	NA
ALL	ALL	NA	NA	Delete “national” from “ambient air quality standard”	DEQ has some ambient air quality standards that are different than federal standards	NA
ALL	ALL	NA	NA	Delete “stationary” from “stationary source”	Some portable sources require permits under division 216	NA
ALL	ALL	NA	NA	Delete “of this rule” or “of this section” or “of this subsection” or “of this paragraph”	Plain language	NA
ALL	ALL	NA	NA	Correct cross references	Correction	NA
ALL	ALL	NA	NA	Capitalize the first word of every rule, section,	Correction	NA

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Division	Rule	Division	Rule			
				subsection, paragraph, or subparagraph		
ALL	ALL	NA	NA	Provide punctuation where necessary	Correction	NA
ALL	ALL	NA	NA	Remove all bold font	Not necessary	NA
ALL	ALL	NA	NA	Add “OAR 340” before rule citations if not already included and delete “chapter”	Clarification	NA
ALL	ALL	NA	NA	Do not capitalize defined terms	Not necessary	NA
ALL	ALL	NA	NA	Replace parentheses with commas	Style guide	SIP
ALL	ALL	NA	NA	Move tables to their own rule number and delete ED. NOTE for tables to consistently read: [ED. NOTE: Table referenced are available from the agency.]	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	NA
ALL	ALL	NA	NA	Regulate in the singular and remove (s)	Clarification	NA
ALL	ALL	NA	NA	Correct Statutory Authority and Statutes Implemented for all rules	Correction	NA
ALL	ALL	NA	NA	Change SIP note to: “ NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	Style guide	NA
ALL	ALL	NA	NA	Remove brackets from SIP note	Not necessary	NA
ALL	ALL	NA	NA	Delete : “[Publications: Publications referenced are available from the agency.]” and “[Publications: The publications referred to or incorporated by reference in this rule are available from the agency.]”	Not necessary. DEQ does not get requests for publications since they are easily obtainable from the internet.	NA
200				General Air Pollution Procedures and Definitions		
200	ALL	NA	NA	Capitalize only the first word in the defined term	Correction	SIP
200	0010(3)	NA	NA	Change to: “(3) DEQ administers divisions 200 through 268 in all areas of the State of Oregon except when the EQC has designated LRAPA to administer rules within its area of jurisdiction. Subject to and when provided in divisions 200 through 268, LRAPA is authorized by the EQC as the agency to implement these state rules, and must apply the requirements and procedures contained in these state rules, within its area of jurisdiction. LRAPA may apply any LRAPA rule in lieu of a state rule(s) provided that the LRAPA rule is at least as strict as the state rule(s), LRAPA has submitted the rule to the EQC for its approval, and the EQC has not disapproved the rule.”	Clarification	SIP

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Division	Rule	Division	Rule			
NA	NA	200	0010	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 12/27/11. The note was inadvertently omitted from the rule.	SIP
200	0020(1)	NA	NA	Add “§§”	Clarification	SIP
200	0020(3)	NA	NA	Add a cross reference to divisions 214, 220, and 222 for determining actual emissions	Clarification. Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in division 214 for Emission Statements, division 220 for Title V Operating Permit Fees and division 222 Plant Site Emission Limits.	SIP
200	0020(3)(a) – (c)	222	0051	Move (a) through (c) for determining actual emissions to division 222	Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in division 222 Plant Site Emission Limits.	SIP
200	0020(3)(d)	214	0210(1)(c)(A)	Move the definition of actual emissions for emission statements to division 214	The part of the definition of actual emissions for emission statements should be included in the rules for emission statements in division 214	SIP
200	0020(3)(d)	220	0120(1)	Move the definition of actual emissions for Title V operating permit fees to division 220	The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees in division 220	NA
200	0020(3)(e)	220	0120(2)	Move the method of measuring actual emissions for Title V operating permit fees to division 220	The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees in division 220	NA
200	0020(4)	NA	NA	Change to: ““Adjacent,” as used in the definitions of major source and source and in OAR 340-216-0070, means interdependent facilities that are nearby to each other.”	Clarification. Added this qualifier to this definition because “adjacent” is used with the dictionary meaning in other locations.	SIP
200	0020(7)(c)	NA	NA	Change “fluoride” to “fluorides”	Correction	SIP
200	0020(8)	NA	NA	Add “regulated pollutant” to the definition of “air contaminant”	Clarification	SIP
200	0020(9)	NA	NA	Change to: “(9) "Air Contaminant Discharge Permit" or "ACDP" means written authorization issued, renewed, amended, or revised by DEQ, pursuant to OAR 340 division 216.”	Clarification. Defining permit with the word permit is circular so change to “written authorization”	SIP
200	0020(10)	NA	NA	Change to: "Alternative method" means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to DEQ's satisfaction to, in specific cases, produce results	Clarification. Change the definition to match EPA's definition. The added language comes from division 340-212-0140(2) and is more descriptive than the existing definition.	SIP

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				adequate for determination of compliance. The alternative method must comply with the intent of the rules, is at least equivalent in objectivity and reliability to the uniform recognized procedures, and is demonstrated to be reproducible, selective, sensitive, accurate, and applicable to the program. An alternative method used to meet an applicable federal requirement for which a reference method is specified must be approved by EPA unless EPA has delegated authority for the approval to DEQ.”		
NA	NA	200	0020(13)	Add definition of “attainment area” or “unclassified area” “Attainment area” or “unclassified area” means an area that has not otherwise been designated by EPA as nonattainment with ambient air quality standards for a particular regulated pollutant. Attainment areas or unclassified areas may also be referred to as sustainment or maintenance areas as designated in division 204. Any particular location may be part of an attainment area or unclassified area for one regulated pollutant while also being in a different type of designated area for another regulated pollutant.	Clarification. EPA recognizes only two areas, nonattainment or attainment. DEQ’s designated maintenance and sustainment areas would be considered attainment areas by EPA.	SIP
NA	NA	200	0020(14)	Add definition of “attainment pollutant” “Attainment pollutant” means a pollutant for which an area is designated an attainment or unclassified area.”	Clarification.	SIP
200	0020(13)	200	0020(15)	Add a cross reference to division 222 for determining baseline emission rate	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits	SIP
200	0020(13)	NA	NA	Delete the language “Baseline emission rate does not include increases due to voluntary fuel switches or increased hours of operation that occurred after that baseline period.”	This language is not necessary. The baseline emission rate obviously would not include these changes that occurred after the baseline period.	SIP
200	0020(13)(a)	222	0048(2)	Move part of (a) for establishing the baseline emission rate for regulated air pollutants	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(13)(a)	222	0048(3)	Move part of (a) that states a baseline emission rate will not be established for PM2.5	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(13)(b)	222	0048(4)	Move (b) for establishing the baseline emission rate for GHG.	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(13)(c)	222	0048(5)	Move (c) for establishing the baseline emission rate for new regulated pollutants	Move procedural requirements out of definitions. Establishment of the baseline emission rate should	SIP

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Division	Rule	Division	Rule			
					be in division 222 Plant Site Emission Limits	
200	0020(13)(d)	222	0048(6)	Move (d) for recalculating the baseline emission rate and further clarify when the baseline emission rate will be recalculated	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(13)(e)	222	0048(6)	Move (e) and further clarify when the baseline emission rate will be recalculated	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(14)	200	0020(16)	Add a cross reference to division 222 for determining baseline period	Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in division 222 Plant Site Emission Limits	SIP
200	0020(14)(a)	222	0048(1)(a)	Move (a) for determining baseline period for non-GHG	Move procedural requirements out of definitions. Establishment of the baseline period should be in division 222 Plant Site Emission Limits	SIP
200	0020(14)(b)	222	0048(1)(b)	Move (b) for determining baseline period for GHG	Move procedural requirements out of definitions. Establishment of the baseline period should be in division 222 Plant Site Emission Limits	SIP
NA	NA	200	0020(20)	Add definition of “capture efficiency” “Capture Efficiency” means the amount of regulated pollutant collected and routed to an air pollution control device divided by the amount of total emissions generated by the process being controlled.	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency” are being added to help clarify the differences among the terms.	SIP
200	0020(19)	200	0020(22)	Change “shall” to “is”	Shall imposes an obligation on a person, not a thing	SIP
200	0020(20)(a)	200	0020(23)(a)	Change % to percent	Style guide	SIP
200	0020(20)(b)	200	0020(23)(b)	Change “tail pipe” to “tailpipe”	Correction	SIP
200	0020(20)(c)	200	0020(23)(c)	Change to: “(c) Distillate oil, kerosene, gasoline, natural gas or propane burning equipment, provided the aggregate expected actual emissions of the equipment identified as categorically insignificant do not exceed the de minimis level for any regulated pollutant, based on the expected maximum annual operation of the equipment. If a source’s expected emissions from all such equipment exceed the de minimis levels, then the source may identify a subgroup of such equipment as categorically insignificant with the remainder not categorically insignificant. The following equipment may never be	When the list of categorically insignificant activities was developed with the Title V program, the emissions threshold for activities to be included on the list was the de minimis levels. If activities emitted more than the de minimis levels, they could not be included on the list or categorically insignificant activities. Combine categorically insignificant for distillate oil, kerosene, gasoline, natural gas and propane burning equipment and keep the same thresholds. This equipment can be split into two groups: 1. A	SIP

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				included as categorically insignificant: (A) Any individual distillate oil, kerosene or gasoline burning equipment with a rating greater than 0.4 million Btu/hour; (B) Any individual natural gas or propane burning equipment with a rating greater than 2.0 million Btu/hour.”	group whose aggregate emissions may be close to or greater than de minimis levels and these equipment should be included in the netting basis (if applicable) and the PSEL; 2. A group whose aggregate emissions are less than de minimis levels and are truly categorically insignificant. DEDQ found sources with multiple fuel burning equipment, and their aggregate emissions were greater than de minimis levels and therefore, require permitting.	
200	0020(20)(d)	200	0020(23)(d)	Change to: “(d) Distillate oil, kerosene, gasoline, natural gas or propane burning equipment brought on site for six months or less for maintenance, construction or similar purposes, such as but not limited to generators, pumps, hot water pressure washers and space heaters, provided that any such equipment that performs the same function as the permanent equipment, must be operated within the source's existing PSEL;”	Combine with distillate oil, kerosene and gasoline burning equipment in subsection (c) and clarify requirements for temporary equipment for which DEQ received a comment	SIP
200	0020(20)(pp)	200	0020(23)(pp)	Change “storm water” to “stormwater”	Correction	SIP
200	0020(20)(ss)	200	0020(23)(ss)	Change “of fugitive dust” to “in fugitive dust”	Correction	SIP
200	0020(20)(uu)	200	0020(23)(uu)	Change to: “(uu) Emergency generators and pumps used only during loss of primary equipment or utility service due to circumstances beyond the reasonable control of the owner or operator, or to address a power emergency, provided that the aggregate horsepower rating of all stationary emergency generator and pump engines is not more than 3,000 horsepower. If the aggregate horsepower rating of all stationary emergency generator and pump engines is more than 3,000 horsepower, then no emergency generators and pumps at the source may be considered categorically insignificant;”	DEQ took into consideration the comment on the proposed change to category (uu) in categorically insignificant activities that owners and operators of emergency engines have no reason to operate the engines for the full 100 hours per year specified in the NSPSs and NESHAP. However, DEQ also took into consideration that the real environmental concern over data centers and other sources with large backup generating capacity is their short term emissions. During an actual power outage, many or all of the emergency engines at these sources will be operated, resulting in short term emissions equivalent to the short term emissions of much larger sources. Although DEQ does not regulate the emergency operation of these engines, one of DEQ’s goals is to ensure that emissions are minimized during emergency operation by proper maintenance of the engines.	SIP

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					DEQ believes it is possible to establish a simple aggregate horsepower threshold level for this permitting category, rather than requiring all potentially affected sources to calculate their emissions or obtain a permit for the purpose of being able to specify some number of readiness and testing hours other than 100 hour per year. The approach used to calculate a threshold horsepower level for permitting is similar to the approach used to calculate a threshold horsepower level for categorically insignificant activities. DEQ conservatively estimated the default maximum aggregate horsepower as explained below. • DEQ used the uncontrolled diesel engine NOx emission factor of 0.024 lb/hp-hr from AP-42, Table 3.4-1, and • DEQ used 28 hours per year of operation for testing and maintenance, determined as described in the preceding section on categorically insignificant activities. Based on the above, the permitting threshold based on the aggregate horsepower rating of the source is: $10 \text{ ton/yr} \times 2000 \text{ lb/ton} / (0.024 \text{ lb/hp-hr} \times 28 \text{ hr/yr}) = 29,762 \text{ hp}$ (rounded to 30,000) DEQ notes that several data centers have already been issued permits. The data center with the least emergency generating capacity has an aggregate rating of 22,500 kilowatts. Assuming 85 percent efficiency converting engine power to electricity, this is equivalent to approximately 35,500¹ horsepower.	

¹ 22,500 kW/(0.7457 kW/hp x 0.85) = 35,498 hp

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					Therefore the data centers already permitted will be required to have a permit under the proposed permitting threshold as well.	
200	0020(20)(bbb)	200	0020(23)(bbb)	Change to: “(bbb) Uncontrolled oil/water separators in effluent treatment systems, excluding systems with a throughput of more than 400,000 gallons per year of effluent located at the following sources: (A) Petroleum refineries; (B) Sources that perform 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; or (C) Bulk gasoline plants, bulk gasoline terminals, and pipeline facilities;”	DEQ learned that emissions from an oil/water separator at a bulk gasoline terminal of almost 2 tons/year based on emission factors from the Petroleum Refinery section (EPA’s AP 42 Section 5.1). 400,000 gal/year (33,333 gal/month) throughput to an oil/water separator equates to 1 tpy of uncontrolled emissions so this throughput will be added to the categorically insignificant activity. DEQ has excluded uncontrolled oil/water separators at the sources listed in paragraphs (A) through (C) since these will have the highest emissions.	SIP
200	0020(22)	NA	NA	Delete the definition of CFR.	DEQ is adding a rule OAR 340-200-0035 titled “Reference Materials.” As used in divisions 200 through 268, the following materials refer to the versions listed below. (1) "CFR" means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2014 edition. (2) DEQ’s Source Sampling Manual refers to the October 2014 edition. (3) DEQ’s Continuous Monitoring Manual refers to the October 2014 edition.	SIP
200	0020(23)	200	0020(25)	Change to: "Class I area" or “PSD Class I area” means any Federal, State or Indian reservation land which is classified or reclassified as a Class I area under OAR 340-204-0050 and 340-204-0060.	Clarification	SIP
NA	NA	200	0020(26)	Add definition of Class II Area: “Class II area” or “PSD Class II area” means any land which is classified or reclassified as a Class II area under OAR 340-204-0050 and 340-204-0060.	Clarification	SIP
NA	NA	200	0020(27)	Add definition of Class III Area: “Class III area” or “PSD Class III area” means any land which is reclassified as a Class III area under OAR 340-204-0060.	Clarification	SIP
200	0020(29)	200	0020(33)	Change “in accordance with” to “as specified in” in the definition of continuous monitoring systems	Plain language	SIP

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Division	Rule	Division	Rule			
NA	NA	200	0020(35)	Add definition of “control efficiency” “Control Efficiency” means the product of the capture and removal efficiencies.	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency” are being added to help clarify the differences among the terms.	SIP
200	0020(31)	200	0020(36)	Change to: "Criteria Pollutant" means any of the following regulated pollutants: nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, and lead.	Clarification	SIP
232	0030(17)	200	0020(38)	Add definition of “day” “Day” means a 24-hour period beginning at 12:00 a.m. midnight.	Move from division 232 and add 12:00 a.m.	SIP
200	0020(33)	200	0020(39)	Change to: "De minimis emission level" mean the level for the regulated pollutants listed below:	Clarification.	SIP
200	0020 Table 4	200	0020(39)	Move Table 4 De Minimis Emission Levels into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020 Table 4	200	0020(39)	Delete PM2.5 from the short term de minimis PSEL	The short term PM10 de minimis level is only for Medford AQMA and is based on the maintenance plan. PM2.5 was incorrectly added.	SIP
200	0020 Table 4	200	0020(39)	Add “(measured as nonmethane organic compounds)” to “municipal solid waste landfill gases”	Clarification	SIP
200	0020(33)	NA	NA	Delete NOTE: De minimis is compared to all increases that are not included in the PSEL.	De minimis is used in division 210 and 222. De minimis in relation to the PSEL was clarified so this note is unnecessary.	SIP
200	0020(34)	200	0020(40)	Add “or DEQ” to the definition of “Department” and add “(LRAPA)” at the end of subsection (b)	Simplification. Replace “the Department” with “DEQ” throughout	SIP
NA	NA	200	0020(41)	Add definition of “DEQ Method [#]” “DEQ method [#]” means the sampling method and protocols for measuring a regulated pollutant as described in the DEQ Source Sampling Manual.	Clarification	SIP
NA	NA	200	0020(42)	Add definition of “designated area” “Designated area” means an area that has been designated as an attainment, unclassified, sustainment, nonattainment, reattainment, or maintenance area under OAR 340 division 204 or applicable provisions of the	Clarification	SIP

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Division	Rule	Division	Rule			
				FCAA.		
NA	NA	200	0020(43)	Add definition of “destruction efficiency” “Destruction Efficiency” means removal efficiency.	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency” are being added to help clarify the differences among the terms.	SIP
230 240 208 226 228	0030(8) 0030(9) 0010(13) 0010(6) 0020(7)	200	0020(48)	Add definition of “dry standard cubic foot” "Dry Standard Cubic Foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions.	Move from division 230 and 240; change all references to “dry” standard cubic foot; and delete definition of “standard cubic foot” from other divisions 340-208-0010(13) "Standard cubic foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions. When applied to combustion flue gases from fuel, "standard cubic foot" also implies adjustment of gas volume to that which would result at a concentration of 12% carbon dioxide or 50% excess air. 340-226-0010(6) "Standard cubic foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions. When applied to combustion flue gases from fuel or refuse burning, "standard cubic foot" also implies adjustment of gas volume to that which would result at a concentration of 12% carbon dioxide or 50% excess air. 340-228-0020 (7) "Standard cubic foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions. When applied to combustion flue gases from fuel or refuse burning, "standard cubic foot" also implies adjustment of gas volume to that which would result at a concentration of 12% carbon dioxide or 50%	SIP

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					excess air. 340-230-0030(8) "Dry Standard Cubic Foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions. When applied to combustion flue gases from waste or refuse burning, "Standard Cubic Foot (SCF)" implies adjustment of gas volume to that which would result at a concentration of seven percent oxygen or 50 percent excess air. 340-236-0010(28) "Standard Dry Cubic Foot of Gas" means that amount of the gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor at a pressure of 14.7 P.S.I.A. and a temperature of 68° F. 340-240-0030(9) "Dry Standard Cubic Foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions.	
200	0020(44)(a)	200	0020(54)	Move "Emission Limitation" and "Emission Standard" and "Emission Limitation or Standard" to the section instead of the subsection	This change will make it easier to find the defined term and includes all variations of the terms used.	SIP
200	0020(44)(a)	200	0020(54)(a)	Do not capitalize state	Correction	SIP
200	0020(44)(b)	200	0020(49)(b)	Replace "in accordance with" with "using" in definition of "emission limitation" and "emission standard" and delete the extra "to"	Plain language	SIP
200	0020(47)(d)	200	0020(57)(d)	Change to: "(d) Parts and activities cannot be grouped for determining emissions increases from an emissions unit under OAR 340 divisions 210 and 224, or for determining the applicability of any New Source Performance Standard."	Update. State New Source Review rules in division 224 should also be included for determining emission increases and grouping of parts and activities in an emissions unit.	SIP
234 240	0010(15) 0030(11)	200	0020(59)	Add definition of "EPA Method 9" "EPA Method 9" means the method for Visual Determination of the Opacity of Emissions From Stationary Sources described 40 CFR Part 60, Appendix A-4.	Move from division 234 and 240 and change reference to 40 CFR Part 60 Appendix A-4 since opacity will be a six-minute average rather than an aggregate in one hour. 340-234-0010(15) "EPA Method 9" means the method for Visual Determination of the Opacity of	SIP

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					Emissions From Stationary Sources described as Method 9 (average of 24 consecutive observations) in the Department Source Sampling Manual (January, 1992). 340-240-0030(11) "EPA Method 9" means the method for Visual Determination of the Opacity of Emissions From Stationary Sources described as Method (average of 24 consecutive observations) in the Department Source Sampling Manual (January, 1992).	
200	0020(55)(a)	200	0020(66)(a)	Change definition of "federal major source" to include: "(66) "Federal Major Source" means any source listed in subsections (a) or (d) below: (a) A source with potential to emit: (A) 100 tons per year or more of any individual regulated pollutant, excluding greenhouse gases and hazardous air pollutants listed in OAR 340 division 244 if in a source category listed in subsection (c), or (B) 250 tons per year or more of any individual regulated pollutant, excluding greenhouse gases and hazardous air pollutants listed in OAR 340 division 244, if not in a source category listed in subsection (c)."	DEQ is regulating federal major sources under the Major New Source Review program. Sources emitting at the significant emission rate up to the federal major thresholds will be regulated under the State New Source Review program.	SIP
200	0020(55)	200	0020(66)(b)	Change definition of "federal major source" to include: "(b) Calculations for determining a source's potential to emit for purposes of subsections (a) and (d) must include the following: (A) Fugitive emissions and insignificant activity emissions; and (B) Increases or decreases due to a new or modified source. "	See above	SIP
200	0020(55)(b)	NA	NA	Delete: "In addition, for greenhouse gases, a federal major source must also have the potential to emit CO₂e greater than or equal to 100,000 tons per year."	DEQ is revising the GHG permitting rules to follow the Supreme Court Decision and will not require a facility to obtain a Title V or Prevention of Significant Deterioration permit on the sole basis of its potential greenhouse gas emissions.	SIP
200	0020(55)	200	0020(66)(b)	Separate what emissions should be included in the calculations for determining a source's potential to emit to determine whether a source is a federal major source or not. "(b) Calculations for determining a source's potential to emit for purposes of subsections (a) and (d) must include the following:"	Clarification	SIP

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Division	Rule	Division	Rule			
200	0020(55)	200	0020(66)(b)(A)	Change to: “(A) Fugitive emissions and insignificant activity emissions; and”	Clarification. Clarify that fugitive emissions from insignificant activities must be included in the determination of a federal major source	SIP
200	0020(55)	200	0020(66)(b)(B)	Simplify wording for emission increases and decreases “(B) Increases or decreases due to a new or modified source.”	Clarification	SIP
200	0020(55)	200	0020(66)(c)	Add a heading for source categories	Clarification	SIP
200	0020(55)(w)	200	0020(66)(c)(W)	Add “excluding ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140” to “chemical process plants”	Correction. In May 2007 EPA changed the NSR/PSD definition of Chemical Process Plants to exclude ethanol manufacturing from triggering subjectivity at the 100 ton threshold. They have revised their definition in 40 CFR Parts 51 and 52.	SIP
200	0020(55)	200	0020(66)(d)	Add the different levels defining a major stationary source due to the severity of the nonattainment area	Clarification. These levels are included in the definition of “major source” and are being moved to in the definition of “federal major source” since the definition of “major source” points to “federal major source”	SIP
208 228 240	0010(4) 0020(4) 0030(13)	200	0020(69)	Add the definition of “fuel burning equipment” “Fuel burning equipment” means equipment, other than internal combustion engines, the principal purpose of which is to produce heat or power by indirect heat transfer.”	Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify. There has been confusion over the definition of “fuel burning equipment” so DEQ is adding definition of “internal combustion engine” and using the definition of “fuel burning equipment” from division 228. 340-208-0010(4) "Fuel Burning Equipment" means a boiler or process heater that burns a solid, liquid, or gaseous fuel, the principal purpose of which is to produce heat or power by indirect heat transfer. 340-228-0020(4) "Fuel burning equipment" means equipment, other than internal combustion engines, the principal purpose of which is to produce heat or power by indirect heat transfer. 340-240-0030(13) "Fuel Burning Equipment" means a device that burns a solid, liquid, or gaseous fuel, the principal purpose of which is to produce heat or power by indirect heat transfer. All stationary gas turbines are considered Fuel Burning Equipment. Marine installations and	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					internal combustion engines are not considered Fuel Burning Equipment.	
200	0020(60)	200	0020(72)	Move Table 5 Generic PSELs into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020 Table 5	200	0020(72)(h)	Delete PM2.5 from the short term generic PSEL	The short term PM10 generic level is only for Medford AQMA and is based on the maintenance plan. PM2.5 was incorrectly added.	SIP
200	0020 Table 5	200	0020(72)(i)	Delete “Direct” from PM2.5 from the generic PSEL	Correction. Should be total PM2.5	SIP
200	0020 Table 5	200	0020(72)(s)	Add “(measured as nonmethane organic compounds)” to “municipal solid waste landfill gases”	Clarification	SIP
200	0020(60)	200	0020(72)	Delete the note from the definition of generic PSEL	The requirements included in the note are covered in the generic PSEL rules in division 222.	SIP
200	0020(62)	200	0020(74)	Delete “major” from sources and modifications in the definition of growth allowance	Correction. Growth allowances can apply to non-major sources and modifications	SIP
232 234 240	0030(31) 0010(18) 0030(18)	200	0020(75)	Add definition of “hardboard” "Hardboard" means a flat panel made from wood that has been reduced to basic wood fibers and bonded by adhesive properties under pressure.	Move from division 234 and 240. Definition of hardboard same in divisions 234 and 240 but different from division 232. 340-232-0030(31) "Hardboard" is a panel manufactured primarily from inter-felted ligno-cellulosic fibers which are consolidated under heat and pressure in a hot press. 340-234-0010(18) "Hardboard" means a flat panel made from wood that has been reduced to basic wood fibers and bonded by adhesive properties under pressure. (340-240-0030(18) "Hardboard" means a flat panel made from wood that has been reduced to basic wood fibers and bonded by adhesive properties under pressure.	SIP
NA	NA	200	0020(76)	Add definition of “hazardous air pollutant” “Hazardous Air Pollutant” or “HAP” means an air contaminant listed by the EPA pursuant to section 112(b) of the FCAA or determined by the EQC to cause, or reasonably be anticipated to cause, adverse effects to human health or the environment.	Clarification. Same definition in division 244.	SIP
202	0010(5)	200	0020(78)	Add definition of “Indian governing body” "Indian Governing Body" means the governing body of any tribe, band, or group of Indians subject to the	Move from division 202. Defined in division 202 but used in divisions 204 and 209.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				jurisdiction of the United States and recognized by the United States as possessing power of self-government.	340-202-0010(5) "Indian Governing Body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.	
202	0010(6)	200	0020(79)	Add definition of "Indian reservation" "Indian Reservation" means any federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress.	340-202-0010(6) "Indian Reservation" means any federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress. Used in division 200 and 204 but defined in division 202. Move to division 200.	SIP
NA	NA	200	0020(83)	Add definition of "internal combustion source" "Internal Combustion Engine" means stationary gas turbines and reciprocating internal combustion engines.	Clarification. There has been confusion over the definition of "fuel burning equipment" so DEQ is adding definitions of "external combustion device" and "internal combustion engine" and clarifying the definition of "fuel burning equipment."	SIP
240	0030(23)	200	0020(85)	Add definition of "liquefied petroleum gas" "Liquefied petroleum gas" has the meaning given by the American Society for Testing and Materials in ASTM D1835-82, "Standard Specification for Liquid Petroleum Gases."	Move from division 240. 340-240-0030(21) "Liquefied petroleum gas" has the meaning given by the American Society for Testing and Materials in ASTM D1835-82, "Standard Specification for Liquid Petroleum Gases."	SIP
200 204	0020(69) 0010(15)	200	0020(87)	Delete the definition of "maintenance area" and use the definition from division 204 with clarifications. "Maintenance Area" means any area that was formerly nonattainment for a criteria pollutant but has since met the ambient air quality standard, and EPA has approved a maintenance plan to comply the standards pursuant to 40 CFR 51.110. Maintenance areas are designated by the EQC according to division 204.	Move from division 204 with clarifications. The definition in division 204 is more comprehensive. 340-200-0010(69) "Maintenance Area" means a geographical area of the State that was designated as a nonattainment area, redesignated as an attainment area by EPA, and redesignated as a maintenance area by the Environmental Quality Commission in OAR 340, division 204. 340-204-0010(15) "Maintenance Area" means any area that was formerly nonattainment for a criteria pollutant but has since met EPA promulgated standards and has had a maintenance plan to stay within the standards approved by the EPA pursuant to 40 CFR 51.110 (July, 1993).	SIP
200	0020(71)	200	0020(89)	Add a cross reference to division 224 for determining whether a source makes a major modification to the definition of "major modification"	Move procedural requirements out of definitions. Determination of whether a source makes a major modification should be in division 224 New	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					Source Review	
200	0020(71)	224	0025	Move (a) through (e) for determining whether a source makes a major modification to division 224	Move procedural requirements out of definitions. Determination of whether a source makes a major modification should be in division 224 New Source Review	SIP
NA	NA	200	0020(90)	Add definition of “Major New Source Review” “Major New Source Review” or “Major NSR” means the new source review process and requirements under OAR 340-224-0010 through 340-224-0070 and OAR 340-224-0500 through 340-224-0540 based on the location and regulated pollutants emitted.	Clarification to differentiate between Major New Source Review and State New Source Review	SIP
200	0020(72)	200	0020(91)	Change tpy to tons per year throughout the whole definition of major source	Clarification	SIP
200	0020(72)(b)	200	0020(91)(b)	Change to: “(b) As used in OAR 340 division 210, Stationary Source Notification Requirements, OAR 340 division 218, Oregon Title V Operating Permits, OAR 340 division 220, Oregon Title V Operating Permit Fees, OAR 340-216-0066, Standard ACDPs, and OAR 340 division 236, Emission Standards for Specific Industries, means any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties and are under common control of the same person or persons under common control belonging to a single major industrial grouping or supporting the major industrial group and that is described in paragraphs (A), (B), or (C). For the purposes of this subsection, a stationary source or group of stationary sources is considered part of a single industrial grouping if all of the regulated pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same major group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual (U.S. Office of Management and Budget, 1987) or support the major industrial group.”	Simplification and correction. Delete “rules applicable to sources required to have” and delete parentheses. Delete “or (D)” since paragraph (D) is being moved to the definition of “federal major source.” Do not capitalize major group	SIP
200	0020(72)(b)(A)(i)	200	0020(91)(b)(A)(i)	Add “hazardous air” to pollutants”	Correction	SIP
200	0020(72)(b)(B)	200	0020(91)(b)(B)	Change “source” to “sources”	Correction	SIP
200	0020(72)(b)(B)(xx)	200	0020(91)(b)(B)(xx)	Add “excluding ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140” to “chemical process plants”	Correction. In May 2007 EPA changed the NSR/PSD definition of Chemical Process Plants to exclude ethanol manufacturing from triggering	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					subjectivity at the 100 ton threshold. They have revised their definition in 40 CFR Parts 51 and 52.	
200	0020(72)(b)(C)	200	0020(66)(f)	Change to: “(C) From July 1, 2011 through November 6, 2014, a major stationary source of regulated pollutants, as defined by Section 302 of the FCAA, that directly emits or has the potential to emit 100 tons per year or more of greenhouse gases and directly emits or has the potential to emit 100,000 tons per year or more CO ₂ e, including fugitive emissions.”	Define major sources of greenhouse gases during the period when a source could trigger PSD and Title V permitting requirements for greenhouse gases alone before the GHG temporary rule was adopted. November 6, 2014 was the date the temporary rules were adopted to align with the Supreme Court decision regarding permitting of greenhouse gases.	SIP
200	0020(72)(b)(D)	200	0020(66)(f)	Move paragraph (D) to the definition of “federal major source”	Clarification	SIP
200	0020(74)	200	0020(93)	Change to: "Modification," except as used in the terms "major modification" “permit modification” and “Title I modification,” means any physical change to, or change in the method of operation of, a source or part of a source that results in an increase in the source or part of the source's potential to emit any regulated pollutant on an hourly basis. Modifications do not include the following:”	Clarification	SIP
200	0020(74)	200	0020(93)	Change “stationary source” to “source or part of a source” throughout the whole definition	Clarification	SIP
240	0030(26)	200	0020(95)	Add definition of “natural gas” "Natural gas" means a naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal component is methane.	Move from division 240. This term is used throughout many divisions. 340-240-0030(26) "Natural gas" means a naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal component is methane.	SIP
200	0020(76)	200	0020(96)	Add a cross reference to division 222 for determining how to calculate netting basis in the definition of “netting basis”	Move procedural requirements out of definitions. Calculating netting basis should be in Division 222 Plant Site Emission Limits	SIP
200	0020(76)	222	0046	Move the definition of netting basis	Move procedural requirements out of definitions. Calculating netting basis should be in Division 222 Plant Site Emission Limits	SIP
200	0020(80)	200	0020(100)	Change “operations which do not” to “operation that does not” in the definition of normal source operation	Correction	SIP
208 240	0010(8) 0030(28)	200	0020(101)	Add definition of “odor” "Odor" means that property of an air contaminant that affects the sense of smell.	340-208-0010(8) "Odor" means that property of an air contaminant that affects the sense of smell.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					340-240-0030(28) "Odor" means that property of an air contaminant that affects the sense of smell. Move from divisions 208 and 240	
200	0020(82)	200	0020(102)	Change the definition of "offset" to clarify that offsets are not used just for major modifications at proposed major sources	Clarification based on changes to New Source Review Program	SIP
200 240	0020(82) 0030(30)	200	0020(103)	Reference EPA Method 9 or other method, as specified in each applicable rule rather than the Source Sampling Manual in OAR 340-212-0120 and 212-014 or the Continuous Monitoring Manual in the definition of "opacity." "Opacity" means the degree to which emissions, excluding uncombined water, reduce the transmission of light and obscure the view of an object in the background as measured by EPA Method 9 or other method(s), as specified in each applicable rule.	Opacity defined in divisions 200 and 240. Move from division 240 and change reference method to EPA Method 9. Change limit to a 6-minute average instead of a 3-minute aggregate so omit language about observation periods. COMS will be specified in rules. 340-200-0020(82) "Opacity" means the degree to which an emission reduces transmission of light and obscures the view of an object in the background as measured in accordance with OAR 340-212-0120 and 212-0140. Unless otherwise specified by rule, opacity shall be measured in accordance with EPA Method 9 or a continuous opacity monitoring system (COMS) installed and operated in accordance with DEQ's Continuous Monitoring Manual. For all standards, the minimum observation period shall be six minutes, though longer periods may be required by a specific rule or permit condition. Aggregate times (e.g. 3 minutes in any one hour) consist of the total duration of all readings during the observation period that equal or exceed the opacity percentage in the standard, whether or not the readings are consecutive. 340-240-0030(30) "Opacity" means the degree to which an emission reduces transmission of light and obscures the view of an object in the background as measured in accordance with the Department's Source Sampling Manual (January, 1992). Unless otherwise specified by rule, opacity must be measured in accordance with EPA Method 9. For all standards, the minimum observation period must be six minutes, though longer periods may be required by a specific rule	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					or permit condition. Aggregate times (e.g. 3 minutes in any one hour) consist of the total duration of all readings during the observation period that exceed the opacity percentage in the standard, whether or not the readings are consecutive. Alternatives to EPA Method 9, such as a continuous opacity monitoring system (COMS), alternate Method 1 (LIDAR), or EPA Methods 22, or 203, may be used if approved in advance by the Department, in accordance with the Source Sampling Manual.	
200	0020(83)	200	0020(104)	Change to: "Oregon Title V Operating Permit" or "Title V permit" means written authorization issued, renewed, amended, or revised pursuant to OAR 340 division 218."	Change to parallel the ACDP definition. Defining permit with the word permit is circular so change to "written authorization"	SIP
200	0020(84)	200	0020(105)	Change to: "Oregon Title V Operating Permit program" or "Title V program" means the Oregon program described in OAR 340 division 218 and approved by the Administrator under 40 CFR Part 70."	Clarification	SIP
200	0020(85)	200	0020(106)	Change to: "Oregon Title V operating permit program source" or "Title V source" means any source subject to the permitting requirements, OAR 340 division 218."	Clarification	SIP
200	0020(86)	200	0020(107)	Delete "as measured by an applicable reference method in accordance with DEQ's Source Sampling Manual(January, 1992) or as measured by an EPA reference method in 40 CFR Part 60, appendix A or as measured by a material balance calculation for VOC as appropriate" from the definition of ozone precursor	Test methods for nitrogen oxides and volatile organic compounds are not necessary in the definition of ozone precursor since they do not need to be measured. They are used to define ozone precursor.	SIP
234 240	0010(27) 0030(32)	200	0020(109)	Add definition of "particleboard" "Particleboard" means matformed flat panels consisting of wood particles bonded together with synthetic resin or other suitable binder.	Move from divisions 234 and 240 340-234-0010(27) "Particleboard" means matformed flat panels consisting of wood particles bonded together with synthetic resin or other suitable binder. 340-240-0030(32) "Particleboard" means matformed flat panels consisting of wood particles bonded together with synthetic resin or other suitable binders.	SIP
200	0020(88)	200	0020(110)	Add "or PM" and "as measured by the test method specified in each applicable rule, or where not specified	Clarifies that the test methods are now included in the rule or permit, if not, they should be specified	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				by rule, in the permit.” to the definition of particulate matter	in the rule.	
200	0020(88)	200	0020(110)	Delete test methods from definition of particulate matter	The change makes the definition closer to the EPA definition. Include test methods with limit in specific rules.	SIP
200	0020(93)	200	0020(115)	Change to: "Permittee" means the owner or operator of a source, authorized to emit regulated pollutants under an ACDP or Oregon Title V Operating Permit.	Clarification	SIP
200 232 234 240 242	0020(94) 0030(54) 0010(30) 0030(34) 0610(9)	200	0020(116)	Use the definition of “person” in division 200 and delete the definition from divisions 232, 234 240, and 242 "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.	Delete the definition from divisions 232, 234, 240, and 242 340-200-0020(94) "Person" means individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the State of Oregon and any agencies thereof, and the federal government and any agencies thereof. 340-232-0030(54) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever. 340-234-0010(30) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the Federal Government and any agencies thereof. 340-240-0030(34) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the federal government and any agencies thereof. 340-242-0610(9) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					agency, municipality, partnership, association, firm, trust, estate, or any other legal entity whatsoever. USC › Title 42 › Chapter 85 › Subchapter III › § 7602 42 USC § 7602 - Definitions (e) The term “person” includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof.	
200	0020(95)	200	0020(117)	Add “for purposes of Title V Operating Permit Fees in OAR 340 division 220” to the definition of Plant Site Emission Limit	Clarification	SIP
234	0010(31)	200	0020(118)	Move definition of “plywood” to division 200 since it is used in multiple divisions. “Plywood” means a flat panel built generally of an odd number of thin sheets of veneers of wood in which the grain direction of each ply or layer is at right angles to the one adjacent to it.	Move from division 234. 340-234-0010(31) "Plywood" means a flat panel built generally of an odd number of thin sheets of veneers of wood in which the grain direction of each ply or layer is at right angles to the one adjacent to it.	SIP
200	0020(96)(a)	200	0020(119)(a)	Change the definition of PM10 to: “(a) When used in the context of emissions, means finely divided solid or liquid material, including condensable particulate, other than uncombined water, with an aerodynamic diameter less than or equal to a nominal 10 micrometers, emitted to the ambient air as measured by the test method specified in each applicable rule or, where not specified by rule, in each individual permit;”	Include test methods with limit in specific rules or permits. Delete the reference to DEQ’s Source Sampling Manual.	SIP
200	0020(96)(b)	200	0020(119)(b)	Change the definition of PM10 to: “(b) When used in the context of ambient concentration, means airborne finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured under 40 CFR Part 50, Appendix J or an equivalent method designated under 40 CFR Part 53.”	Plain language. 40 CFR Part 53 may designate a method for measuring ambient PM10 concentrations.	SIP
200	0020(97)(a)	200	0020(120)(a)	Change the definition of PM2.5 to: “(a) When used in the context of direct PM2.5 emissions, means finely divided solid or liquid material, including condensable particulate, other than uncombined water,	Include test methods with limit in specific rules or permits. Delete the reference to EPA reference methods 201A and 202 in 40 CFR Part 51, appendix M.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, emitted to the ambient air as measured by the test method specified in each applicable rule or, where not specified by rule, in each individual permit.”		
200	0020(97)(b)	200	0020(120)(b)	Change the definition of PM2.5 to: “(b) When used in the context of PM2.5 precursor emissions, means sulfur dioxide (SO2) and nitrogen oxides (NOx) emitted to the ambient air as measured by the test method specified in each applicable rule or, where not specified by rule, in each individual permit.”	Include test methods with limit in specific rules or permits. Delete the reference to EPA reference methods in 40 CFR Part 60, appendix A.	SIP
200	0020(97)(c)	200	0020(120)(c)	Change the definition of PM2.5 to: “(c) When used in the context of ambient concentration, means airborne finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured under 40 CFR Part 50, Appendix L, or an equivalent method designated under 40 CFR Part 53.”	This change more closely matches the definition of PM10 ambient concentration. Plain language	SIP
200	0020(98)	200	0020(121)	Add “in relation” when talking about the “PM2.5 fraction” of PM10	Clarification	SIP
NA	NA	200	0020(123)	Add definition of “portable” (123) “Portable” means designed and capable of being carried or moved from one location to another. Indicia of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.	Clarification. From CARB: “portable source” means designed and capable of being carried or moved from one location to another. Indicia of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. Appendix F - Environmental Protection Agency [insignificant activities list and Q&As on Portable Equipment] "Portable" has the same definition as the term has in the ARB's "Regulation to Establish a Statewide Portable Equipment Registration Program" (CCR Title 13 Section 2450-2465, September 17, 1997) - see Attachment 1	SIP
200	0020(100)(a)	200	0020(124)(a)	Change to: “(a) The regulated pollutant emissions capacity of a stationary source; or” in the definition of “potential to emit”	Clarification	SIP
200	0020(100)(b)	200	0020(124)(b)	Change to: “(b) The maximum allowable regulated pollutant emissions taking into consideration any physical or operational limitation, including use of control devices	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, if the limitation is enforceable by the Administrator.”		
202	0010(8)	200	0020(125)	Add definition of “ppm” "ppm" means parts per million by volume unless otherwise specified in the applicable rule or an individual permit. It is a dimensionless unit of measurement for gases that expresses the ratio of the volume of one component gas to the volume of the entire sample mixture of gases.	Move definition of “ppm” to division 200. Definition in division 234 different division 202. Clarify division 202 definition and move to division 200 340-202-0010(8) "PPM" means parts per million by volume. It is a dimensionless unit of measurement for gases that expresses the ratio of the volume of one component gas to the volume of the entire sample mixture of gases. 340-234-0010(29) "Parts Per Million (ppm)" means parts of a contaminant per million parts of gas by volume on a dry-gas basis (1 ppm equals 0.0001% by volume).	SIP
200	0020(101)	200	0020(126)	Delete parentheses around PEMS and add quotation marks instead	Clarification	SIP
234 240	0010(32) 0030(35)	200	0020(127)	Add definition of “press/cooling vent” "Press/Cooling Vent" means any opening through which particulate and gaseous emissions from plywood, particleboard, or hardboard manufacturing are exhausted, either by natural draft or powered fan, from the building housing the process. Such openings are generally located immediately above the board press, board unloader, or board cooling area.	Move from division 234 and 240 340-234-0010(32) "Press/Cooling Vent" means any opening through which particulate and gaseous emissions from plywood, particleboard, or hardboard manufacturing are exhausted, either by natural draft or powered fan, from the building housing the process. Such openings are generally located immediately above the board press, board unloader, or board cooling area. 340-240-0030(35) "Press/Cooling Vent" means any opening through which particulate and gaseous emissions from plywood, particleboard, or hardboard manufacturing are exhausted, either by natural draft or powered fan, from the building housing the process. Such openings are generally located immediately above the board press, board unloader, or board cooling area.	SIP
NA	NA	200	0020(130)	Add definition of “reattainment area” “Reattainment area” means an area that is designated as nonattainment and has three consecutive years of monitoring data that shows the area is meeting the	Define new area for New Source Review. Reattainment areas are those that were nonattainment areas but have monitoring data that shows 3 years of compliance with the NAAQS but	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				ambient air quality standard for the regulated pollutant for which the area was designated a nonattainment area, but a formal redesignation by EPA has not yet been approved. Reattainment areas are designated by the EQC according to division 204.	are not yet designated as maintenance by EPA. It takes time to develop maintenance plans for nonattainment areas before EPA can redesignate the area to maintenance. After DEQ has three consecutive years of data showing that the area is meeting the NAAQS but before the maintenance plan can be developed, DEQ wants to designate these areas as reattainment areas. This will give source more flexibility in permitting requirements before the area is redesignated as maintenance.	
NA	NA	200	0020(131)	Add definition of “reattainment pollutant” “Reattainment pollutant” means a regulated pollutant for which an area is designated a reattainment area.	Clarification. See above	SIP
200	0020(106)(a)(B)	200	0020(134)(a)(B)	Delete “national” from ambient air quality standard and change “a” to “an”	DEQ’s SO2 ambient air quality standards are different than those of EPA	SIP
200	0020(106)(b)	200	0020(134)(b)	Change to: “(b) As used in OAR 340 division 220, Oregon Title V Operating Permit Fees, regulated pollutant means particulate matter, volatile organic compounds, oxides of nitrogen and sulfur dioxide.”	Clarification and correction	SIP
200	0020(106)(c)	200	0020(134)(c)	Change to: “(c) As used in OAR 340 division 222, Plant Site Emission Limits and division 224, New Source Review, regulated pollutant does not include any pollutant listed in OAR 340 divisions 244 and 246.”	Clarification and correction. Hazardous air pollutants are not included in the PSEL or NSR applicability unless they are otherwise included in the definition of a regulated pollutant.	SIP
NA	NA	200	0020(135)	Add definition of “removal efficiency” “Removal Efficiency” means the performance of an air pollution control device in terms of the ratio of the amount of the regulated pollutant removed from the airstream to the total amount of regulated pollutant that enters the air pollution control device.	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency” are being added to help clarify the differences among the terms.	SIP
200	0020(110) through (128), (130), (131)	200	0020(139) through (157), (159), (160)	Add office U.S. Code citations	The Act is properly referenced by its office U.S. Code citation, not by its unofficial numbering.	SIP
200	0020(112)	200	0020(141)	Delete (HAP) after hazardous air pollutants	This acronym is not necessary	SIP
200	0020(123)	200	0020(152)	Change “subsection 182” to “subsection 183”	Correction	SIP
200	0020(129)	200	0020(158)	Add “FCAA” to Title I modification	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
200	0020(133)	200	0020(159)	Move definition of “significant emission rate” to before definition of “significant impact”	Changing the definition of “significant air quality impact” to “significant impact” makes it out of alphabetic order	SIP
200	0020(133)	200	0020(161)	Change to: "Significant emission rate" or "SER," except as provided in subsections (v) and (w), means an emission rate equal to or greater than the rates specified for the regulated pollutants below:	Clarification	SIP
200	0020 Table 2	200	0020(161)	Move Table 2 Significant Emission Rates into text except for the Volatile Organic Compound SER of 40 tons per year	Clarification. Tables are hard to find on DEQ website. VOC is an ozone precursor, which already includes the SERs for VOC and NOx.	SIP
NA	NA	200	0020(161)(b)	Add significant emission rates for different categories of nonattainment areas for CO	Update to match EPA rules	SIP
NA	NA	200	0020(161)(i)	Add significant emission rates for different categories of nonattainment areas for ozone	Update to match EPA rules	SIP
NA	NA	200	0020(161)(t)	Add significant emission rate for ozone depleting substances of 100 tons per year in aggregate	On July 23, 1996, EPA proposed a significance level of 100 tons per year (TPY) for ozone depleting substances (ODS) but never finalized it. EPA has since issued guidance telling States that they can add it to their PSD rules so that not every new or modified major source that emits ODS would have to get a PSD permit. EPA has approved numerous PSD SIPs with the 100 tpy SER for ODS.	SIP
200	0020(133)(a)	200	0020(161)(u)	Move Table 3 Significant Emission Rates for the Medford-Ashland Air Quality Maintenance Area into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020(133)(b)	200	0020(161)(v)	Change to: “(v) For regulated pollutants not listed in subsections (a) through (u), the significant emission rate is zero unless DEQ determines the rate that constitutes a significant emission rate.”	Clarification	SIP
200	0020(133)(c)	200	0020(161)(w)	Change to: “(w) Any new source or modification with an emissions increase less than the rates specified above and that is located within 10 kilometers of a Class I area, and would have an impact on such area equal to or greater than 1 ug/m3 (24 hour average) is emitting at a significant emission rate. This subsection does not apply to greenhouse gas emissions.”	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
200	0020(132)	200	0020(162)	Change the definition of “significant air quality impact” to “significant impact” and define: "Significant impact" means an additional ambient air quality concentration equal to or greater than the significant impact level. For sources of VOC or NOx, a source has a significant impact if it is located within the ozone impact distance defined in OAR 340 division 224.	Clarification	SIP
200	0020(132)	200	0020(163)	Change to: “Significant impact level” or “SIL” means the ambient air quality concentrations listed below . The threshold concentrations listed below are used for comparison against the ambient air quality standards and PSD increments established under OAR 340 division 202, but do not apply for protecting air quality related values, including visibility.	Clarification. EPA defines “significant impact levels” or SILs. The part of the sentence about protecting PSD Class I increments is from a September 10, 1991 EPA memo regarding Class I Area Significant Impact Levels and were never intended to be used for evaluating impacts on the Class I increments (43 FR 26380, June 19, 1978). The memo also states that “use of such significant impact levels for the purpose of Class I increment analyses does <u>not</u> include their use for determining whether a source should conduct an adverse impact analysis for any air quality-related value (AQRV) in a Class I area, or whether a source would have an adverse impact on an AQRV.” The definition of ozone precursor distance has been moved and changed from the definition section of division 225. The defined term is “ozone impact distance.”	SIP
200	0020 Table 1	200	0020(163)	Move Table 1 Significant Air Quality Impact into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020(136)	200	0020(166)	Change “all pollutant emitting activities” to “all air contaminant emitting activities”	Correction	SIP
200	0020(138)	200	0020(168)	Change “in accordance with” to “under the” in the definition of source test	Plain language and correction	SIP
208 226 228 240	0010(12) 0010(5) 0020(6) 0030(43)	200	0020(169)	Add definition of “standard conditions” "Standard Conditions" means a temperature of 68° Fahrenheit (20° Celsius) and a pressure of 14.7 pounds per square inch absolute (1.03 Kilograms per square centimeter).	Move from division 208, 226, and 228. The definition of standard conditions in division in 240 needs correction for temperature. 340-208-0010(12) "Standard conditions" means a temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute. 340-226-0010(5) "Standard conditions" means a	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute. 340-228-0020(6) "Standard conditions" means a temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute. 340-240-0030(43) "Standard Conditions" means a temperature of 60° Fahrenheit (15.6° Celsius) and a pressure of 14.7 pounds per square inch absolute (1.03 Kilograms per square centimeter).	
200	0020(139)	200	0020(170)	Change to: "Startup" and "shutdown" means that time during which a source or control device is brought into normal operation or normal operation is terminated, respectively.	Plain language and correction	SIP
NA	NA	200	0020(172)	Add definition of "State New Source Review" "State New Source Review" or "State NSR" means the new source review process and requirements under OAR 340-224-0010 through 340-224-0038, OAR 340-224-0245 through 340-224-0270 and OAR 340-224-0500 through 340-224-0540 based on the location and regulated pollutants emitted."	Sources emitting at the significant emission rate up to the federal major thresholds will be regulated under the State New Source Review program.	SIP
200	0020(141)	200	0020(172)	Add: "Stationary source includes portable sources that are required to have permits under OAR 340 division 216" to the definition of "stationary source"	DEQ permits some portable sources so all requirements apply to stationary sources and the permitted portable sources.	SIP
200	0020(142)	200	0020(174)	Change to "10 percent" and delete (10%)	Correction	SIP
NA	NA	200	0020(175)	Add definition of "sustainment area" "Sustainment Area" means a geographical area of the state for which DEQ has ambient air quality monitoring data that shows an attainment or unclassified area could become a nonattainment area but a formal redesignation by EPA has not yet been approved. The presumptive geographic boundary of a sustainment area is the applicable urban growth boundary in effect on the date this rule was last approved by the EQC, unless superseded by rule. Sustainment areas are designated by the EQC according to division 204.	Define new area for New Source Review. Sustainment areas are those that have monitoring data close to or over the NAAQS but are not yet designated nonattainment by EPA. Sources in these areas would fall under the requirements for attainment or unclassified areas rather than nonattainment areas. DEQ is creating requirements for sources in these "sustainment areas" in order to improve air quality and to enable the source to construct or modify. Without these rules, sources would not be able to construct or modify because they would never be able to show compliance with the NAAQS since the background concentration is already close to or above the NAAQS.	SIP
NA	NA	200	0020(176)	Add definition of "sustainment pollutant" "Sustainment pollutant" means a regulated pollutant for	Clarification. See above	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				which an area is designated a sustainment area.		
200	0020(143)	200	0020(177)	Change to: "Synthetic minor source" means a source that would be classified as a major source under OAR 340-200-0020, but for limits on its potential to emit regulated pollutants contained in an ACDP or Oregon Title V permit issued by DEQ.	Clarification	SIP
200	0020(144)(a)	200	0020(178)(a)	Change the definition of Title I modification to: “(a) A major modification subject to OAR 340-224-0050, Requirements for Sources in Nonattainment Areas and OAR 340-224-0055, Requirements for Sources in Reattainment Areas;”	DEQ has defined two new areas for New Source Review: sustainment and reattainment areas.	SIP
200	0020(144)(c)	200	0020(178)(c)	Change to: “(c) A major modification subject to OAR 340-224-0070, Prevention of Significant Deterioration Requirements for Sources in Attainment or Unclassified Areas or OAR 340-224-0045 Requirements for Sources in Sustainment Areas;”	DEQ has defined two new areas for New Source Review: sustainment and reattainment areas.	SIP
NA	NA	200	0020(180)	Add: “Type A State NSR” means State NSR as specified in OAR 340-224-0010(2)(a).”	Sources emitting at the significant emission rate up to the federal major thresholds will be regulated under the State New Source Review program This change in the NSR program necessitates defining what types of NSR actions would reset the netting basis. Major NSR would reset the netting basis along with State NSR actions that are the result of a major modification and a control technology analysis. Increases in the PSEL using existing capacity that do not involve a major modification is part of State NSR but would not reset the netting basis.	
NA	NA	200	0020(181)	Add: “Type B State NSR” means State NSR that is not a Type A State NSR.”		
200	0020(146)	200	0020(182)	Change “in accordance with” to “under” in the definition of “Typically Achievable Control Technology”	Plain language	SIP
200	0020(146)	226	0130	Delete the following from the definition of TACT: “For existing sources, the emission limit established will be typical of the emission level achieved by emissions units similar in type and size. For new and modified sources, the emission limit established will be typical of the emission level achieved by well controlled new or modified emissions units similar in type and size that	Move the procedural requirements for TACT from the definition to division 226	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				were recently installed. TACT determinations will be based on information known to DEQ while considering pollution prevention, impacts on other environmental media, energy impacts, capital and operating costs, cost effectiveness, and the age and remaining economic life of existing emission control equipment. DEQ may consider emission control technologies typically applied to other types of emissions units where such technologies could be readily applied to the emissions unit. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required.”		
200	0020(148)	200	0020(184)	Delete “poor or inadequate” from “design” in the definition of “unavoidable”	Not necessary. If an event was caused entirely or in part by the design, operation, maintenance, or other preventable condition, then it was avoidable.	SIP
NA	NA	200	0020(185)	Add definition of “unclassified area” or “attainment area” “unclassified area” or “Attainment area” means an area that has not otherwise been designated by EPA as nonattainment with ambient air quality standards for a particular regulated pollutant. Attainment areas or unclassified areas may also be referred to as sustainment or maintenance areas as designated in division 204. Any particular location may be part of an attainment area or unclassified area for one regulated pollutant while also being in a different type of designated area for another regulated pollutant.	Clarification. EPA recognizes only two areas, nonattainment or attainment. DEQ’s designated maintenance and sustainment areas would be considered attainment areas by EPA.	SIP
234 240	0010(45) 0030(39)	200	0020(187)	Add definition of “veneer” "Veneer" means a single flat panel of wood not exceeding 1/4 inch in thickness formed by slicing or peeling from a log.	Move from division 234 and 240 340-234-0010(45) "Veneer" means a single flat panel of wood not exceeding 1/4 inch in thickness formed by slicing or peeling from a log. 340-240-0030(39) "Veneer" means a single flat panel of wood not exceeding 1/4 inch in thickness formed by slicing or peeling from a log.	SIP
240	0030(40)	200	0020(188)	Add definition of “veneer dryer” "Veneer Dryer" means equipment in which veneer is dried.	Move from division 240 340-240-0030(40) "Veneer Dryer" means equipment in which veneer is dried.	SIP
200	0020(151)(a)	200	0020(190)(a)	Update the definition of Volatile Organic Compounds	EPA changed the definition of VOCs in the June 22, 2012 Federal Register. This revision adds <i>trans</i> -1,3,3,3-tetrafluoropropene (also known as HFO-1234ze) and <i>trans</i> 1-chloro-3,3,3-	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					trifluoroprop-1-ene (also known as SolsticeTM 1233zd(E)) to the list of compounds excluded from the definition of VOC on the basis that these compounds makes a negligible contribution to tropospheric ozone formation. As a result, if one is subject to certain federal regulations limiting emissions of VOCs, emissions of HFO-1234ze may not be regulated for some purposes. EPA changed the definition of VOCs in the October 22, 2013 Federal Register. This revision adds 2,3,3,3-tetrafluoropropene (also known as HFO-1234yf) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation. EPA changed the definition of VOCs in the March 27, 2014 Federal Register. This revision adds 2-amino-2-methyl-1-propanol (also known as AMP; CAS number 124-68-5) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation. Replace the whole list of organic compound which have been determined to have negligible photochemical reactivity with the list from 40 CFR 50.100 Definitions to ensure DEQ's definition matches EPA's definition.	
200	0020(151)(a)	200	0020(190)(a)	Restructure the list of VOCs with negligible photochemical reactivity into paragraphs for easier reading.	Clarification	SIP
200	0020(151)(b)	200	0020(190)(b)	Delete "accordance with" and delete the date of the Source Sampling Manual	Plain language and clarification	SIP
234	0010(47)	200	0020(191)	Add definition of "wood fired veneer dryer" "Wood Fired Veneer Dryer" means a veneer dryer, that is directly heated by the products of combustion of wood fuel in addition to or exclusive of steam or natural gas or propane combustion.	Move from division 234 340-234-0010(47) "Wood Fired Veneer Dryer" means a veneer dryer, which is directly heated by the products of combustion of wood fuel in addition to or exclusive of steam or natural gas or propane combustion.	SIP
NA	NA	200	0020(192)	Add definition of "wood fuel-fired device"	Term not defined and used in multiple divisions	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“Wood Fuel-Fired Device” means a device or appliance designed for wood fuel combustion, including cordwood stoves, woodstoves and fireplace stove inserts, fireplaces, wood fuel-fired cook stoves, pellet stoves, and combination fuel furnaces and boilers that burn wood fuels.		
200	0020 ED. NOTE	NA	NA	Delete the note about the referenced tables not being included in the rule text.	Clarification. All the tables have been moved into the text.	SIP
NA	NA	200	0025(1)	Add “AAQS”	Clarification	SIP
NA	NA	200	0025(7)	Add “AQRV”	Clarification	SIP
NA	NA	200	0025(14)	Add “BART”	Clarification	SIP
200	0025(81)	200	0025(85)	Change the acronym from “PCDE” to “PCDCE”	Correction. The term used is “pollution control device collection efficiency”	SIP
NA	NA	200	0025(92)	Add “ppm” means parts per million	Add ppm to division 200 abbreviations and acronyms because it is used in other divisions	SIP
NA	NA	200	0025(97)	Add “ROI” means range of influence	Clarification	SIP
200	0025(94)	200	0025(106)	Alphabetize “SKATS”	Correction	SIP
NA	NA	200	0025(103)	Add “SERP” means source emission reduction plan	Add SERP to Division 200 abbreviations and acronyms because it is used in other divisions	SIP
NA	NA	200	0025(104)	Add “SIC” means Standard Industrial Classification from the Standard Industrial Classification Manual (U.S. Office of Management and Budget, 1987).”	Clarification	SIP
NA	NA	200	0025(107)	Add “SLAMS” means State or Local Air Monitoring Stations	Add SLAMS to Division 200 abbreviations and acronyms because it is used in other divisions	SIP
NA	NA	200	0025(111)	Add “SPMs” means special purpose monitors	Add SPMs to Division 200 abbreviations and acronyms because it is used in other divisions	SIP
NA	NA	200	0025(117)	Add “tpy” means tons per year	Add SPMs to Division 200 abbreviations and acronyms because it is used in other divisions	SIP
NA	NA	200	0025(122)	Add “USC” means United States Code	Clarification	SIP
200	0025	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	340-200-0025 was approved in the SIP in 2003.	SIP
200	0030(1)	NA	NA	Delete the comma after 340	340-200-0025 was approved in the SIP in 2003.	SIP
200	0030(1)(d)	NA	NA	Change to: “(d) Heating equipment in or used in connection with residences used exclusively as dwellings for not more than four families, except woodstoves which shall be subject to regulation under OAR 340 divisions 240 and 262, and as provided in ORS 468A.020(1)(d). Emissions	Correction and clarification. The heating equipment exception is contained in ORS 468A.020(1)(d) so just list that instead of the individual references to the ORS listed in ORS 468A.020(1)(d). Divisions 240 and 262 regulate woodstoves.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				from woodstoves can be used to create emission reduction credits in OAR 340 division 268.”	ORS 468A.020(1)(d) Heating equipment in or used in connection with residences used exclusively as dwellings for not more than four families, except solid fuel burning devices, as defined in ORS 468A.485 (Definitions for ORS 468A.460 to 468A.515), that are subject to regulation under this section and ORS 468A.140 (Assumption, retention and transfer of control over classes of air contamination sources) and 468A.460 (Policy) to 468A.515 (Residential solid fuel heating curtailment program requirements).	
NA	NA	200	0035	DEQ is adding a rule OAR 340-200-0035 titled “Reference Materials. As used in divisions 200 through 268, the following materials refer to the versions listed below. (1) "CFR" means Code of Federal Regulations and, unless otherwise expressly identified, refers to the July 1, 2014 edition. (2) The DEQ Source Sampling Manual refers to the March 2015 edition. (3) The DEQ Continuous Monitoring Manual refers to the March 2015 edition.”	Clarification. This rule will include these reference materials and the dated version of these documents that are adopted. People can check this single rule to see which version they should be using. The dates of these reference materials will be deleted throughout the other divisions. The Continuous Monitoring Manual and the Source Sampling Manual Volume I have been totally rewritten. Only minor corrections to the Source Sampling Manual Volume II have been made and that document is available in redline/strikeout. All three manuals are included as part of this rulemaking package. Some of the changes made to the Source Sampling Manual Volume I include: • Source test plan content requirements added within Appendix A • Test Report content requirements added within Appendix A • New Sample Postponement and Stoppage Requirements in Section 2.6 • New Sample volume requirements for HAPs in Section 2.7.a • New In-Stack Detection Limit requirements in Section 2.8 • Changing DEQ 5 & 7 detection limit from 20 mg to 7 mg. in Section 2.8.b. • New significant figures and rounding procedures within Section 2.10	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					• New procedures for reporting results below the in-stack detection limits within Section 2.11.c • New report submittal requirements within section 2.11.d • Equipment calibrations and analytical results records retention changed to a minimum of 5 years, Section 2.11.e • Added sampling method references for PM10, PM2.5 and various HAPs, Appendix B • Revised DEQ Method 4 vapor pressure equation (Eq. 4.4-2) • Now allowing use of Hexane as organic solvent for DEQ Methods 5 & 7 • New calibration and standardization procedures for analytical balance, DEQ Method 5 Section 7.8.1 • New lower isokinetic limit (80%) for DEQ Method 8 • New updated calculations for DEQ Method 8 • New calibration requirements for DEQ methods, listed in Appendix D Some of the changes to the Continuous Monitoring Manual include: • Federal monitoring requirements pertaining to NSPS, NESHAP, and Acid Rain programs are addressed by reference. • DEQ specific monitoring requirements are specified throughout the document.	
200	0040	NA	NA	Change the date for the State Implementation Plan modification	The proposed changes are part of the SIP which will be revised as a result of the proposed changes.	SIP
200	0040(3)(a)	NA	NA	Delete CFR date	CFR date is included in Reference Materials rule, OAR 340-200-0035	SIP
200	0040(3)(b)	NA	NA	Change to: “(b) Approve the standards submitted by LRAPA if LRAPA adopts verbatim, other than non-substantive differences, any standard that the EQC has adopted, and submit the standards to EPA for approval as a SIP	Clarification. Allow DEQ approval for non-substantive differences in LRAPA rules from DEQ rules.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				revision.”		
200	0040(3) NOTE	200	0040(4)	Change NOTE to section (4)	Correction. The note contains requirements that should be included in a rule.	SIP
200	0050(2)	NA	NA	Change to: “(2) If a negotiated schedule of compliance cannot be established, DEQ may commence enforcement proceedings as provided by ORS 468.090 or take such other authorized action as may be warranted.”	Correction. ORS 468.090 has been changed and no longer refers to “show cause hearing”	SIP
200	0020 Table 1	200	0020(154)	Move Table 1 Significant Air Quality Impact into text	Clarification. Tables are hard to find on DEQ website. DEQ repealed the PM10 NAAQS in 2011 so there is no need for a PM10 annual SIL.	SIP
200	0020 Table 2	200	0020(153)	Move Table 2 Significant Emission Rates into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020 Table 3	200	0020(153)(u)	Move Table 3 Significant Emission rates for the Medford-Ashland Air Quality Maintenance Area into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020(33) Table 4	200	0020(36)	Move Table 4 De Minimis Emission Levels into text	Clarification. Tables are hard to find on DEQ website.	SIP
200	0020(60) Table 5	200	0020(68)	Move Table 5 Generic PSELs into text	Clarification. Tables are hard to find on DEQ website.	SIP
202				Ambient Air Quality Standards and PSD Increments		
202	0010	NA	NA	Add Division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
202	0010(1)	NA	NA	Delete definition of “ambient air”	Definition already in division 200.	SIP
202	0010(2)	NA	NA	Delete definition of “ambient air monitoring site criteria”	Definition not used in this division or any other division	SIP
202	0010(3)	202	0010(1)	Add “Part” to 40 CFR 50 and delete second sentence in definition of “approved method” about methods being approved by DEQ.	This sentence is not needed. DEQ doesn’t need to approve methods that are in 40 CFR 50 and appendices.	SIP
202	0010(4)	NA	NA	Delete definition of “Baseline Concentration”	Definition already in Division 225, delete and use definition in Division 225	SIP
202	0010(5)	200	0020(78)	Move definition of “Indian Governing Body” to division 200	Definition not used in this division but used in divisions 204 and 209 so move to division 200	SIP
202	0010(6)	200	0020(79)	Move definition of “Indian Reservation” to division 200	Definition not used in this division but used in divisions 204 and 209 so move to division 200	SIP
202	0010(7)	202	0010(2)	Change to: "Oregon Standard Method" means any method of sampling and analyzing for an air contaminant approved by DEQ. Oregon standard methods are kept on file by DEQ and include all methods described in the DEQ Source Sampling Manual and the DEQ Continuous	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				Monitoring Manual referenced in OAR 340-200-0035(2) and (3), respectively.		
202	0010(8)	200	0020(124)	Delete definition of “ppm” "ppm" means parts per million by volume unless otherwise specified in the applicable rule or permit. It is a dimensionless unit of measurement for gases that expresses the ratio of the volume of one component gas to the volume of the entire sample mixture of gases.	See discussion above in division 200. Definition different from division 202. Clarify division 202 definition and move to division 200	SIP
202	0020	NA	NA	Change to: “Applicability and Jurisdiction Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification	SIP
202				Ambient Air Quality Standards		
202	0050(2)	NA	NA	Correct the cross reference to the Notice of Construction and Approval of Plans rules.	Correction	SIP
202	0050(2)	NA	NA	Add “No source may cause or contribute to a new violation of an ambient air quality standard or PSD increment even if the single source impact is less than the significant impact level.”	Clarification. This language is also being added to division 224.	SIP
202	0070	NA	NA	Change to: “Concentrations of sulfur dioxide in ambient air as measured by an approved method for each averaging time must not exceed the following concentrations:”	Clarification	SIP
202	0070(1)	NA	NA	Add “Annual average:”	Clarification	SIP
202	0070(2)	NA	NA	Add “24-hour average:”	Clarification	SIP
202	0070(1)	NA	NA	Add “3-hour average:”	Clarification	SIP
202	0070(1)	NA	NA	Add “1-hour average:”	Clarification	SIP
202	0070	NA	NA	Delete “(effective upon EQC adoption October 16, 2013)”	Not necessary. The date of the CFR in effect at the time of rule adoption is in OAR 340-200-0035.	SIP
202	0070(4)	NA	NA	Delete “(as of”	Correction	SIP
202	0070	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	340-202-0070 was approved in the SIP in 2003.	SIP
202	0100	NA	NA	Delete “(effective upon EQC adoption October 16, 2013)”	Not necessary. The date of the CFR in effect at the time of rule adoption is in OAR 340-200-0035.	SIP
202	0100	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted	340-202-0100 was approved in the SIP in 2003.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				under OAR 340-200-0040.”		
202	0130	NA	NA	Delete “Ambient Air Quality Standard for” from the title	Consistency	SIP
202	0130	NA	NA	Delete “(effective upon EQC adoption October 16, 2013)”	Not necessary. The date of the CFR in effect at the time of rule adoption is in OAR 340-200-0035.	SIP
202	0130	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	340-202-0130 was approved in the SIP in 2011.	SIP
202				Prevention of Significant Deterioration Increments		
202	0210	NA	NA	Change the title to “Ambient Air PSD Increments”	Clarification	SIP
202	0210(1)	NA	NA	Change to: “(1) This rule defines significant deterioration. In areas designated as Class I, II or III, emissions from new or modified sources must be limited such that aggregate increases in regulated pollutant concentration over the baseline concentration, as defined in OAR 340-225-0020, are less than the following PSD increments or maximum allowable increases:”	Clarification. Since the definition of baseline concentration is being deleted from this division, a reference to division 225 is needed	SIP
202	0210(1)	NA	NA	Add “the PSD increments or maximum allowable increases listed below:”	Clarification.	SIP
202	0210(2)	NA	NA	Add “or PSD increment”	Clarification. “Maximum allowable increase” is not used in Division 224 or 225 but only in Division 202. The “maximum allowable increase” is also known as the “PSD increment.”	SIP
202	0210 Table 1	202	0210(1)	Add the increments from Table 1 to the text except for the PM10 annual increments.	Clarification. Tables are hard to find on DEQ website. DEQ repealed the PM10 NAAQS in 2011.	SIP
202	0210 Table 1	202	0210(1)	Delete footnote about PM2.5 Increments will become effective on October 20, 2011	No longer needed	SIP
202	0210	NA	NA	Delete footnote [ED. NOTE: Tables referenced are not included in rule text. Click here for PDF copy of table(s).]	No longer needed	SIP
202	0220(1)	NA	NA	Delete “or” from the end	Not necessary	SIP
224	0060(2)(c) and (d)	202	0225	Move Ambient Air Quality Thresholds for CO and PM10 Maintenance Areas (e.g., Klamath Falls and Grants Pass PM ₁₀ maintenance standards) from OAR 340-224-0060	Division 202 will contain all ambient standards and thresholds intended to protect ambient air quality	SIP
NA	NA	202	0225	Add a paragraph explaining the purpose of the ambient air quality limits for maintenance areas.	Clarification	SIP
NA	NA	202	0225(1)	Change to: “In a carbon monoxide maintenance area, an air quality impact less than or equal to 0.5 mg/m3 (8 hour average)	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				and 2 mg/m3 (1-hour average).”		
204				Designation of Air Quality Areas		
204	0010(1)	200	0025(5)	Delete definition of “AQCR”	Delete and use division 200 acronym	SIP
204	0010	NA	NA	Change division to divisions	Correction	SIP
204	0010(2)	200	0025(6)	Delete definition of “AQMA”	Delete and use division 200 acronym	SIP
204	0010(3)	200	0025(25)	Delete definition of “CO”	Delete and use division 200 acronym	SIP
204	0010(4)	200	0025(17)	Delete definition of “CBD”	Delete and use division 200 acronym	SIP
204	0010(5)	200	0020(36)	Delete definition of criteria pollutant.	Delete and use division 200 definition	SIP
204	0010(10)	204	0010(5)	Add quotation marks around Klamath Falls Control Area	Correction	SIP
204	0010(13)	204	0010(8)	Change “LaGrande” to “La Grande”	Correction	SIP
204	0010(15)	200	0020(87)	Move definition of “Maintenance area” to division 200 with clarifications	See discussion above in division 200. Move from division 204 to division 200 with clarifications and delete the CFR date. The definition in division 204 is more comprehensive.	SIP
204	0010(18)	204	0010(12)	Change “Rossanley” to “Rossanely”	Correction	SIP
204	0010(19)	200	0020(98)	Delete the definition of “nonattainment area” and use the division 200 definition with the following addition: “Nonattainment areas are designated by the EQC according to division 204.”	The definition in division 200 is more comprehensive. The cross referenced 40 CFR 51.52 does not exist.	SIP
204	0010(20)	200	0025(79)	Delete definition of “O3”	Delete and use division 200 acronym	SIP
204	0010(22)	200	0020(110)	Delete definition of “particulate matter” which references the division 200 definition and use the following: “Particulate Matter” means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by the test method(s) specified in each applicable rule or permit.	Definition different from division 200, 226, 234, 236, 238, 240. Delete and use division 200 definition with clarification. Move specific test requirements to the rule with the standard. Create a testing and monitoring section in 340-234-0540. 340-200-0010(88) “Particulate Matter” means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air. When used in emission standards, particulate matter is defined by the method specified within the standard or by an applicable reference method in accordance with OAR 340-212-0120 and 340-212-0140. Unless otherwise specified, sources with exhaust gases at or near ambient conditions may be tested with DEQ Method 5 or DEQ Method 8, as approved by the Department. Direct heat transfer sources shall be tested with DEQ Method 7; indirect heat transfer combustion sources and all other non-fugitive emissions sources not listed above shall be tested with DEQ	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					Method 5. 340-204-0010(21) "Particulate Matter" has the meaning given that term in OAR 340-200-0020(82). 340-226-0010(2) "Particulate matter" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by an applicable reference method in accordance with OAR 340-212-0120 and 212-0140. Sources with exhaust gases at or near ambient conditions may be tested with DEQ Method 5 or DEQ Method 8, as approved by the Department. Direct heat transfer sources must be tested with DEQ Method 7; indirect heat transfer combustion sources and all other non-fugitive emissions sources not listed above must be tested with DEQ Method 5 or an equivalent method approved by the Department; 340-234-0010(28) "Particulate Matter:" (a) As used in OAR 340-234-0200 through 340-234-0350 means all solid or liquid material, other than uncombined water, emitted to the ambient air as measured by EPA Method 5 or an equivalent test method in accordance with the Department Source Sampling Manual. Particulate matter emission determinations by EPA Method 5 shall use water as the cleanup solvent instead of acetone, and consist of the average of three separate consecutive runs having a minimum sampling time of 60 minutes each, a maximum sampling time of eight hours each, and a minimum sampling volume of 31.8 dscf each; (b) As used in OAR 340-234-0400 through 340-234-0430 means a small, discrete mass of solid matter, including the solids dissolved or suspended in liquid droplets but not including uncombined water; (c) As used in OAR 340-234-0500 through 340-234-0530 means all solid or liquid material, other than uncombined water, emitted to the ambient air as measured in accordance with the Department	

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					Source Sampling Manual (January, 1992). Particulate matter emission determinations shall consist of the average of three separate consecutive runs. For sources tested using DEQ Method 7, each run shall have a minimum sampling time of one-hour, a maximum sampling time of eight hours, and a minimum sampling volume of 31.8 dscf. For sources tested using DEQ Method 8, each run shall have a minimum sampling time of 15 minutes and shall collect a minimum particulate sample of 100 mg. Veneer dryers, wood particle dryers, fiber dryers and press/cooling vents shall be tested with DEQ Method 7; and air conveying systems shall be tested with DEQ Method 8. 340-236-0010(21) "Particulate Matter" means: (a) As used in OAR 340-236-0100 through 340-236-0150 a small discrete mass of solid or liquid matter, but not including uncombined water emitted to the ambient air as measured by EPA Method 5 in accordance with the Department's Source Sampling Manual. (b) As used in OAR 340-236-0200 through 340-236-0230 and 340-236-0400 through 340-236-0440 a small, discrete mass of solid or liquid matter, but not including uncombined water. 340-240-0030(33) "Particulate Matter" means all solid or liquid material, other than uncombined water, emitted to the ambient air as measured in accordance with the Department Source Sampling Manual. Particulate matter emission determinations must consist of the average of three separate consecutive runs. For sources tested using DEQ Method 5 or DEQ Method 7, each run must have a minimum sampling time of one hour, a maximum sampling time of eight hours, and a minimum sampling volume of 31.8 dscf. For sources tested using DEQ Method 8, each run must have a minimum sampling time of 15 minutes and must collect a minimum particulate sample of 100 mg. Wood waste boilers and charcoal producing plants must be tested with DEQ Method 5; veneer dryers, wood particle	

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					dryers, fiber dryers and press/cooling vents must be tested with DEQ Method 7; and air conveying systems must be tested with DEQ Method 8 (January, 1992).	
204	0010(23)	200	0020(119)	Delete definition of “PM10” which references the division 200 definition	Delete and use division 200 definition	SIP
204	0010(24)	200	0020(120)	Delete definition of “PM2.5” which references the division 200 definition	Delete and use division 200 definition	SIP
204	0010(29)	204	0010(18)	Correct definition of “Salem-Keizer Area Transportation Study” to “westerly along Delaney Road” and “west along State Street”	Correction	SIP
204	0010(30)	200	0025(121)	Delete definition of “UGB”	Delete and use division 200 acronym	SIP
204	0020(5)(j)	NA	NA	Correct spelling of Wheeler County	Correction	SIP
204	0020 NOTE:	NA	NA	Delete “NOTE: The AQCRs should not be confused with the recent DEQ reorganization that split the state into three DEQ regions: Northwest, West and East.”	NOTE no longer needed. DEQ reorganization occurred many years ago so there is no longer any confusion.	SIP
204	0030(2)	NA	NA	Change designation of Klamath Falls Nonattainment Area for PM2.5 to reference the Klamath Falls Nonattainment area defined in division 204-0010.	Already defined in division 204	SIP
204	0040	NA	NA	Move “Maintenance Area” to between the city and the pollutant	Consistency	SIP
204	0040	NA	NA	Do not capitalize “carbon monoxide” or “ozone”	Not necessary	SIP
204	0050(1)	NA	NA	Change to: “(1) All of the following areas which were in existence on August 7, 1977, and for which the 1990 Clean Air Act Amendments clarified, shall be Class I Areas and may not be redesignated.”	Correction	SIP
204	0050(1)(i)	NA	NA	Change to: “(i) Crater Lake National Park, as established by Public Law 32-202;”	Correction. Public Law established and expanded Crater Lake National Park, not the Clean Air Act Amendments	SIP
204	0050(4)	NA	NA	Change to: “(4) The extent of the areas referred to in section (1) and (3) shall conform to any changes in the boundaries of such areas which occurred between August 7, 1977, and [INSERT DATE OF EQC ADOPTION OF RULES].”	Correction	SIP
204	0060(1)(b)	NA	NA	Delete “or Indian Governing Bodies”	DEQ does not regulate Indian Governing Bodies	SIP
204	0060(2)(b)	NA	NA	Do not capitalize state	Correction	SIP
204	0060(2)(d)	NA	NA	Do not capitalize federal	Correction	SIP
204	0060(4)	NA	NA	Delete the second sentence and (a) and (b) regarding lands within the boundaries of Indian Reservations.	DEQ does not regulate Indian Governing Bodies	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
204	0060(5)	NA	NA	Change “EPA Administrator shall” to “EPA Administrator may”	Correction. DEQ cannot require EPA do anything.	SIP
204	0060(6)	NA	NA	Delete “or Indian Governing Body, as appropriate,”	DEQ does not regulate Indian Governing Bodies	SIP
204	0070(2) & (3)	NA	NA	Add “as defined in OAR 340-204-0010”	Clarification and consistency	SIP
204	0080(1) & (2)	NA	NA	Add “as defined in OAR 340-204-0010”	Clarification and consistency	SIP
204	0090	NA	NA	Change to: “The EQC may adopt or amend a CO maintenance plan that includes contingency plan provisions that require use of oxygenated fuel.”	The October 31, 2007 date has past. DEQ’s 2004 CO maintenance plan states that Section 175A(d) of the Clean Air Act provides that any control strategies removed upon redesignation to attainment must be reinstated if the area violates the air quality standard. The provisions of this section of the Contingency Plan are dictated by that Clean Air Act requirement. If the Portland area violates the NAAQS for CO, the requirement to use wintertime oxygenated fuel in Clackamas, Multnomah, Washington, and Yamhill Counties will be reinstated.	SIP
204				Designation of Areas		
NA	NA	204	0300	Add rules that explain how sustainment areas will be designated	DEQ has defined two new areas for New Source Review: sustainment and reattainment areas. These new areas will provide options for sources when constructing or modifying in these areas. Designation of sustainment area does not need to go through EPA for approval. Only procedures need to be approved by EPA so no SIP revision is needed to designate areas.	SIP
NA	NA	204	0300(2)	Add rules to designate Lakeview as a sustainment area and establish offset ratios	Lakeview currently exceeds the ambient air quality standard for PM2.5 but is not designated as a nonattainment area by EPA. DEQ is working with Lakeview in the PM Advance program to reduce PM2.5 emissions so the area can meet the PM2.5 NAAQS. Designation as a sustainment area will also help reduce emissions and allow sources to construct or modify if air quality is protected.	SIP
NA	NA	204	0300(3) & (4)	Add rules about how sustainment areas are reclassified by EPA or rescinded by EQC	Clarification	SIP
NA	NA	204	0300	Add: “[NOTE: This rule, except sections (2) and (3), is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]”	Clarification. Designation of sustainment area does not need to go through EPA for approval.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
NA	NA	204	0310	Add rules that explain how reattainment areas will be designated	DEQ has defined two new areas for New Source Review: sustainment and reattainment areas. These new areas will provide options for sources when constructing or modifying in these areas. Designation of sustainment area does not need to go through EPA for approval. Only procedures need to be approved by EPA so no SIP revision is needed to designate areas.	SIP
NA	NA	204	0310	Add: “[NOTE: This rule, except sections (2) and (3), is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]”	Clarification. Designation of reattainment area does not need to go through EPA for approval.	SIP
NA	NA	204	0320	Add language to define priority sources	Priority sources will be identified based on emissions inventory information and modeling results of the sources located in a designated area	SIP
206				Air Pollution Emergencies	None	
206	all	NA	NA	Delete “total suspended” from particulate	DEQ no longer has a total suspended particulate matter standard and doesn’t monitor for TSP	SIP
206	0020	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
206	0030	NA	NA	Change “DEQ shall be responsible” to “DEQ is responsible”	Clarification	SIP
206	0030(2)	NA	NA	Replace “Tables 1 and 4” with “OAR 340-206-8010 and 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0030(3)	NA	NA	Replace “Tables 2 and 4” with “OAR 340-206-8020 and 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0030(4)	NA	NA	Replace “Tables 3 and 4” with “OAR 340-206-8030 and 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0030	NA	NA	Add “Click here for PDF copy of tables.” To the ED. NOTE	Clarification	SIP
206	0040(4)	NA	NA	Replace “Table 4” with “OAR 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0050(1)	NA	NA	Change to: “(1) OAR 340-206-8010 through 340-206-8030 set forth specific emission reduction measures which must be taken upon the declaration of an air pollution alert, air pollution warning, or air pollution emergency. Any person responsible for a source of air contamination within a Priority I AQCR must, upon declaration of any air pollution episode condition affecting the locality of	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the air contamination source, take all appropriate actions specified in the applicable rule and must take appropriate actions specified in an approved source emission reduction plan which has been submitted and is on file with DEQ.”		
206	0050(2)	NA	NA	Change to: “(2) Any person responsible for the operation of any point source of air pollution which is located in a Priority I AQCR, located within an AQMA or located within a nonattainment area listed in 40 CFR, Part 81, and emits 100 tons or more of any regulated pollutant specified by subsection (a) or (b) must file a Source Emission Reduction Plan (SERP) with DEQ in accordance with the schedule described in section (4). Persons responsible for other point sources of air pollution located in a Priority I AQCR may optionally file a SERP with DEQ for approval. Such plans must specify procedures to implement the actions required by OAR 340-206-8010 through 340-206-8030 and must be consistent with good engineering practice and safe operating procedures. Source emission reduction plans specified by this section are mandatory only for those sources which:”	AQMA is already included. Correction Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0050(3)	NA	NA	Replace “Tables 1, 2 and 3 of this Division” with “OAR 340-206-8010 through 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	0070	NA	NA	Do not capitalize emergency action or operations manual	Correction	SIP
206	0060(3)	NA	NA	Delete “shall”	Not necessary	SIP
206	0070(3)(a)	NA	NA	Do not capitalize Standby	Correction	SIP
206	Table 1	206	8010	Replace “Table 1” with “OAR 340-206-8010”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	Table 1	206	8010	Add “Alert Episode” to designated area	Clarification	SIP
206	Table 2	206	8020	Replace “Table 2” with “OAR 340-206-8020”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	Table 2	206	8020	Add “Warning Episode” to designated areas	Clarification	SIP
206	Table 3	206	8030	Replace “Table 3” with “OAR 340-206-8030”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
206	Table 4	206	8040	Replace “Table 4” with “OAR 340-206-8040”	Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.	SIP
208				Visible Emissions and Nuisance Requirements		
NA	NA	208	0005	Add Applicability and Jurisdiction rule: “Applicability and Jurisdiction (1) This division applies in all areas of the state; except	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				rules OAR 340-208-0500 through 340-208-0610, which apply in all areas of Clackamas, Columbia, Multnomah and Washington counties. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”		
208	0010	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
208	0010(2)	200	0020(8)	Delete definition of “air contaminant” and use definition in division 200 "Air Contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid or particulate matter, or any combination thereof.	Already defined in division 200 and 240. Delete and use definition in division 200 340-208-0010(2) "Air Contaminant" means a dust, fume, gas, mist, odor, smoke, pollen, vapor, soot, carbon, acid or particulate matter, or any combination thereof. 340-240-0030(1) "Air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid or particulate matter, or any combination thereof.	SIP
208	0010(3)	200	0020(51)	Delete definition of “emission” and use definition in division 200 "Emission" means a release into the atmosphere of any regulated pollutant or any air contaminant.	Already defined in division 200 and 240. Delete and use definition in division 200 340-208-0010(3) "Emission" means a release into the outdoor atmosphere of air contaminants. 340-240-0030 (10) "Emission" means a release into the outdoor atmosphere of air contaminants.	SIP
208 228 240	0010(4) 0020(4) 0030(14)	200	0020(69)	Delete definition of “fuel burning equipment” and move to division 200 with clarifications	See discussion above in division 200. Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify.	SIP
208	0010(5)	200	0020(70)	Delete definition of “fugitive emissions” and use division 200 definition "Fugitive Emissions": (a) Except as used in subsection (b) of this section, means emissions of any air contaminant which escape to the atmosphere from any point or area that is not identifiable as a stack, vent, duct, or equivalent opening. (b) As used to define a major Oregon Title V Operating Permit program source, means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.	Delete and use definition in division 200 since it is more comprehensive 340-208-0010(5) "Fugitive Emissions" means emissions of any air contaminant that escape to the atmosphere from any point or area not identifiable as a stack, vent, duct, or equivalent opening. 340-234-0010 (17) "Fugitive Emissions" means dust, fumes, gases, mist, odorous matter, vapors or any combination thereof not easily given to	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					measurement, collection, and treatment by conventional pollution control methods. 340-236-0010(17) "Fugitive emissions" means emissions of any air contaminant that escapes to the atmosphere from any point or area that is not identifiable as a stack, vent, duct, or equivalent opening. 340-240-0030(17) "Fugitive Emissions" means dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof not easily given to measurement, collection and treatment by conventional pollution control methods.	
208	0010(6)	NA	NA	Delete definition of "new source"	Definition no longer needed since dates are included in the rule	SIP
208	0010(8)	200	0020(101)	Move definition of "odor" to division 200 "Odor" means that property of an air contaminant that affects the sense of smell.	Same definition as division 240 definition so move to division 200 340-208-0010(8) "Odor" means that property of an air contaminant that affects the sense of smell. 340-240-0030(30) "Odor" means that property of an air contaminant that affects the sense of smell.	SIP
208	0010(12)	200	0020(167)	Delete definition of "standard conditions," use division 240 definition and move to division 200 "Standard Conditions" means a temperature of 68° Fahrenheit (20° Celsius) and a pressure of 14.7 pounds per square inch absolute (1.03 Kilograms per square centimeter).	See discussion above in division 200	SIP
208	0010(13)	200	0020(42)	Delete definition of "standard cubic foot" and use definition of "dry standard cubic foot" from division 240 and move to division 200 "Dry Standard Cubic Foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions.	See discussion above in division 200	SIP
208				Visible Emissions		
208	0100	NA	NA	Repeal this rule regarding applicability for visible emissions	This requirement applied everywhere, while the fugitive emissions requirement in OAR 340-208-0210 applied in only some areas, so the distinction may have made sense. Since both 340-208-0100 and 340-208-0210 both apply throughout the whole state, this rule language is unnecessary.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
208	0110	NA	NA	Replace 340-208-0110 with the sections below.	DEQ is proposing the changes for the following reasons: - EPA's adoption of a new PM_{2.5} 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce opacity in all areas and will help prevent future problems. - More and more areas of the state are special control areas due to population increases. - Phased compliance will give sources that cannot meet the new standards time to comply.	SIP
NA	NA	208	0110(1)	Add: “(1) The emissions standards in this rule do not apply to fugitive emissions from a source or part of a source.”	Clarify that 20% opacity does not apply to non-fugitive emission sources. It is very difficult to read opacity from fugitive emission sources. Instead DEQ will require sources to abate fugitive escaping from an air contaminant source. See 340-208-0210.	SIP
NA	NA	208	0110(2)	Add: “(2) The visible emissions standards in this rule are based on the average of 24 consecutive observations recorded at 15-second intervals, or more frequently as allowed under subsection (b), which comprise a six-minute block. Six-minute blocks need not be consecutive in time and in no case may two blocks overlap. For each set of 24 observations, the six-minute block average is calculated by summing the opacity of the 24 observations and dividing the sum by 24. Six-minute block averages are measured by: (a) EPA Method 9; (b) A continuous opacity monitoring system (COMS) installed and operated in accordance with the DEQ Continuous Monitoring Manual or 40 CFR part 60; or (c) An alternative monitoring method approved by DEQ that is equivalent to EPA Method 9.”	Change the averaging time period for compliance from 3 minutes in an hour to a 6-minute average and add a reference method for determining compliance with the opacity limit and provision for continuous opacity monitoring systems installed and operated under DEQ's Continuous Monitoring Manual. - An opacity standard based on a 6-minute average is no more or less stringent than a standard based on an aggregate of 3 minutes in any hour. Theoretically, either basis could be more stringent than the other, but practically, sources do not typically have intermittent puffs of smoke. If there is an upset that lasts longer than 3 minutes, it usually lasts longer than 6 minutes, as well. - Other reasons for changing to a 6 minute average include: - A reference compliance method has not been developed for the 3 minute standard. - EPA method 9 results are reported as 6-minute averages. - The 3-minute standard adds more	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					cost to data acquisition systems for continuous opacity monitoring systems. Many of the COMS are designed for 6-minute averages, so they have to be modified to record and report data for the 3-minute standard. Compliance with a 6 minute average can be determined with 24 readings (6-minute observation period); whereas, compliance with the 3-minute standard may require as many as 240 readings (60 minute observation period). In addition, it is DEQ's policy that the inspector observes the source for at least 6 minutes before making a compliance determination.	
NA	NA	208	0110(3)	Add: “(3) For sources, other than wood-fired boilers, installed, constructed or modified prior to June 1, 1970: (a) If located outside a special control area, no person may emit or allow to be emitted any visible emissions that equal or exceed: (A) An average of 40 percent opacity through December 31, 2019; and (B) An average of 20 percent opacity on and after January 1, 2020. (b) If located inside a special control area, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.”	Opacity for sources that existed before June 1, 1970, other than wood-fired boilers outside special control areas, remains at 40 percent until December 31, 2019 then changes to 20 percent. Sources inside special control areas must meet 20 percent upon rule adoption.	SIP
NA	NA	208	0110(4)	Add: “(4) For sources, other than wood-fired boilers, installed, constructed, or modified on or after June 1, 1970, no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.”	No change in opacity standard for sources installed, constructed after June 1, 1970.	SIP
NA	NA	208	0110(5)	Add: “(5) For wood-fired boilers installed, constructed or modified prior to June 1, 1970, no person may emit or allow to be emitted any visible emissions that equal or exceed: (a) An average of 40 percent opacity through December 31, 2019, with the exception that visible emissions may equal or exceed an average of 40 percent opacity for up to two independent six-minute blocks in any hour, as long	Until 1/1/2020, pre-1970 wood fired boilers will have a limit of 40 percent opacity with the exception that visible emissions may not equal or exceed 55 percent for 12-minutes in an hour. This exception is provided to keep the standard based on a 6-minute average equivalent to the existing 40 percent opacity standard based on an aggregate of 3 minutes	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				as the average opacity during each of these two six-minute blocks is less than 55 percent. (b) An average of 20 percent opacity on or after January 1, 2020, with one or more of the following exceptions: (A) Visible emissions may equal or exceed an average of 20 percent opacity for up to two independent six-minute blocks in any hour, as long as the average opacity during each of these two six-minute blocks is less than 40 percent; (B) Visible emissions may equal or exceed an average of 20 percent opacity but may not equal or exceed 40 percent opacity, as the average of all six-minute blocks during grate cleaning operations provided the grate cleaning is performed in accordance with a grate cleaning plan approved by DEQ; or (C) DEQ may approve, at the owner's or operator's request, a boiler specific limit greater than an average of 20 percent opacity, but not to equal or exceed an average of 40 percent opacity, based on the opacity measured during a source test that demonstrates compliance with 340-228-0210(2)(d) as provided below: (i) Opacity must be measured for at least 60 minutes during each compliance source test run using any method included in section (2); (ii) The boiler specific limit will be the average of at least 30 six-minute block averages obtained during the compliance source test; (iii) The boiler specific limit will include a higher limit for one six minute period during any hour based on the maximum six-minute block average measured during the compliance source test; (iv) Specific opacity limits will be included in the permit for each affected source as a minor permit modification (simple fee) for sources with an Oregon Title V Operating Permit or a Basic Technical Modification for sources with an Air Contaminant Discharge Permit; and (v) If an alternative limit is established in accordance with this paragraph, the exception provided in paragraph (A) does not apply."	in an hour. The current standard would allow a source to have visible emissions equal to 100 percent opacity for 3 minutes and then remain below 40 percent opacity for the remainder of an hour. The 55 percent exception is equal to the average of 100 percent opacity for 3 minutes and 40 percent opacity for 9 minutes over a 12-minute period. There is no relaxation to the existing rules. - On and after 1/1/2020, the standard for pre-1970 wood-fired boilers will be 20 percent opacity with the same 12-minute exception (40 percent opacity) as the post-1970 boiler limit discussed above. - In addition, the proposed rules for pre-1970 wood-fired boilers include a 40 percent opacity limit during grate cleaning operations provided the owner or operator develops and implements a grate cleaning plan that is approved by DEQ. This exception is provided to address the routine maintenance activity that is required for older wood-fired boilers. - Provide an option of an alternative limit based on the opacity measured during a compliance test method for grain loading.	
NA	NA	208	0110(6)	Add: "(6) For wood-fired boilers installed, constructed, or modified after June 1, 1970 but before [INSERT SOS FILING DATE OF RULES], no person may emit or	The proposed standard for existing post-1970 wood-fired boilers will remain at 20 percent opacity, except that visible emissions may not equal or exceed 40 percent opacity for 12 minutes	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity with the exception that visible emissions may equal or exceed an average of 20 percent opacity for up to two independent six-minute blocks in any hour, as long as the average opacity during each of these two six-minute blocks is less than 40 percent.”	in an hour. This exception is provided to keep the standard based on a 6-minute average equivalent to the existing 20 percent opacity standard based on an aggregate of 3 minutes in an hour. The current standard would allow a source to have visible emissions equal to 100 percent opacity for 3 minutes and then remain below 20 percent opacity for the remainder of an hour. The 40 percent exception is equal to the average of 100 percent opacity for 3 minutes and 20 percent opacity for 9 minutes over a 12-minute period.	
NA	NA	208	0110(7)	Add: “(7) For all wood-fired boilers installed, constructed, or modified after [INSERT SOS FILING DATE OF RULES], no person may emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity.”	After rule adoption, all wood-fired boilers must meet 20 percent at all times.	SIP
208				Fugitive Emission Requirements		
208	0200	NA	NA	Repeal this rule regarding applicability for fugitive emissions	This requirement only applied in special control areas and areas where DEQ determined there was a nuisance, while the visible emissions requirement in OAR 340-208-0110 applied everywhere, so the distinction may have made sense. Since both 340-208-0100 and 340-208-0210 both apply throughout the whole state, this rule language isn’t needed any more.	SIP
208	0210	NA	NA	Change the title of the rule to “Requirements for Fugitive Emissions”	Clarification	SIP
208	0210(2)	208	0210(1)	Change last sentence to: “Such reasonable precautions may include, but are not limited to the following:”	Clarification	SIP
208	0210(2)(b)	208	0210(1)(b)	Delete “asphalt, oil,” from when full or partial enclosure is needed if the application of water or suitable chemicals are not sufficient	DEQ discourages the use of oil as dust suppressants because of the negative environmental impact on other media.	SIP
208	0210(2)(c)	208	0210(1)(c)	Delete oil from the reasonable precautions to prevent particulate matter from becoming airborne and add “other suitable” to chemicals	DEQ discourages the use of asphalt emulsions and oil as dust suppressants because of the negative environmental impact on other media.	SIP
208	0210(1)	208	0210(2)	Move section (1) to section (2) and change to: “(2) When fugitive emissions escape from an air contaminant source, DEQ may order the owner or operator to abate the emissions. In addition to other means, DEQ may order that a building or equipment in	Reorganization and clarification. DEQ has clarified that fugitive emissions must be abated upon order, rather than the determination of a nuisance or trying to read opacity to comply with an opacity limit. Since the opacity standards will	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				which processing, handling and storage are done be tightly closed and ventilated in such a way that air contaminants are controlled or removed before being emitted to the open air.”	not apply to fugitive emission sources, work practice standards will be used instead to abate fugitive emissions.	
NA	NA	208	0210(2)(a)	Add a definition for particulate fugitive emissions for this section: “(a) For purposes of this section, fugitive emissions are visible emissions that leave the property of a source for a period or periods totaling more than 18 seconds in a six minute period. The minimum observation time must be at least six minutes unless otherwise specified in a permit.”	This clarifies how fugitive emissions are defined and evaluated.	SIP
NA	NA	208	0210(2)(b)	Add EPA Method 22 as the reference method: “(b) Fugitive emissions are determined by EPA Method 22 at the downwind property boundary.”	A test method should always be specified with each standard in order to be able to show compliance	SIP
NA	NA	208	0210(3)	Add requirement for development of a fugitive emission control plan if requested by DEQ “(3) If requested by DEQ, the owner or operator must develop a fugitive emission control plan, including but not limited to the work practices in section (1), that will prevent any visible emissions from leaving the property of a source for more than 18 seconds in a six-minute period following the procedures of EPA Method 22.”	This requirement will help address issues if fugitive emissions escape the property boundary	SIP
208				Nuisance Control Requirements		
208	0300	NA	NA	Change “OAR 340-12-0026” to “OAR 340-012-0026”	Correction	NA
208	0310	NA	NA	Change to: “In determining whether a nuisance exists”	Clarification	NA
208	0310 & 320	NA	NA	Do not capitalize best work practices agreement	Correction	NA
208	0450	NA	NA	Change “emission” to “deposition”	Particulate matter larger than 250 microns is deposited on property, not emitted	NA
208	0450	NA	NA	Change to: “No person may cause or permit the emission of particulate matter larger than 250 microns in size at sufficient duration or quantity as to create an observable deposition upon the real property of another person.”	Clarification. While AOI and DEQ may have negotiated the current language in 2001, the current language creates a problem of enforceability. The current rule states: “No person may cause or permit the emission of particulate matter larger than 250 microns in size at sufficient duration or quantity as to create an observable deposition upon the real property of another person when notified by the department that the deposition exists and must be controlled.”	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					The phrase “when notified by the department that the deposition exists and must be controlled” was added in 2001. This phrase results in an unusual rule that is interpreted as follows: a source can only be in violation of this rule after DEQ staff inform the source that the deposition exists and must be controlled. In other words, any occurrences of the deposition that occur before DEQ staff have informed the source that the deposition exists and must be controlled cannot be cited as violations of this rule. There are few, if any other rules in Divisions 200 through 268 that operate in this unusual manner. Normally, a rule itself serves as the notification that a certain activity or emission is not allowed, and DEQ does not have to provide a second notification before it can cite a facility for a violation of a rule. DEQ can see no reason why OAR 340-208-0450 should not operate in the same manner. DEQ recognizes that a source may not be aware that it has created an observable deposition upon another’s real property and may therefore incorrectly certify compliance with the rule. But this problem is not unique to this rule, and does not justify the unusual requirement to give a second notice before a violation can be cited. For example, a facility may exceed an opacity standard, but if the exceedance is not observed by anyone, then a facility may in this instance also incorrectly certify compliance with the standard. In both of these cases, the key concept is that compliance or noncompliance with a rule or standard is verified by observation (i.e. monitoring). DEQ agrees that this rule is directed at addressing nuisances, but DEQ does not agree that this rule is duplicative of OAR 340-208-0300, which states in part that “No person may cause or allow air contaminants from any source subject to regulation by the department to cause a nuisance.” OAR 340-208-0300 prohibits causing a nuisance, but does not define nuisance. Unlike OAR 340-208-0300, OAR 340-208-0450 specifically addresses the	

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					emission of particulate matter larger than 250 microns in size, such that an observable deposition is created upon the real property of another person.	
208	0600	NA	NA	Repeal “Visible Air Contaminant Standards”	DEQ is changing to a 6-minute averaging time for all opacity standards except the recovery furnace opacity standard.	NA
209				Public Participation	None	
209	0010	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
209	0020	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
209	0030(3)(c)	NA	NA	Change to: “(c) Category III -- DEQ will provide public notice of the proposed permit action and a minimum of 35 days to submit written comments. DEQ will provide a minimum of 30 days notice for a hearing, if one is scheduled. DEQ will schedule a hearing at a reasonable time and place to allow interested persons to submit oral or written comments if:”	Clarification	NA
209	0030(3)(d)	NA	NA	Change to: “(d) Category IV -- Once an application is considered complete under OAR 340-216-0040, DEQ will: (A)(i) Provide notice of the completed application and requested permit action; and (ii) Schedule an informational meeting within the community where the facility will be or is located and provide public notice at least 14 days before the meeting. During the meeting, DEQ will describe the requested permit action and accept comments from the public. DEQ will consider any information gathered in this process in its drafting of the proposed permit, but will not maintain an official record of the meeting and will not provide a written response to the comments;”	Clarification. Move the informational meeting requirements to OAR 340-209-0030.	NA
209	0030(3)(d)(C)	NA	NA	Change to: “(C) Schedule a public hearing at a reasonable time and place to allow interested persons to submit oral or written comments and provide a minimum of 30 days public notice for the hearing.”	Clarification. Require that public hearings be held at a reasonable time and place	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
209	0030(4)	NA	NA	Change to: “(4) Except for actions regarding Oregon Title V Operating Permits, DEQ may move a permit action to a higher category under section (3) based on, but not limited to the following factors:”	Clarification	NA
209	0030(4)(d)	NA	NA	Add “Federal requirements;”	Clarification. If federal requirements change for a source, a different type of public notice may be required.	NA
209	0030	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
209	0040(1)(m)	NA	NA	Change to: “(m) Whether each proposed permitted emission is a criteria pollutant and whether the area in which the source is located is designated as attainment/unclassified, sustainment, nonattainment, reattainment or maintenance for that pollutant;”	Clarification	SIP
209	0040	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 12/27/11. The note was inadvertently omitted from the rule.	SIP
209	0050(1)	NA	NA	Add provision for public notice by email	Most people receive notices by email, which is cheaper and easier to use than mail. A few people are still on DEQ’s list to receive hard copies of public notices.	NA
209	0050	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
209	0060(4)	NA	NA	Change to: “(4) NSR actions. For NSR actions excluding Type B State NSR actions (OAR 340 division 224), DEQ will provide notice to the following officials and agencies having jurisdiction over the location where the proposed construction would occur in addition to the persons identified in section (1):”	Clarification. Type B State NSR actions do not involve construction so are not required to notice officials and agencies.	NA
209	0060	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
209	0070	NA	NA	Move the informational meeting requirements to OAR	Clarification	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				340-209-0030.		
209	0070(2)(b)(A)	209	0070(2)(a)	Change to: “(a) Before accepting oral or written comments by members of the public, the Presiding Officer or DEQ representative will present a summary of the proposed permit action DEQ's preliminary decision. During this period, there may be an opportunity to ask questions about the proposed or draft permit action.”	Clarification. DQ may provide an opportunity to ask questions about the proposed or draft permit before the hearing if time allows.	NA
209	0080(2)	NA	NA	Change “in the location(s) listed in OAR 340-209-0040” to “at the DEQ office processing the permit”	Clarification	SIP
209	0080(3)	NA	NA	Change to: “(3) The applicant may submit a written response to any comments submitted by the public within 10 working days after DEQ provides the applicant with a copy of the written comments received by DEQ. DEQ will consider the applicant's response in making a final decision.”	Clarification. This change gives sources adequate time to respond to public comments.	SIP
209	0080(7)	NA	NA	Add “sections” before (5) and (6)	Clarification	SIP
209	0080	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 12/27/11. The note was inadvertently omitted from the rule.	SIP
210				Stationary Source Notification Requirements	None	
210	0010	NA	NA	Change title to “Applicability and Jurisdiction”	Clarification	SIP
210	0010	210	0010(1)	Change applicability to: “(1) This division applies to air contaminant sources, to stationary sources, and to modifications of existing portable sources that are required to have permits under OAR 340 division 216.”	Correction. These rules could apply to sources that emit air contaminants and portable sources if required to have a permit, in addition to stationary sources.	SIP
NA	NA	210	0010(2)	Add: “(2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
210	0020	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
210				Registration	None	
210	0100(2)(a), (b), (c), (d)	NA	NA	Delete “air contaminant” in front of “sources”	Not necessary	SIP
210	0100(3)	NA	NA	Change “OAR Chapter 340, division” to OAR 340 division”	Not necessary	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
210	0110(3), (4), and (5)	NA	NA	Make structure of registration requirements similar in each section	Clarification and consistency	SIP
210	0120(3)	NA	NA	Change to: “(3) In order to re-register, or maintain registration, a person must not have had their registration terminated or revoked within the last 3 years, unless the air contaminant source has changed ownership since termination or revocation, in which case the person must not have had their registration terminated or revoked since the change in ownership.”	Clarification	SIP
210				Notice of Construction and Approval of Plans	None	
210	0205 to -250	NA	NA	Delete “stationary” from “stationary source”	Correction. Some portable sources are subject to the Notice of Construction rules	SIP
210	0205(1)	NA	NA	Add “the following” at the end	Clarification	SIP
210	0205(1)(a)	NA	NA	Change to: “(a) All new sources not otherwise required to obtain a permit under OAR 340, division 216 or 218. Sources that are required to submit a permit application under OAR 340, division 216 or 218 are not required to submit a Notice of Construction application under this rule;”	Clarification for new sources that are not required to submit a Notice of Construction application	SIP
NA	NA	210	0205(1)(b)	Add: “(b) Modifications at existing sources, including sources that have permits under OAR 340 division 216 or 218; and”	Clarification for modifications at existing sources that are required to submit a Notice of Construction application	SIP
210	0205(1)(b)	210	0205(1)(c)	Change to: “(c) All sources that use air pollution control devices to comply with emissions limits, or to avoid the requirement to obtain an Oregon Title V Operating Permit (OAR 340 division 218) or Major NSR or Type A State NSR (OAR 340 division 224) requirements, or MACT standards (OAR 340 division 244).”	Clarification for pollution control equipment that are required to submit a Notice of Construction application	SIP
210	0205(2)	NA	NA	Change “OAR 230-210-0200” to “OAR 340-210-0205”	Correction	SIP
210	0205(2)(a)	NA	NA	Change “OAR 340-200-030” to “OAR 340-200-0030”	Correction	SIP
210	0205(2)(c)	NA	NA	Add “ed” to limit	Correction	SIP
NA	NA	210	0205(2)(d)	Add: “(d) Portable sources, except modifications of portable sources that have permits under OAR 340 division 216 or 218; and”	Correction. Add portable sources to the list of sources that are exempt from the Notice of Construction rules unless the portable source is required to obtain a permit under division 216 or 218.	SIP
210	0205(2)(d)	210	0205(2)(e)	Change wording to “unless they are subject to NESHAP or NSPS requirements.”	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
210	0215(2)	NA	NA	Change “stationary source” to “existing source”	Clarification	SIP
210	0225(1)	NA	NA	Add “meets the criteria in subsections (a) through (f)”	Clarification	SIP
210	0225(1)(a) & (b)	NA	NA	Add “from the source” after “would not increase emissions”	Clarification. Emissions are from the source, not individual “stationary sources” for comparison to the netting basis and significant emission rate	SIP
210	0225(1)(a)	NA	NA	Change to “de minimis emission level”	Clarification.	SIP
210	0225(1)(b)	NA	NA	Change “significant emissions rate” to “significant emission rate”	Clarification.	SIP
210	0225(1)(a) & (c)		NA	Correct spelling of de minimis	Correction	SIP
210	0225(1)(c)	NA	NA	Change to: “(c) Would not increase emissions from any new, modified, or replaced device, activity or process, or any combination of devices, activities or processes at the source by more than the de minimis levels defined in OAR 340-200-0020;”	Clarification. Emissions from the source are compared to de minimis levels	SIP
210	0225(1)(f) and (2)(f)	NA	NA	Add requirement that changes that are required to obtain a permit under OAR 340 division 216 would not qualify as a Type 1 or Type 2 changes.	Corrects a problem regarding changes that otherwise qualify as a Type 1 change but should be required to obtain a permit under division 216. There have been instances when companies have replaced a NESHAP subject chrome plating line with entirely new equipment or have replaced the control device. In each instance the associated emissions are well below the de minimis rate and the change meets the Type 1 criteria. The review process in these instances is more complicated than for what Type 1 category was intended and therefore, a permit is required.	SIP
210	0225(2)	NA	NA	List requirements for Type 2 changes rather than reference changes in 0225(1)	Clarification	SIP
210	0225(2)(c)	NA	NA	Change to: “(c) Would not increase emissions from any new, modified, or replaced device, activity or process, or any combination of devices, activities or processes at the source by more than or equal to the SER;”	Clarification. Emissions are from the stationary source for comparison to the SER	SIP
210	0225(3)	NA	NA	Change to: “(3) Type 3 changes include construction or modification of sources or air pollution control devices where such a change does not qualify as a Type 4 change under section (4) and;”	Clarification. Type 4 changes can result in federally enforceable PTE limits and possibly require a TACT or MACT determination, and such changes would therefore qualify under both Type 3 and 4. This language makes it clear that if they qualify for both, then they’re Type 4 not 3.	SIP
210	0225(3)(a)	NA	NA	Change to:	Clarification. An increase in PESL should be	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(a) Would increase emissions from the source above the PSEL by more than the de minimis emission level defined in OAR 340-200-0020 before applying unassigned emissions or emissions reduction credits available to the source but less than the SER after applying unassigned emissions or emissions reduction credits available to the source for sources required to have a permit;”	calculated before applying unassigned emissions or emission reduction credits	
210	0225(3)(b)	NA	NA	Change to: “(b) Would increase emissions from any new, modified, or replaced device, activity or process, or any combination of devices, activities or processes at the source by more than the SER but are not subject to OAR 340-222-0041(4);”	Clarification. OAR 340-222-0041(3)(b) was renumbered to 340-222-0041(4)	SIP
210	0225(4)	NA	NA	Change to: “(4) Type 4 changes include construction or modification of sources or air pollution control devices where such a change or changes would increase emissions from the source above the PSEL, after applying unassigned emissions or emissions reduction credits available to the source, or netting basis of the source by more than the SER.”	Clarification	SIP
210	0230(3)	NA	NA	Change “The Department must be notified” to “The owner or operator must notify DEQ”	Clarification	SIP
210	0240(1)(a)	NA	NA	Change to: “(a) For Type 1 changes, the owner or operator may proceed with the construction or modification 10 calendar days after DEQ receives the notice required in OAR 340-210-0230 or on the date that DEQ approves the proposed construction in writing, whichever is sooner, unless DEQ notifies the owner or operator in writing that the proposed construction or modification is not a Type 1 change.”	Clarification	SIP
210	0240(1)(b)	NA	NA	Change to: “(b) For Type 2 changes, the owner or operator may proceed with the construction or modification 60 calendar days after DEQ receives the notice required in OAR 340-210-0230 or on the date that DEQ approves the proposed construction in writing, whichever is sooner, unless DEQ notifies the owner or operator in writing that the proposed construction or modification is not a Type 2 change.”	Clarification	SIP
210	0240(1)(d) [NOTE:]			Add “requirements” to New Source Review and delete “[Note: In non-attainment areas and maintenance areas” and “ In attainment areas, Type 4 changes may be subject	Put the language in the rule, rather than a note. Clarify that Type 4 changes may also be subject to division 224, New Source Review.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				to OAR 340-224-0070, Prevention of Significant Deterioration, only if the source would be a federal major source after making the change.”		
210	0240(3)(b)	NA	NA	Add “,device, activity, process,” to source	Clarification	SIP
210	0240(5)	NA	NA	Change to: “(5) Hearing. A person against whom an order prohibiting construction or modification is directed may request a contested case hearing within 20 days from the date of mailing the order. The request must be in writing, state the grounds for hearing, and be mailed to the Director of DEQ. The hearing will be conducted pursuant to the applicable provisions in division 11 of this chapter.”	Clarification	SIP
210	0250(1)	NA	NA	Change to: “(1) The approval to construct does not provide approval to operate the constructed or modified source or air pollution control device unless otherwise allowed by section (2) or (3) or under the applicable ACDP or Oregon Title V Operating Permit programs (OAR 340 divisions 216 and 218).”	Clarification	SIP
210	0250(2)(a)(B)	NA	NA	Change last sentence to: “All required testing must be performed in accordance with OAR 340-212-0140.”	Clarification	SIP
210	0250(2)(b)	NA	NA	Change to: “(b) For new sources that are required to obtain an ACDP in accordance with OAR 340-216-0020, the ACDP, which allows operation, is required before operating the newly constructed equipment.”	Clarification. It is the equipment that will be operated, not the change type.	SIP
212				Stationary Source Testing and Monitoring		
NA	NA	212	0005	Add Applicability and Jurisdiction rule: “Applicability and Jurisdiction (1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	
212	0010	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
212	0110	NA	NA	Change to: “OAR 340-212-0110 through 340-212-0150 apply to all stationary sources in the state. Stationary source includes portable sources that are required to have permits under	Correction. There is no OAR 340-212-0160. DEQ permits some portable sources so all requirements apply to stationary sources and the permitted portable sources.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				division 216.”		
212	0120(3)	NA	NA	Update Source Sampling Manual and Continuous Monitoring Manual	The Source Sampling Manual (1992) and the Continuous Monitoring Manual (1992) have been updated to reflect current methods and procedures.	SIP
212	0120(3)(b)	NA	NA	Change to: “(b) Approves the use of an equivalent or alternative method as defined in division 200;”	Equivalent method and alternative method are defined in division 200	SIP
212	0130(2)(c)	NA	NA	Change to: “(c) The "procedures" referred to in 40 CFR 51.164 are the DEQ Major NSR procedures (OAR 340-224-0010 through 340-224-0070 and OAR 340-224-0500 through 340-224-0540 or Title 38 of LRAPA rules), and the review procedures for new, or modifications to, minor sources, at the DEQ review procedures for new or modified minor sources (OAR 340-210-0205 to 340-210-0250, OAR 340 division 216, OAR 340-224-0010 through 340-224-0038, OAR 340-224-0200 through 340-224-0270 and OAR 340-224-0500 through 340-224-0540, or LRAPA Title 34).”	Correction and clarification. DEQ has added rules for State New Source Review in this division so the distinction between major and minor new source review must be made. The cross reference to the Notice of Construction and Approval of Plans in division 210 is incorrect.	SIP
212	0140(1)	NA	NA	Update Source Sampling Manual	The Source Sampling Manual (1992) has been updated to reflect current methods and procedures.	SIP
212	0140(2)	NA	NA	Change to: “(2) DEQ may approve an equivalent or alternative method as defined in division 200.”	Equivalent and alternative methods are defined in division 200 so do not need to be defined here.	SIP
212				Compliance Assurance Monitoring		
212	0200 - 0280	NA	NA	Remove from SIP	Correction. The note that this rule is included in the Oregon SIP is not included in any of these rules but the rules were approved into the Oregon SIP on 01/22/03 in 68 FR2891. With this SIP submittal, DEQ is asking to remove these rules from the SIP because they apply only to Title V sources.	NA
212	ALL	NA	NA	Delete CFR date	CFR date is included in Reference Materials rule, OAR 340-200-0035	NA
212	0200 (2)(a)(E)	NA	NA	Correct name of division 222	Correction	NA
212	0220 (5)	NA	NA	Change “requires” to “require”	Correction	NA
212	0230 (1)(b)	NA	NA	Change “218-0080” to “218-0180”	Correction. OAR 340-218-0180 is Significant Permit Modifications	NA
212	0270(2)(a)	NA	NA	Delete “below” after OAR 340-218-0050(3)	Correction	NA
212	0280(1)	NA	NA	Correct spelling of “complying”	Correction	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
214				Stationary Source Reporting Requirements		
NA	NA	214	0005	Add Applicability and Jurisdiction rule: “Applicability and Jurisdiction (1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	
214	0010(1)	NA	NA	Change to: “(1) "Large source", as used in OAR 340-214-0300 through 340-214-0350, means any stationary source required to maintain a Title V Operating Permit or whose actual emissions or potential controlled emissions while operating full time at the design capacity are equal to or exceed 100 tons per year of any regulated pollutant other than GHG.”	Delete “, or which is subject to a National Emissions Standard for Hazardous Air Pollutants (NESHAP). Where PSELs have been incorporated into the ACDP, the PSEL will be used to determine actual emissions.” from the definition of large source. The general provisions for NESHAP sources have excess emission reporting and some individual NESHAPs have their own excess emission reporting – like NSPS so don’t need to include these sources in the immediate reporters. The sentence about PSELs being used to determine actual emissions is redundant with requirement that PSELs limit PTE so this sentence is not necessary.	SIP
214	0010(2)	NA	NA	Change to: “(2) "Small Source" means any other stationary source that is not a large source and that operates under a basic, general, simple or standard ACDP.”	Clarification and correction. Basic was inadvertently omitted when the definition of small source was changed in 2007	SIP
214	0100	NA	NA	Change to: “OAR 340-214-0100 through 340-214-0130 apply to all stationary sources in the state. Stationary source includes portable sources that are required to have permits under division 216.”	DEQ permits some portable sources so all requirements apply to stationary sources and the permitted portable sources.	SIP
214	0114(2)	NA	NA	Change January to Jan. and December to Dec.	Style guide	SIP
NA	NA	214	0114(5)	Add: “(5) The owner or operator of any source required to obtain a permit under OAR 340 division 216 or 218 must retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. For the owner or operator of a source permitted under OAR 340 division 216, this requirement takes effect on July 1, 2015.”	Clarification. ACDP sources that are subject to NESHAP requirements and Title V sources are required to retain records for 5 years. DEQ will change recordkeeping requirements for all sources to 5 years for consistency and to avoid confusion.	SIP
NA	NA	214	0130(3)(e)	Add “(e) It must not be emissions data.”	Clarification. Oregon Revised Statute 468.095(2)	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					does not allow emissions data to be classified as confidential.	
214				Emission Statements for VOC and NOx Sources		
214	0200(2)	NA	NA	Change to: “(2) OAR 340-214-0200 through 340-214-0220 apply to sources of VOC and NOx in ozone nonattainment areas that have a PSEL equal to or greater than 25 tons per year for either regulated pollutant, or whose actual emissions are equal to or greater than 25 tons per year for either regulated pollutant.”	Consistency	SIP
214	0210(1)	NA	NA	Change “actual average emissions” to “average actual emissions”	Correction. The defined term is “actual emissions,” not “actual average emissions”	SIP
214	0210(1)(b)	NA	NA	Add “and” at the end	Correction	SIP
200	0020(3)(d)	214	0210(1)(c)(A)	Change to: “(A) The VOC and NOx actual emissions on an average operating day basis during the preceding year’s ozone season, by source category. For the purpose of this requirement, actual emissions include, but are not limited to routine process emissions, fugitive emissions, excess emissions from maintenance, startups and shutdowns, equipment malfunction, and other activities; and”	Clarification. Move the second sentence from division 200 definition of actual emissions. The part of the definition of actual emissions for emission statements should be included in the rules for emission statements	SIP
214	0210(1)(c)(B)	NA	NA	Add “the” in front of reference source	Correction	SIP
214	0210(2)	NA	NA	Change “three calendar years after the submittal” to “three years after the date of the submittal”	Clarification	SIP
214				Excess Emissions and Emergency Provision		
214	0300	NA	NA	Add “Emissions in excess of applicable standards are not excess emissions if the standard is in an NSPS or NESHAP and the NSPS or NESHAP exempts startups, shutdowns and malfunctions as defined in the applicable NSPS or NESHAP.”	Clarification. DEQ received a comment that the rules should exclude startup, shutdown, and malfunction events from excess emission requirements where currently allowed by federal regulation or permit specific requirements.	SIP
214	0300(4)	NA	NA	Add “of sources with Oregon Title V Operating Permits” to the provision for affirmative defense.	DEQ is limiting emergency as an affirmative defense to Title V permitted sources but is including emergency as one of the criteria to consider in taking enforcement action.	SIP
214	0310(7)	NA	NA	Change “Non-attainment to “nonattainment” and add “PM2.5 or” before PM10 nonattainment area	Correction	SIP
214	0320(1)	NA	NA	Change to: “(1) If the owner or operator anticipates that scheduled maintenance of air contaminant sources or air pollution control devices may result in excess emissions, the owner	Clarification. The scheduled maintenance rule appears to apply to processes and not control equipment. The rule should also apply to control equipment maintenance activities.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				or operator must obtain prior DEQ authorization of procedures that will be used. The owner or operator must submit a written application for approval of new procedures or modifications to existing procedures. The application must be submitted in time for DEQ to receive it at least 72 hours before the first occurrence of a maintenance event to which the procedures apply. The application must:"		
214	0320(1)(a)	NA	NA	Change to: “(a) Explain the need for maintenance, including but not limited to: (A) Why the maintenance activity is necessary; (B) Why it would be impractical to shut down the source operation during the maintenance activity, (C) If applicable, why air pollution control devices must be by-passed or operated at reduced efficiency during the maintenance activity; and (D) Why the excess emissions could not be avoided through better scheduling for maintenance or through better operation and maintenance practices.”	Clarification.	SIP
214	0320(6)	NA	NA	Do not capitalize “nonattainment area” and add “PM2.5 or” before PM10 nonattainment areas	Correction	SIP
214	0340(1)	NA	NA	Change “A Title V permit” to “an Oregon Title V Operating Permit”	Correction	SIP
214	0330(3)(b)	NA	NA	Add a period at the end of the sentence	Correction	SIP
214	0350(4)(b)	NA	NA	Add “and” at the end of (b)	Correction	SIP
NA	NA	214	0350(6)	Add: “Whether any federal New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants applies and whether the excess emission event caused a violation of the federal standard;”	Add this provision to the criteria for determining whether to take enforcement action for excess emissions. EPA can approve a SIP revision that creates an affirmative defense to claims for penalties in enforcement actions regarding excess emissions caused by malfunctions as long as the defense does not apply to SIP provisions that derive from federally promulgated performance standards or emission limits, such as New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAPS).	SIP
NA	NA	214	0350(7)	Add: “Whether the excess emission event was due to an emergency.”	DEQ is limiting emergency as an affirmative defense to Title V permitted sources but is including emergency as one of the criteria to consider in taking enforcement action.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
214	0360	NA	NA	Change title to “Emergency as an Affirmative Defense for Title V Permitted Sources	Correction. This provision only applies to Title V sources with Title V permits.	SIP
214	0360	NA	NA	Add “in a Title V permit”	Correction. This provision only applies to Title V sources with Title V permits.	SIP
214	0360	NA	NA	Delete the note saying this rule is included in the Oregon State Implementation Plan	This rule was incorrectly approved into the DEQ State Implementation Plan in December of 2012 and should not have been.	SIP
214	0360(1)	NA	NA	Change to: “(1) An emergency constitutes an affirmative defense to penalty actions due to noncompliance with technology-based emission limits in an Oregon Title V Operating Permit if the owner or operator notifies DEQ immediately of the emergency condition and provides and demonstrates through properly signed, contemporaneous operating logs, excess emission logs, or other relevant evidence that:”	Clarification	SIP
214	0360(1)(a)	NA	NA	Change to: “(a) An emergency occurred and caused the excess emissions;”	Clarification	SIP
214	0400 through 0430	NA	NA	Repeal Sulfur Dioxide Emission Inventory rules.	Due to the adoption and federal approval of DEQ’s Regional Haze Plan in 2010, these rules are obsolete and no longer needed.	SIP
216				Air Contaminant Discharge Permits [Table 1 and Table 2]		
216	0020	NA	NA	Change title to “Applicability and Jurisdiction”	Clarification	SIP
216	0020	216	8010 & 8020	Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	Clarification	SIP
216	0020	NA	NA	Add table names	Clarification	SIP
216	0020	216	0020(1)	Number the lead-in paragraph to OAR 340-216-0020	Clarification	SIP
216	0020	216	0020(2)	Add: “(2) Sources in any one of the categories in OAR 340-216-8010 must obtain a permit. If a source meets the requirements of more than one of the source categories and the source is not eligible for a Basic ACDP or a General ACDP that has been authorized by DEQ, then the source must obtain a Simple or Standard ACDP. Source categories are not listed in alphabetical order. (a) The commercial and industrial sources in OAR 340-216-8010 Part A must obtain a Basic ACDP under OAR 340-216-0056 unless the source chooses to obtain a	Clarification. Move the language from the tables into the text	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				General, Simple or Standard ACDP. For purposes of Part A, 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. (b) Sources in any one of the categories in OAR 340-216-8010 Part B must obtain one of the following unless otherwise allowed in Part B: (A) A General ACDP, if one is available for the source classification and the source qualifies for a General ACDP under OAR 340-216-0060; (B) A Simple ACDP under OAR 340-216-0064; or (C) A Standard ACDP under OAR 340-216-0066 if the source fits one of the criteria of Part C or does not qualify for a Simple ACDP. (c) Sources in any one of the categories in OAR 340-216-8010 Part C must obtain a Standard ACDP under the procedures set forth in 340-216-0066.”		
216	0020(1)	216	0020(3)	Change to: “(3) No person may construct, install, establish, develop or operate any air contaminant source which is listed in OAR 340-216-8010 without first obtaining an Air Contaminant Discharge Permit (ACDP) from DEQ or LRAPA and keeping a copy onsite at all times, unless otherwise deferred from the requirement to obtain an ACDP in subsection (1)(b) or DEQ has granted an exemption from the requirement to obtain an ACDP under subsection (1)(e). No person may continue to operate an air contaminant source if the ACDP expires, or is terminated or revoked; except as provided in OAR 340-216-0082.”	Clarification. If a source finds their source category in Table 1, they may quit looking and not realize that another source category also applies to them.	SIP
216	0020(1)(a) & (b)	216	0020(3)(a)	Change to: “(a) For portable sources, a single permit may be issued for operating at any area of the state if the permit includes the requirements from both DEQ and LRAPA. DEQ or LRAPA, depending where the portable source's corporate offices are located, will be responsible for issuing the permit. If the corporate office of a portable source is located outside of the state, DEQ will be responsible for issuing the permit.”	Clarification. Combine subsections (a) and (b)	SIP
216	0020(1)(c)	216	0020(3)(b)	Change to: “(b) An air contaminant source required to obtain an ACDP or ACDP Attachment pursuant to a NESHAP	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				under OAR division 244 or NSPS under OAR division 238 is not required to submit an application for an ACDP or ACDP Attachment until four months after the effective date of the EQC's adoption of the NESHAP or NSPS, and is not required to obtain an ACDP or ACDP Attachment until six months after the EQC's adoption of the NESHAP or NSPS. In addition, DEQ may defer the requirement to submit an application for, or to obtain an ACDP or ACDP Attachment, or both, for up to an additional twelve months."		
216	0020(5)	216	0020(7)	Add "emission" to de minimis levels	Correction	SIP
216	0020(6)	216	0020(8)	Change to: "(8) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction."	Clarification	SIP
216	0025(1)(a)	NA	NA	Change to "OAR 340-210-0220" to "OAR 340-210-0225"	Correction	SIP
216	0025(2)	NA	NA	Change to: "(2) General ACDP. A General ACDP is a permit for a category of sources for which individual permits are unnecessary in order to protect the environment, as determined by DEQ. An owner or operator of a source may be assigned to a General ACDP if DEQ has issued a General ACDP for the source category and: (a) The source meets the qualifications specified in the General ACDP; (b) DEQ determines that the source has not had ongoing, recurring, or serious compliance problems; and (c) DEQ determines that a General ACDP would appropriately regulate the source."	Clarification and correction	SIP
NA	NA	216	0025(5)(a)	Add: "(a) Owners and operators of sources and activities listed in OAR 340-216-8010 Part B that do not qualify for a General ACDP and are not required to obtain a Standard ACDP must, at a minimum, obtain a Simple ACDP. Any source required to obtain a Simple ACDP may obtain a Standard ACDP. DEQ may determine that a source is ineligible for a Simple ACDP and must obtain a Standard ACDP based upon, but not limited to, the following considerations: (A) The nature, extent, and toxicity of the source's emissions;	This whole section is moved here from OAR 340-216-0064, in order to make this section comparably address applicability for all permit types.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(B) The complexity of the source and the rules applicable to that source; (C) The complexity of the emission controls and potential threat to human health and the environment if the emission controls fail; (D) The location of the source; and (E) The compliance history of the source.”		
216	0025(5)(b)	216	0025(5)(d)	Change to: “(d) Generic PSELs for all regulated pollutants emitted at more than the de minimis emission level as provided in OAR 340 division 222;”	Plain language and clarification	SIP
216	0025(6)	NA	NA	Switch section (a) and (b) and add “Applicability” before the new section (a)	This will match the approach of describing applicability first and contents second.	SIP
216	0025(6)(a)(B)	216	0025(6)(b)(B)	Change “Generic PSELs” to “Generic PSEL levels”	Clarification	SIP
216	0025	NA	NA	Add “Click here for PDF copy of tables.” To the ED. NOTE	Clarification	SIP
216	0030	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
216	0030	200	0020(89)	Delete the definition of “permit modification” or “modified permit.” Change references to “permit modification” which is already defined in division 200	“Permit Modification” is already defined in division 200 and has the same meaning at this definition: (90) "Permit modification" means a permit revision that meets the applicable requirements of OAR 340 division 216, 340 division 224, or 340-218-0160 through 340-218-0180	SIP
NA	NA	216	0030	Add: “(1) “Basic technical modification” includes, but is not limited to changing source test dates if the equipment is not being operated, and similar changes. (2) “Complex technical modification” includes, but is not limited to incorporating a complex new compliance method into a permit, adding a complex compliance method or monitoring for an emission point or control device not previously addressed in a permit, adding a complex new applicable requirement into a permit due to a change in process or change in rules, and similar changes. (3) “Moderate technical modification” includes, but is not limited to adding a 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,	Restructure and clarification. Move the notes at the end of OAR 340-216-0020 Table 2 which define the different types of permit mods to the definition section.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				adding a new applicable requirement into a permit due to a change in process or change in rules , incorporating NSPS and NESHAP requirements, and similar changes. (4) “Non-technical modification” means name changes, change of ownership, correction of typographical errors and similar administrative changes. (5) “Simple technical modification” includes, but is not limited to modifying a compliance method to use different emission factors or process parameters, changing reporting dates or frequency, and similar changes.”		
216	0040(1)	NA	NA	Restructure section (1) by making it the lead-in paragraph subsection (a) for the requirements for new permits. Restructure subsections (a) through (l) into paragraphs	Restructure	SIP
216	0040(1)(j)	216	0040(1)(a)(J)	Change “in accordance with” to “under”	Plain language	SIP
NA	NA	216	0040(1)(a)(L)	Add language for NSR/PSD applications: “(L) Any information required by OAR 340 division 224 and 225, including but not limited to control technology and analysis, air quality impact analysis; and information related to offsets and net air quality benefit, if applicable;”	Correction. Approval for NSR/PSD permits is through the ACDP program. The requirements for an NSR/PSD permit application should be included.	SIP
NA	NA	216	0040(1)(b)	Add a requirement for when applications for new permits should be submitted: “(b) Applications for new permits should be submitted at least 60 days prior to when a permit is needed. When preparing an application, the applicant should also consider the timelines provided in paragraph (2)(b), as well as OAR 340-224-0030 (permit applications subject to NSR), to allow DEQ adequate time to process the application and issue a permit before it is needed.”	Clarification	SIP
216	0040(2)	NA	NA	Restructure section (2) to separate out the requirements for renewals with no significant changes to the permit	Restructure	SIP
216	0040(2) & (3)	NA	NA	Change “the applicant must provided” to “the applicant must provide”	Correction	SIP
NA	NA	216	0040(2)(b)	Add: “(b) The owner or operator must submit an application for renewal of the existing permit by no later than: (A) 30 days prior to the expiration date of a Basic ACDP; (B) 120 days prior to the expiration date of a Simple ACDP; or (C) 180 days prior to the expiration date of a Standard ACDP.”	Add requirements for submittal of ACDP renewal applications and align them with internal timeliness targets	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
NA	NA	216	0040(2)(c)	Add: “(c) DEQ must receive an application for reassignment to General ACDPs and attachments within 30 days prior to expiration of the General ACDPs or attachment.”	Clarification. Add requirements for submittal of an application for reassignment to a general ACDP	SIP
216	0040(3)	NA	NA	Change to: “(3) Permit Modifications. For Simple and Standard ACDP modifications, the applicant must provide the information in section (1) relevant to the requested changes to the permit and a list of any new requirements applicable to those changes. When preparing an application, the applicant should also consider the timelines provided in subsection (2)(b), as well as OAR 340-224-0030 (permit applications subject to NSR), to allow DEQ adequate time to process the application and issue a permit before it is needed.”	Clarification. Add requirements for when an application for a permit modification should be submitted	SIP
216	0040(5)	NA	NA	Move the requirement for submittal of an application at least 60 days before a permit or modified permit is needed to section (3)(a)	Correction	SIP
216	0040(7)	NA	NA	Change to: “(7) A copy of permit applications subject to Major NSR under OAR 340 division 224, including all supplemental and supporting information, must also be submitted directly to the EPA.”	Clarification	SIP
216	0040 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0052(1)	NA	NA	Correct “340-210-0220” to “340-210-0225” and add “and 340-210-0240”	Correction. 340-210-0240 also contains Type 3 changes	SIP
216	0052(2)(a)	NA	NA	Change “in accordance with” to “under” and add OAR in front of 340-216-0040(1)	Plain language	SIP
216	0052(4)(b)	216	0052(4)(a)	Change “in accordance with” to “as described in”	Plain language	SIP
216	0052(4)(a)	NA	NA	Change to: “(a) A requirement that construction must commence within 18 months after the permit is issued if required by OAR 340-224-0030(4);”	This requirement comes from NSR/PSD requirements so tie it to division 224.	SIP
216	0052(5)(a)	NA	NA	Change to: “(a) A Construction ACDP requires that DEQ provide public notice under OAR 340 division 209 as a Category III permit action.”	Clarification and plain language	SIP
216	0052(5)(b)	NA	NA	Change “later” to “at a later date” and add “subsection” before (1)(b)	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	0052(5)(c)	NA	NA	Change to: “(c) Issuance of a modified Construction ACDP requires the following public notice, as applicable.”	Clarification	SIP
216	0052(5)(c)(A)	NA	NA	Change to: “(A) Public notice as a Category I permit action under OAR 340 division 209 for non-technical modifications and basic and simple technical modifications; or”	Clarification	SIP
216	0052(5)(c)(B)	NA	NA	Change to: “(B) Public notice as a Category II permit action under OAR 340 division 209 for moderate and complex technical modifications.”	Clarification	SIP
NA	NA	216	0052(6)	Add: “(6) Construction ACDPs may not be renewed.”	Add a requirement that construction ACDPs may not be renewed. Construction ACDPs are issued for 5 years with an initial permitting fee of \$9600. There are no annual fees for a construction ACDP that would cover the cost of a renewal. Also, DEQ does not want the possibility of extending unsigned PSELs that may be in the permit.	SIP
216	0052	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	0052 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0054(1)	NA	NA	Add “unexpected or” before emergency and “activity requiring an ACDP” after emergency	216-0025 allows for short term activity ACDPs for unexpected or emergency activities, operations, or emissions. This change makes 215-0054 consistent with 216-0025	SIP
216	0054(2)	NA	NA	Delete “set forth”	Plain language	SIP
216	0054(3)(a)	NA	NA	Change to: “(a) A Short Term Activity ACDP must include conditions that ensure adequate protection of property and preservation of public health, welfare, and resources.”	Clarification	SIP
216	0054(3)(b)	NA	NA	Change “does not” to “may not”	Clarification	SIP
216	0054(3)(c)	NA	NA	Change “automatically terminates” to “will automatically terminate”	Clarification	SIP
216	0054(3)(d)	NA	NA	Delete this subsection (d)	This language is already included in subsection (a)	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	0054(4)	NA	NA	Change to: “(4) Permit issuance public notice procedures. A Short Term Activity ACDP requires public notice as a Category I permit action under OAR 340 division 209.”	Clarification and plain language	SIP
216	0054	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	0054 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0056(1)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0056(2)	NA	NA	Delete “set forth”	Plain language	SIP
216	0056(3)(a)	NA	NA	Change “contains” to “will contain”	Clarification	SIP
216	0056(3)(b)	NA	NA	Change “does not” to “may not”	Clarification	SIP
216	0056(3)(c)	NA	NA	Change “requires” to “will require that”	Clarification	SIP
216	0056(4)	NA	NA	Change to: “(4) Permit issuance public notice procedures. A Basic ACDP requires public notice as a Category I permit action under OAR 340 division 209.”	Plain language	SIP
216	0056	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	0056 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0060(1)(a)	NA	NA	Change “several” to “multiple”	Correction	SIP
216	0060(1)(b)(B)	NA	NA	Add “emission” to “de minimis level” and change “in accordance with” to “under.” Delete the comma between OAR 340 and division 222	Clarification and plain language	SIP
216	0060(1)(c)	NA	NA	Change to: “(c) Permit issuance public notice procedures: A new General ACDP requires public notice as a Category III permit action under OAR 340 division 209. A reissued General ACDP or a modification to a General ACDP requires public notice as a Category II permit action under OAR 340 division 209.”	Clarification	SIP
216	0060(1)(c)	216	0060(1)(d)	Make the last sentence of subsection (c) into a new	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				subsection (d): “(d) DEQ will retain all General ACDPs on file and make them available for public review at DEQ’s headquarters.”		
216	0060(2)(a)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0060(2)(b)	NA	NA	Change to: “(b) Fees. Applicants must pay the fees in OAR 340-216-8020. The fee class for each General ACDP is Fee Class One unless otherwise specified as follows:”	Plain language	SIP
NA	NA	216	0060(2)(b)(E E)	Add: “(EE) Emergency generators and firewater pumps, if a permit is required – Fee Class Two.”	Emergency generators and firewater pumps that meet the criteria must get permits.	SIP
216	0060(2)(b)(E E)	NA	NA	Delete: “(EE) Any General ACDP not listed above — Fee Class One.”	This language is included in subsection (b)	SIP
216	0060(2)(c)(A)	NA	NA	Change “in accordance with” to “using” and delete the comma between OAR 340 and division 209	Plain language and correction	SIP
216	0060(2)(c)(D)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0060(2)(c)(E)	NA	NA	Change to: “(E) A source requesting to be assigned to a General ACDP Attachment, under OAR 340-216-0062, for a source category in a higher annual fee class than the General ACDP to which the source is currently assigned, must be reassigned to the General ACDP for the source category in the higher annual fee class.”	Plain language and clarification	SIP
216	0060(4)	NA	NA	Change to: “(4) Rescission. DEQ may rescind an individual source's assignment to a General ACDP if the source no longer meets the requirements of the permit. In such case, the source must submit an application within 60 days for a Simple or Standard ACDP upon notification by DEQ of DEQ’s intent to rescind the General ACDP. Upon issuance of the Simple or Standard ACDP, or if the source fails to submit an application for a Simple or Standard ACDP, DEQ will rescind the source's assignment to the General ACDP.”	Clarify the language for rescission of a General ACDP and add a requirement that the source must apply for a Simple or Standard permit upon notification of rescission. If the source no longer qualifies for the general permit because of violations, provide a simple way to cancel the general permit and require a simple or standard permit.	SIP
216	0060 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0062(2)(a)(A)	NA	NA	Change “several” to “multiple”	Correction	SIP
216	0062(2)(a)(D)	NA	NA	Change “in accordance with” to “under” and do not capitalize division	Plain language and correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	0062(2)(c)	NA	NA	Change to: “(c) Attachment issuance public notice procedures: A General ACDP Attachment requires public notice as a Category II permit action under OAR 340 division 209.”	Clarification and plain language	SIP
216	0062(2)(c)	216	0062(2)(d)	Make the last sentence of subsection (c) into a new subsection (d): “(d) DEQ will retain all General ACDP Attachments on file and make them available for public review at DEQ's headquarters.”	Clarification	SIP
216	0062(3)(b)	NA	NA	Change to: “(b) Fees. Applicants must pay the fees in OAR 340-216-8020 for each assigned General ACDP Attachment. The fee class for each General ACDP Attachment is Fee Class Five.”	Consistency	SIP
216	0062(3)(c)(A)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0062(3)(c)(C)	NA	NA	Change to: “(C) Assignment to a General ACDP Attachment terminates when the General ACDP Attachment expires or is modified, terminated or revoked.”	Correction	SIP
216	0062(3)(c)(D)	NA	NA	Change to: “(D) A source may not be assigned to a General ACDP Attachment for a source category in a higher annual fee class than the General ACDP to which the source is currently assigned. Instead a source must be reassigned to the General ACDP for the source category in the higher annual fee class under OAR 340-216-0060(2)(c)(E) and may be assigned to one or more General ACDP Attachments associated with source categories in an equal or lower annual fee class.”	Plain language and clarification	SIP
216	0062(3)(d)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0064	NA	NA	Fix capitalization of sources listed in categories	Correction	SIP
216	0064(1)	NA	NA	Section (1) was moved to OAR 340-216-0025	Restructure	SIP
216	0064(2)	216	0064(1)	Change “in accordance with” to “using”	Plain language	SIP
216	0064(3)	216	0064(2)	Change to: “(2) Fees. Applicants for a new or modified Simple ACDP must pay the fees set forth in OAR 340-216-8020. Applicants for a new Simple ACDP must initially pay the High Annual Fee. Once the initial permit is issued, annual fees for Simple ACDPs will be assessed based on the following:”	Clarification	SIP
216	0064(3)(a)	216	0064(2)(a)	Do not capitalize “source” or “low fee”	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	0064(3)(a)(A)	216	0064(2)(a)(A)	Change to: “(A) The source is, or will be, permitted under only one of the following categories from OAR 340-216-8010 Part B:”	Clarification. Category 27 electrical power generators and their relationship to simple-low fee sources and permitting has caused confusion. The current rule wording is unclear as to their categorization and due to this wording there is an issue of regional inconsistency in assigning to the proper permit category. Category 27 should be a category by itself that qualifies for low fees. Category 27 can also be combined with categories 13 and 85 and the source would still qualify for the low fee.	SIP
216	0064(3)(a)(A)(ii)	216	0064(2)(a)(A)(ii)	Change to: “(ii) Category 13. Boilers and other fuel burning equipment (can be combined with category 27. Electric Power Generation);”	Clarification	SIP
NA	NA	216	0064(2)(a)(A)(iii)	Add: “(iii) Category 27. Electric Power Generation;”	Clarification	SIP
216	0064(3)(a)(A)(vi)	216	0064(2)(a)(A)(vii)	Add 340 after OAR	Clarification	SIP
216	0064(3)(a)(A)(vii)	216	0064(2)(a)(A)(viii)	Spell out year	Clarification	SIP
216	0064(3)(a)(A)(xi)	216	0064(2)(a)(A)(xii)	Change to: “(xii) Category 85. All Other Sources not listed in OAR 340-216-8010 (can be combined with category 27. Electric Power Generation); and”	Clarification and simplification. The deleted language just repeats the provisions already described under Category 85. There is no reason to repeat it in both places.	SIP
216	0064(3)(a)(B)	216	0064(2)(a)(B)	Change to: “(B) The actual emissions from the calendar year immediately preceding the invoice date are less than five tons/year of PM10 in a PM10 nonattainment or maintenance area or PM2.5 in a PM2.5 nonattainment or maintenance area, and less than 10 tons/year for each criteria pollutant; and”	Clarification and correction	SIP
216	0064(3)(a)(C)	216	0064(2)(a)(C)	Change to: “(C) The source is not creating a nuisance under OAR 340-208-0310 or 340-208-0450.”	Delete “an air quality problem” since it is not defined. Just refer to “creating a nuisance”	SIP
216	0064(3)(b)	216	0064(2)(b)	Change to: “(b) High Fee — Any source required to have a Simple ACDP (OAR 340-216-8010 Part B) that does not qualify for the low fee under subsection (2)(a) will be assessed the high fee.”	Correction	SIP
216	0064(3)(c) & (d)	216	0064(2)(c)	Change to: “(c) If DEQ determines that a source was invoiced for the	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				low annual fee but does not meet the low fee criteria outlined above, the source will be required to pay the difference between the low and high fees, plus applicable late fees in OAR 340-216-8020 Part 4. Late fees start upon issuance of the initial invoice. In this case, DEQ will issue a new invoice specifying applicable fees.”		
216	0064(3)(c) & (d)	216	0064(2)(d)	Do not capitalize “high fee” or “low fee”	Correction	SIP
216	0064(4)	216	0064(3)	Add: “Each Simple ACDP must include the following:”	Clarification	SIP
216	0064(4)(b)	216	0064(3)(b)	Add “emission” to “de minimis level” and change “in accordance with” to “under”	Clarification and plain language	SIP
216	0064(5)	216	0064(4)	Add “public notice” before “procedures	Clarification	SIP
216	0064(5)(a)	216	0064(4)(a)	Change to: “(a) Issuance of a new or renewed Simple ACDP requires public notice as a Category II permit action under OAR 340 division 209.”	Clarification and plain language	SIP
216	0064(5)(b)(A)	216	0064(4)(b)(A)	Change to: “(A) Public notice as a Category I permit action for non-technical and basic and simple technical modifications under OAR 340 division 209; or”	Clarification and plain language	SIP
216	0064(5)(b)(B)	216	0064(4)(b)(B)	Change to: “(B) Public notice as a Category II permit action for moderate and complex technical modifications under OAR 340 division 209.”	Clarification and plain language	SIP
216	0064	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 12/27/11. The note was inadvertently omitted from the rule.	SIP
216	0064 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0066(1)	NA	NA	Change “in accordance with” to “under”	Plain language	SIP
216	0066(1)(a)	NA	NA	Change to: “(a) New or modified Standard ACDPs that are not subject to Major NSR (OAR 340-224-0010 through 340-224-0070 and OAR 340-224-0500 through 340-224-0540) but have emissions increases above the significant emissions rate are subject to the requirements of State NSR (OAR 340-224-0010 through 340-224-0038, 340-224-0245 through 340-224-0270 and OAR 340-224-0500	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				through 340-224-0540). The application must include an analysis of the air quality and, for federal major sources only, the visibility impacts of the source or modification, including meteorological and topographical data, specific details of models used, and other information necessary to estimate air quality impacts.”		
216	0066(1)(b)	NA	NA	Change to: “(b) For new or modified Standard ACDPs that are subject to Major NSR (OAR 340-224-0010 through 340-224-0070 and OAR 340-224-0500 through 340-224-0540), the application must include the following information as applicable:”	Clarification	SIP
216	0066(1)(b)(A), (B) & (C)	NA	NA	Change “source or modification” to “major source or major modification”	Clarification	SIP
216	0066(1)(b)(B)	NA	NA	Change to: “(B) An analysis of the air quality and, for federal major sources only, the visibility impacts of the major source or major modification, including meteorological and topographical data, specific details of models used, and other information necessary to estimate air quality impacts; and”	Clarification	SIP
216	0066(1)(b)(C)	NA	NA	Change to: “(C) An analysis of the air quality and, for federal major sources only, the visibility impacts, and the nature and extent of all commercial, residential, industrial, and other source emission growth, which has occurred since the baseline concentration year in the area the major source or major modification would affect.”	Clarification. January 1, 1978 was chosen in the initial round of rules because baseline period was 1977/78 instead of the August 1977 Clean Air Act date. The baseline concentration year now varies by pollutant.	SIP
216	0066(3)	NA	NA	Change to: “(3) Permit content. Each Standard ACDP must include the following:”	Clarification	SIP
216	0066(3)(b)	NA	NA	Add “levels” to Generic PSEL and change “as specified in” to “under” and delete the comma between OAR 340 and division 222	Clarification, plain language and correction	SIP
216	0066(4)(a)	NA	NA	Change to: “(a) Issuance of a new or renewed Standard ACDP requires public notice under OAR 340 division 209 as follows:”	Clarification	SIP
216	0066(4)(a)(A)	NA	NA	Change to: “(A) Public notice as a Category III permit action for permit actions that will increase allowed emissions but that are not Major NSR or Type A State NSR permit	Clarification and plain language	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				actions under OAR 340 division 224, or as a Category II permit action if the permit will not increase allowed emissions.”		
216	0066(4)(a)(B)	NA	NA	Change to: “(B) Public notice as a Category IV permit action for permit actions that are Major NSR or Type A State NSR permit actions under OAR 340 division 224.”	Clarification and plain language	SIP
216	0066(4)(b)	NA	NA	Change to: “(b) Issuance of a modified Standard ACDP requires public notice under OAR 340 division 209 as follows:”	Clarification	SIP
216	0066(4)(b)(A)	NA	NA	Change to: “(A) Public notice as a Category I permit action for non-technical modifications and basic and simple technical modifications under OAR 340 division 209.”	Clarification and plain language	SIP
216	0066(4)(b)(B)	NA	NA	Change to: “(B) Public notice as a Category II permit action under OAR 340 division 209 for moderate and complex technical modifications if there will be no increase in allowed emissions, or as a Category III permit action if there will be an increase in emissions; or.”	Clarification and plain language	SIP
216	0066(4)(b)(C)	NA	NA	Change to: “(C) Public notice as a Category IV permit action for major modifications subject to NSR under OAR 340 division 224.”	Clarification and plain language	SIP
216	0066	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	0066 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0068(1)	NA	NA	Change to: “(1) Purpose. This rule allows DEQ to add new requirements to existing Simple or Standard ACDPs by assigning the source to an ACDP Attachment issued under section (2). An ACDP Attachment would apply to an affected source until the new requirements are incorporated into the source’s Simple or Standard ACDP at the next permit renewal or at the time of permit modification.”	Plain language and clarification	SIP
216	0068(2)(a)	NA	NA	Change to:	Plain language	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(a) An ACDP Attachment requires public notice as a Category II permit action under OAR 340 division 209, except that ACDP Attachments to Simple or Standard ACDPs require notice as Category I permit actions.”		
216	0068(3)(a)	NA	NA	Delete: “(a) Adding an ACDP Attachment to a Simple or Standard ACDP is a Category I permit action and is subject to the Category I public notice requirements in accordance with OAR 340, division 209.”	Not necessary. This requirement is covered in subsection (2)(a).	SIP
216	0068(3)(c)	216	0068(3)(b)	Change to: “(b) The ACDP Attachment is removed from the Simple or Standards ACDP when the requirements of the ACDP Attachment are incorporated into the source’s Simple or Standard ACDP at the time of renewal or of a modification.”	Clarification	SIP
216	0068(3)(d)	216	0068(3)(c)	Change to: “(c) If an EPA or DEQ action causes a source to be subject to the requirements in an ACDP Attachment, assignment to the ACDP Attachment is a DEQ initiated modification to the Simple or Standard ACDP and the permittee is not required to submit an application or pay fees for the permit action. In such case, DEQ would notify the permittee of the proposed permitting action and the permittee may object to the permit action if the permittee demonstrates that the source is not subject to the requirements of the ACDP Attachment.”	Clarification	SIP
216	0070	NA	NA	Change title to “Permitting a Source with Multiple Activities or Processes at a Single Adjacent or Contiguous Site”	Clarification. DEQ does not want to issue a single permit to multiple sources, but also doesn’t want Table 1 to be interpreted as requiring a separate permit for each listed activity or source. Source is defined by the SIC, but could include supporting activities with different SIC. The key is that DEQ is issuing a single permit to a source with multiple related activities and processes, but will not issue a single permit for multiple sources.	SIP
216	0070	NA	NA	Change to: “A single or contiguous site containing activities or processes that are covered by more than one General ACDP, or a source that contains processes or activities listed in more than one section of OAR 340-216-8010, may obtain a Standard ACDP, even if not otherwise required to obtain a Standard ACDP under this division.”	Correction	SIP
216	0070 ED.	NA	NA	Delete:	Clarification. Renumber tables so that each table	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
	NOTE			“[ED. NOTE: Tables referenced are available from the agency.]”	has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	
216	0082(1)(a)(A)	NA	NA	Delete “or for an Oregon Title V Operating Permit”	Correction. Paragraph (B) addresses Oregon Title V Operating Permits	SIP
NA	NA	216	0082(1)(b)	Add: “(b) If a timely and complete renewal application has been submitted, the existing permit will remain in effect until final action has been taken on the renewal application to issue or deny a permit.”	Clarification. This language is from 340-218-0130 Permit Renewal and Expiration for Title V permits.	SIP
216	0082(3)	NA	NA	Change to: “(3) Reinstatement of Terminated Permit: A permit automatically terminated under any of subsections (2)(b) through (2)(d) may only be reinstated by the permittee by applying for a new permit. The permittee must also pay the applicable new source permit application fees in this division, unless the owner or operator submits the renewal application within three months of the permit expiration date.”	DEQ does not want to charge the applicable new source permit application fees if the owner/operator inadvertently forgot to submit a timely application for permit renewal. If the renewal application is submitted within 3 months of the expiration date, the new source permit application fee will not be charged.	SIP
216	0082	NA	NA	Change hyphen to through	Clarification	SIP
216	0082(4)(a)	NA	NA	Change to: “(a) If DEQ determines that a permittee is in noncompliance with the terms of the permit, submitted false information in the application or other required documentation, or is in violation of any applicable rule or statute, DEQ may revoke the permit. DEQ will provide notice of the intent to revoke the permit to the permittee under OAR 340-011-0525. The notice will include the reasons why the permit will be revoked, and include an opportunity for the permittee to request a contested case hearing prior to the revocation. A permittee’s written request for hearing must be received by DEQ within 60 days from service of the notice on the permittee, and must state the grounds of the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and OAR 340 division 011. The permit will continue in effect until the 60th day after service of the notice on the permittee, if the permittee does not timely request a hearing, or until a final order is issued if the permittee timely requests a hearing.”	Clarification and plain language	SIP
216	0082(4)(b)	NA	NA	Change to: “(b) If DEQ finds there is a serious danger to the public health, safety or the environment caused by a permittee's	Clarification and plain language	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				activities, DEQ may immediately revoke or refuse to renew the permit without prior notice or opportunity for a hearing. If no advance notice is provided, notification will be provided to the permittee as soon as possible under OAR 340-011-0525. The notification will set forth the specific reasons for the revocation or refusal to renew and will provide an opportunity for the permittee to request a contested case hearing for review of the revocation or refusal to renew. A permittee's written request for hearing must be received by DEQ within 90 days of service of the notice on the permittee and must state the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and OAR 340 division 011. The revocation or refusal to renew becomes final without further action by DEQ if a request for a hearing is not received within the 90 days. If a request for a hearing is timely received, the revocation or refusal to renew will remain in place until issuance of a final order."		
216	0082	NA	NA	Add SIP note: "NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040."	This rule was last approved into the SIP by EPA on 12/27/11. The note was inadvertently omitted from the rule.	SIP
216	0084	NA	NA	Change to: "If DEQ determines it is appropriate to modify an ACDP, other than a General ACDP, DEQ will notify the permittee by regular, registered or certified mail of the modification and will include the proposed modification and the reasons for the modification. The modification will become effective upon mailing unless the permittee requests a contested case hearing within 20 days. A request for hearing must be made in writing and must include the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and OAR chapter 340 division 011. If a hearing is requested, the existing permit will remain in effect until after a final order is issued following the hearing."	Clarification and plain language	SIP
216	0084	NA	NA	Add SIP note: "NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040."	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	0090	NA	NA	Change to:	Having the permit on site and monitoring and	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“All air contaminant discharge sources listed in OAR 340-216-8010 must obtain a permit from DEQ and are subject to fees in OAR 340-216-8020.”	record-keeping conditions all exist to ensure the permittee is meeting the “rules and standards adopted by the Commission.”	
216	0090 ED. NOTE	NA	NA	Delete: “[ED. NOTE: Tables referenced are available from the agency.]”	Clarification. Renumber tables so that each table has its own rule number. Change reference from 216-0020 to 216-8010 or 216-8020, whichever is applicable and change parts to sections	SIP
216	0094(1)	NA	NA	Change to: “(1) A permittees that temporarily suspends activities for which an ACDP is required may apply for a fee reduction due to temporary closure. However, the anticipated period of closure must exceed six months and must not be due to regular maintenance or seasonal limitations.”	Clarification	SIP
216	0094(2)	NA	NA	Change to: “(2) DEQ will prorate annual fees for temporary closure based on the length of the closure in a calendar year, but will not be less than one half of the regular annual fee for the source.”	Clarification	SIP
216	0094(3)	NA	NA	Change to: “(3) A source who has received Department approval for payment of the temporary closure fee must obtain authorization from DEQ prior to resuming permitted activities. An owner or operator of the source must submit written notification, together with the prorated annual fee for the remaining months of the year, to DEQ at least thirty (30) days before startup and specify in the notification the earliest anticipated startup date.”	Clarification	SIP
216	0094	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
216	Tables	216	0020	Move the text explaining the tables to the text in OAR 340-216-0020, Applicability and Jurisdiction	Clarification	SIP
216	Tables	NA	NA	Fix capitalization	Correction	SIP
216	8010 Parts A and B	NA	NA	Delete “set forth” and “hereof”	Plain language	SIP
216	8010 Parts A and B	NA	NA	Change “hr.” to “hour” and “yr.” to “year”	Clarification	SIP
216	8010 Part A	NA	NA	Add “Basic ACDP” to the title	Clarification	SIP
216	8010 Part A	NA	NA	Change to: “The following commercial and industrial sources must obtain a Basic ACDP under OAR 340-216-0056 unless	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the source is required to obtain a different form of ACDP by Part B or C. For purposes of this part, 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.”		
216	8010 Part A 1.	NA	NA	Change to: “1. Autobody repair or painting shops painting more than 25 automobiles in a year and that are located inside the Portland AQMA.”	Clarification. Incorporate the footnote into the text since the footnote is only used once	SIP
216	8010 Part A 2.	NA	NA	Add “both portable and stationary” to concrete manufacturing	Clarification	SIP
216	8010 Part A 3.	NA	NA	Delete “and Pathological Waste”	Correction. Pathological waste incinerators must comply with OAR 340-230-0415 and cannot be permitted under a Basic ACDP.	SIP
216	8010 Part A 4.	NA	NA	Change to: “Natural gas and propane fired boilers of 10 or more MMBTU/hour but less than 30 MMBTU/hour heat input constructed after June 9, 1989 that may use less than 10,000 gallons per year of #2 diesel oil as a backup fuel.”	Clarification. Incorporate the footnote into the text since the footnote is only used once.	SIP
216	8010 Part A 7.	NA	NA	Change to: “Surface coating operations whose actual or expected usage of coating materials is greater than 250 gallons per month but does not exceed 3,500 gallons per year, excluding sources that exclusively use non-VOC and non-HAP containing coatings (e.g. powder coating operations).”	Clarification. The Basic permit for surface coaters establishes a 3,500 gallons/year limit, which was calculated based on a VOC content of 5.7 pounds/gallon. At this VOC content, the source would be less than 10 tons/year. The Basic permit only requires recordkeeping of paint used, not VOC content so to simplify requirements, DEQ will limit Basic permit holders to 3,500 gallons/year.	SIP
216	8010 Part B	NA	NA	Add “General, Simple or Standard ACDP” to the title	Clarification	SIP
216	8010 Part B	NA	NA	Add a period after each source category	Correction	SIP
216	8010 Part B 1.	NA	NA	Add “subject to RACT as regulated by OAR 340 division 232” and “**” to Aerospace or aerospace parts manufacturing	Clarification	SIP
216	8010 Part B 2.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 7.	NA	NA	Add “Manufacturing” to Asphalt felts or coating	Clarification	SIP
216	8010 Part B 11.	NA	NA	Add “Lead-Acid” to battery manufacturing and re-manufacturing	Clarification	SIP
216	8010 Part B	NA	NA	Change to:	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
	13.			“Boilers and other fuel burning equipment over 10 MMBTU/hour heat input, except exclusively Natural Gas and Propane fired units (with or without #2 diesel backup) under 30 MMBTU/hour heat input.”		
216	8010 Part B 16.	NA	NA	Add “subject to RACT as regulated by OAR 340 division 232” to Can or Drum Coating	Clarification	SIP
216	8010 Part B 20.	NA	NA	Change “Alkalies” to “Alkali”	Correction	SIP
216	8010 Part B 21.	NA	NA	Add “and Anodizing subject to a NESHAP under OAR 340 division 244” to Chrome plating	Clarification. Some chrome plating is not subject to a NESHAP and DEQ doesn’t want to permit them.	SIP
216	8010 Part B 22.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 23.	NA	NA	Add “green” to “tons per year” for coffee roasting	Clarification	SIP
216	8010 Part B 24.	NA	NA	Add “, both stationary and portable,” to Concrete manufacturing including redimix and CTB	Clarification. DEQ permits both portable and stationary concrete manufacturing	SIP
216	8010 Part B 25.	NA	NA	Delete “and Pathological Waste”	Clarification. Pathological waste incinerators will be added under a separate category to avoid confusion. In addition, there is no threshold for amount of material input for pathological waste incinerators. The 1990 EQC staff report for the original rule adoption clearly states that “The key provision of this law states that “all pathological wastes shall be treated by incineration in an incinerator that provides complete combustion...” unless incineration is not “reasonably available”. The staff report also states that DEQ did not recommend establishing a cut-off level for small capacity incinerators under which either no emission standards or monitoring equipment would apply, or only certain standards would apply. The report further states that “the Department believes that establishing less stringent requirements for small incinerators would not be consistent with the overall goal of uniformly protecting the public from air pollution, especially highly toxic forms of air pollution. While the Department recognizes that smaller incinerators will be more adversely affected by the costs associated with the proposed limits and	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					controls, establishing less stringent limits and controls would represent applying a “double standard” to waste incineration, leaving some of the public at higher risk to air toxics air pollutants. The Department believes that until more is known about safe levels of exposure to dioxin and other carcinogenic compounds, uniform standards should be established for waste incineration which afford the greatest level of protection to the public and the environment by applying the best available control technology.”	
216	8010 Part B 26.	NA	NA	Change to: “Degreasing operations (halogenated solvent cleanings subject to a NESHAP under OAR 340 division 244).”	Clarification	SIP
216	8010 Part B 29.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 30.	NA	NA	Change “Division 232” to “OAR division 232”	Correction	SIP
216	8010 Part B 31.	NA	NA	Add “under OAR 340 division 232” to flexographic or rotogravure printing	Clarification	SIP
216	8010 Part B 34.	NA	NA	Change to “Bulk Gasoline Plants, Bulk Gasoline Terminals, and Pipeline Facilities	Clarification	SIP
216	8010 Part B 35.	NA	NA	Move the footnote to the beginning	Correction	SIP
216	8010 Part B 36.	NA	NA	Change to: “Glass and glass container manufacturing subject to a NSPS under OAR 340 division 238 or a NESHAP under OAR 340 division 244.”	Clarification. Require permits for this source category only if there are applicable requirements, not small artisans.	SIP
216	8010 Part B 38.	NA	NA	Delete this category of grain terminal elevators since the sources can be included in category 37: Grain Elevators used for intermediate storage 10,000 or more tons/year throughput	Simplification.	SIP
216	8010 Part B 42.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 45.	NA	NA	Change “subject to OAR Division 232” to “subject to RACT under OAR 340 division 232” to liquid storage tanks	Clarification	SIP
216	8010 Part B 47.	NA	NA	Change to: “Manufactured home, mobile home and recreational vehicle manufacturing”	Clarification	SIP
216	8010 Part B	NA	NA	Add “subject to RACT under OAR 340 division 232” to	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
	48.			marine vessel petroleum loading and unloading		
216	8010 Part B 49.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 49.	NA	NA	Change a. to (a), etc.	Correction	SIP
216	8010 Part B 49a.	NA	NA	Correct cross reference to OAR 340-216-0060	Correction	SIP
216	8010 Part B 50.	NA	NA	Add “manufacturing” to millwork and change “bd. ft.” to “board feet”	Clarification	SIP
216	8010 Part B 51.	NA	NA	Add “manufacturing” to molded container	Clarification	SIP
216	8010 Part B 53.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 58.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 59.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 60.	NA	NA	Add “subject to RACT under OAR 340 division 232” to paper or other substrate coating	Clarification	SIP
216	8010 Part B 62.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 65.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 70.	NA	NA	Change to “both stationary and portable,”	Consistency	SIP
216	8010 Part B 71. & 82.	NA	NA	Change “bd. ft.” to “board feet”	Clarification	SIP
216	8010 Part B 72.	NA	NA	Add “under OAR 340 division 244” to NESHAP	Clarification	SIP
216	8010 Part B 75.	NA	NA	Add “engines” to internal combustion for sewage treatment facilities	Clarification	SIP
216	8010 Part B 76.	NA	NA	Change “stationary or portable” to “both stationary and portable”	Consistency	SIP
216	8010 Part B 78.	NA	NA	Add “under OAR 340 division 232” to Surface Coating in Manufacturing subject to RACT	Clarification	SIP
216	8010 Part B 84.	NA	NA	Change to: “All other sources, both stationary and portable, not listed herein that DEQ determines an air quality concern exists or one which would emit significant malodorous emissions.”	Clarification. DEQ has added “both stationary and portable” to category 84 (sources which would emit significant malodorous emissions) instead of adding a new category for portable sources.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	8010 Part B 85.	NA	NA	Change to: “All other sources, both stationary and portable, not listed herein which would have actual emissions, if the source were to operate uncontrolled, of 5 or more tons per year of direct PM2.5 or PM10 if located in a PM2.5 or PM10 nonattainment or maintenance area, or 10 or more tons per year of any single criteria pollutant if located in any part of the state.”	Clarification. DEQ has added “both stationary and portable” to category 85 (sources with 5 tons per year of PM2.5 or PM10 or 10 of other criteria pollutants) instead of adding a new category for portable sources.	SIP
216	8010 Part B 86.	NA	NA	Move “Chemical manufacturing facilities that do not transfer liquids containing organic HAP listed in Table 1 of 40 CFR part 63 subpart VVVVVV to tank trucks or railcars and are not subject to emission limits in Table 2, 3, 4, 5, 6, or 8 of 40 CFR part 63 subpart VVVVVV.” from Part C to Part B	Reorganize. This category of sources is required to obtain a permit in Part B and does not need to be listed in the exemption for a standard ACDP with the proposed changes to Part C.	SIP
216	8010 Part B 87.	NA	NA	Add: “Stationary internal combustion engines if: a. For emergency generators and firewater pumps, the aggregate engine horsepower rating is greater than 30,000 horsepower; or b. For any individual non-emergency or non-fire pump engine, the engine is subject to 40 CFR part 63, subpart ZZZZ and is rated at 500 horsepower or more, excluding two stroke lean burn engines, engines burning exclusively landfill or digester gas, and four stroke engines located in remote areas; or c. For any individual non-emergency engine, the engine is subject to 40 CFR part 60, subpart IIII and: A. The engine has a displacement of 30 liters or more per cylinder; or B. The engine has a displacement of less than 30 liters per cylinder and is rated at 500 horsepower or more and the engine and control device are either not certified by the manufacturer to meet the NSPS or not operated and maintained according to the manufacturer’s emission-related instructions; or d. For any individual non-emergency engine, the engine is subject to 40 CFR part 60, subpart JJJJ and is rated at 500 horsepower or more and the engine and control device are either not certified by the manufacturer to meet the NSPS or not operated and maintained according to the manufacturer’s emission-related instructions.”	Emergency generators and firewater pumps over 500 hp and larger non-emergency engines with ongoing monitoring and emission testing requirements need a permit for RICE NESHAP requirements.	SIP
216	8010 Part B 88.	NA	NA	Add: “88. All sources subject to RACT under OAR	Clarification. Move from Part C 4 and delete the phrase “or other significant Air Quality	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				division 232, BACT or LAER under OAR division 224, a NESHAP under OAR 340 division 244, a NSPS under OAR 340 division 238, or State MACT under OAR 340-244-0200(2), except sources registered pursuant to OAR 340-210-0100(2).”	regulation(s).” It is not necessary because the requirements for which a source may be subject to are included in the list.	
NA	NA	NA	NA	Do not add: “89. All other portable sources not listed herein for which DEQ determines that: (a) An air quality concern exists; (b) The source would emit significant malodorous emissions; or (c) The source would have actual emissions, if the source were to operate uncontrolled, of 5 or more tons per year of direct PM2.5 or PM10 if located in a PM2.5 or PM10 nonattainment or maintenance area, or 10 or more tons per year of any single criteria pollutant if located in any part of the state.”	Clarification. DEQ has added “both stationary and portable” to categories 84 (sources which would emit significant malodorous emissions) and 85 (sources with 5 tons per year of PM2.5 or PM10 or 10 of other criteria pollutants) instead of adding a new category for portable sources. DEQ currently has the authority to require any portable source to obtain a permit under existing categories 84 and 85. In this rulemaking DEQ is proposing changes to OAR 340-216-8010 to specify that certain types of portable sources are required to obtain permits (e.g., under OAR 340-216-8010, Part B, categories 8, 24, 70 and 76). However, it is possible that inclusion of these specific requirements could be interpreted to mean that DEQ may not require a permit for other types of portable sources. To clarify that any portable source may still be required to obtain a permit, DEQ proposes changes to existing categories 84 and 85.	SIP
NA	NA	216	8010 Part B 89.	Add: “89. Pathological waste incinerators	Correction. See discussion above for 8010 Part B 25.	SIP
216	8010 Part C	NA	NA	Add “Standard ACDP” to the title	Clarification	SIP
216	8010 Part C 1.	NA	NA	Change to: “1. Incinerators for PCBs, other hazardous wastes, or both.”	Clarification	SIP
216	8010 Part C 3.	NA	NA	Delete “baseline emission rate, or” from all sources electing to maintain the source’s baseline emission rate, or netting basis	Sources have a netting basis based on the baseline emission rate so “baseline emission rate” is no longer needed	SIP
NA	NA	216	8010 Part C 4.	Add: “All sources that request a Plant Site Emission Limit equal to or greater than the significant emission rate for a regulated pollutant”	Sources that are on Standard ACDPs have PSELs equal to or greater the SER for any pollutant. If all PSELs are less than the SER, the source qualifies for a General, Basic or Simple ACDP	SIP
216	Table 1 Part C, 4d-4i; 4k	NA	NA	Delete: “d. Electrical power generation units used exclusively as emergency generators and units less than	Simplification. All of the categories listed in 4d-4i and 4k are included in Part B for sources that must get a general, simple or standard ACDP. Category	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				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 and 20 gallons of methylene chloride containing paint stripper per year, mobile equipment surface coating operations using less than 20 gallons of coating and 20 gallons of methylene chloride containing paint stripper per year, and motor vehicle surface coating operations registered pursuant to OAR 340-210-0100(2). g. Paint stripping and miscellaneous surface coating operations using less than 20 gallons of coating and 20 gallons of methylene chloride containing paint stripper per year h. Commercial ethylene oxide sterilization operations using less than 1 ton of ethylene oxide within all consecutive 12-month periods after December 6, 1996. i. 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) through (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. j. Chemical manufacturing facilities that do not transfer liquids containing organic HAP listed in Table 1 of 40 CFR part 63 subpart VVVVVV to tank trucks or railcars and are not subject to emission limits in Table 2, 3, 4, 5, 6, or 8 of 40 CFR part 63 subpart VVVVVV. k. Prepared feeds manufacturing facilities with less than 10,000 tons per year throughput.”	4j is being added to Part B. Repeating them in Part C as sources which may qualify for a different type of permit is redundant.	
216	Table 1 Part C, 5	NA	NA	Delete: “All sources having the Potential to Emit more than 100,000 tons CO2e of GHG emissions in a year.”	On June 23, 2014, the U.S. Supreme Court determined that the Clean Air Act neither compels nor permits EPA to adopt rules requiring a facility to obtain a Title V or Prevention of Significant	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					Deterioration permit on the sole basis of its potential greenhouse gas emissions. DEQ is revising the GHG permitting rules to follow the Supreme Court Decision.	
216	8010 Part C, 5	NA	NA	Change to: “All sources having the potential to emit 100 tons or more of any regulated pollutant, except GHG, in a year.”	See above	SIP
216	8010 Part C, 6	NA	NA	Change to: “All sources having the potential to emit 10 tons or more of a single hazardous air pollutant in a year.”	See above	SIP
216	8010 Part C, 7	NA	NA	Change to: “All sources having the potential to emit 25 tons or more of all hazardous air pollutants combined in a year.”	See above	SIP
216	8010 Part C 7, 8, 9	NA	NA	Do not capitalize “sources” or “potential to emit”	Correction	SIP
216	8010 Notes	NA	NA	Change “Salem SKATS” to “Salem-Keizer in the SKATS”	Correction	SIP
216	8010	NA	NA	Add SIP note, statutory history, statutes implemented, and rule history	Tables 1 and 2 should be in the SIP and should also have rule history so people can know when changes have been made to the table. The rule history from OAR 340-216-0020 should be similar Table 1 and Table 2 and has been copied here until SOS can do a rule history.	SIP
216	8020	NA	NA	Add new rule number for Table 2, delete “Table 2,” and add SIP note, statutory history, statutes implemented, and rule history	Tables 1 and 2 should be in the SIP and should also have rule history so people can know when changes have been made to the table. The rule history from OAR 340-216-0020 should be similar Table 1 and Table 2 and has been copied here until SOS can do a rule history.	SIP
216	8020 Part 1 g.	NA	NA	Change “PSD/NSR” to “Major NSR or Type A State NSR”	Clarification. Type A State NSR is very similar to Major NSR but for non-federal major sources so the fees should be the same.	SIP
216	8020 Part 1 g.	NA	NA	Delete the Standard ACDP (PSD for GHG only) fee along with the footnote	DEQ is revising the GHG permitting rules to follow the Supreme Court Decision and will not require a facility to obtain a Title V or Prevention of Significant Deterioration permit on the sole basis of its potential greenhouse gas emissions.	SIP
216	8020 Part 2	NA	NA	Move greenhouse gas reporting fee to this table	Correction. The greenhouse gas reporting fee is an annual fee, not a specific activity fee.	SIP
216	8020 Part 3	NA	NA	Delete the numbers after the types of special activity fees. Move the numbered items to the definitions in OAR 340-216-0030.	Clarification and correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
216	8020 Part 3 b through e.	NA	NA	Delete “Non-PSD/NSR”	Clarification. These changes can also apply to NSR/PSD permit changes	SIP
216	8020 Part 3 f.	NA	NA	Change “PSD/NSR” to “Major NSR or Type A State NSR Permit”	Clarification	SIP
216	8020 Part 3 g.	NA	NA	Change “PSD/NSR” to “Major NSR or Type A State NSR”	Clarification	SIP
216	8020 Part 3 k.	NA	NA	Delete the GHG PSD Permit Modification fee and associated footnote	DEQ is revising the GHG permitting rules to follow the Supreme Court Decision and will not require a facility to obtain a Title V or Prevention of Significant Deterioration permit on the sole basis of its potential greenhouse gas emissions.	SIP
216	8020 Part 3	NA	NA	Separate the footnote for gasoline dispensing facilities to a separate footnote: “* 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).”	Clarification	SIP
216	8020 Part 4 1 through 5	NA	NA	Change the foot notes to the table and move them all, except for the compliance order note to the definitions in OAR 340-216-0030	Clarification. The changes that fall into the different categories of permit modifications are not clear and some occur in more than one type of change.	SIP
218				Oregon Title V Operating Permits		
218	0010(3)(b)	NA	NA	Change “340-224-0010(1)” to “340-224-0010”	OAR 340-224-0010 contains applicability, not just section (1)	NA
218	0010(4)	NA	NA	Change to: “(4) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification	NA
218	0020(1)	NA	NA	Do not capitalize “section”	Correction	NA
218	0020(3)(b)	NA	NA	Change “OAR 340-212-0120-340-212-0150 and 340-214” to “OAR 340-212-0010 through 340-212-0150 and division 214”	Correction	NA
218	0020(8)	NA	NA	Change “OAR 340-210-0205-340-210-0250” to OAR 340-210-0205 through 340-210-0250”	Correction	NA
218	0030	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	NA
218	0040(1)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
218	0040(1)(a)(F)	NA	NA	Change “in accordance with” to “done using”	Plain language	NA
218	0040(1)(a)(F)	NA	NA	Change to: “(F) Applications for Compliance Extensions for Early Reductions of HAP must be submitted before proposal of	Correction. OAR 340-244-0110 is now the only rule that applies to early reductions of HAPs	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				an applicable emissions standard issued under section 112(d) of the FCAA and must comply with OAR 340-244-0100.”		
218	0040(1)(b)(A)	NA	NA	Change “is in accordance with” to “under”	Plain language	NA
218	0040(3)(c)(A)	NA	NA	Change 340-224-0040 to 340-244-0040	Correction	NA
218	0040(3)(c)(C)	NA	NA	Change 340-222-0070 to 340-222-0035	Provisions for emissions from insignificant activities were moved in division 222.	NA
218	0040(3)(c)(D)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
218	0040(3)(c)(K)	NA	NA	Delete hyphen from require-ment	Correction	NA
218	0040(3)(n)(C)(ii)	NA	NA	Add “generic” to “statement” and change “shall” to “will”	Clarification	NA
218	0040(3)(o)(D)	NA	NA	Delete reference to “enhanced monitoring” protocols and change to compliance assurance monitoring	There are no enhanced monitoring protocols, only compliance assurance monitoring protocols	NA
218	0040(4)(a)(A) & (B)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
218	0040(4)(a)(A)	NA	NA	Delete date of Continuous Monitoring Manual	Clarification. The Reference Materials in OAR 340-200-0035 will include these reference materials and the dated version of these documents that are adopted. People can check this single rule to see which version they should be using. The dates of these reference materials will be deleted throughout the other divisions.	NA
218	0040(4)(a)(B)	NA	NA	Delete date of Source Sampling Manual	Clarification. The Reference Materials in OAR 340-200-0035 will include these reference materials and the dated version of these documents that are adopted. People can check this single rule to see which version they should be using. The dates of these reference materials will be deleted throughout the other divisions.	NA
218	0050(1)(c)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
218	0050(3)(a)(C)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
218	0050(3)(a)(C)	NA	NA	Delete date of Continuous Monitoring Manual and Source Sampling Manual	Clarification. The Reference Materials in OAR 340-200-0035 will include these reference materials and the dated version of these documents that are adopted. People can check this single rule to see which version they should be using. The dates of these reference materials will be deleted throughout the other divisions.	NA
218	0050(3)(a)(F)	NA	NA	Delete “accordance with”	Plain language	NA
218	0050(3)(c)(B)	NA	NA	Change “in accordance with” to “under”	Plain language	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
218	0050(6)(a)	NA	NA	Add a requirement to keep a copy of the permit onsite	Having the permit on site and monitoring and record-keeping conditions all exist to ensure the permittee is meeting the “rules and standards adopted by the Commission.”	NA
218	0050(7)	NA	NA	Add “in OAR 340 division 220” to the fee schedule	Clarification	NA
218	0080(6)(b)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
218	0110(3)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
218	0120(1)(a)(E)	NA	NA	Add “OAR” in front of 340-218-0230(3)	Correction	NA
218	0120(1)(g)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
218	0120(2)(b)	NA	NA	Add “OAR” in front of 340-218-0040(1)	Correction	NA
218	0140(3)(b)(G)	NA	NA	Change “of” to “or”	Correction	NA
218	0150(1)(h)	NA	NA	Add “OAR” in front of 340-210-0205, 340-218-0120, 340-218-0050, and 340-218-0160. Change “340-0210-250” to “340-210-0250”	Correction	NA
218	0150(4)	NA	NA	Add “OAR” in front of 340-218-0150(1)(h) and 340-218-0240	Correction	NA
218	0150(4)	NA	NA	Add “OAR” in front of 340-218-0190(2)	Correction	NA
218	0180(1)(a)	NA	NA	Delete “340-218-0150(1)(i)” and add “OAR” in front of 340 division 224	Correction. OAR 340-218-0150(1)(i) was “corrects baseline or PSELS when more accurate emissions data is obtained but does not increase actual emissions.” which was removed from the list of administrative amendments.	NA
218	0190(1)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
218	0190(2)(a)	NA	NA	Add OAR before 340-218-0140(3)	Correction	NA
218	0190(2)(a)(A)	NA	NA	Add a space between section and (1)	Correction	NA
218	0190(2)(b)(A)	NA	NA	Add “OAR” in front of 340-210-0225(2)	Correction	NA
218	0190(2)(c)	NA	NA	Add a space between section and (1) and add “OAR” in front of 340-218-0180 and 340-218-0040(3)	Correction	NA
218	0210(1)	NA	NA	Change “in accordance” to “using”	Correction	NA
218	0220(1) & (3)(a)	NA	NA	Change “Air Quality Division Administrator” to “Operations Division Administrator”	Correction. DEQ has reorganized and no longer has an air quality division.	NA
218	0230(2)(a)	NA	NA	Add OAR before 340-218-0170	Correction	NA
218	0250	NA	NA	Repeal “Permit Program For Regional Air Pollution Authority”	DEQ delegates authority to LRAPA in OAR 340-218-0010(4) and no longer receives LRAPA TV permits anymore.	NA
220				Oregon Title V Operating Permit Fees		
220	0010	NA	NA	Change title to “Purpose, Scope, Applicability and	Clarification	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				Jurisdiction”		
NA	NA	220	0010(7)	Add: “(7) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
220	0020	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to Division 204 definitions	NA
220	0090(1)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0090(4)	NA	NA	Change “categorically exempt insignificant emissions” to “categorically insignificant activity emissions”	Plain language	NA
220	0100(3)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0110(1)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0110(2)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
220	0110(3)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0110(3)	NA	NA	Change “in accordance with” to “under” and add “OAR” before 340-218-0050(3)(b)(B)	Plain language	NA
220	200-0020(3)(d)	220	0120(1)	Move the definition of actual emissions for Title V operating permit fees to division 220	The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees.	NA
220	200-0020(3)(e)	220	0120(2)	Move the method of measuring actual emissions for Title V operating permit fees to division 220 and add “OAR” before division 220	The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees	NA
220	0120(1)	220	0120(3)(a)	Delete “accordance with”	Plain language	NA
220	0120(2) , (3) & (4)	220	0120(3)(b), (c) & (d)	Change “in accordance with” to “using”	Plain language	NA
220	0130(1)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
220	0170(1)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0170(9)(a)	NA	NA	Change “in accordance with” to “under”	Plain language	NA
220	0170(10)	NA	NA	Change “can not” to “cannot”	Plain language	NA
220	0170(11)(b)	NA	NA	Change “in accordance with” to “using” and do not capitalize section	Plain language	NA
220	0170(9)(d)(B)	NA	NA	Change “in accordance with” to “using”	Plain language	NA
220	0190	NA	NA	Change “in accordance with” to “using”	Plain language	NA
222				Stationary Source Plant Site Emission Limits		
222	All	NA	NA	Change “ambient air standards” to “ambient air quality standards”	Clarification	
222	0020	NA	NA	Change title to “Applicability and Jurisdiction”	Clarification	NA
222	0020(1)	NA	NA	Change to:	Correction and clarification. Change rule citations	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(1) Plant Site Emission Limits (PSELs) will be included in all Air Contaminant Discharge Permits (ACDP) and Oregon Title V Operating Permits, except as provided in section (3), as a means of managing airshed capacity by regulating increases and decreases in air emissions. Except as provided in OAR 340-222-0035(5) and 340-222-0060, all ACDP and Title V sources are subject to PSELs for all regulated pollutants listed in the definition of SER in OAR 340-200-0020. DEQ will incorporate PSELs into permits when issuing a new permit or renewing or modifying an existing permit.”	for insignificant activities since these rules were moved. The SER definition includes subsection (v), which sets the SER to zero for all regulated pollutants not otherwise listed in the definition so limit regulated pollutants to those that have SER not equal to zero.	
222	0020(3)(c)	NA	NA	Change to: “(c) Hazardous air pollutants as listed in OAR 340-244-0040 Table 1; high-risk pollutants listed in 40 CFR 63.74; or accidental release substances listed in 40 CFR 68.130; or air toxics listed in OAR 340 division 246; except that PSELs are required for pollutants identified in this subsection that are also listed in the definition of SER, OAR 340-200-0020.”	Tables 2 and 3 in Division 244 are being removed so the CFRs should be referenced instead. Some hazardous air pollutants have SERs in OAR 340-200-0020 that require PSELs. This is consistent with the netting basis.	SIP
222	0020(4)	NA	NA	Change to: “(4) PSELs may be generic PSELs, source specific PSELs set at the generic PSEL levels, or source specific PSELs set at source specific levels. (a) A source with a generic PSEL cannot maintain a netting basis for that regulated pollutant. (b) A source with a source specific PSEL that is set at the generic PSEL level may maintain a netting basis for that regulated pollutant provided the source is operating under a Standard ACDP or Title V Operating permit.”	Clarification. PSELs can be Generic PSELs, source specific PSELs set at the same levels as the Generic PSEL but not be a Generic PSEL, or source specific PSELs at source specific levels. Clarify when netting basis can or cannot be maintained with generic or generic level PSELs.	SIP
NA	NA	222	0020(5)	Add: “(5) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
222	0020	NA	NA	Add “Click here for PDF copy of tables.” To the ED. NOTE	Clarification	SIP
222	0030	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
222				Criteria for Establishing Plant Site Emission Limits		
222	0043(1), (2), and (3)	222	0035(1) & (2)	Move General Requirements for All PSELs from 222-0043 to 222-0035 and add “Establishing” to the title	Restructure	SIP
222	0043(1)	222	0035(1)	Change to:	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“PSELs may not exceed limits established by any applicable federal or state regulation or by any specific permit conditions unless the source meets the specific provisions of OAR 340-226-0400 (Alternative Emission Controls).”		
222	0043(2)	222	0035(2)	“DEQ may change source specific PSELs at the time of a permit renewal, or if DEQ modifies a permit pursuant to OAR 340-216-0084, Department Initiated Modifications, or 340-218-0200, Reopenings, if.”	Clarification and move from (c). These types of permit changes are times when PSELs can be changed, not a trigger of when a PSEL should be changed.	SIP
222	0043(2)(a)	222	0035(2)(a)	Change to: “(a) DEQ determines errors were made in calculating the PSELs or more accurate and reliable data is available for calculating PSELs; or”	Clarification	SIP
222	0043(2)(c)	222	0035(2)(c)	Delete and combine with (2)	Correction. These types of permit changes are times when PSELs can be changed, not a trigger of when a PSEL should be changed.	SIP
200	0200(76)(f)	222	0035(3)	Add “PSEL reductions required by rule, order or permit condition will be effective on the compliance date of the rule, order, or permit condition.”	This provision is from the definition of netting basis and applies to all PSELs.	SIP
222	0043(3)	222	0035(4)	Move and change to: “(4) Annual PSELs apply on a rolling 12 consecutive month basis and limit the source's potential to emit.”	Restructure and clarification. This applies to all PSELs	SIP
222	0070(1)	222	0035(5)	Move requirements for categorically insignificant activities and change to: “(5) PSELs do not include emissions from categorically insignificant activities. Emissions from categorically insignificant activities must be considered when determining Major NSR or Type A State NSR applicability under OAR 340 division 224..”	This applies to all PSELs and the rule numbers have changed.	SIP
222	0070(2)	222	0035(6)	Move requirements for aggregate insignificant activities and change to: “(6) PSELs must include aggregate insignificant emissions, if applicable.”	This applies to all PSELs	SIP
222	0040 and 0041	NA	NA	Delete “Significant Emission Rate” and do not capitalize “Generic”	Correction	SIP
222	0040(2)	222	0040(3)	Separate into section (3) and change to: “The netting basis for a source with a generic PSEL is zero for that regulated pollutant.”	Clarification. The applicant can request a source specific PSEL.	SIP
222	0041(1)	NA	NA	Delete “an initial” from the source specific PSEL and change “Generic PSEL” to “generic PSEL level”	The source specific PSEL that is set equal to the generic PSEL level doesn’t necessarily need to be the “initial” source specific PSEL	SIP
222	0041(2)	NA	NA	Add a provision that the source specific PSEL could be	Sources can request a PSEL set at a level different	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				set to a level requested by the applicant	than the potential to emit or the netting basis	
222	0041(2)	NA	NA	Add an exception for setting the source specific PSEL for PM2.5 in section (3)	The source specific PSEL for PM2.5 is the PM2.5 fraction of the PM10 PSEL.	SIP
222	0041(2)	NA	NA	Add an exception for increasing in the PSEL in section (4)	Sources can request a PSEL greater than the netting basis in accordance with OAR 340-222-0041(4).	SIP
200	0020(76)(b) & (b)(A)	222	0041(3)	Add: “The initial source specific PSEL for PM2.5 for a source that was permitted on or before May 1, 2011 with potential to emit greater than or equal to the SER will be set equal to the PM2.5 fraction of the PM10 PSEL in effect on May 1, 2011.”	Add the provision for establishing the source specific annual PSEL for PM2.5 that was in the netting basis definition. This will move procedural requirements from the definitions	SIP
NA	NA	222	0041(3)(a)	Add: “(a) Any source with a permit in effect on May 1, 2011 is eligible for an initial PM2.5 PSEL without being otherwise subject to OAR 340-222-0041(4).”	Sources with permits in effect on May 1, 2011 get an initial PM2.5 PSEL based on the PM2.5 fraction of the PM10 PSEL are not required to do any modeling or go through NSR/PSD as required in OAR 340-222-0041(4) if the PM2.5 PSEL is greater than an SER over the PM2.5 netting basis. Third extensions are not allowed and a new application would be required. The new application would require a whole analysis of PM2.5. PM2.5 protected under first 2 extensions of an NSR/PSD permit.	SIP
NA	NA	222	0041(3)(b)	Add: “(b) For a source that had a permit in effect on May 1, 2011 but later needs to correct its PM10 PSEL that was in effect on May 1, 2011, due to more accurate or reliable information, the corrected PM10 PSEL will be used to correct the initial PM2.5 PSEL. (i) Correction of a PM10 PSEL will not by itself trigger OAR 340-222-0041(4) for PM2.5. (ii) Correction of a PM10 PSEL could result in further requirements for PM10 in accordance with all applicable regulations.”	Clarification. If the PM10 PSEL was incorrect, it should be corrected before setting the PM2.5 PSEL based on the PM2.5 fraction of the PM10 PSEL. This is a one-time correction only for the initial PSEL and netting basis.	SIP
200	0020(76)(b)(A)	222	0041(3)(c)	Add: “(c) If after establishing the initial PSEL for PM2.5 in accordance with this rule and establishing the initial PM2.5 netting basis in accordance with OAR 340-222-0046, the PSEL is more than nine tons above the netting basis, any future increase in the PSEL for any reason would be subject to OAR 340-222-0041(4).”	Initially PM2.5 PSELs will be exempt from triggering ambient air quality modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant. If the PM2.5 PSEL is more than 9 tons above the netting basis, then any future increase will trigger modeling or NSR/PSD.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
222	0041(3)	222	0041(4)	Change to: “(4) If an applicant wants an annual PSEL at a rate greater than the netting basis, the applicant must, consistent with OAR 340-222-0035: (a) Demonstrate that the requested increase over the netting basis is less than the SER; or (b) For increases equal to or greater than the SER over the netting basis, demonstrate that the applicable Major NSR or State NSR requirements in OAR 340 division 224 have been satisfied, except that an increase in the PSEL for GHGs is subject to the requirements of NSR specified in OAR 340-224-0010(1)(c) only if the criteria in OAR 340-224-0010(1)(c) are met.”	Clarify language if the source is requesting an increase in the PSEL. The source may be subject to Major NSR or State NSR. An increase in greenhouse gases emissions that is not due to a major modification would not be subject to NSR because there are no requirements for computer modeling.	SIP
NA	NA	222	0041(5)	Add: “(5) If the netting basis is adjusted in accordance with OAR 340-222-0051(3) then the source specific PSEL is not required to be adjusted.”	Add a provision for not adjusting the source specific PSEL if the netting basis is adjusted in accordance with OAR 340-222-0051(3).	SIP
NA	NA	222	0041(6)	Add: “(6) For sources that meet the criteria in subsections (a), (b) and (c), the requirements of OAR 340-222-0041(4) do not immediately apply, but any future increase in the PSEL greater than or equal to the de minimis level for any reason is subject to OAR 340-222-0041(4). (a) A PSEL is established or revised to include emissions from activities that both existed at a source and were defined as categorically insignificant activities prior to [INSERT SOS FILING DATE OF RULES]; (b) The PSEL exceeds the netting basis by more than or equal to the SER solely as a result of a revision described in subsection (a); and (c) The source would not have been subject to Major NSR or Type A State NSR under the applicable requirements of division 224 prior to [INSERT SOS FILING DATE OF RULES] if categorically insignificant activities had been considered.”	The RICE NESHAP has requirements for emergency generators that were previously considered categorically insignificant activities. DEQ is also making changes to fuel and gas burning equipment included in categorically insignificant activities. A source could have numerous emissions units that burn fuel or gas, whose emissions could be greater than one ton in the aggregate. Because of these changes to categorically insignificant activities, DEQ realizes that existing sources that have these activities should not be penalized. Therefore, DEQ is grandfathering sources that had emergency generators or small fuel or gas burning equipment as of [INSERT SOS FILING DATE OF RULES] from potentially triggering NSR. Sources would be required to get a permit if needed but could limit PTE to stay on a general permit.	SIP
222	0041(3)(b)(A)	224	0250	Move to division 224	The requirements for State NSR in nonattainment areas are now in 340-224-0250. SEE “NEW SOURCE REVIEW PROGRAM SUPPLEMENTAL DISCUSSION.”	SIP
222	0041(3)(b)(B)	224	0260	Move to division 224	The requirements for State NSR in maintenance areas are now in 340-224-0260. SEE “NEW SOURCE REVIEW PROGRAM SUPPLEMENTAL DISCUSSION.”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
222	0041(3)(b)(C)	224	0270	Move to division 224	The requirements for State NSR in attainment or unclassified areas are now in 340-224-0270. SEE “NEW SOURCE REVIEW PROGRAM SUPPLEMENTAL DISCUSSION.”	SIP
222	0041(3)(b)(D)	224	0250(2)(a) 0260(2)(c) 0270(1)(c)	Move to division 224	The requirement for demonstrating compliance with AQRV protection are in OAR 340-224-0250 for nonattainment areas, OAR 340-224-0260 for maintenance areas, and OAR 340-224-0270 for attainment and unclassified areas.	SIP
222	0041(3)(c)	224	0010	Move to division 224	The requirements for New Source Review are in division 224	SIP
222	0041	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
222	0042(1)	NA	NA	Change to: “(1) For sources located in areas with an established short term SER that is measured over an averaging period less than a full year, PSELs are required on a short term basis for those regulated pollutants that have a short term SER. The short term averaging period is daily, unless emissions cannot be monitored on a daily basis. The averaging period for short term PSELs can never be greater than monthly.”	Clarification. Define a short term SER.	SIP
222	0042(1)(a) & (a)(A)	222	0042(1)(a)	Change to: “(a) For new and existing sources with potential to emit less than the short term SER, the short term PSEL will be set equal to the level of the short term generic PSEL.”	Clarification and restructure	SIP
222	0042(1)(a)(B)	222	0042(1)(b)	Change to: “For existing sources with potential to emit greater than or equal to the short term SER, a short term PSEL will be set equal to the source's short term potential to emit or to the current permit's short term PSEL, whichever is less.”	Clarification and restructure	SIP
222	0042(1)(b)	222	0042(1)(c)	Change to: “(c) For new sources with potential to emit greater than or equal to the short term SER, the initial short term PSEL will be set at the level requested by the applicant provided the applicant meets the requirements of (2)(b).”	Sources can request a short term PSEL at a level greater than or equal to the short term SER if they follow the correct procedures in (2)(b)	SIP
222	0042(2)	NA	NA	Change to: “(2) If a permittee requests an increase in a short term PSEL that will exceed the short term netting basis by an amount equal to or greater than the short term SER, the	Clarification. Offsets and growth allowance for short term PSEL increases need to be in terms of tons per year.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				permittee must satisfy the requirements of subsections (a) or (b). In order to satisfy the requirements of subsection (a) or (b), the short term PSEL increase must first be converted to an annual increase by multiplying the short term increase by 8,760 hours, 365 days, or 12 months, depending on the term of the short term PSEL.”		
222	0042(2)(b)(A)	222	0042(2)(a)	Change to: “(a) Obtain offsets in accordance with the offset provisions for the designated area as specified in OAR 340-224-0510 through 340-224-0530, as applicable; or”	Clarification. The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. SEE “NEW SOURCE REVIEW PROGRAM SUPPLEMENTAL DISCUSSION.”	SIP
222	0042(2)(b)(B)	222	0042(2)(b)	Change to: “(b) Obtain an allocation from an available growth allowance in accordance with the applicable maintenance plan.”	Clarification and restructure	SIP
222	0042(2)(b)(C)	NA	NA	Delete: “(C) For carbon monoxide, demonstrate that the source or modification will not cause or contribute to an air quality impact equal to or greater than 0.5 mg/m3 (8 hour average) and 2 mg/m3 (1 hour average).”	Not necessary. These are significant impact levels for CO and are contained in the definitions in division 200.	SIP
222	0042(2)(b)(D)	NA	NA	Delete: “(D) For federal major sources, demonstrate compliance with air quality related values (AQRV) protection in accordance with OAR 340-225-0070.”	The annual PSEL should be the driver for this AQRV requirement, not short term PSEL because it is a PSD provision.	SIP
222	0042(3)	NA	NA	Change to: “(3) Once the short term PSEL is increased pursuant to section (2), the increased level becomes the basis for evaluating future increases in the short term PSEL.”	Clarification	SIP
222	0042	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 01/22/03. The note was inadvertently omitted from the rule.	SIP
200	0020(76)	222	0046	Move rules about establishing the netting basis from the definition to the PSEL rule and delete the existing section (1) language	This will move procedural requirements from the definitions. Reorganize the definition into a more understandable structure	SIP
200	0020(76)(a)	222	0046(1)	Change to: “(1) A netting basis will only be established for those regulated pollutants that could subject a source to New Source Review under OAR 340 division 224.”	Clarification	SIP
200	0020(76)(b)	222	0046(1)(a)	Delete “and PSEL”	This rule is for netting basis, not the PSEL	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
200	0020(76)(b)(A) & (B)	NA	NA	Delete: “(A) The initial netting basis is the PM2.5 fraction of the PM10 netting basis in effect on May 1, 2011. DEQ may increase the initial PM2.5 netting basis by up to 5 tons if necessary to avoid exceedance of the PM2.5 significant emission rate as of May 1, 2011. (B) Notwithstanding OAR 340-222-0041(2), the initial source specific PSEL for a source with PTE greater than or equal to the SER will be set equal to the PM2.5 fraction of the PM10 PSEL.”	Clarification. These requirements are reworded in subsection (2)(b).	SIP
200	0020(76)(c)	222	0046(1)(b)	Delete “and PSEL”	This rule is for netting basis, not the PSEL	SIP
NA	NA	222	0046(2)	Add: “(2) A source’s netting basis is determined as specified in subsection (a), (b), or (c) and will be adjusted according to section (3).”	Clarification	SIP
NA	NA	222	0046(2)(a)	Add: “(a) For all regulated pollutants except for PM2.5, a source’s initial netting basis is equal to the baseline emission rate.”	There is no baseline emission rate for PM2.5	SIP
200	0020(76)(b)(A)	222	0046(2)(b)	Add: “(b) For PM2.5, a source’s initial netting basis is equal to the overall PM2.5 fraction of the PM10 PSEL in effect on May 1, 2011 multiplied by the PM10 netting basis in effect on May 1, 2011. DEQ may increase the initial PM2.5 netting basis by not more than 5 tons to ensure that the PM2.5 PSEL does not exceed the PM2.5 netting basis by more than the PM2.5 SER.”	Clarification and restructure	SIP
NA	NA	222	0046(2)(b)(A)	Add: “(A) Any source with a permit in effect on May 1, 2011 is eligible for a PM2.5 netting basis without being otherwise subject to OAR 340-222-0041(4).”	Clarification. Initially PM2.5 PSELs will be exempt from triggering ambient air quality modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant.	SIP
NA	NA	222	0046(2)(b)(B)	Add: “(B) For a source that had a permit in effect on May 1, 2011 but later needs to correct its PM10 netting basis that was in effect on May 1, 2011, due to more accurate or reliable information, the corrected PM10 netting basis will be used to correct the initial PM2.5 netting basis.”	After adding PM2.5 as a regulated pollutant, DEQ found that some PM10 netting bases required correction before they could be used to establish PM2.5 netting bases. DEQ wrote an Internal Management Directive addressing this situation and is now including it in the rule.	SIP
NA	NA	222	0046(2)(b)(B)(i)	Add: “(i) Correction of a PM10 netting basis will not by itself	Clarification. Initially PM2.5 PSELs will be exempt from triggering ambient air quality	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				trigger OAR 340-222-0041(4) for PM2.5.”	modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant.	
NA	NA	222	0046(2)(b)(B)(ii)	Add: “(ii) Correction of a PM10 netting basis could result in further requirements for PM10 in accordance with all applicable regulations.”	Clarification. Correcting the PM10 netting basis could result in further requirements such as a different permit, modeling, or triggering NSR/PSD.	SIP
200	0020(76)(b)(B)	NA	NA	Delete: “(B) Notwithstanding OAR 340-222-0041(2), the initial source specific PSEL for a source with PTE greater than or equal to the SER will be set equal to the PM2.5 fraction of the PM10 PSEL.”	This rule is for netting basis, not the PSEL	SIP
200	0020(76)(d)	222	0046(2)(c)	Change to: “(c) A source’s netting basis is zero for:”	Clarification	SIP
200	0020(76)(d)(A)	222	0046(2)(c)(A)	Add “except as provided in subsection (2)(b) for PM2.5”	Sources will be given a netting basis for PM2.5 without going through Major New Source Review if they had a netting basis for PM10.	SIP
200	0020(76)(d)(B)	222	0046(2)(c)(B)	Move: “(B) Any regulated pollutant that has a generic PSEL in a permit; or”	Move from division 200 definition of netting basis	SIP
200	0020(76)(d)(C)	222	0046(2)(c)(C)	Move: “(C) Any source permitted as portable.”	Move from division 200 definition of netting basis	SIP
200	0020(76)(d)(D)	NA	NA	Delete: “(D) Any source with a netting basis calculation resulting in a negative number.”	This language is no longer necessary because of the other changes in this rule.	SIP
NA	NA	222	0046(3)	Add: “(3) A source’s netting basis will be adjusted as follows:”	Separate the ways that the netting basis can be adjusted	SIP
200	0020(76)(f)	222	0046(3)(a)	Change to: “(a) The netting basis will be reduced by any emission reductions required under a rule, order, or permit condition issued by the EQC or DEQ and required by the SIP or used to avoid any state (e.g., NSR) or federal requirements (e.g., NSPS, NESHAP), as of the effective date of the rule, order or permit condition;”	Correction. Add language about SIP which was previously omitted.	SIP
NA	NA	222	0046(3)(a)(A)	Add: “(A) Netting basis reductions are effective on the effective date of the rule, order or permit condition that requires the reductions;”	Clarification	SIP
NA	NA	222	0046(3)(a)(B)	Add: “(B) Netting basis reductions may only apply to sources	Clarification. For example, a source has a baseline emission rate of 200 tpy from boilers, but replaced	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				that are permitted, on the effective date of the applicable rule, order or permit condition, to operate the affected devices or emissions units that are subject to the rule, order, or permit condition requiring emission reductions;”	the old boilers. If a rule, order or permit condition changes the requirements for the original boilers but not the current boilers, the original boilers are no longer a permitted piece of equipment and the reduction would not apply.	
NA	NA	222	0046(3)(a)(C)	Add: “(C) Netting basis reductions will include reductions for unassigned emissions for devices or emissions units that are affected by the rule, order or permit condition, if the shutdown or over control that created the unassigned emissions occurred within five years prior to the adoption of the rule, order or permit condition that required an emission reduction unless the unassigned emissions have been used for internal netting actions. This provision applies to emission reductions that have been placed in unassigned emissions or that are eligible to be placed in unassigned emissions but the permit that would place them in unassigned emissions has not been issued.”	Clarification. This will require reduction of unassigned emissions if the rule, order or permit condition applies to the unit that established unassigned emissions. Five years is the length of a permit cycle, if the emission reduction had been moved to unassigned emissions immediately.	SIP
NA	NA	222	0046(3)(a)(D)	Add: “(D) Netting basis reductions will not affect emission reduction credits established under division 268.”	Clarification.	SIP
NA	NA	222	0046(3)(a)(E)	Add “(E) Netting basis reductions for the affected devices or emissions units will be determined consistent with the approach used to determine the netting basis prior to the regulatory action reducing the emissions. The netting basis reduction is the difference between the emissions calculated using the previous emission rate and the emission rate established by rule, order, or permit using appropriate conversion factors when necessary.”	Clarification. DEQ wrote an Internal Management Directive addressing this situation and is now including it in the rule.	SIP
200	0020(76)(h)	222	0046(3)(a)(F)	Change to: “(F) The netting basis reductions will not include emission reductions achieved under OAR 340-226-0110, 340-226-0120, or OAR 340 division 244;”	Move from division 200 definition of netting basis. From 11/12/97 EPA Memo: Crediting of MACT emissions reductions for NSR netting and offsets. Required HAP emission reductions are not creditable as offsets but can be used if in excess of MACT standards.	. SIP
200	0020(76)	222	0046(3)(b)	Add: “(b) The netting basis will be reduced by any unassigned emissions that are reduced under OAR 340-222-0055(3)(a);”	Separate the ways that the netting basis can be adjusted from section (76)	SIP
200	0020(76)	222	0046(3)(c)	Change to: “(c) The netting basis will be reduced by the amount of emission reduction credits transferred off site in	Separate the ways that the netting basis can be adjusted from section (76)	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				accordance with OAR 340 division 268;”		
200	0020(76)(g)	222	0046(3)(d)	Add: “(d) The netting basis will be reduced when actual emissions are reduced according to OAR 340-222-0051(3);”	Simplification	SIP
NA	NA	222	0046(3)(e)	Add: “(e) The netting basis will be increased by any of the following: (A) For sources that obtained a permit on or after [INSERT SOS FILING DATE OF RULES], any emission increases approved through Major NSR or Type A State NSR action under OAR 340 division 224; (B) For sources that obtained a permit prior to [INSERT SOS FILING DATE OF RULES], any emission increases approved through the NSR regulations in OAR 340 division 224 in effect at the time; or (C) For sources where the netting basis was increased in accordance with the DEQ PSD rules that were in effect prior to July 1, 2001, the netting basis may include emissions from emission units that were not subject to both an air quality analysis and control technology requirements if the netting basis had been increased following the rules in effect at the time.”	Clarification	SIP
NA	NA	222	0043(3)(f)	Add: “(f) The netting basis will be increased by any emissions from activities previously classified as categorically insignificant prior to [INSERT SOS FILING DATE OF RULES], provided the activities existed during the baseline period or at the time of the last NSR permitting action that changed the netting basis under subsection (e).”	The RICE NESHAP has requirements for emergency generators that were previously considered categorically insignificant activities. DEQ is also making changes to fuel and gas burning equipment included in categorically insignificant activities. A source could have numerous emissions units that burn fuel or gas, whose emissions could be greater than one ton in the aggregate. Because of these changes to categorically insignificant activities, DEQ realizes that existing sources that have these activities should not be penalized. Therefore, DEQ is grandfathering sources that had emergency generators or small fuel or gas burning equipment as of [INSERT SOS FILING DATE OF RULES] from potentially triggering NSR. The emissions from the categorically insignificant activities will be added to the netting baseline if applicable.	SIP
222	0043(4)	222	0046(4)	Change to: “(4) In order to maintain the netting basis, permittees	Move from OAR 340-222-0043 General Requirements for All PSEL. The netting basis can	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				must maintain either a Standard ACDP or an Oregon Title V Operating Permit. A request to be assigned any other type of ACDP sets the netting basis at zero upon issuance of the other type of permit and remains at zero unless an increase is approved under subsection (3)(e)."	be increase if approved through Major New Source Review.	
200	0020(76)(e)	222	0046(5)	Move from division 200 definition of netting basis and change to: “(5) If a source relocates to a different site that DEQ determines is within or affects the same airshed, and the time between operation at the old and new sites is less than six months, the source may retain the netting basis from the old site.”	Clarification to avoid confusion with the term “adjacent”	SIP
200	0020(76)(f) & (g)	NA	NA	Delete these subsections	This language is no longer necessary because of the other changes in this rule.	SIP
200	0020(76)(i)	222	0046(6)	Change to: “(6) A source’s netting basis for a regulated pollutant with a revised definition will be corrected if the source is emitting the regulated pollutant at the time the definition is revised, and the regulated pollutant is included in the source’s netting basis.”	Clarification	SIP
200	0020(76)(j)	222	0046(7)	Change to: “(7) Where EPA requires an attainment demonstration based on dispersion modeling, the netting basis must not be more than the level used in the dispersion modeling to demonstrate attainment with the ambient air quality standard (i.e., the attainment demonstration is an emission reduction required by rule).”	Clarification	SIP
NA	NA	222	0046	Add the Note: “NOTE: This rule was moved verbatim from OAR 340-200-0020(76) and amended.”	Clarification	SIP
NA	NA	222	0046	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This definition was in OAR 340-200-0020, which was last approved in the SIP on 06/20/13.	SIP
200	0020(13) & (14)	222	0048	Add Baseline Emission Rate and Baseline Period procedures from division 200 definitions	This will move procedural requirements from the definitions. Reorganize the definition into a more understandable structure	SIP
200	0020(14)(a)	222	0048(1)(a)	Change to: “(1) The baseline period used to calculate the baseline emission rate is either: (a) For any regulated pollutant other than greenhouse gases, any consecutive 12 calendar month period during	Restructure from definition of baseline period	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the calendar years 1977 or 1978. DEQ may allow the use of a prior time period upon a determination that it is more representative of normal source operation.”		
200	0020(14)(b)	222	0048(1)(b)	Change to: “(b) For greenhouse gases, any consecutive 12 calendar month period during the calendar years 2000 through 2010.”	Restructure from definition of baseline period	SIP
NA	NA	222	0048(1)(c)	Add: “(c) For a pollutant that becomes a regulated pollutant subject to OAR 340 division 224 after May 1, 2011, any consecutive 12 calendar month period within the 24 months immediately preceding the pollutant’s designation as a regulated pollutant if a baseline period has not been defined for the regulated pollutant.”	For consistency with the definition of baseline emission rate since pollutant that become regulated after May 1, 2011 also need a baseline period defined.	SIP
200	0020(13)(a)	222	0048(2)	Change to: “(2) A baseline emission rate will be established only for those regulated pollutants subject to OAR 340 division 224.”	Simplification. Division 224 defines what pollutants are regulated.	SIP
200	0020(13)(a)	222	0048(3)	Move from division 200 definition of baseline emission rate and make a separate section.	Move without changes	SIP
200	0020(13)(b)	222	0048(4)	Move from division 200 definition of baseline emission rate.	Move without changes	SIP
200	0020(13)(c)	222	0048(5)	Change to: “For a pollutant that becomes a regulated pollutant subject to OAR 340 division 224 after May 1, 2011, the initial baseline emission rate is the actual emissions of that pollutant during the baseline period.”	Simplification	SIP
200	0020(13)(d)	222	0048(6)	Change to: “(6) The baseline emission rate will be recalculated only under the following circumstances:”	Clarification. Restructure how the baseline emission rate will be recalculated.	SIP
200	0020(13)(d)	222	0048(6)(a)	Change to: “(a) For greenhouse gases, if actual emissions are reset in accordance OAR 340-222-0051(3);”	Only the GHG baseline emission rate will be reset. The netting basis will be reset for all other pollutants, not the baseline emission rate.	SIP
200	0020(13)(e)	222	0048(6)(b)	Change to: “(b) If a material mistake or an inaccurate statement was made in establishing the production basis for the baseline emission rate; ”	Clarification	SIP
NA	NA	222	0048(6)(c)	Add: “(c) If a more reliable or accurate emission factor is available; or”	Correction, previously omitted	SIP
NA	NA	222	0048(6)(d)	Add: “(d) If emissions units that were previously not included	Correction, previously omitted	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				in baseline emission rate must be included as a result of rule changes.”		
NA	NA	222	0048(7)	Add: “(7) The baseline emission rate is not affected if emission reductions are required by rule, order, or permit condition.”	Clarification	SIP
NA	NA	222	0048	Add the Note: “NOTE: This rule was moved verbatim from OAR 340-200-0020(13) and (14) and amended.”	Clarification	SIP
NA	NA	222	0048	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This definition was in OAR 340-200-0020, which was last approved in the SIP on 06/20/13.	SIP
200	0020(3)	222	0051	Move from division 200 definition of actual emissions	Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in Division 222 Plant Site Emission Limits.	SIP
200	0020(3)(a)	222	0051(1)	Change to: “(1) A source’s actual emissions as of the baseline period are the sum total of the actual emissions from each part of the source for each regulated pollutant. The actual emissions as of the baseline period will be determined to be:”	Clarification	SIP
200	0020(3)(a)(A)	222	0051(1)(a)	Change to: “(a) Except as provided in subsections (b) and (c) and section (2), the average rate at which the source actually emitted the regulated pollutant during normal source operations over an applicable baseline period;”	Clarification and restructure so correct cross reference	SIP
200	0020(3)(a)(B)	222	0051(1)(b)	Change to: “(b) The source specific mass emissions limit included in a source's permit that was effective on Sep. 8, 1981 if such emissions are within 10% of the actual emissions calculated under subsection (a); or”	Restructure	SIP
200	0020(3)(a)(C)	222	0051(1)(c)	Change to: “(c) The potential to emit of the source or part of a source as specified in paragraphs (A) and (B). The actual emissions will be reset if required in accordance with section (3).”	Restructure and clarification	SIP
200	0020(3)(a)(C)(i)	222	0051(1)(c)(A)	Change to: “(A) Any source or part of a source that had not begun normal operations during the applicable baseline period but was approved to construct and operate before or during the baseline period in accordance with OAR 340	Sources can be approved to construct and operate in accordance with division 216	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				division 210 or 216, or was not required to obtain approval to construct and operate before or during the applicable baseline period; or”		
200	0020(3)(a)(C)(ii)	222	0051(1)(c)(B)	Change to: “(B) Any source or part of a source that will emit greenhouse gases that had not begun normal operations prior to Jan. 1, 2010, but was approved to construct and operate prior to Jan. 1, 2011 in accordance with OAR 340 division 210 or 216.”	Construction can be approved under division 216 also. Style guide.	SIP
200	0020(3)(a)(C)(iii)	NA	NA	Delete this subparagraph.	This requirement is covered in (i)	SIP
200	0020(3)(b)	222	0051(2)	Change to: “(2) For any source or part of a source or any modification of a source or part of a source that had not begun normal operations during the applicable baseline period, but was approved to construct and operate in accordance with OAR 340 division 210, 216 or 224, actual emissions of the source or part of the source equal the potential to emit of the source or part of the source on the date the source or part of the source was approved to construct and operate.”	Clarification. Adding “or part of the source” will make the language consistent with this section.	SIP
NA	NA	222	0051(3)	Add: “(3) For any source or part of a source whose actual emissions of greenhouse gases were determined pursuant to paragraph (1)(c)(B), and for all other sources of all other regulated pollutants that are permitted in accordance with the Major New Source Review rules in OAR 340 division 224 on or after May 1, 2011, the potential to emit of the source or part of the source will be reset to actual emissions as follows:”	Restructure and separate GHGs	SIP
200	0020(3)(c) and (c)(A)	NA	NA	Delete this subsection and paragraph	Restructure in section (3)	SIP
200	0020(3)(c)(B)	222	0051(3)(a)	Change to: “(a) Except as provided in subsection (b), ten years from the end of the applicable baseline period under paragraph (1)(c)(B) or ten years from the date the permit is issued under section (2), or an earlier time if requested by the source in a permit application involving public notice, DEQ will reset actual emissions of the source or part of the source to equal the highest actual emission rate during any consecutive 12-month period during the ten year period or any shorter period if requested by the source. Actual emissions are determined as follows:”	Restructure	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
NA	NA	222	0051(3)(a)(A)	Add: “(A) The owner or operator must select a consecutive 12-month period and the same 12-month period must be used for all affected regulated pollutants and all affected devices or emissions units; and”	Defines the period for which actual emissions are determined	SIP
NA	NA	222	0051(3)(a)(B)	Add: “(B) The owner or operator must determine the actual emissions during that 12-month period for each device or emissions unit that was subject to Major NSR or Type A State NSR action under OAR 340 division 224, or for which the baseline emission rate is equal to the potential to emit.”	Defines the devices or emissions units for which actual emissions must be determined for sources that triggered New Source Review and GHG sources whose baseline emission rate was set to potential to emit	SIP
200	0020(3)(c)(D)	222	0051(3)(b)	Move from division 200 definition of actual emissions.	Move without changes	SIP
200	0020(3)(c)(C)	222	0051(3)(c)	Add 340-226 to 0120 and delete “(highest and best practicable treatment and control)”	OAR 340-226-0110 is Pollution Prevention and 0120 is Operating and Maintenance Requirements	SIP
200	0020(3)(c)(C)	222	0051(3)(c)	Change “paragraph (A)” to “subsection (a)”	Restructure	SIP
NA	NA	222	0051(4)	Add: “(4) Regardless of the PSEL compliance requirements specified in a permit, actual emissions from a source or part of a source may be calculated for any given 12 consecutive month period using data that is considered valid and representative of the source’s or part of a source’s emissions. Actual emissions must be calculated using the unit’s actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.”	Clarification. EPA is concerned that the current rule language requires the PSEL to be changed and then NSR applicability to be determined. This concerns them because of timing (requires permits to act first before enforcement can occur) and EPA’s inability to enforce the program independently of Oregon’s actions to revise the PSEL. EPA’s ability to enforce the requirement to obtain a PSD permit independent of Oregon’s action to revise the PSEL is essential for SIP approval. Actual emissions must be compared to the netting basis to determine that the difference between the two is more than the SER and that a major modification has occurred. Since there is no definition of “actual emissions” that covers the concept of what is coming out of the stack right now the proposed language has been included. This proposed rule change can go both ways, for enforcement if needed and to not take enforcement if actual emissions are lower than the PSEL.	SIP
200	0020(3)(d)	214	0210	Move to division 214 for Emission Statements	Restructure	SIP
200	0020(3)(e)	220	0120	Move to division 220 for Title V Operating Permit Fees	Restructure	NA
NA	NA	221	0051	Add the Note: “NOTE: This rule was moved verbatim from OAR 340-200-0020(3) and amended.”	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
NA	NA	222	0051	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This definition was in OAR 340-200-0020, which was last approved in the SIP on 06/20/13.	SIP
222	0045	222	0055	Renumber to 222-0055	Reorganize	SIP
222	0045(3)(a)	222	0055(3)(a)	Delete “Table 2,” change “this date” to “that date”	The significant emission rates were moved into the text of OAR 340-200-0020. Correction	
222	0045(4)(c)	222	0055(4)	Change to: “(4) Using unassigned emissions. (a) An existing source may use unassigned emissions for internal netting to allow an emission increase in accordance with the permit. (b) A source may not bank unassigned emissions or transfer them to another source. (c) A source may not use emissions that are removed from the netting basis, including emission reductions required by rule, order or permit condition under OAR 340-222-0046(3)(a)(C), for netting in any future permit actions.”	Clarification	
222	0045(5)	222	0055(5)	Delete “in OAR 340-200-0020 Table 2”	The significant emission rates were moved into the text of OAR 340-200-0020	
222	0045	222	0055	Delete the ED.NOTE for the table	The significant emission rates were moved into the text of OAR 340-200-0020	
222	0060(1)	NA	NA	Change to: (1) DEQ may establish PSELs for hazardous air pollutants (HAPs) if an owner or operator requests that DEQ: (a) Establish a PSEL for combined HAPs emitted for purposes of determining emission fees as prescribed in OAR 340 division 220; or (b) Create an enforceable PTE limit.”	Clarification	SIP
222	0070(1)	222	0035(5)	Move PSELs for categorically insignificant activities to the General Requirements for All PSELs	Reorganize to clarify	SIP
222	0070(2)	222	0035(6)	Move PSELs for aggregate insignificant emissions to the General Requirements for All PSELs	Reorganize to clarify	SIP
222	0070(3)	224	0025(2)(b)(A)	Move PSELs for insignificant activities to the major modification section of division 224	Reorganize to clarify	SIP
222	0080(4) & (5)	222	0080(4)	Change to: “(4) The applicant must specify in the permit application the method that will be used to determine compliance with the PSEL. DEQ will review the method and approve	Clarification and restructure	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				or modify, as necessary, to assure compliance with the PSEL. DEQ will include PSEL compliance monitoring methods in all permits that contain PSELs. Depending on source operations, one or more of the following methods may be acceptable: (a) Continuous emissions monitors; (b) Material balance calculations; (c) Emissions calculations using approved emission factors and process information; (d) Alternative production or process limits; and (e) Other methods approved by DEQ.”		
NA	NA	222	0080(6)	Add: “(6) Regardless of the PSEL compliance requirements specified in a permit, actual emissions may be calculated in accordance with OAR 340-222-0051(4).”	Clarification. See note above regarding EPA’s concerns about their inability to enforce the NSR program.	SIP
222	0090	NA	NA	Change title to: “Combining and Splitting Sources and Changing Primary SIC Code”	Clarification	SIP
222	0090(1)(a)	NA	NA	Change to: “(1) Two or more sources may combine into one source if the criteria in subsection (a) are met. When two or more sources combine into one source under this rule, the combined source is subject to the criteria in subsection (b). (a) Two or more sources may combine into one source only if all of the following criteria are met: (A) All individual sources that are being combined must be located within or impact the same airshed; and (B) The combined source must have the same primary SIC code as at least one of the primary SIC codes of the individual sources.”	Clarification. When sources that possess netting basis combine, they are able to create a source with higher emissions while avoiding NSR by combining the netting basis of the combining sources. However, under the existing rule, sources whose activities are unrelated could combine for the sole purpose of avoiding NSR. DEQ proposes to prevent this by requiring that the combining sources have activities (2-digit SIC codes) in common, and that the source that results from the combination has the same primary 2-digit SIC as one of the sources that are combining. DEQ bases these changes on the definition of “source” in division 200, which largely hinges on the 2-digit SIC codes of the primary and supporting (secondary) activities. A source with an SIC code that is unrelated to the original source’s SIC code should be considered a new source and should potentially trigger NSR.	
222	0090(1)(b)	NA	NA	Change to: “(b) The combined source is regulated as one source, subject to the following: (A) The combined source netting basis is the sum of the individual sources’ netting basis, provided that the netting	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				basis of any individual source may only be included in the combined source's netting basis if that individual source has a primary or secondary SIC code that is the same as the primary or a secondary SIC code of the combined source. (B) The simple act of combining sources, without an increase over the combined PSEL, does not subject the combined source to NSR. (C) If the combined source PSEL, without a requested increase over the existing combined PSEL, exceeds the combined netting basis plus the SER, the source may continue operating at the existing combined source PSEL without becoming subject to NSR until such time that the source requests an increase in the PSEL or the source is modified. If a source requests an increase in the PSEL or the source is modified, DEQ will evaluate whether NSR will be required."		
222	0090(2)	NA	NA	Change to: "(2) When one source is split into two or more separate sources, or when a source changes its primary activity (primary 2-digit SIC code): (a) The netting basis and SER may be transferred to one or more resulting source or sources only if: (A) The primary 2-digit SIC code of the resulting source is the same as one of the primary or secondary 2-digit SIC codes that applied at the original source; or (B) The resulting source and the original source have different primary 2-digit SIC codes but DEQ determines the activities described by the two different primary 2-digit SIC codes are essentially the same. (b) The netting basis and the SER for the original source are split amongst the resulting sources as requested by the original permittee. (c) The amount of the netting basis that is transferred to the resulting source or sources may not exceed the potential to emit of the existing devices or emissions units involved in the split. (d) The split of netting basis and SER must either: (A) Be sufficient to avoid NSR for each of the newly created sources; or (B) The newly created source that becomes subject to NSR must comply with the requirements of OAR 340 division 224 before beginning operation under the new	Clarification. The existing rule does not place any restrictions on the transfer of netting basis to the new sources when a source splits into two or more new sources. The existing rule also does not address the potential case of a source changing its primary activity (primary 2-digit SIC code). As with the changes proposed to 222-0090(1)(a) above, DEQ proposes to prevent transferring netting basis to sources that have no relation to the original source. This proposed change allows netting basis to be transferred to the new sources formed by a source split only if they have 2-digit SIC codes in common, or if changes in ownership or operation result in changing the primary 2-digit SIC code without any change in the actual operations performed by the source (i.e., a gasoline terminal owned by a petroleum company vs. a warehouse that stores fuel for anyone). A source with an SIC code that is unrelated to the original source's SIC code should be considered a new source and should potentially trigger NSR.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				arrangement.”		
222	0090(3)	NA	NA	Change to: “(3) The owner or operator of the device or emissions unit must maintain records of physical changes and changes in the method operation occurring since the baseline period or most recent Major NSR or Type A State NSR action under OAR 340 division 224. These records must be included in any future evaluation under OAR 340-224-0025 (major modification).”	Clarification. If a source has triggered Major New Source Review, then a netting basis since that action must be split instead of the netting basis since the baseline period. These records are needed to determine if NSR will be triggered in the future.	SIP
224				New Source Review		
224	NA	NA	NA	Change title of division to New Source Review	DEQ has added rules for State New Source Review in this section so this division now covers both Major and minor (or State) New Source Review Major NSR plus Type A State NSR is equivalent to the NSR program in OAR 340 division 224 as it existed from 7-1-01 to [INSERT SOS FILING DATE OF RULES]. To avoid backsliding, Type A State NSR must continue to meet the requirements that would have applied under the previous NSR requirements. Type B State NSR is equivalent to the “PSEL rule” (OAR 340-222-0041) as it existed during the same time period.	SIP
NA	NA	224	All	Delete “or precursor(s)”	The definition of regulated pollutant includes precursors	SIP
224	0010	NA	NA	Change title to “Applicability, General Prohibitions, General Requirements and Jurisdiction”	Clarification	SIP
NA	NA	224	0010(1)	Add: “(1) Except as provided in subsection (c), the owner or operator of a source undertaking one of the following actions must comply with the applicable Major New Source Review requirements of OAR 340-224-0010 through 340-224-0070 and OAR 340-224-0500 through 340-224-0540 for such actions prior to construction or operation: (a) In an attainment, unclassified or sustainment area: (A) Construction of a new federal major source; (B) Major modification at an existing federal major source; or (C) Major modification at an existing source that will become a federal major source because emissions of a regulated pollutant are increased to the federal major	Add rules that specify which sources have to comply with Major New Source Review. The Utility Air Regulatory Group and numerous other parties, including several states, challenged EPA’s rule and on June 23, 2014, the U.S. Supreme Court determined that the Clean Air Act neither compels nor permits EPA to adopt rules requiring a facility to obtain a Title V or Prevention of Significant Deterioration permit on the sole basis of its potential greenhouse gas emissions. The Court didn’t completely invalidate EPA’s authority to require permitting for greenhouse	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				source level or more. (b) In a nonattainment, reattainment or maintenance area: (A) Construction of a new source that will emit 100 tons per year or more of the nonattainment, reattainment or maintenance pollutant; (B) A major modification for the nonattainment, reattainment or maintenance pollutant, at an existing source that emits 100 tons per year or more of the nonattainment, reattainment or maintenance pollutant; or (C) A major modification for the nonattainment, reattainment or maintenance pollutant, at an existing source that will increase emissions of the nonattainment, reattainment or maintenance pollutant to 100 tons per year or more. (c) The owner or operator of a source is subject to Prevention of Significant Deterioration for GHGs under OAR 340-224-0070 if the owner or operator is first subject to OAR 340-224-0070 for a pollutant other than GHGs, and the source meets the criteria in paragraph (A) or (B); (A) The source is a new source which will emit GHGs at a rate equal to or greater than the SER; or (B) The source is an existing source which is undertaking a major modification for GHGs.”	gases; it determined that EPA reasonably interpreted the Clean Air Act to require facilities to comply with Prevention of Significant Deterioration permitting requirements for greenhouse gases if they were required to apply for a Prevention of Significant Deterioration permit based on emissions of other regulated pollutants. DEQ is revising the GHG permitting rules to follow the Supreme Court Decision.	
NA	NA	224	0010(2)	Add: “(2) Except as provided in subsection (c), the owner or operator of a source that is undertaking an action that is not subject to Major NSR under section (1) and is one of the actions identified in subsections (a) or (b) must comply with the applicable State New Source Review requirements of OAR 340-224-0010 through 340-224-0038, OAR 340-224-0245 through 340-224-0270 and OAR 340-224-0500 through 340-224-0540 for such action prior to construction or operation. (a) In a nonattainment, reattainment or maintenance area: (A) Construction of a new source that will have emissions of the nonattainment, reattainment or maintenance pollutant equal to or greater than the SER; or (B) Major modification for the nonattainment, reattainment or maintenance pollutant, at an existing source that will have emissions of the nonattainment, reattainment or maintenance pollutant equal to or greater	Add rules that specify which sources have to comply with State New Source Review	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				than the SER over the netting basis. (b) In any designated area, for actions other than those identified in subsection (a): (A) Construction of a new source that will have emissions of a regulated pollutant equal to or greater than the SER; or (B) Increasing emissions of a regulated pollutant to an amount that is equal to or greater than the SER over the netting basis. (c) GHGs are not subject to State NSR. (d) Type A and Type B State NSR: State NSR actions are categorized as follows: (A) Actions under subsection (a), and actions for which the source must comply with OAR 340-224-0245(2), are categorized as Type A State NSR actions; and (B) Actions under subsection (b) are categorized as Type B State NSR unless the source must comply with OAR 340-224-0245(2).”		
224	0010(1) & (2)	224	0010(3)	Change to: “(3) The owner or operator of a source subject to section (1) or (2) must apply this division based on the type of designated area where the source is located for each regulated pollutant, taking the following into consideration: (a) The source may be subject to this division for multiple pollutants; (b) Some pollutants, including but not limited to NOx, may be subject to multiple requirements in this division both as pollutants and as precursors to other pollutants; (c) Every location in the state carries an area designation for each criteria pollutant and the entire state is treated as an unclassified area for regulated pollutants that are not criteria pollutants; and (d) Designated areas may overlap. ”	Clarification	SIP
NA	NA	224	0010(4)	Add: “(4) Where this division requires the owner or operator of a source to conduct analysis under or comply with a rule in OAR 340 division 225, the owner or operator must complete such work in compliance with OAR 340-225-0030 and 340-225-0040.”	Clarification	SIP
224	0010(3)	224	0010(5)	Change to: “(5) Owners and operators of all sources may be subject to other DEQ rules, including, but not limited to, Notice	All sources are subject to the listed applicable requirements, not just sources that are not subject to either Major or State New Source Review	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				of Construction and Approval of Plans (OAR 340-210-0205 through 340-210-0250), ACDPs (OAR 340 division 216), Title V permits (OAR 340 division 218), Highest and Best Practicable Treatment and Control (OAR 340-226-0100 through 340-226-0140), Emission Standards for Hazardous Air Contaminants (OAR 340 division 244), and Standards of Performance for New Stationary Sources (OAR 340 division 238), as applicable.”		
224	0010(4)	224	0010(6)	Change to: “(6) An owner or operator of a source that meets the applicability criteria of sections (1) or (2) may not begin construction, continue construction or operate the source without complying with the requirements of this division and an air contaminant discharge permit (ACDP) issued by DEQ authorizing such construction and operation.”	Clarification. These changes are intended to clarify and be consistent with the holding in <i>Sierra Club v. PGE</i> , 663 F. Supp.2d 983, 992 (D. Or. 2009) that “the PSD program applies to both the construction and the operation of a major source.”	SIP
224	0010(5)	NA	NA	Delete: “(5) Beginning May 1, 2011, the pollutant GHGs is subject to regulation if: (a) The source is a new federal major source for a regulated pollutant that is not GHGs, and also emits, will emit or will have the potential to emit 75,000 tons per year CO ₂ e or more; or (b) The source is or becomes a federal major source subject to OAR 340-224-0070 as a result of a major modification for a regulated pollutant that is not GHGs, and will have an emissions increase of 75,000 tons per year CO ₂ e or more over the netting basis.”	See above	SIP
224	0010(6)	NA	NA	Delete: “(6) Beginning July 1, 2011, in addition to the provisions in section (5) of this rule, the pollutant GHGs shall also be subject to regulation at: (a) A new federal major source; or (b) A source that is or becomes a federal major source when such source undertakes a major modification.”	See above	SIP
224	0010(7)	NA	NA	Change to: “(7) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. LRAPA will also be implementing the State New Source Review program	SIP
224				Major New Source Review		
200	0020(71)	224	0025(1)	Add definition of major modification from division 200 and change lead-in to: “(1) Except as provided in sections (3) and (4), "major	The definition of major modification only applies to this division and explains how to determine if a major modification takes place. This procedural	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				modification" means a change at a source described in section (2) for any regulated pollutant subject to NSR since the later of: (a) The baseline period for all regulated pollutants except PM2.5; (b) May 1, 2011 for PM2.5; or (c) The most recent Major or Type A State NSR action for that regulated pollutant."	requirement does not belong in the definitions of division 200. This also provides clarification of when a major modification is triggered. There is no baseline period for PM2.5 so the changes must be tracked since the netting basis was last established.	
200	0020(71)(a) & (b)(A), (B) & (d)	224	0025(2)	Change to: “(2)(a) Any physical change or change in the method of operation of a source that results in emissions described in paragraphs (A) and (B): (A) A PSEL or actual emissions that exceed the netting basis by an amount that is equal to or greater than the SER; and (B) The accumulation of emission increases due to all physical changes and changes in the method of operation that is equal to or greater than the SER. For purposes of this paragraph, emission increases shall be calculated as follows: For each unit with a physical change or change in the method of operation occurring at the source since the later of the dates in subsections (1)(a) through (1)(c) as applicable for each pollutant, subtract the unit’s portion of the netting basis from its post-change potential to emit taking into consideration any federally enforceable limits on potential to emit. Emissions from categorically insignificant activities, aggregate insignificant emissions, and fugitive emissions must be included in the calculations. (b) For purposes of this section: (A) “The unit’s portion of the netting basis” means the portion of the netting basis assigned to or associated with the unit in question, taking into consideration the following, as applicable: (i) The unit’s portion of the netting basis when the netting basis is established under OAR 340-222-0046(2); and (ii) Any adjustments under OAR 340-222-0046(3) that affect the unit’s portion of the netting basis. (B) Emission increases due solely to increased use of equipment or facilities that existed or were permitted or approved to construct in accordance with OAR 340 division 210 during the applicable baseline period are not included, except if the increased use is to support a	Restructure and clarify how to calculate emissions increases to determine whether a major modification has taken place. Reword the requirement that emissions from categorically insignificant activities, aggregate insignificant emissions and fugitive emissions must be included in the calculations. The reset of the netting basis has been moved to division 222.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				physical change or change in the method of operation. (C) If a portion of the netting basis or PSEL or both was set based on PTE because the source had not begun normal operations but was permitted or approved to construct and operate, that portion of the netting basis or PSEL or both must be excluded until the netting basis is reset as specified in OAR 340-222-0046(3)(d) and 340-222-0051(3).”		
200	0020(71)(c)	224	0025(3)	Change to: “(3) “Major modification” means any change including production increases, at a source that obtained a permit to construct and operate after the applicable baseline period but has not undergone Major NSR or Type A State NSR, that meets the criteria in subsections (a) or (b): (a) The change would result in a PSEL increase of the de minimis level or more for any regulated pollutant at a federal major source in attainment, unclassified or sustainment areas; or (b) The change would result in a PSEL increase of the de minimis level or more for the sustainment, nonattainment, reattainment or maintenance pollutant if the source emits such pollutant at the SER or more in a sustainment, nonattainment, reattainment, or maintenance area. (c) This section does not apply to PM2.5 and greenhouse gases. (d) Changes to the PSEL solely due to the availability of more accurate and reliable emissions information are exempt from being considered an increase under this section.”	Restructure and clarify. The requirement applies in all areas of the state so add sustainment and reattainment areas.	
200	0020(71)	224	0025(4)	Move “Major modifications for ozone precursors or PM2.5 precursors also constitute major modifications for ozone and PM2.5, respectively.” to section (4)	Restructure	SIP
200	0020(71)(e)	224	0025(5)	Change to: “(5) Except as provided in sections (1), (3), and (4), the following are not major modifications: (a), Increases in hours of operation or production rates that would cause emission increases above the levels allowed in a permit but would not involve a physical change or change in method of operation of the source. (b) Routine maintenance, repair, and replacement of components. (c) Temporary equipment installed for maintenance of the	Clarify	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				permanent equipment if the temporary equipment is in place for less than six months and operated within the permanent equipment's existing PSEL. (d) Use of alternate fuel or raw materials, that were available during, and that the source would have been capable of accommodating in the baseline period.”		
NA	NA	224	0025(6)	Add: “(6) When more accurate or reliable emissions information becomes available, a recalculation of the PSEL, netting basis, and increases/decreases in emissions must be performed to determine whether a major modification has occurred.”	Clarification. When better emissions information becomes available, DEQ will use that information to determine whether a major modification has occurred.	SIP
NA	NA	224	0025	Add the Note: “NOTE: This rule was moved verbatim from OAR 340-200-0020(71) and amended.”	Clarification	SIP
NA	NA	224	0025	Add the Note and statutory authority : “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the EQC under OAR 340-200-0040. Stat. Auth.: ORS 468.020, 468A.025, 468A.035, 468A.055 & 468A.070 Stats. Implemented: ORS 468A.025 & 468A.035”	This definition was in OAR 340-200-0020, which was last approved in the SIP on 06/20/13.	SIP
224	0030	NA	NA	Change title to “New Source Review Procedural Requirements”	Clarification. These procedural requirements are for both Major New Source Review and State New Source Review.	SIP
224	0030(1)	NA	NA	Change to: “(1) Information Required. The owner or operator of a source subject to Major NSR or State NSR under OAR 340-224-0010 must submit an application and all information DEQ needs to perform any analysis or make any determination required under this division and OAR 340 division 225. The information must be in writing on forms supplied or approved by DEQ and include the information required to apply for a permit or permit modification under: (a) OAR 340 division 216 for Major NSR or Type A State NSR action; or (b) OAR 340 division 216 or 218, whichever is applicable, for Type B State NSR actions.”	Clarification. Require an application for a permit or permit modification. DEQ may accept application information on forms other than those supplied by DEQ, especially spreadsheets for calculating emissions. Clarify that Major NSR and Type A State NSR actions require information for processing under division 216. If a Type B State NSR action is requested for a PSEL increase using existing capacity, it can be processed under division 216 or 218, depending on the type of permit.	SIP
224	0020(3)	224	0030(2)	Change to: “(2) Application Processing: (a) For Type B State NSR, DEQ will review applications and issue permits using the procedures in OAR 340	Clarification and simplification. Clarify when an application is considered complete. Clarify that Major NSR and Type A State NSR	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				division 216 or 218, whichever is applicable. (b) For Major NSR and Type A State NSR: (A) Notwithstanding the requirements of OAR 340-216-0040(11), within 30 days after receiving an ACDP permit application to construct, or any additional information or amendment to such application, DEQ will advise the applicant whether the application is complete or if there is any deficiency in the application or in the information submitted. For purposes of this section, an application is complete as of the date on which DEQ received all required information; (B) Upon determining that an application is complete, DEQ will undertake the public participation procedures in OAR 340 division 209 for a Category IV permit action; and (C) DEQ will make a final determination on the application within twelve months after receiving a complete application.”	actions require information for processing under division 216. If a Type B State NSR action is requested for a PSEL increase using existing capacity, it can be processed under division 216 or 218, depending on the type of permit. The Category IV public participation procedures will be used for Major NSR and Type A State NSR permit applications and are explained in division 209. Change the time when DEQ will make a final determination on the application from six months to twelve months. Past practice for DEQ to make a final determination on an application has been at least 12 months, if not longer. The rule changes reflect the reality of Major NSR application processing.	
NA	NA	224	0030(3)	Add: “(3) An owner or operator that obtained approval of a project under this division must obtain approval for revision to the project according to the permit application requirements in this division and OAR 340 division 216 or 218, whichever is applicable, prior to initiating the revision. If construction has commenced, the owner or operator must temporarily halt construction until a revised permit is issued. The following are considered revisions to the project that would require approval: (a) A change that would increase permitted emissions; (b) A change that would require a re-evaluation of the approved control technology; or (c) A change that would increase the air quality impacts.”	Clarification. If the owner or operator needs to modify the approved project, construction must be temporarily halted to ensure air quality is protected by doing any additional analysis that may be required.	SIP
224	0030(2)	224	0030(4)	Delete “Other Obligations” and change to: “(4) For major NSR and Type A State NSR permit actions, an ACDP that approves construction must require construction to commence within 18 months of issuance. Construction approval terminates and is invalid if construction is not commenced within 18 months after DEQ issues such approval, or by the deadline approved by DEQ in an extension under section (5). Construction approval also terminates and is invalid if construction is discontinued for a period of 18 months or more or if construction is not completed within 18 months of the	Restructure	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				scheduled time. An ACDP may approve a phased construction project with separate construction approval dates for each subsequent phase and, for purposes of applying this section, the construction approval date for the second and subsequent phases will be treated as the construction approval issuance date.”		
224	0030(2)(a)	NA	NA	Add: “(5) DEQ may grant, for good cause, two 18-month construction approval extensions for Major NSR or Type A State NSR actions as follows:”	Clarify that extensions to NSR/PSD construction permits are allowed as long as there haven’t been any changes to the project that would negatively affect air quality, such as increase emissions, different stack characteristics, etc.	SIP
NA	NA	224	0030(5)(a)	Add: “(5) For major NSR and Type A State NSR permit actions, DEQ may grant for good cause two 18-month construction approval extensions as follows: (a) Except as provided in subsection (i), for the first extension, the owner or operator must submit an application to modify the permit that includes the following: (A) A detailed explanation of why the source could not commence construction within the initial 18-month period; and (B) Payment of the simple technical permit modification fee in OAR 340-216-8020 Part 3.”	Clarify what is required for the first extensions to NSR/PSD construction permits. DEQ will grant the first extension provided there have not been any changes to the project which would negatively affect air quality.	SIP
NA	NA	224	0030(5)(b)	Add: “(b) Except as provided in subsection (i), for the second extension, the owner or operator must submit an application to modify the permit that includes the following for the original regulated pollutants subject to Major NSR or Type A State NSR: (A) A detailed explanation of why the source could not commence construction within the second 18-month period; (B) A review of the original LAER or BACT analysis for potentially lower limits and a review of any new control technologies that may have become commercially available since the original LAER or BACT analysis; (C) A review of the air quality analysis to address any of the following: (i) All ambient air quality standards and PSD increments that were subject to review under the original application; (ii) Any new competing sources or changes in ambient air quality since the original application was submitted;	Clarify what is required for the second extensions to NSR/PSD construction permits.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(iii) Any new ambient air quality standards or PSD increments for the regulated pollutants that were subject to review under the original application; and (iv) Any changes to EPA approved models that would affect modeling results since the original application was submitted, and (D) Payment of the moderate technical permit modification fee plus the modeling review fee in OAR 340-216-8020 Part 3.”		
NA	NA	224	0030(5)(c)	Add: “(c) Except as provided in subsection (i), the permit will be terminated 54 months after it was initially issued if construction does not commence during that 54 month period. If the owner or operator wants approval to construct beyond the termination of the permit, the owner or operator must submit an application for a new Major NSR or Type A State NSR permit.”	Clarification. DEQ will not grant third extensions. The owner or operator must apply for a new NSR permit.	SIP
NA	NA	224	0030(5)(d)	Add: “(d) If construction is commenced prior to the date that construction approval terminates, the permit can be renewed or the owner or operator may apply for a Title V permit as required in OAR 340-218-0190.”	Clarification	SIP
NA	NA	224	0030(5)(e)	Add: “(e) To request a construction approval extension under subsection (a) or (b), the owner or operator must submit an application to modify the permit at least 30 days but not more than 90 days prior, to the end of the current construction approval period.”	Clarification. Add requirements for submittal of an application for construction extension	SIP
NA	NA	224	0030(5)(f)	Add: “(f) Construction may not commence during the period from the end of the preceding construction approval to the time DEQ approves the next extension.”	Clarification. Construction cannot commence until DEQ approves the extension request.	SIP
NA	NA	224	0030(5)(g)	Add: “(g) DEQ will make a proposed permit modification available using the following public participation procedures in OAR 340 division 209: (i) Category II for an extension that does not require an air quality analysis; or (ii) Category III for an extension that requires an air quality analysis.”	The public participation procedures for Category II provide a 30 period to submit written comments. If an air quality analysis is required for the second extension, the public participation procedures for Category III provides a 35 day period to submit written comments and a provision for a hearing, if one is scheduled.	SIP
NA	NA	224	0030(5)(h)	Add: “(h) DEQ will grant a permit modification extending the construction approval for 18 months from the end of the	Clarification. Extensions will be granted for consecutive 18-month periods.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				first or second 18-month construction approval period, whichever is applicable, if: (A) Based on the information required to be submitted under subsection (a) or (b), DEQ determines that the proposed source will continue to meet NSR requirements; and (B) For a second extension, the area impacted by the source has not been redesignated subsequent to the permit issuance date from attainment to sustainment or nonattainment, or from sustainment to nonattainment.”		
NA	NA	224	0030(5)(i)	Add: “(i) If the area where the source is located is redesignated to sustainment or nonattainment before any extension is approved, the owner or operator must demonstrate compliance with the redesignated area requirements if the source is subject to Major or Type A State NSR for the redesignated pollutant, and must obtain the appropriate permit or permit revision before construction may commence. The new permit or permit revision under this subsection will be considered to start a new initial 18-month construction approval period.”	Clarification. If an area has become a sustainment or nonattainment area before an extension is approved, the source must demonstrate compliance with the applicable NSR requirements if it triggers for the redesignated pollutant.	SIP
224	0030(2)(c) & (d)	224	0030(7)	Change to: “(7) Sources that are subject to OAR 340 division 218, Oregon Title V Permits, are subject to the following: (a) Except as prohibited in subsection (b), approval to construct a source under an ACDP issued under OAR 340 division 216 authorizes construction and operation of the source, until the later of: (A) One year from the date of initial startup of operation of the source subject to Major NSR or Type A State NSR under OAR 340-224-0010; or (B) If a timely and complete application for an Oregon Title V Operating Permit is submitted, the date of final action by DEQ on the Oregon Title V Operating Permit application. (b) Where an existing Oregon Title V Operating Permit prohibits construction or a change in operation, the owner or operator must obtain a Title V permit revision before commencing the construction, continuing the construction or making the change in operation.”	Correction and restructure. Construction approval under an ACDP is in division 216	SIP
224	0030(3)	NA	NA	Delete (3) Application Processing	This section was moved to section (2)	SIP
224	0080	224	0034	Move “Exemptions” and change to: “Temporary emission sources that would be in operation	Restructure and clarify	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				at a site for less than two years, such as pilot plants and portable facilities, and emissions resulting from the construction phase of a source subject to Major NSR or a Type A State NSR action under OAR 340-224-0010 must comply with only the control technology requirements in the applicable section, but are exempt from the remaining requirements of the applicable sections provided that the source subject to Major NSR or a Type A State NSR action under OAR 340-224-0010 would not impact a Class I area or an area with a known violation of a ambient air quality standard or a PSD increment.”		
NA	NA	224	0034	Add: “NOTE: This rule was moved verbatim from OAR 340-224-0080 and amended.”	Clarification	
224	0100	224	0038	Move “Fugitive and Secondary Emissions”	Restructure	SIP
224	0100	224	0038	Change to: “For sources subject to Major NSR or Type A State NSR, fugitive emissions are included in the calculation of emission rates of all air contaminants. Fugitive emissions are subject to the same control requirements and analyses required for emissions from identifiable stacks or vents. Secondary emissions are not included in calculations of potential emissions that are made to determine if a source or modification is subject to Major or Type A State NSR. Once a source is subject to Major or Type A State NSR, secondary emissions also become subject to the air quality impact analysis requirements in this division and OAR 340 division 225.”	Clarification. Secondary emissions are not included in the emission calculations of potential emissions to determine if a proposed source is subject to NSR. Once the source is identified as a major source or a modification is major, secondary emissions become subject to the air quality analysis requirements of division 225.	SIP
NA	NA	224	0038	Add the Note: “NOTE: This rule was moved verbatim from OAR 340-200-0100 and amended.”	Clarification	SIP
224	0040	NA	NA	Change title to: “Review of Sources Subject to Major NSR or Type A State NSR for Compliance With Regulations”	DEQ has changed the definition of major source so the distinction between major and federal major must be made.	SIP
224	0040	NA	NA	Change to: “The owner or operator of a source subject to Major NSR under OAR 340-224-0010 must demonstrate the ability of the source to comply with all applicable air quality requirements of DEQ.”	Clarification	SIP
NA	NA	NA	NA	Add the title “Major New Source Review”	DEQ has added rules for State New Source Review in this section so this division now covers both major and minor new source review	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
NA	NA	224	0045	Add a section for Requirements for Sources in Sustainment Areas: “Within a designated sustainment area, a source subject to Major NSR must meet the requirements listed below for each sustainment pollutant: (1) OAR 340-224-0070; and (2) Net Air Quality Benefit: Satisfy OAR 340-224-0510 and 340-224-0520 for ozone sustainment areas or OAR 340-224-0510 and 340-224-0530(2) and (4) for non-ozone sustainment areas, whichever is applicable, unless the source can demonstrate that the impacts are less than the significant impact levels at all receptors within the sustainment area.”	This provision will help the area from becoming a nonattainment area and will also allow sources to construct in areas that are not yet designated as nonattainment areas. BACT will minimize emissions and the net air quality benefit requirements will ensure that AQ will not be harmed.	SIP
224	0050	NA	NA	Change to: “Within a designated nonattainment area, and when referred to this rule by other rules in this division, a source subject to Major NSR under OAR 340-224-0010 must meet the requirements listed below for each nonattainment pollutant.”	DEQ has changed the definition of major source so the distinction between major and federal major must be made. Consistency	SIP
224	0050(1)	NA	NA	Add “of the source” and delete “significant emission rate” and parentheses around SER	Clarification	SIP
224	0050(1)(a)(B)	NA	NA	Change to: “(B) Each emissions unit that emits the nonattainment pollutant and is included in the most recent netting basis and contributed to the emissions increase calculated in OAR 340-224-0025(2)(a)(B) for the nonattainment pollutant or precursor.”	Correction and clarification. Tie back to the units/changes in the definition of major modification.	SIP
224	0050(1)(c)	NA	NA	Add “Major”	DEQ has changed the definition of major source so the distinction between major and federal major must be made.	SIP
224	0050(1)(c)(A)	NA	NA	Change to: “(A) The physical change or change in the method of operation at a unit that contributed to the emissions increase calculated in OAR 340-224-0025(2)(a)(B) was made in compliance with Major NSR requirements in effect when the change was made, and”	Correction and clarification. Tie back to the units/changes in the definition of major modification. Also, clarify what “change” means.	SIP
224	0050(1)(d)	NA	NA	Change to: “(d) Physical changes or changes in the method of operation to individual emissions units that contributed to the emissions increase calculated in OAR 340-224-0025(2)(a)(B) but only increased the potential to emit less than 10 percent of the SER are exempt from this section	Correction and clarification. Tie back to the units/changes in the definition of major modification. Also, this uses “modification” rather than change, so make consistent with (A) and clarify what is meant.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				unless:”		
224	0050(1)(d)(B)	NA	NA	Change to: “(B) They are part of a discrete, identifiable, larger project that was constructed within the previous 5 years and that resulted in emission increases equal to or greater than 10 percent of the SER; or”	Clarification	SIP
NA	NA	224	0050(2)	Add : “(2) Air Quality Protection: (a) Air Quality Analysis: The owner or operator of a federal major source must comply with OAR 340-225-0050(4) and 340-225-0070. (b) Net Air Quality Benefit: The owner or operator of the source must demonstrate net air quality benefit using offsets under OAR 340-224-0510 and 340-224-0520 for ozone nonattainment areas or under OAR 340-224-0510 and 340-224-0530(2) and (4) for non-ozone nonattainment areas, whichever is applicable.”	DEQ is redefining Net Air Quality Benefit for all sources in all areas. See “New Source Review Program Supplemental Discussion.” Under the old rules, only a federal major source had to comply with 340-224-0050(3) and 340-225-0070. With the new definition of federal major, sources that didn’t have to do 225-0070 under the old rules will have to do it under the new rules so clarify when an AQRV analysis is required.	SIP
NA	NA	224	0050(3)	Add: “(3) Sources Impacting Other Designated Areas: The owner or operator of any source that will have a significant impact on air quality in a designated area other than the one the source is locating in must also meet the following requirements, as applicable: (a) The owner or operator of any source that emits an ozone precursor (VOC or NOx) at or above the SER over the netting basis is considered to have a significant impact if located within 100 kilometers of a designated ozone area, and must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and 340-224-0520 for ozone designated areas. (b) The owner or operator of any source that emits any criteria pollutant, other than NOx as an ozone precursor, at or above the SER over the netting basis and has an impact equal to or greater than the Class II SIL on another designated area must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and OAR 340-224-0540 for designated areas other than ozone designated areas.”	Add a provision for requirements if a source impacts other designated area. See “New Source Review Program Supplemental Discussion.”	SIP
224	0050(3)(a)	224	0050(4)	Change to: “(4) The owner or operator of the source must: (a) Evaluate alternative sites, sizes, production processes, and environmental control techniques for the proposed source or major modification and demonstrate that	Restructure and simplification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				benefits of the proposed source or major modification will significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification. (b) Demonstrate that all federal major sources owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in the state are in compliance, or are on a schedule for compliance, with all applicable emission limitations and standards under the FCAA.”		
224	0050(3)(c)	NA	NA	Delete this rule requiring visibility impact analysis	Already included in OAR 340-224-0050(2)(a)	SIP
NA	NA	224	0055	Add a section for Requirements for Sources in Reattainment Areas: “Within a designated reattainment area, a source subject to Major NSR under OAR 340-224-0010 must meet the requirements listed below for each reattainment pollutant: (1) OAR 340-224-0050 treating the reattainment pollutant as a nonattainment pollutant for that rule; and (2) The owner or operator must demonstrate that it will not cause or contribute to a new violation of an ambient air quality standard or PSD increment in OAR 340 division 202 by conducting the analysis under OAR 340-225-0050.”	It takes time to develop maintenance plans for nonattainment areas before EPA can redesignate the area to maintenance. After DEQ has three years of data showing that the area is meeting the NAAQS but before the maintenance plan can be developed, DEQ wants to designate these areas as reattainment areas. This will give source more flexibility in permitting requirements as long as air quality is protected before the area is redesignated as maintenance.	SIP
224	0060	NA	NA	Change to: “Within a designated maintenance area, a source subject to Major NSR under OAR 340-224-0010 must meet the requirements listed below for each maintenance pollutant:”	Clarification and consistency	SIP
224	0060(1)	NA	NA	Delete BACT requirements and reference OAR 340-224-0070	Already included in 340-224-0070 so just cross reference	SIP
224	0060(2)	224	0060(1) & (2)	Replace existing requirements with: “(1) OAR 340-224-0070; and (2) Net Air Quality Benefit: Except for sources described in section (7), the owner or operator of the source must satisfy one of the requirements listed below: (a) OAR 340-224-0510 and 340-224-0520 for ozone maintenance areas or OAR 340-224-0510 and 340-224-0530(3) and (4) for non-ozone maintenance areas, whichever is applicable; (b) Demonstrate that the source or modification will not cause or contribute to an air quality impact in excess of the impact levels in OAR 340-202-0225 by performing	DEQ is redefining Net Air Quality Benefit for all sources in all areas. See “New Source Review Program Supplemental Discussion.”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the analysis specified in OAR 340-225-0045; or,”		
224	0060(2)(b)	224	0060(2)(c)	Change to: “(c) Obtain an allocation from a growth allowance. The requirements of this section may be met in whole or in part in an ozone or carbon monoxide maintenance area with an allocation by DEQ from a growth allowance, if available, under the applicable maintenance plan in the SIP adopted by the EQC and approved by EPA. Procedures for allocating the growth allowances for the Oregon portion of the Portland-Vancouver Interstate Maintenance Area for Ozone and the Portland Maintenance Area for Carbon Monoxide are contained in OAR 340-242-0430 and 340-242-0440.”	Clarification. The Net Air Quality Benefit requirements have been moved from OAR 340-225-0090 to OAR 340-224-0520 for ozone areas and OAR 340-224-0530 for non-ozone areas.	SIP
224	0060(2)(c) & (d)	202	0225	Move Ambient Air Quality Thresholds for CO and PM10 Maintenance Areas to division 202	Division 202 will contain all ambient standards and thresholds intended to protect ambient air quality	SIP
224	0060(3)	NA	NA	Delete: “(3) The owner or operator of a source subject to this rule must provide an air quality analysis in accordance with OAR 340-225-0050(1) and (2), and 340-225-0060.”	Already included in cross referenced OAR 340-224-0070	SIP
224	0060(4)	NA	NA	Delete: “(4) Additional Requirements for Federal Major Sources: The owner or operator of a federal major source subject to this rule must provide an analysis of the air quality impacts for the proposed source or modification in accordance with OAR 340-225-0050(4) and 340-225-0070. In addition to the provisions of this section, provisions of section OAR 340-224-0070 also apply to federal major sources.”	Already included in cross referenced OAR 340-224-0070	SIP
NA	NA	224	0060(3)	Add a provision for requirements if a source is located outside but impacts a designated area: “(3) Sources Impacting Other Designated Areas: The owner or operator of any source that will have a significant impact on air quality in a designated area other than the one the source is locating in must also meet the following requirements, as applicable: (a) The owner or operator of any source that emits an ozone precursor (VOC or NOx) at or above the SER is considered to have a significant impact if located within 100 kilometers of a designated ozone area, and must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and 340-224-0520 for ozone designated areas.	DEQ is redefining Net Air Quality Benefit for all sources in all areas. See “New Source Review Program Supplemental Discussion.”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(b) The owner or operator of any source that emits any criteria pollutant, other than NOx as an ozone precursor, at or above the SER and has a impact greater than the Class II SIL on another designated area must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and OAR 340-224-0540 for designated areas other than ozone designated areas.”		
224	0060(5)(a)	224	0060(4)(a)	Change to: “(a) The source must comply with the LAER requirement in OAR 340-224-0050(1) in lieu of the BACT requirement in section (1); and”	Clarification	SIP
224	0060(5)(b)	NA	NA	Delete: “(b) An allocation from a growth allowance may not be used to meet the requirement for offsets in section (2) of this rule.”	The contingency plan requirements kick in if the monitoring data exceeds the NAAQS. Therefore, LAER and offsets are required for projects in the area. Growth allowance is for ozone and CO maintenance areas and is covered in the new 340-224-0060(4)(b). There are no growth allowances for PM2.5 or PM10.	SIP
224	0060(5)(c)	224	0060(4)(b)	Change to: “(b) The source must comply with the net air quality benefit requirement in subsection (2)(a) and may not apply the alternatives provided in subsections (2)(b) and (2)(c).”	The Ambient Air Quality Limits (thresholds) for Maintenance Areas were moved to division 202 but the exemption was provided in (2)(b).	SIP
224	0060(7)	224	0060(6)	Change to: “(6) Pending Redesignation Requests. This rule does not apply to a source for which a complete application to construct was submitted to DEQ before the maintenance area was redesignated from nonattainment to attainment by EPA. Such a source is subject to OAR 340-224-0050 or OAR 340-224-0055, whichever is applicable.”	Clarification. The source could be subject to reattainment requirements if the area is designated as reattainment.	SIP
225	0090(1)(d) & (e)	224	0060(7)	Move Medford and Salem Ozone Maintenance Area exemptions to this rule	Restructure	SIP
224	0070	NA	NA	Change to: “Within a designated attainment or unclassified area, and when referred to this rule by other rules in this division, a source that is subject to Major NSR under OAR 340-224-0010 for any regulated pollutant, other than nonattainment pollutants and reattainment pollutants, must meet the requirements listed below for each such pollutant, except that GHGs are only subject to subsection (2):”	Correction. Delete “for the pollutant(s) for which the area is designated attainment or unclassified.” There are pollutants that do not have NAAQS for which PSD can be triggered.	SIP
225	0050(4)	224	0070(1)	Move Air Quality Monitoring to this rule	Air quality monitoring may be required for	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					attainment or unclassified areas and belongs in division 224 rather than division 225.	
225	0050(4)	224	0070(1)(a)	Change title to “Preconstruction Air Quality Monitoring”	Restructure	SIP
225	0050(4)	224	0070(1)(a)(A)	Change to: “(A) The owner or operator of a source must submit with the application an analysis of ambient air quality in the area impacted by the proposed project for each regulated pollutant subject to this rule except as allowed by paragraph (B).”	This rule was moved from division 225 so the language referring to division 224 is no longer needed.	SIP
225	0050(4)	224	0070(1)	Restructure (1)(a)(A) into subparagraphs and move paragraph (E) to subparagraph (iv)	Clarification	SIP
225	0050(4)	224	0070(1)(a)(A)(i)	Change to: “(i) The analysis must include continuous air quality monitoring data for any regulated pollutant subject to this rule that may be emitted by the source, except for volatile organic compounds.”	Clarification. Paragraph (B) provides exceptions to the preconstruction air quality monitoring requirement	SIP
225	0050(4)	224	0070(1)(a)(A)(iii)	Change to: “(iii) DEQ may allow the owner or operator to demonstrate that data gathered over some other time period would be adequate to determine that the source would not cause or contribute to a violation of an ambient air quality standard or any applicable PSD increment.”	Clarification	SIP
225	0050(4)(a)(E)	224	0070(1)(a)(A)(iv)	Change to: “(iv) When PM10/PM2.5 preconstruction monitoring is required by this section, at least four months of data must be collected, including the season DEQ judges to have the highest PM10/PM2.5 levels. PM10/PM2.5 must be measured using 40 CFR Part 50, Appendices J and L. In some cases, a full year of data will be required.”	Restructure and clarification	SIP
225	0050(4)(a)(A)	224	0070(1)(a)(A)(v)	Change to: “(v) The owner or operator must submit a written preconstruction air quality monitoring plan at least 60 days prior to the planned beginning of monitoring. The applicant may not commence monitoring under the plan until DEQ approves the plan in writing.”	Restructure and clarification	SIP
224	0070(4)(a)(B)	224	0070(1)(a)(A)(vi)	Change to: “(vi) Required air quality monitoring must comply with 40 CFR 58 Appendix A, "Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring" and with other methods on file with DEQ.”	Plain language and correction. The title of the document is wrong. Delete the date on Appendix A. CFR date is included in Reference Materials rule, OAR 340-200-0035	SIP
225	0050(4)	224	0070(1)(a)(A)(vii)	Add: “(vii) With DEQ’s approval, the owner or operator may	The previous language allowing the owner or operator of a source (where required by divisions	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				use representative or conservative background concentration data in lieu of conducting preconstruction air quality monitoring if the source demonstrates that such data is adequate to determine that the source would not cause or contribute to a violation of an ambient air quality standard or any applicable PSD increment.”	222 or 224) to substitute post construction monitoring for the requirements of preconstruction monitoring for a specific pollutant if the owner or operator demonstrates that the air quality impact from the emissions increase would not cause or contribute to an exceedance of any air quality standard is being changed. The demonstration that the air quality impact from the emissions increase would not cause or contribute to an exceedance of any air quality standard requires a competing source analysis and representative background data if the new source impacts are above the SIL. DEQ has not allowed post construction monitoring to be substituted for preconstruction monitoring. Ambient air data from the same monitor that provided the background concentration used in the modeling is used to ensure that air quality is below the NAAQS after construction. Therefore, DEQ is changing this requirement to exempt a source from preconstruction monitoring if representative or conservative general background concentration data is available.	
225	0050(4)(a)(C)	224	0070(1)(a)(B)	Change to: “(B) DEQ may exempt the owner or operator of a source from preconstruction monitoring for a specific regulated pollutant if the owner or operator demonstrates that the air quality impact from the emissions increase would be less than the amounts listed below, or that modeled competing source concentration plus the general background concentration of the regulated pollutant within the source impact area, as defined in OAR 340 division 225, are less than the following significant monitoring concentrations:”	Clarification. Source Impact Area is defined in division 225	SIP
225	0050(4)(a)(C)(iv)	224	0070(1)(a)(B)(iv)	Change the PM2.5 significant monitoring concentration from 4 ug/m3 to 0 ug/m3	The <i>Sierra Club v. EPA</i> decision held that no exemptions from the one-year monitoring requirement for PM2.5 were permitted (except that an applicant could prove that monitoring for a shorter period was sufficient). EPA revised the existing concentration for the PM2.5 SMC to zero micrograms per cubic meter (0 mg/m3). The EPA did not entirely removing	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					PM2.5 as a listed pollutant in the SMC provisions because to do so might lead to the issuance of permits that contradict the holding of the Court as to the statutory monitoring requirements. Both sections 51.166(i)(5)(iii) and 52.21(i)(5)(iii) permit the reviewing authority to exempt a permit applicant from the monitoring requirements if “[t]he pollutant is not listed in paragraph (i)(5)(i) of this section.” Were EPA to completely remove PM2.5 from the list of pollutants in sections 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) of the PSD regulations, PM2.5 would no longer be a listed pollutant and the paragraph (iii) provision could be interpreted as giving reviewing authorities the discretion to exempt permit applicants from the requirement to conduct monitoring for PM2.5, in contravention of the Court’s decision and the CAA. Instead, the EPA revised the concentration listed in sections 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) to 0 mg/m3. This means that there is no air quality impact level below which a reviewing authority has the discretion to exempt a source from the PM2.5 monitoring requirements. By continuing to include PM2.5 as a pollutant in the list contained in sections 51.166(i)(5)(i) and 52.21(i)(5)(i), with the numerical value replaced with 0 mg/m3, EPA avoided any concern that paragraph (iii) of the two affected sections could be applied to excuse permit applicants from adequately addressing the monitoring requirement for PM2.5.	
225	0050(4)(a)(C)(vi)	224	0070(1)(a)(B)(vi)	Change to: “(vi) Ozone; Any net increase of 100 tons/year or more of VOCs from a source requires an ambient impact analysis, including the gathering of ambient air quality data unless the existing representative monitoring data shows maximum ozone concentrations are less than 50 percent of the ozone ambient air quality standards based on a full season of monitoring;”	Clarification	SIP
225	0050(4)(a)(D)	NA	NA	Delete: “(D) The Department may allow the owner or operator of a source (where required by divisions 222 or 224) to substitute post construction monitoring for the	DEQ will not allow the substitution of post construction for preconstruction monitoring. Post construction monitoring is covered under 340-224-0070(1)(b)	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				requirements of (4)(a)(A) for a specific pollutant if the owner or operator demonstrates that the air quality impact from the emissions increase would not cause or contribute to an exceedance of any air quality standard. This analysis must meet the requirements of 340-225-0050(2)(b) and must use representative or conservative General Background Concentration data.”		
225	0050(4)(b)	224	0070(1)(b)	Change to: “(b) Post-Construction Air Quality Monitoring: DEQ may require post-construction ambient air quality monitoring as a permit condition to establish the effect of actual emissions, other than volatile organic compounds, on the air quality of any area that such emissions could affect.”	Restructure	SIP
224	0070(1)	224	0070(2)	Change to: “(2) Best Available Control Technology (BACT). For a source under the applicability criteria in OAR 340-224-0010(1)(a)(A), the owner or operator must apply BACT for each regulated pollutant emitted at or above a SER. For a source under the applicability criteria in OAR 340-224-0010(1)(a)(B) or (C), BACT applies to each regulated pollutant that is emitted at or above a SER over the netting basis and meets the criteria of major modification in OAR 340-224-0025. In the Medford-Ashland AQMA, the owner or operator of any PM10 source must comply with the LAER emission control technology requirement in OAR 340-224-0050(1), and is exempt from the BACT provision of this section.”	Correction	SIP
224	0070(1)(a)(B)	224	0070(2)(a)(A)	Change to: “(A) Each emissions unit that emits the regulated pollutant and is not included in the most recent netting basis established for that regulated pollutant; and”	Clarification	SIP
224	0070(1)(a)(B)	224	0070(2)(a)(B)	Change to: “(B) Each emissions unit that emits the regulated pollutant and is included in the most recent netting basis and contributed to the emissions increase calculated in OAR 340-224-0025(2)(a)(B) for the regulated pollutant.”	Clarification. The language in this section uses different words to describe the applicability of BACT from the language in the definition of major modification in OAR 340-224-0025 is confusing. These revisions refer the reader back to the units described in the definition of major modification in OAR 340-224-0025.	SIP
224	0070(1)(c)	224	0070(2)(c)	Add “major” to NSR	DEQ has added rules for State New Source Review in this division so the distinction between major and minor new source review must be made	SIP
224	0070(1)(d)	224	0070(2)(cd)	Change to:	Clarification. The exemption from BACT for	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(d) Modifications to individual emissions units that have an emission increase, calculated per OAR 340-224-0025(2)(a)(B), that is less than 10 percent of the SER are exempt from this section unless:”	emissions units with an increase less than 10% of the SER should be based on the major modification calculation of emissions increases. The reference to potential to emit is unclear what should be compared to 10% of the SER.	
NA	NA	224	0070(3)	Add Air Quality Protection heading	Restructure	SIP
224	0070(2)	224	0070(3)(a)	Change to: “(a) Air Quality Analysis: (A) The owner or operator of the source must comply with OAR 340-225-0050 and 340-225-0060 for each regulated pollutant for which emissions will exceed the netting basis by the SER or more due to the proposed source or modification. (B) The owner or operator of a federal major source must comply with OAR 340-225-0050(4) and 340-225-0070.”	Delete “subject to this rule.” The owner or operator of a source would only be in this part of the rules if it were subject to this rule. Under the old rules, only a federal major (old definition) had to comply with 225-0070. With the new definition of federal major, sources that didn’t have to do 225-0070 under the old rules will have to do it under the new rules so clarify when an AQRV analysis is required.	SIP
NA	NA	224	0070(3)(c)	Add: “(c) The owner or operator of the source must demonstrate that it will not cause or contribute to a new violation of an ambient air quality standard or PSD increment even if the single source impact is less than the significant impact level under OAR 340-225-0050(1).”	In a recent lawsuit, the Sierra Club argued that EPA lacks authority to establish Significant Impact Levels (SILs) because a proposed source or modification in an area that is close to violating the NAAQS or an increment could violate the NAAQS or increment even if its emissions would have an ambient impact below the SIL. The U.S. Court of Appeals for the D.C. Circuit vacated and remanded to EPA certain aspects of a 2010 agency rule regarding SILs and the Significant Monitoring Concentration (SMC) for fine particulate matter (PM2.5). Therefore, DEQ has added the requirement that the new or modified source must not cause or contribute to a new violation of an ambient air quality standard or PSD increment even if the single source impact is less than the SIL. This safeguard ensures that a new or modified source will not significantly impact the area.	SIP
224	0070(2)(b)	224	0070(4)	Change to: “(4) Sources Impacting Other Designated Areas: The owner or operator of any source that will have a significant impact on air quality in a designated area other than the one the source is locating in must also meet the following requirements, as applicable: (a) The owner or operator of any source that emits an ozone precursor (VOC or NOx) at or above the SER is considered to have a significant impact if located within	Add a provision for requirements if a source is located outside but impacts a designated area. DEQ is redefining Net Air Quality Benefit for all sources in all areas. See “New Source Review Program Supplemental Discussion.”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				100 kilometers of a designated ozone area, and must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and 340-224-0520 for ozone designated areas. (b) The owner or operator of any source that emits any criteria pollutant, other than NOx as an ozone precursor, at or above the SER and has an impact greater than the Class II SIL on another designated area must also meet the requirements for demonstrating net air quality benefit under OAR 340-224-0510 and OAR 340-224-0540 for designated areas other than ozone designated areas.”		
224	0070(3)	NA	NA	Delete Air Quality Monitoring	Already included in OAR 340-224-0070(1)	SIP
224	0070(4)	NA	NA	Delete the requirement for significantly impacting a PM10 maintenance area	Already included in AOR 340-224-0070(4)	SIP
NA	NA	224	0070	Add the Note: “NOTE: Section (1) of this rule was moved verbatim from OAR 340-225-0050(4) and amended.”	Clarification	SIP
224	0080	224	0034	Move this rule to OAR 340-224-0034	Restructure	SIP
224	0100	224	0038	Move this rule to OAR 340-224-0038	Restructure	SIP
224				State New Source Review		
NA	NA	224	0245	Add Requirements for Sources in Sustainment Areas	DEQ has added rules for State New Source Review. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0250	Add Requirements for Sources in Nonattainment Areas	DEQ has added rules for State New Source Review. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0255	Add Requirements for Sources in Reattainment Areas	DEQ has added rules for State New Source Review. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0260	Add Requirements for sources in Maintenance Areas	DEQ has added rules for State New Source Review. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0270	Add Requirement for Sources in Attainment and Unclassified Areas	DEQ has added rules for State New Source Review. See “New Source Review Program Supplemental Discussion.”	SIP
224				Net Air Quality Benefit Emission Offsets		
NA	NA	224	0500	Add Net Air Quality Benefit for Sources Locating Within or Impacting Designated Areas	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. See “New Source Review Program Supplemental	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					Discussion.”	
NA	NA	224	0510	Add Common Offset Requirements	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0510(3)	Change: “(3) For PM2.5; inter-pollutant offsets are allowed at the following ratios: (a) 1 ton of direct PM2.5 may be used to offset 40 tons of SO2; (b) 1 ton of direct PM2.5 may be used to offset 100 tons of NOx; (c) 40 tons of SO2 may be used to offset 1 ton of direct PM2.5; (d) 100 tons of NOx may be used to offset 1 ton of direct PM2.5.” to “(3) Offsets for direct PM2.5 may be obtained from NO2 and SO2 emissions as precursors to secondary PM2.5. The interpollutant trading ratios for these emissions will be approved by DEQ on a case by case basis. Offsets for SO2 and NO2 emissions from direct PM2.5 emissions will be determined in the same manner.”	The inter-pollutant offset ratios are not approvable by EPA because the offset ratios were not developed specifically for Oregon. DEQ proposes to replace the ratios with language to determine the ratios on a case by case basis, based on EPA guidance.	SIP
225	0090(1)	224	0520	Move Requirements for demonstrating Net Air Quality Benefit for Ozone Areas	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. See “New Source Review Program Supplemental Discussion.”	SIP
225	0090(1)	224	0520	Change to: “When directed by the Major or State NSR rules or OAR 340-222-0042, the owner or operator must comply with this rule.”	Simplification. This rule covers areas other than nonattainment and maintenance	SIP
225	0090(1)(a)	224	0520(1)	Change to: “(1) Offsets for VOC and NOx are required if the source will be located within an ozone designated area or closer to the nearest boundary of an ozone designated area than the ozone impact distance as defined in section (2).”	Simplification. This rule covers areas other than nonattainment and maintenance	SIP
225	0010(10)	224	0520(2)	Change to: “(2) Ozone impact distance is the distance in kilometers from the nearest boundary of an ozone designated area	Restructure. Move the definition of “ozone precursor distance here and change to “ozone impact distance.” Precursor doesn’t have anything	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				within which a source of VOC or NO _x is considered to significantly affect that designated area. The determination of significance is made by either the formula method or the demonstration method.”	to do with the distance. Delete “major new or modified” since those are the only sources that would be in this section of the rules.	
225	0010(10)(a)	224	0520(2)(a)	Change to: “(a) The Formula Method. (A) For sources with complete permit applications submitted before Jan. 1, 2003: D = 30 km (B) For sources with complete permit applications submitted on or after Jan. 1, 2003: D = (Q/40) x 30 km (C) D is the ozone impact distance in kilometers. The value for D is 100 kilometers when D is calculated to exceed 100 kilometers. Q is the larger of the NO _x or VOC emissions increase above the netting basis from the source being evaluated in tons per year. (D) If a source is located closer than D from the nearest ozone designated area boundary, the source must obtain offsets under sections (3) and (4). If the source is located at a distance equal to or greater than D from the nearest ozone designated area boundary then the source is not required to obtain offsets.”	Clarification/Style guide	SIP
225	0010(10)(b)	224	0520(2)(b)	Change to: “(b) The Demonstration Method. An applicant may demonstrate to DEQ that the source or proposed source would not have a material effect on an ozone designated area other than attainment or unclassified areas. This demonstration may be based on an analysis of major topographic features, dispersion modeling, meteorological conditions, or other factors. If DEQ determines that the source or proposed source would not have a material effect on the designated area under high ozone conditions, the ozone impact distance is zero kilometers. .”	The demonstration method will be used in sustainment and reattainment areas along with nonattainment and maintenance areas.	SIP
225	0090(1)(b)	224	0520(3)	Change to: “(3) The required ratio of offsetting emissions reductions from other sources (offsets) to the emissions increase from the proposed source or modification (emissions) and the location of sources that may provide offsets is as follows:”	Plain language	SIP
225	0090(1)(b)(A)	224	0520(3)(a)	Change to: “(a) For new or modified sources locating within an ozone nonattainment area, the offset ratio is 1.1:1	This rule applies to areas other than nonattainment	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(offsets:emissions). These offsets must come from sources within either the same designated area as the new or modified source or from sources in another ozone nonattainment area with equal or higher nonattainment classification that contributes to a violation of the ozone ambient air quality standards in the same ozone designated area as the new or modified source.		
225	0090(1)(b)(B)	224	0520(3)(b)	Change to: “(b) For new or modified sources locating within an ozone maintenance area, the offset ratio is 1.1:1 (offsets:emissions). These offsets may come from sources within either the maintenance area or from a source that is closer to the nearest maintenance area boundary than that source’s ozone impact distance.”	Clarification	SIP
225	0090(1)(b)(C)	224	0520(3)(c)	Change to: “(c) For new or modified sources locating outside the designated area not including attainment or unclassified areas, but closer than the ozone impact distance of the nearest boundary of the designated area, the offset ratio is 1:1 (offsets:emissions). These offsets may come from within either the designated area or from a source that is closer to the nearest maintenance area boundary than that source’s ozone impact distance.”	Clarification	SIP
225	0090(1)(a)(D)	NA	NA	Delete: “(D) Offsets from outside the designated area but within the Ozone Precursor Distance must be from sources affecting the designated area in a comparable manner to the proposed emissions increase. Methods for determining offsets are described in the Ozone Precursor Offsets definition (OAR 340-225-0020(11)).”	This rule is not necessary since the requirements are included in section (4)	SIP
225	0010(11)	224	0520(4)	Change to: “(4) The amount of required offsets and the amount of provided offsets from contributing sources varies based on whether the proposed source or modification and the sources contributing offsets are located outside the ozone designated area other than attainment or unclassified areas. The required offsets and the provided offsets are calculated using either the formula method or the demonstration method, as follows, except that sources located inside an ozone nonattainment area must use the formula method.”	Restructure	SIP
225	0010(11)(a)(A)(ii)	224	0520(4)(a)(A)(ii)	Change to: “(ii) For sources with complete permit applications	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				submitted on or after January 1, 2003: RO = (SQ minus (SD multiplied by 40/30))”		
225	0010(11)(a)(B)	224	0520(4)(a)(B)	Change to: “(B) Contributing sources may provide offsets (PO) calculated as follows: PO = CQ minus (CD multiplied by 40/30)”	Clarification	SIP
225	0010(11)(a)(C)	224	0520(4)(a)(C)	Change to: “(C) Multiple sources may contribute to the required offsets of a new source. For the formula method to be satisfied, total provided offsets (PO) must equal or exceed required offsets (RO) by the ratio described in section (3).”	Clarification	SIP
225	0010(11)(a)(D)(ii)	224	0520(4)(a)(D)(ii)	Change to: “(ii) SQ (source quantity) is the source’s emissions increase of NOx or VOC in tons per year above the netting basis.”	This rule applies to areas other than nonattainment	SIP
225	0010(11)(a)(D)(iii)	224	0520(4)(a)(D)(iii)	Change to: “(iii) SD is the source distance in kilometers to the nearest boundary of the designated area except attainment or unclassified areas. SD is zero for sources located within the designated area except attainment or unclassified areas.”	This rule applies to areas other than nonattainment	SIP
225	0010(11)(a)(D)(v)	224	0520(4)(a)(D)(v)	Change to: “(v) CQ (contributing quantity) is the contributing source’s emissions reduction in tons per year calculated as the contemporaneous pre-reduction actual emissions less the post-reduction allowable emissions from the contributing source (as provided in OAR 340-268-0030(1)(b)).”	Clarification. The pre-reduction emissions are <i>actual emissions</i> , and the post-reduction emissions are <i>allowable</i> (PSELS).	SIP
225	0010(11)(a)(D)(vi)	224	0520(4)(a)(D)(vi)	Change to: “(vi) CD is the contributing source’s distance in kilometers from the nearest boundary of the designated area except attainment or unclassified areas. For a contributing source located within the designated area except attainment or unclassified areas, CD equals zero.”	This rule applies to areas other than nonattainment	SIP
225	0010(11)(b)	224	0520(4)(b)	Change to: “(b) The Demonstration Method. An applicant may demonstrate to DEQ using dispersion modeling or other analyses the level and location of offsets that would be sufficient to provide actual reductions in concentrations of VOC or NOx in the designated area during high ozone conditions as the ratio described in section (3). The	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				modeled reductions of ambient VOC or NOx concentrations resulting from the emissions offset must be demonstrated over a greater area and over a greater period of time within the designated area as compared to the modeled ambient VOC or NOx concentrations resulting from the emissions increase from the source subject to this rule. If DEQ determines that the demonstration is acceptable, then DEQ will approve the offsets proposed by the applicant.”		
NA	NA	224	0520(1)(c)	Add: “(c) Offsets obtained for a previous PSEL increase that did not involve resetting the netting basis can be credited toward offsets currently required for a PSEL increase.”	If a new source was first permitted at 50 tpy, and assuming they don’t go through PSD, then their netting basis is zero and they need to get offsets according to the formula. If they then want to increase the PSEL to 75 tpy, their netting basis is still zero and on the face of it, they need to get offsets based on a 75 tpy increase. One might hope that DEQ would see fit to give credit for offsets used for the original 50 tpy and the source would only have to get offsets for the 25 tpy increase, but the rules don’t seem to contemplate that situation.	SIP
225	0090(2)(d) & (e)	NA	NA	Delete: “(d) Sources within or affecting the Medford Ozone Maintenance Area are exempt from the requirement for NOx offsets relating to ozone formation. (e) Sources within or affecting the Salem Ozone Maintenance Area are exempt from the requirement for VOC and NOx offsets relating to ozone formation.”	These subsections were moved to 340-224-0060(2)(a)(A) and (B)	SIP
NA	NA	224	0520	Add: “NOTE: This rule was moved verbatim from OAR 340-225-0010(10) and (11) and OAR 340-225-0090(1) and amended.”	Clarification	
NA	NA	224	0530	Add Requirements for Demonstrating Net Air Quality Benefit for Non-Ozone Areas	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. See “New Source Review Program Supplemental Discussion.”	SIP
NA	NA	224	0540	Add Sources in a Designated Area Impacting Other Designated Areas	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. See “New Source Review Program Supplemental Discussion.”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
225				Air Quality Analysis Requirements		
225	ALL	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	Correction	SIP
225	0010	NA	NA	Change title to “Purpose and Jurisdiction”	Clarification	SIP
225	0010	225	0010(1)	Change to: “(1) This division contains the definitions and requirements for air quality analysis. This division does not apply unless a rule in another division refers to this division or a rule in this division. For example, division 224, New Source Review, refers to provisions in this division for specific air quality analysis requirements.”	Clarification and correction. DEQ has added rules for State New Source Review so the division has been renamed to “New Source Review”	SIP
NA	NA	225	0010(2)	Add: “(2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
225	0020	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
225	0020(1)(a)	NA	NA	Add 40 CFR Part 62 to the definition of “allowable emissions”	The definition of “Allowable Emissions” should also include 40 CFR Part 62, since that is where the federal standards are for existing incineration sources in Oregon.	SIP
225	0020(2)	NA	NA	Delete the definition of “background light extinction”	“Background light extinction” not used in this division or any air quality division	SIP
225	0020(3)	225	0020(2)	Add “major” to “source” and “modification” in the “background concentration” definition	DEQ has added rules for State New Source Review in this division so the distinction between major and minor new source review must be made	SIP
225	0020(3)(d)	225	0020(2)(d)	Change to: “(d) For PM10 in the Medford-Ashland AQMA: the ambient PM10 concentration levels that existed during the calendar year 2006, the year that EPA redesignated that AQMA to attainment for PM10.”	Clarification	SIP
NA	NA	225	0020(3)	Add: “(3) “Baseline concentration year” means the calendar year used to determine the baseline concentration for a particular regulated pollutant in a particular designated area.”	Clarification	SIP
225	0020(4)	NA	NA	Change to: “(4) “Competing PSD increment consuming source impacts” means the total modeled concentration above	Decreases in emissions since the baseline concentration year should also be included in a competing PSD increment consuming source	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the modeled baseline concentration resulting from increased and decreased emissions of all other sources since the baseline concentration year that are expected to cause a significant concentration gradient in the vicinity of the source. Determination of significant concentration gradient may take into account factors including but not limited to ROI formula, spatial distribution of existing emission sources, topography, and meteorology. Allowable emissions may be used as a conservative estimate of increased emissions, in lieu of actual emissions, in this analysis.”	analysis. Allowable emissions should not include creased emissions to be a conservative estimate. The Range of Influence is a formula that doesn’t take into account actual topography. The change allows more flexibility in evaluating the impact from sources on a case-by-case basis. This is language taken from EPA’s Appendix W to Part 51—Guideline on Air Quality Models – 8.2.3 Recommendations (Multi-Source Areas).	
225	0020(5)	NA	NA	Change to: “(5) "Competing AAQS source impacts" means total modeled concentrations of the subject pollutant resulting from allowable emissions of all other sources expected to cause a significant concentration gradient in the vicinity of the source or sources under consideration. Determination of significant concentration gradient may take into account factors including but not limited to ROI formula, spatial distribution of existing emission sources, topography, and meteorology.”	Clarification. The Range of Influence is a formula that doesn’t take into account actual topography. The change allows more flexibility in evaluating the impact from sources on a case-by-case basis. This is language taken from EPA’s Appendix W to Part 51—Guideline on Air Quality Models – 8.2.3 Recommendations (Multi-Source Areas).	SIP
225	0020(6)	NA	NA	Change to: “(6) "FLAG" refers to the Federal Land Managers' Air Quality Related Values Work Group Phase I Report — REVISED, published at 75 Federal Register 66125, Oct. 27, 2010.”	Clarification/Style guide	SIP
225	0020(7)	NA	NA	Change to: “(7) "General background concentration" means impacts from natural sources and unidentified sources that were not explicitly modeled, and may be determined based on either site-specific ambient monitoring or, with DEQ approval, on representative ambient monitoring from another location.”	Clarification	SIP
225	0020(9)	225	0020(8)	Do not capitalize “nitrogen deposition”	Correction	SIP
225	0020(8)	225	0020(9)	Move definition of “predicted maintenance area concentration” and add “PM10” before concentrations	This definition is not in alphabetic order	SIP
225	0020(10)	224	0520	Move definition of “ozone precursor distance” to division 224	This definition is part of the requirements for VOC and NOx offsets in ozone nonattainment and maintenance areas. Therefore, it belongs with the offset requirements in division 224.	SIP
225	0020(11)	224	0520	Move definition of “ozone precursor offsets” to division 224	This definition is part of the requirements for VOC and NOx offsets in ozone nonattainment and	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					maintenance areas. Therefore, it belongs with the offset requirements in division 224.	
225	0020(12)	225	0020(10)	Change to: “(10) "Range of influence formula or “ROI formula” means the calculation of the distance in kilometers from the source impact area of the new or modified source to other emission sources that could impact that area. If there is no source impact area, the distance is calculated from the new or modified source. Any location that is closer to the source than the ROI may be considered to be “within the range of influence” of the source. The ROI formula is as follows: (a) For PSD Class II and Class III areas, the Range of Influence formula of a competing source (in kilometers) is defined by: (A) $ROI (km) = Q (tons/year) / K (tons/year km)$. (B) Definition of factors used in paragraph (a): (i) Maximum ROI is 50 km. (ii) Q is the emission rate of the potential competing source in tons per year. (iii) K (tons/year km) is a regulated pollutant specific constant as follows: (I) For PM2.5, PM10, SOx and NOx, K = 5; (II) For CO, K = 40; and (III) For lead, K = 0.15. (b) For PSD Class I areas, the Range of Influence formula of a competing source includes emissions from all sources that occur within the modeling domain of the source being evaluated. The Department determines the modeling domain on a case-by-case basis.”	Clarification	SIP
225	0020(12)(a)(B)(iii)	225	0020(10)(a)(B)	Delete “in the table” and add constants K to definition of “Range of Influence”	Clarification. Add constants to text and strike Ed. Note that links to table of K values	SIP
NA	NA	225	0020(11)	Add: “(11) “Single source impact” means the modeled impacts from an increase in emissions of regulated pollutants from a source without including the impacts from other sources.”	Clarification	SIP
225	0020(13)	225	0020(12)	Change to: “(12) "Source impact area" means an area, or locations, where predicted impacts from the source or modification equal or exceed the Class II significant impact levels set out in OAR 340-200-0020. This definition only applies to PSD Class II areas and is not intended to limit the	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				distance for PSD Class I modeling.”		
225	0020	NA	NA	Delete the note: “[ED. NOTE: Tables referenced are not included in rule text. Click here for PDF copy of table(s).]”	The table with K values has been added to the definition of “Range of Influence”	SIP
NA	NA	225	0030 & (1)	Add a new lead in and a new section (1): “When required to conduct an air quality analysis under this division: (1) The owner or operator of a source must submit a modeling protocol to DEQ and have it approved before submitting a permit application; and”	Clarification. This has always been a requirement.	SIP
225	0030	225	0030(2)	Delete “Information Required.”	Heading not needed.	SIP
225	0030	225	0030(2)	Change to: “(2) In addition to the requirements defined in OAR 340-216-0040 for permit applications, the owner or operator of a source must submit all information necessary to perform any analysis or make any determination required under this division. Such information may include, but is not limited to:”	Clarification. Division 222 no longer requires modeling analyses. Modeling for PSEL increases in division 222 has been moved to division 225. The air quality analysis and visibility analysis is not required for all sources	SIP
225	0030	225	0030(2)(b)	Change to: “(b) Stack parameter data, height above ground, exit diameter, exit velocity, and exit temperature, for all existing and proposed emission points from the source or modification;”	Clarification	SIP
225	0030(4)	225	0030(2)(d)	Change “January 1, 1978” to “the baseline concentration year”	Correction. January 1, 1978 was chosen in the initial round of rules because baseline period was 1977/78 instead of the August 1977 Clean Air Act date. The baseline concentration year is pollutant specific so one date won’t work for all pollutants.	SIP
225	0040	NA	NA	Add “other than that” and change “inappropriate” to “appropriate”	Provide an option of using another impact model in PSD Class II and III areas based on approval by DEQ and EPA	SIP
225	0040	NA	NA	Delete reference to "Interim Procedures for Evaluating Air Quality Models (Revised)" (U.S. Environmental Protection Agency, 1984)	This document is no longer used.	SIP
225	0045	NA	NA	Change to: “Modeling: For determining compliance with the maintenance area impact levels established in OAR 340-202-0225, the following methods must be used:”	Clarification and correction. DEQ has added the requirement that the new or modified source must not cause or contribute to a new violation of an ambient air quality standard or PSD increment even if the single source impact is less than the SIL. Reference the ambient air quality limits for maintenance areas that were moved to division 202.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
225	0045(1)	NA	NA	Change to: “(1) For each maintenance pollutant, a single source impact analysis is sufficient to show compliance with the maintenance area limits if: (a) The modeled impacts from emission increases equal to or greater than a SER above the netting basis due to the proposed source or modification being evaluated are less than the Class II Significant Impact Levels specified in OAR 340-200-0020; and (b) The owner or operator provides an assessment of factors that may impact the air quality conditions in the area showing that the SIL by itself is protective of the maintenance area impact levels. The assessment must take into consideration but is not limited to the emission increases and decreases since the baseline concentration year from other sources that are expected to cause a significant concentration gradient in the vicinity of the source. Determination of significant concentration gradient may take into account factors including but not limited to ROI formula, spatial distribution of existing emission sources, topography, and meteorology.”	Correction and clarification. In a recent lawsuit, the Sierra Club argued that EPA lacks authority to establish Significant Impact Levels (SILs) because a proposed source or modification in an area that is close to violating the NAAQS or an increment could violate the NAAQS or increment even if its emissions would have an ambient impact below the SIL. The U.S. Court of Appeals for the D.C. Circuit vacated and remanded to EPA certain aspects of a 2010 agency rule regarding SILs and the Significant Monitoring Concentration (SMC) for fine particulate matter (PM2.5). DEQ is requiring that owners/operators must demonstrate by the SIL by itself is protective of the maintenance area limits. This safeguard ensures that a new or modified source will not significantly impact the area.	SIP
225	0045(2)	NA	NA	Change to: “(2) If the requirement in section (1) is not satisfied, the owner or operator of a proposed source or modification must complete a competing source analysis to demonstrate that modeled impacts from the proposed increased emissions plus competing source impacts, plus the predicted maintenance area concentration are less than the maintenance area impact levels in OAR 340-202-0225 for all averaging times.”	Restructure and correction	SIP
225	0045	NA	NA	Delete the note: “[ED. NOTE: Tables referenced are not included in rule text. Click here for PDF copy of table(s).]”	The table with SILs has been moved to the definition of significant impact level in division 200	SIP
225	0045(2)(b) and (c)	NA	NA	Delete (b) for demonstrating compliance with the NAAQS and (c) for demonstrating compliance with the PSD increments	These requirements are less restrictive than the maintenance area limits in OAR 340-202-0225 plus they are already included in OAR 340-225-0050.	SIP
NA	NA	225	0045(3)	Add: “(3) Any analyses performed under this section must be done in compliance with OAR 340-225-0030 and 340-225-0040, as applicable.”	Clarification	SIP
225	0050	NA	NA	Change to: “Modeling: For determining compliance with the AAQS,	Clarification. DEQ’s SO2 ambient air quality standards are different than those of EPA	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				PSD increments, and other requirements in PSD Class II and Class III areas, the following methods must be used:”		
225	0050(1)	NA	NA	Change to: “(1) For each regulated pollutant, a single source impact analysis is sufficient to show compliance with the AAQS and PSD increments if: (a) The modeled impacts from emission increases equal to or greater than a SER above the netting basis due to the proposed source or modification being evaluated are less than the Class II significant impact levels specified in OAR 340-200-0020; and (b) The owner or operator provides an assessment of factors that may impact the air quality conditions in the area to show that the SIL by itself ensures that the proposed source or modification will not cause or contribute to a new violation of an AAQS and PSD increment. The assessment must take into consideration but is not limited to the following factors: (A) The background ambient concentration relative to the AAQS; (B) The emission increases and decreases since the baseline concentration year from other sources that are expected to cause a significant concentration gradient in the vicinity of the source. Determination of significant concentration gradient may take into account factors including but not limited to ROI formula, spatial distribution of existing emission sources, topography, and meteorology.”	Clarification. See discussion above regarding the Sierra Club lawsuit that argued that EPA lacks authority to establish Significant Impact Levels (SILs).	SIP
225	0050(2)	NA	NA	Change to: “(2) If the requirement in section (1) is not satisfied, the owner or operator of a proposed source being evaluated must complete a competing source analysis as follows: (a) For demonstrating compliance with the PSD Class II and III increments (as defined in OAR 340-202-0210), the owner or operator of the source or modification must show that modeled impacts from the proposed increased emissions, above the modeled baseline concentration, plus competing PSD increment consuming source impacts above the modeled baseline concentration are less than the PSD increments for all averaging times; and (b) For demonstrating compliance with the AAQS, the owner or operator of the source must show that the total modeled impacts plus total competing source impacts	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				plus general background concentrations are less than the AAQS for all averaging times.”		
225	0050(3)	225	0050(4)	Change to: “(3) The owner or operator of a source or modification must also provide an analysis of: (a) The impairment to visibility, soils and vegetation that would occur as a result of the source or modification, and general commercial, residential, industrial and other growth associated with the source or modification. As a part of this analysis, deposition modeling analysis is required for sources emitting heavy metals above the SERs as defined in OAR 340-200-0020. Concentration and deposition modeling may also be required for sources emitting other compounds on a case-by-case basis; and (b) The air quality concentration projected for the area as a result of general commercial, residential, industrial and other growth associated with the source or modification.”	Clarification. Division 222 has been changed to refer to sources to division 224 rather than division 225	SIP
225	0050(4)	224	0070(1)	Move Air Quality Monitoring to division 224	Reorganization. Air quality monitoring is a NSR/PSD requirement. It is not a part of an air quality analysis.	SIP
225	0050	NA	NA	Delete the note: “[ED. NOTE: Tables referenced are available from the agency.]”	The tables referenced have been added to the text of the definitions significant impact levels, PSD Class II and III Increments, and significant emission rates	SIP
NA	NA	225	0050(4)	Add: “(4) Any analyses performed under this section must be done in compliance with OAR 340-225-0030 and 340-225-0040, as applicable.”	Clarification	SIP
225	0060(1) & (2)	NA	NA	Change “January” to “Jan.”	Style guide	SIP
225	0060(1) & (2)	NA	NA	Delete “(where required by divisions 222 or 224)”	Division 222 has been changed to refer sources to division 224 rather than division 225. OAR 340-225-0010 states “This division does not apply unless a rule in another division refers to this division or a rule in this division.” so this language is unnecessary.	SIP
225	0060(2)(a)	NA	NA	Change to: “(a) For each regulated pollutant, a single source impact analysis is sufficient to show compliance with PSD increments if modeled impacts from emission increases equal to or greater than a SER above the netting basis due to the proposed source or modification being evaluated are demonstrated to be less than the Class I significant	Clarification and correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				impact levels specified in OAR 340-200-0020. If this not satisfied, the owner or operator must complete a competing source analysis to demonstrate that the increased source impacts above baseline concentration plus competing PSD increment consuming source impacts are less than the PSD Class I increments for all averaging times.”		
225	0060(2)(c)	225	0060(2)(b)	Change to: “(b) For each regulated pollutant, a single source impact analysis is sufficient to show compliance with AAQS if modeled impacts from emission increases equal to or greater than a SER above the netting basis due to the proposed source or modification being evaluated are demonstrated to be less than the Class I significant impact levels specified in OAR 340-200-0020. If this requirement is not satisfied, the owner or operator must complete a competing source analysis to demonstrate compliance with the AAQS by showing that its total modeled impacts plus total modeled competing source impacts plus general background concentrations are less than the AAQS for all averaging times.”	Clarification and correction. This rule applies to Class I areas, not Class II areas.	SIP
225	0060(2)(d)	NA	NA	Delete: “(d) If the requirement of subsection (2)(a) is not satisfied, and background monitoring data for each PSD Class I area shows that the AAQS is more restrictive than the PSD increment, then the source must also complete a competing source analysis to demonstrate compliance with the AAQS by showing that its total modeled impacts plus total modeled competing source impacts plus general background concentrations are less than the AAQS for all averaging times.”	Unnecessary. Modeling for both the AAQS and increment is required. If impacts are greater than the SIL, a competing source analysis is then required.	SIP
NA	NA	225	0060(2)(c)	Add: “(c) The owner or operator also must demonstrate that the proposed source or modification will not cause or contribute to a new violation of an ambient air quality standard or PSD increment even if the single source impact is less than the significant impact levels under subsections (a) and (c), in accordance with OAR 340-202-0050(2).”	See above for explanation of significant impact level.	SIP
NA	NA	225	0060(3)	Add: “(3) Any analyses performed under this section must be done in compliance with OAR 340-225-0030 and 340-225-0040, as applicable.”	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
225	0060	NA	NA	Delete the note: “[ED. NOTE: Tables referenced are available from the agency.]”	The table referenced has been added to the text of the definitions significant impact levels	SIP
225	0070	NA	NA	Spell out AQRV in the title	Clarification	SIP
225	0070(1)	NA	NA	Change to: “(1) Sources that are not federal major sources are exempt from the requirements of this rule.”	Clarification	SIP
NA	NA	225	0070(2)	Add: “(2) When directed by OAR 340 division 224, the requirements of this rule apply to each emissions unit that increases the actual emissions of the regulated pollutant above the portion of the netting basis attributable to that emissions unit.”	Clarification. AQRV requirements apply to each emissions unit that increases actual emissions above its portion of the netting basis.	SIP
225	0070(2)	225	0070(3)	Change to: “(3) DEQ must provide notice of permit applications involving AQRV analysis to EPA and Federal Land Managers as follows.”	Clarification. DEQ provides notice of permit applications to EPA and Federal Land Managers	SIP
225	0070(2)(a)	225	0070(3)(a)	Change to: “(a) If a proposed source could impact air quality related values, including visibility, deposition, and ozone impacts within a Class I area, DEQ will provide written notice to the EPA and to the appropriate Federal Land Manager within 30 days of receiving such permit application. The notice will include a copy of all information relevant to the permit application, including analysis of anticipated impacts on Class I area air quality related values, . DEQ will also provide at least 30 days notice to EPA and the appropriate Federal Land Manager of any scheduled public hearings and preliminary and final actions taken on the application;”	Clarification	SIP
225	0070(2)(c)	225	0070(3)(c)	Change to: “(c) During its review of source impacts on Class I area air quality related values, pursuant to this rule, DEQ will consider any analysis performed by the Federal Land Manager that is received by DEQ within 30 days of the date that DEQ sent the notice required by subsection (a). If DEQ disagrees with the Federal Land Manager's demonstration, DEQ will include a discussion of the disagreement in the Notice of Public Hearing;”	Clarification	SIP
225	0070(2)(d)	225	0070(3)(d)	Change to: “(d) As a part of the notification required in OAR 340-209-0060, DEQ will provide the Federal Land Manager	Correction and simplification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				an opportunity to demonstrate that the emissions from the proposed source would have an adverse impact on air quality related values, of any federal mandatory Class I area. This adverse impact determination may be made even if there is no demonstration that a Class I PSD increment has been exceeded. If DEQ agrees with the demonstration, it will not issue the permit.”		
225	0070(3)	225	0070(4)	Delete division 222	Division 222 has been changed to refer to sources to division 224 rather than division 225	SIP
225	0070(3)(a)	225	0070(4)(b)	Require visibility analysis in Columbia River Gorge National Scenic Area	DEQ is making a visibility analysis on the Columbia River Gorge National Scenic Area mandatory if it is affected by the source. DEQ partnered with Southwest Clean Air Agency in developing the Columbia River Gorge Air Study and Strategy . The strategy uses the requirements of the federal Regional Haze Program to improve visibility in the Gorge. Therefore, DEQ believes that mandatory visibility analysis on the Columbia River Gorge is an important part of that strategy.	SIP
225	0070(3)(b)	225	0070(4)(c)	Delete “pursuant to OAR 340-224-0030(1)	Not necessary	SIP
225	0070(3)(c)	225	0070(4)(d)	Change to: “(d) Determination of significant impairment: The results of the modeling must be sent to the affected Federal Land Managers and DEQ. The land managers may, within 30 days following receipt of the source's visibility impact analysis, determine whether or not significant impairment of visibility in a Class I area would result. DEQ will consider the comments of the Federal Land Manager in its consideration of whether significant impairment of visibility in a Class I area will result. If DEQ determines that significant impairment of visibility in a Class I area would result, it will not issue a permit for the proposed source.”	Clarification	SIP
225	0070(4)(a)	225	0070(5)(a)	Change to: “(5) In consultation with the Federal Land Managers under FLAG, DEQ may require a plume blight analysis or regional haze analysis, or both.”	Clarification and correction. Range of influence formula does not apply to Class I areas. A plume blight analysis is typically required for a source that is within 50 km of a Class I area. A regional haze analysis may be required depending on distance to Class I areas and input from the Federal Land Managers.	SIP
225	0070(5)(a)	225	0070(6)(a)	Delete division 222 and change “their” to “its”	Division 222 has been changed to refer to sources to division 224 rather than division 225. Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
225	0070(5)(b)	225	0070(6)(b)	Change to: “(b) If visibility impacts are a concern, DEQ will consider comments from the Federal Land Manager when deciding whether significant impairment will result. Emission offsets may also be considered. If DEQ determines that significant impairment of visibility in a Class I area would result, it will not issue a permit for the proposed source.”	Clarification	SIP
225	0070(6)	225	0070(7)	Require deposition modeling in Class I areas and the Columbia River Gorge Scenic Area where visibility modeling is required.	Because similar pollutants affect both visibility and acid deposition, DEQ is making deposition modeling required where visibility modeling is required.	SIP
225	0070(6)	225	0070(7)	Do not capitalize “nitrogen deposition” and “sulfur deposition”	Correction	SIP
225	0070(7)(a)	225	0070(8)(a)	Delete division 222	Division 222 has been changed to refer to sources to division 224 rather than division 225	SIP
225	0070(7)(b)	225	0070(8)(b)	Change to: “(b) After construction has been completed, the owner or operator must conduct such visibility monitoring if DEQ requires visibility monitoring as a permit condition to establish the effect of the regulated pollutant on visibility conditions within the impacted Class I area.”	Clarification	SIP
225	0070(8)	225	0070(9)	Change to: “(9) Additional impact analysis: The owner or operator subject to OAR 340-224-0060(2) or OAR 340-224-0070(3) must provide an analysis of the impact to visibility that would occur as a result of the proposed source and general commercial, residential, industrial, and other growth associated with the source.”	Change cross reference because rule numbers have changed. Delete references to modification since those are the only sources that would be in this section of the rules.	SIP
225	0070(9)	225	0070(10)	Change to: “(10) If the Federal Land Manager recommends and DEQ agrees, DEQ may require the owner or operator to analyze the potential impacts on other Air Quality Related Values and how to protect them. Procedures from the FLAG report must be used in this recommendation. Emission offsets may also be used. If the Federal Land Manager finds that significant impairment of visibility in a Class I area would result from the proposed activities and DEQ agrees, DEQ will not issue a permit for the proposed source.”	Clarification	SIP
NA	NA	225	0070(11)	Add: “(11) Any analyses performed under this section must be	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				done in compliance with OAR 340-225-0030 and 340-225-0040, as applicable.”		
225	0090(1)	224	0520	Move to division 224	The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. SEE “NEW SOURCE REVIEW PROGRAM SUPPLEMENTAL DISCUSSION.”	NA
225	0090(1)(a)	224	0520(1)	Move to division 224	See above	NA
225	0090(1)(b)	224	0520(3)	Move to division 224	See above	NA
225	0090(1)(b)(A)	224	0520(3)(a)	Move to division 224	See above	NA
225	0090(1)(b)(B)	224	0520(3)(b)	Move to division 224	See above	NA
225	0090(1)(b)(C)	224	0520(3)(c)	Move to division 224	See above	NA
225	0090(1)(b)(D)	224	0520(4)	Move to division 224	See above	NA
225	0090(1)(c)	224	0520(5)	Move to division 224	See above	NA
225	0090(1)(d)	224	0060(7)(a)	Move to division 224	See above	NA
225	0090(1)(e)	224	0060(7)(b)	Move to division 224	See above	NA
225	0090(2)	224	0530	Move to division 224	See above	NA
225	0090(2)(a)(A) & (B)	224	0530(2)	Move to division 224	See above. Change offset requirement to 1.2:1 if offsets do not include offsets from priority sources. Ratio reduced to 1.0:1 if using offsets from priority sources. SEE SEPARATE DOCUMENT	NA
225	0090(2)(a)(C)	224	0510(3)	Move to division 224	See above	NA
225	0090(2)(a)(D) & (i)	224	0530(5)	Move to division 224	See above	NA
225	0090(2)(a)(D)(ii) & (2)(c)(A)(ii)	224	0530(6)	Move requirements for small scale local energy project	See above	NA
225	0090(2)(a)(E)	224	0510	Move to division 224	See above	NA
225	0090(2)(b)	224	0540(1)(b)(A)(ii)	Move to division 224	See above	NA
225	0090(2)(c)	224	0540(1)(b)(A)(iv)	Move to division 224	See above	NA
225	0090(2)(c)(A)	224	0530(3)(b)	Move to division 224	See above	NA
225	0090(2)(c)(B)	224	0540(1)(b)(A)(iv)	Move to division 224	See above	NA
225	0090(3)	224	0510(2)	Move to division 224	See above	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
225	0090(4)	224	0510(1)	Move to division 224	See above. Also covered in division 268.	NA
225	0090(5)	224	0510(1)	Move to division 224	See above	NA
225	0090(6)	224	0510(4)(a)	Move to division 224	See above	NA
225	0090(7)	224	0530(7)	Move to division 224	See above	NA
226				General Emission Standards [Table 1-Particulate Matter Emissions Standards for Process Equipment]		
226	NA	NA	NA	Delete note: “[NOTE: Administrative Order DEQ 16 repealed previous rules OAR 340-021-0005 through 340-021-0031 (consisting of AP 1, filed 1-14-57; and SA 16, filed 2-13-62).]”	This note is no longer needed. SA probably stands for Sanitary Authority, which was the regulatory agency before DEQ was established.	NA
NA	NA	226	0005	Add Applicability and Jurisdiction rule: “ Applicability and Jurisdiction (1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	
226	0010	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to Division 204 definitions	SIP
226	0010(1)	NA	NA	Delete definition of “new source” and incorporate dates for new and existing sources into rule language.	Clarification	SIP
226	0010(2)	200	0020(110)	Delete definition of “particulate matter” and use modified division 200 definition	See discussion above in division 204 in definition of “particulate matter.” Definition different from division 200, 226, 234, 236, and 240. Delete and use a modified version of division 200 definition. Move specific test requirements to rule with standard. Create a testing and monitoring section in 340-234-0540.	SIP
226	0010(5)	200	0020(167)	Delete definition of “standard conditions,” use division 240 definition and move to division 200	See discussion above in division 200 in definition of “standard conditions.” Definition different from division 240 but same as division 226 and 228	SIP
226	0010(6)	200	0020(48)	Move definition of “standard cubic foot” to division 200 and change to “dry standard cubic foot”	See discussion above in division 200 definition of “dry standard cubic foot.” Definition of standard cubic foot different from division 236 and 240. Use definition in 240 and move to division 200	SIP
226				Highest and Best Practicable Treatment and Control		
226	0100(1)	NA	NA	Change to: “(1) As specified in OAR 340-226-0110 through 340-226-0140 and sections (2) through (5), the highest and	The definition of “new source” has been deleted so put the definition in the text.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				best practicable treatment and control of air contaminant emissions must in every case be provided so as to maintain overall air quality at the highest possible levels, and to maintain contaminant concentrations, visibility reduction, odors, soiling and other deleterious factors at the lowest possible levels. In the case of sources installed, constructed, or modified after June 1, 1970, particularly those located in areas with existing high air quality, the degree of treatment and control provided must be such that degradation of existing air quality is minimized to the greatest extent possible.”		
226	0100(2)	NA	NA	Delete “of this chapter”	Plain language	SIP
226	0110	NA	NA	Change “owner and operator of a source are encouraged” to “owner or operator is encouraged”	Correction. All instances are owner or operator, not and	SIP
226	0120(1)(b)(A)	NA	NA	Add “pressure drop, ammonia slip” to the operational, maintenance and work practice requirements	Pressure drop was inadvertently omitted before Even though ammonia isn’t a regulated pollutant, SCR control is becoming a very common control technology so add this for clarification	SIP
226	0120(1)(b)(B)	NA	NA	Delete the hyphen in recordkeeping	Correction	SIP
226	0120(3)	NA	NA	Delete the hyphen in startup and shutdown	Correction	SIP
200	0020(146)	226	0130	Add: “For existing sources, the emission limit established will be typical of the emission level achieved by emissions units similar in type and size. For new and modified sources, the emission limit established will be typical of the emission level achieved by well controlled new or modified emissions units similar in type and size that were recently installed. TACT determinations will be based on information known to DEQ while considering pollution prevention, impacts on other environmental media, energy impacts, capital and operating costs, cost effectiveness, and the age and remaining economic life of existing emission control devices. DEQ may consider emission control technologies typically applied to other types of emissions units where such technologies could be readily applied to the emissions unit. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required.”	Move the procedural requirements for TACT from the definition	SIP
226	0130(1)(a)	NA	NA	Change to: “(a) The emissions unit is not already subject to emission standards for the regulated pollutant under OAR 340	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				divisions 224, 230, OAR 340-232-0010 through 340-232-0240, OAR 340 divisions 234, 236, or 238, OAR 340-240-0110 through 340-240-0180, 340-240-0310(1), OAR 340-240-0320 through 340-240-0430;”		
226	0130(2)(a)	NA	NA	Change to: “(a) The new or modified emissions unit is not subject to Major NSR in OAR 340 division 224, a Type A State NSR action under OAR 340 division 224, an applicable Standard of Performance for New Stationary Sources in OAR 340 division 238, OAR 340-240-0110 through 340-240-0180, 340-240-0310(1), OAR 340-240-320 through 340-240-0430, or any other standard applicable only to new or modified sources in OAR 340 divisions 230, 234, 236, or 238 for the regulated pollutant emitted;”	Clarification	SIP
NA	NA	226	0130	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	Correction	SIP
226	0140(1)	NA	NA	Do not capitalize ambient air quality standard and delete the space before the period	Correction	SIP
226	0140(5)	NA	NA	Change chapter to OAR and delete the comma after 340	Correction	SIP
226				Grain Loading Standards		
226	0200	NA	NA	Repeal Applicability rule	An applicability rule has been added to OAR 340-226-0005, making this rule redundant.	SIP
226	0210	NA	NA	Change title to “Particulate Emission Limitations for Sources Other Than Fuel Burning Equipment, and Refuse Burning Equipment, and Fugitive Emissions”	Clarification	SIP
226	0210	NA	NA	Replace the grain loading standards with the following sections.	DEQ is proposing the change because of the following reasons: - EPA’s adoption of a new PM_{2.5} 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce grain loading in all areas and will help prevent future problem. - More and more areas of the state are special control areas due to population increases. - Phased compliance will give sources that cannot meet the new standards time to comply. - Changes will make it easier to determine compliance for the both the source and the	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					DEQ.	
NA	NA	226	0210(1)	Add: “(1) This rule does not apply to fugitive emissions sources, fuel burning equipment, refuse burning equipment, or to solid fuel burning devices certified under OAR 340-262-0500.”	Clarification	SIP
NA	NA	226	0210(2)	Add: “(2) No person may cause, suffer, allow, or permit particulate matter emissions from any air contaminant source in excess of the following limits: (a) For sources installed, constructed, or modified before June 1, 1970: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results collected prior to [INSERT SOS FILING DATE OF RULES] demonstrate emissions no greater than 0.080 grains per dry standard cubic foot; (B) If any representative compliance source test results collected prior to [INSERT SOS FILING DATE OF RULES] demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then: (i) 0.24 grains per dry standard cubic foot prior to Dec. 31, 2019; and (ii) 0.15 grains per dry standard cubic foot on or after Jan. 1, 2020; and (C) In addition to the limits in paragraphs (A) or (B), for equipment or a mode of operation that is used less than 876 hours per calendar year, 0.24 grains per dry standard cubic foot from [INSERT SOS FILING DATE OF RULES] through December 31, 2019, and 0.20 grains per dry standard cubic foot on or after Jan. 1, 2020. (b) For sources installed, constructed, or modified on or after June 1, 1970 but prior to [INSERT SOS FILING DATE OF RULES]: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results prior to [INSERT SOS FILING DATE OF RULES] demonstrate emissions no greater than 0.080 grains per dry standard cubic foot; or; (B) If any representative compliance source test results prior to [INSERT DATE OF EQC ADOPTION OF RULES] are greater than 0.080 grains per dry standard	For sources installed, constructed, or modified before June 1, 1970: • Sources that have representative source test results (the average of all valid test runs during the compliance demonstration) at less than 0.080 gr/dscf must continue to be operated at Highest and Best and will receive a grain loading limit of 0.10 gr/dscf. • Sources with source test results above 0.080 gr/dscf will remain at the current limit of 0.2 (actually 0.24 with two significant figures) gr/dscf until 12/31/19 • On 01/01/20, the grain loading limit will be reduced to 0.15 gr/dscf • Provide an exemption for equipment or modes of operation used less than 876 hours per year, such as equipment that is used less than 10% of the time and backup fuel during a natural gas curtailment. This is similar to EPA’s language from the area source Boiler MACT: <i>Limited-use boiler</i> means any boiler that burns any amount of solid or liquid fuels and has a federally enforceable average annual capacity factor of no more than 10 percent. For sources installed, constructed, or modified after June 1, 1970: • Sources that have representative source test results at less than 0.080 gr/dscf must continue to be operated at Highest and Best and will receive a grain loading limit of 0.10 gr/dscf. • Sources with source test results above 0.080 gr/dscf will remain at the current limit of 0.1 (actually 0.14 gr/dscf using two significant figures) • Sources installed, constructed, or modified after 11/01/14 must comply with 0.10 gr/dscf • Sources may request an extension if necessary	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				cubic foot, or if there are no representative compliance source test results, then 0.14 grains per dry standard cubic foot. (c) For sources installed, constructed or modified after [INSERT SOS FILING DATE OF RULES], 0.10 grains per dry standard cubic foot. (d) The owner or operator of a source installed, constructed, or modified before June 1, 1970 who is unable to comply with the standard in subparagraph (a)(B)(ii) may request that DEQ grant an extension allowing the source up to one additional year to comply with the standard. The request for an extension must be submitted no later than Oct. 1, 2019.”		
NA	NA	226	0210(3)	Add: “(3) Compliance with the emissions standards in section (2) is determined using: (a) DEQ Method 5; (b) DEQ Method 8, as approved by DEQ for sources with exhaust gases at or near ambient conditions; (c) DEQ Method 7 for direct heat transfer sources; or (d) An alternative method approved by DEQ. (e) For purposes of this rule, representative compliance source test results are data that was obtained: (A) No more than ten years before [INSERT SOS FILING DATE OF RULES]; and (B) When a source is operating and maintaining air pollution control devices and emission reduction processes at the highest reasonable efficiency and effectiveness to minimize emissions based on the current configuration of the emissions unit and pollution control equipment.”	A test method should always be specified with each standard in order to be able to show compliance. Representative source test data is clarified.	SIP
NA	NA	226	0310	Delete: “[ED. NOTE: The Table referenced to in this rule is not printed in the OAR Compilation. Copies are available from the agency.]”	Not necessary. The table can be obtained from the Secretary of State website.	SIP
226	0400(1)	NA	NA	Change to: “(1) DEQ may approve alternative emission controls for VOC and NOx emissions in a Standard ACDP or Oregon Title V Operating Permit for use within a single source such that a specific emission limit is exceeded, provided that: (a) Such alternatives are not specifically prohibited by a rule or permit condition.	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(b) Net total emissions for each regulated pollutant from all emissions units involved (i.e., “under the bubble”) are not increased above the PSEL. (c) The owner or operator of the source demonstrates the net air quality benefit under OAR 340-224-0520. (d) No other air contaminants including malodorous, toxic or hazardous pollutants are substituted. (e) BACT and LAER, where required by a previously issued permit pursuant to OAR 340 division 224 (NSR), OAR 340 division 238 (NSPS), and OAR 340 division 244 (NESHAP), where required, are not relaxed; (f) Specific emission limits are established for each emission unit involved (“under the bubble”) such that compliance with the PSEL can be readily determined; (g) The owner or operator of the source applies for a permit or permit modification and such application is approved by DEQ. (h) The emissions unit that reduces its emissions achieves the reductions by reducing its allowable emission rate, and not by reducing production, throughput, or hours of operation.”		
226	0400(2)	NA	NA	Change to: “(2) The permit will include a net emissions limit on total emissions from all devices or emissions units involved (“under the bubble”).”	Clarification	SIP
226	0400(3)	NA	NA	Change to: “(3) Alternative emission controls, in addition to those allowed in section (1), may be approved by DEQ and EPA as a source specific SIP amendment.”	Clarification	SIP
226	0310	NA	NA	Renumber Table 1 to OAR 340-226-8010	Correction	SIP
226	0310 Table 1	226	8005	Renumber Table 1 and add statutory authority, statues implemented and rule history from OAR 340-226-0310.	Correction	SIP
226	0310 Table 1	226	8005	Change 60,000 to 6,000,000	Correction. Extrapolation is for process weight rates greater than the highest value in the table, 6,000,000 pounds/hour	SIP
226	0310 Table 1	226	8005	Change lb/hr and tons/hr to pounds/hour and tons/hour in the text below the table	Correction	SIP
226				Alternative Emission Controls		
226	0400(1)(c)	NA	NA	Change “OAR 340-224-0090, Requirements for Net Air Quality Benefit” to OAR 340-224-0520 and 340-224-0530	The Net Air Quality Benefit requirements were moved to division 224	SIP
226	0400(1)(d)	NA	NA	Change “pollutants” to “air contaminants”	The defined term is “air contaminants”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
228				Requirements For Fuel Burning Equipment and Fuel Sulfur Content		
228	0010	NA	NA	Change title to “Applicability and Jurisdiction”	Clarification	SIP
228	0010	NA	NA	Change to: “(1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
228	0020	NA	NA	Add division 204 as another division that has definitions that would apply to this division	Add reference to division 204 definitions	SIP
228	0020(1)	200	0025(10)	Delete definition of ASTM already in division 200	Delete and use acronym in division 200	SIP
228	0020(2)	NA	NA	Definition of Coastal Areas not used in this or any other air quality division	Delete definition	SIP
208 228 240	0010(4) 0020(4) 0030(14)	200	0020(69)	Delete definition of “fuel burning equipment” and move to division 200 with clarifications	See discussion above in division 200 in definition of “fuel burning equipment.” Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify.	SIP
228	0020(6)	200	0020(1567)	Delete definition of “standard conditions,” use division 240 definition and move to division 200	See discussion above in division 200 in definition of “standard conditions.” Definition different from division 240 but same as division 226 and 228. Use division 240 definition and move to division 200	SIP
228	0020(7)	200	0020(48)	Delete definition of “standard cubic foot” and use definition of “dry standard cubic foot” from division 240 and move to division 200	See discussion above in division 200 in definition of “dry standard cubic foot.” Definition different from division 236 and 240 but same as 228. Each standard will have the applicable test method long with the correct adjustment.	SIP
228				Sulfur Content of Fuels		
228	0120(2)	NA	NA	Delete “Except as provided for in sections (4) and (5) of this rule”	DEQ is deleting sections (4) and (5) because the dates have passed so this language excepting sections (4) and (5) is no longer necessary.	SIP
228	0120(4) and (5)	NA	NA	Delete: “(4) Users of coal for direct residential space heating in 1980 who apply in writing by July 1, 1983 and receive written approval from the Department shall be exempted from the requirement of section (2) of this rule provided they certify that they used more than one-half ton of coal in 1980. (5) Distributors may sell coal not meeting specification in section (2) of this rule to those users who have applied	These rules apply to residential coal users in 1980. Those users had to have applied to DEQ in 1983 for an exemption. These rules are no longer necessary since the dates have past. The requirement for not selling coal for direct space heating with greater than 0.3 percent sulfur and five percent volatile matter remains the same.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				for and received the exemption provided for in section (4) of this rule.”		
228				General Emission Standards for Fuel Burning Equipment		
228	0200	NA	NA	Move “only” to before “applicable to sources” from the end of the phrase	Clarification	SIP
228	0200	NA	NA	Add “except recovery furnaces regulated in division 234”	The change in the definition of fuel burning equipment pulls in recovery furnaces so they need to be exempt from the sulfur dioxide standards in division 228. There are sulfur dioxide standards for recovery furnaces in division 234.	SIP
228	0200	NA	NA	Change Lb. to pounds	Correction	SIP
228	0210	NA	NA	Replace the grain loading standards with the following sections.	DEQ is proposing the change because of the following reasons: - EPA’s adoption of a new PM_{2.5} 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce grain loading in all areas and will help prevent future problem. - More and more areas of the state are special control areas due to population increases. - Phased compliance will give sources that cannot meet the new standards time to comply. - Changes will make it easier to determine compliance for the both the source and the DEQ.	SIP
228	0210(3)	228	0210(1)	Change to: “(1) This rule applies to fuel burning equipment, except solid fuel burning devices that have been certified under OAR 340-262-0500.”	Clarification	SIP
NA	NA	228	0210(2)	Add: “(2) No person may cause, suffer, allow, or permit particulate matter emissions from any fuel burning equipment in excess of the following limits: (a) For sources installed, constructed, or modified before June 1, 1970: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results collected prior to [INSERT SOS FILING DATE OF RULES] demonstrate emissions no greater than 0.080 grains per dry standard cubic foot;	For sources installed, constructed, or modified before June 1, 1970: - Sources that have representative source test results (the average of all valid test runs during the compliance demonstration) at less than 0.080 gr/dscf must continue to be operated at Highest and Best and will receive a grain loading limit of 0.10 gr/dscf. - Sources with source test data above 0.080 gr/dscf will remain at the current limit of 0.2 (actually 0.24 with two significant digits)	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(B) If any representative compliance source test results collected prior to [INSERT DATE OF EQC ADOPTION OF RULES] demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then: (i) 0.24 grains per dry standard cubic foot until Dec. 31, 2019; and (ii) 0.15 grains per dry standard cubic foot on and after Jan. 1, 2020; and (C) In addition to the limits in paragraph (A) or (B), for equipment or a mode of operation (e.g., backup fuel) that is used less than 876 hours per calendar year, 0.24 grains per dry standard cubic foot from [INSERT SOS FILING DATE OF RULES] through December 31, 2019, and 0.20 grains per dry standard cubic foot on and after Jan. 1, 2020. (b) For sources installed, constructed, or modified on or after June 1, 1970 but prior to [INSERT SOS FILING DATE OF RULES]: (A) 0.10 grains per dry standard cubic foot provided that all representative compliance source test results prior to [INSERT SOS FILING DATE OF RULES] demonstrate emissions no greater than 0.080 grains per dry standard cubic foot; or (B) If any representative compliance source test results collected prior to [INSERT DATE OF EQC ADOPTION OF RULES] demonstrate emissions greater than 0.080 grains per dry standard cubic foot, or if there are no representative compliance source test results, then 0.14 grains per dry standard cubic foot. (c) For sources installed, constructed or modified after [INSERT SOS FILING DATE OF RULES], 0.10 grains per dry standard cubic foot. (d)(A) The owner or operator of a source installed, constructed or modified before June 1, 1970 who is unable to comply with the standard in subparagraph (a)(B)(ii) may request that DEQ set a source specific limit of 0.17 grains per dry standard cubic foot. The owner or operator must submit an application for a permit modification to request the alternative limit by no later than Oct. 1, 2019 that demonstrates, based on a signed report prepared by a registered professional engineer that specializes in boiler/multiclone operation, that the fuel burning equipment will be unable to comply with the	gr/dscf until 12/31/19 - On 01/01/20, the grain loading limit will be reduced to 0.15 gr/dscf - Provide an exemption for equipment or modes of operation used less than 876 hours per year, such as equipment that is used less than 10% of the time and backup fuel during a natural gas curtailment. This is similar to EPA's language from the area source Boiler MACT: <i>Limited-use boiler</i> means any boiler that burns any amount of solid or liquid fuels and has a federally enforceable average annual capacity factor of no more than 10 percent. For sources installed, constructed, or modified after June 1, 1970: - Sources that have representative source test data at less than 0.080 gr/dscf must continue to be operated at Highest and Best and will receive a grain loading limit of 0.10 gr/dscf. - Sources with source test data above 0.080 gr/dscf will remain at the current limit of 0.1 (actually 0.14 with two significant digits) gr/dscf - Sources installed, constructed, or modified after 11/01/14 must comply with 0.10 gr/dscf - Sources may request a source specific limit of 0.17 gr/dscf if it follows the procedures listed in subsection (d) - Sources may request an extension if necessary	

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				standard in subparagraph (a)(B)(ii) after either: (i) Maintenance or upgrades to an existing multiclone system; or (ii) Conducting a boiler tune-up if the boiler does not have a particulate matter emission control system. (B) If a source qualifies under paragraph (A), DEQ will add the 0.17 grains per dry standard cubic foot source specific limit as a significant permit modification (simple fee) for sources with an Oregon Title V Operating Permit or a Simple Technical Modification for sources with an Air Contaminant Discharge Permit. (e) The owner or operator of a source installed, constructed or modified before June 1, 1970 may request that DEQ grant an extension allowing the source up to one additional year to comply with the standard in paragraph (d)(A) provided that the owner or operator demonstrates, based on an engineering report signed by a registered professional engineer that specializes in boiler/multiclone operation, that the source cannot comply with the source specific limit established in OAR 340-228-0210(2)(d)(A) without making significant changes to the equipment or control equipment or adding control equipment. The request for an extension must be submitted no later than Oct. 1, 2019.”		
NA	NA	228	0210(3)	Add: “(3) Compliance with the emissions standards in section (2) is determined using DEQ Method 5, or an alternative method approved by DEQ. (a) For fuel burning equipment that burns wood fuel by itself or in combination with any other fuel, the emission results are corrected to 12% CO₂. (b) For fuel burning equipment that burns fuels other than wood, the emission results are corrected to 50% excess air. (c) For purposes of this rule, representative compliance source test results are data that was obtained: (A) No more than ten years before [INSERT SOS FILING DATE OF RULES]; and (B) When a source is operating and maintaining air pollution control devices and emission reduction processes at the highest reasonable efficiency and effectiveness to minimize emissions based on the current configuration of the fuel burning equipment and pollution	A test method should always be specified with each standard in order to be able to show compliance. Representative source test data is clarified.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				control equipment.”		
228	0210(2)	NA	NA	Delete requirement for burning salt laden wood	The source for which this was an applicable requirement has shut down and there are no other sources in the state that burn salt laden wood.	SIP
228				Federal Acid Rain Program		
228	0300(1)	NA	NA	Change to: “(1) 40 CFR Parts 72, 75, and 76 are by this reference adopted and incorporated herein, for purposes of implementing an acid rain program that meets the requirements of title IV of the Clean Air Act. The term "permitting authority" means the Oregon DEQ and the term "Administrator" means the Administrator of the United States EPA.”	CFR date is included in Reference Materials rule, OAR 340-200-0035	NA
228	0400 through 0530 plus Appendix A			Repeal Federal Acid Rain Program rules for Western Backstop SO ₂ Federal Trading Program	Rules are no longer necessary since DEQ now uses federal regional haze rules	SIP
232				Emission Standards For VOC Point Sources		
232	ALL	NA	NA	Replace “volatile organic compounds” with “VOC”	Simplification	SIP
232	0010(3)	NA	NA	Delete apostrophe after AQMA and change “Salem SATS” to in Salem-Keizer, in the SKATS listed”	Correction	SIP
232	0010(3)	NA	NA	Change “of this section, including” to “below”	Correction	SIP
232	0010(3)	NA	NA	Change the subsection order to the same order as the rules and revise some rule headings: “(a) Bulk gasoline plants including transfer of gasoline; (b) Gasoline delivery vessels; (c) Bulk gasoline terminals including truck and trailer loading; (d) Testing vapor transfer and collection systems; (e) Loading gasoline and volatile organic liquids onto marine tank vessels; (f) Cutback and emulsified asphalt; (g) Petroleum refineries; (h) Petroleum refinery leaks; (i) VOC liquid storage; (j) Surface coating in manufacturing; (k) Aerospace component coating operations; (l) Degreasers; (m) Open top vapor degreasers; (n) Conveyorized degreasers; (o) Asphaltic and coal tar pitch used for roofing coating; (p) Flat wood coating; and (q) Rotogravure and flexographic printing.”	Correction/clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
232	0010(4)	NA	NA	Add “before add-on controls”	Correction. States must do RACT for major sources using uncontrolled emissions	SIP
232	0020(1)	NA	NA	Delete: “(1) Notwithstanding the emission limitations in OAR 340 this division, all new major sources or major modifications at existing sources, located within the areas cited in section (2) of this rule, shall comply with OAR 340 division 224 (New Source Review).”	This does not add anything to the rules. It is covered in division 224 so delete here.	SIP
232	0020(2)	232	0020(1)	Replace “General Emission Standards for Volatile Organic Compounds” with “applicable requirements in this division”	The division is called “Emission Standards for VOC Point Sources,” not “General Emission Standards for Volatile Organic Compounds”	SIP
232	0020(3)	232	0020(2)	Replace “General Emission Standards for Volatile Organic Compounds” with “requirements in this division”	The division is called “Emission Standards for VOC Point Sources,” not “General Emission Standards for Volatile Organic Compounds”	SIP
232	0020(4)	NA	NA	Delete: “(4) All new and existing sources in the areas identified in section (2) of this rule shall apply Reasonably Available Control Technology (RACT) subject to the categorical RACT requirements set forth in this division. Compliance with the requirements in this division shall be presumed to satisfy the RACT requirement.”	Clarification. This rule says that compliance with the new numbered section (1) is compliance with the RACT requirements, a circular statement so it is not necessary.	SIP
232	0030(17)	200	0020(38)	Move definition of “day” to division 200	Definition used in many divisions	SIP
232	0030(19)	200	0020(57)	Use the definition of “emissions unit” in division 200: "Emissions unit" means any part or activity of a source that emits or has the potential to emit any regulated air pollutant. (a) A part of a source is any machine, equipment, raw material, product, or byproduct that produces or emits regulated air pollutants. An activity is any process, operation, action, or reaction (e.g., chemical) at a stationary source that emits regulated air pollutants. Except as described in subsection (d) of this section, parts and activities may be grouped for purposes of defining an emissions unit if the following conditions are met: (A) The group used to define the emissions unit may not include discrete parts or activities to which a distinct emissions standard applies or for which different compliance demonstration requirements apply; and (B) The emissions from the emissions unit are quantifiable. (b) Emissions units may be defined on a pollutant by pollutant basis where applicable. (c) The term emissions unit is not meant to alter or affect	Definition different from division 200 definition. Delete and use the definition of “emissions unit” in division 200 340-232-0030(19) "Emissions unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				the definition of the term "unit" under Title IV of the FCAA. (d) Parts and activities cannot be grouped for determining emissions increases from an emissions unit under OAR 340-224-0050 through 340-224-0070, or 340 division 210, or for determining the applicability of any New Source Performance Standard (NSPS).		
232	0030(28)	NA	NA	Change “gas service” which is not used to “gaseous service”	Correction	SIP
232	0030(31)	200	0020(75)	Delete and use definition of “hardboard” from divisions 234 and 240 and move to division 200	See discussion above in division 200 in the definition of “hardboard.” Division 232 definition different from division 234 and 240 definitions. Use definition from division 234 and division 240 and move to division 200	SIP
232	0030(37)	232	0030(34)	Change to: “(34) "Lightering" means the transfer of a liquid product identified in OAR 340-232-0110(1)(a) or (1)(b), as applicable, into a cargo tank from one marine tank vessel to another. .”	Revise the definition of “lightering” to be consistent with the changes proposed to OAR 340-232-0110.	SIP
232	0030(40)	232	0030(37)	Change to: “(37) "Loading event" means the loading or lightering of a liquid product identified in OAR 340-232-0110(1)(a) or (1)(b), as applicable, into a marine tank vessel's cargo tank, or the loading of any product into a marine tank vessel's cargo tank where the prior cargo was a liquid product identified in OAR 340-232-0110(1)(a) or (1)(b), as applicable. The event begins with the connection of a marine tank vessel to a storage or cargo tank by means of piping or hoses for the transfer of a fuel product from the storage or cargo tank into the receiving marine tank vessel. The event ends with disconnection of the pipes and/or hoses upon completion of the loading process.”	Revise the definition of “loading event” to be consistent with the changes proposed to OAR 340-232-0110.	SIP
232	0030(41)	NA	NA	Delete definition of “low solvent coating”	Definition not used in division 232 or any other division	SIP
232	0030(42)	200	0020(89)	Use modified definition of “major modification” in division 200 "Major Modification" means any physical change(s) or change(s) in the method of operation that would be subject to Major New Source Review as determined under division 224.	Definition different from division 200. Delete and use division 200 definition 340-232-0030(42) "Major modification" means any physical change or change of operation of a source that would result in a net significant emission rate increase for any pollutant subject to regulation under the Clean Air Act.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
232	0030(43)	200	0020(90)	Use definition of “major source” in division 200	Definition different from division 200. Delete and use division 200 definition 340-232-0030(43) "Major source" means a stationary source which emits or has the potential to emit any pollutant regulated under the Clean Air Act at a significant emission rate.	SIP
232	0030(44)	232	0030(38)	Change to: “(38) "Marine tank vessel" means any marine vessel constructed or converted to carry liquid bulk cargo that transports a liquid product identified in OAR 340-232-0110(1)(a) or (1)(b), as applicable.”	Revise the definition of “marine tank vessel” to be consistent with the changes proposed to OAR 340-232-0110.	SIP
232	0030(51)	232	0030(45)	The term should be “oven dried,” not “oven-dried”	Remove hyphen	SIP
232	0030(54)	200	0020(116)	Move definition of “person” to division 200	See discussion above in division 200. Definition different from division 200. Delete and use division 200 definition	SIP
232	0030(56)	NA	NA	Delete definition of “plant site basis”	Definition not used in division 232 or any other division	SIP
232	0030(57)	200	0020(123)	Use definition of “potential to emit” in division 200 "Potential to emit" or "PTE" means the lesser of: (a) The capacity of a stationary source; or (b) The maximum allowable emissions taking into consideration any physical or operational limitation, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, if the limitation is enforceable by the Administrator. (c) This definition does not alter or affect the use of this term for any other purposes under the Act or the term "capacity factor" as used in Title IV of the Act and the regulations promulgated thereunder. Secondary emissions are not considered in determining the potential to emit.	Definition different from division 200. Delete and use division 200 definition 340-232-0030(57) "Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitations on the capacity of a source to emit an air pollutant, excluding air pollution control equipment, shall be treated as part of its design if the limitation is enforceable by the Department.	SIP
232	0030(61)	232	0030(50)	Move definition of “prime coat” since it is not in alphabetic order	Move definition	SIP
232	0030(67)	NA	NA	Delete definition of “splash filling”	Definition of “splash filling” not used in this division or any other division	SIP
232	0030(68)	200	0020(164)	Delete definition of “source” and use division 200 definition "Source" means any building, structure, facility, installation or combination thereof that emits or is capable of emitting air contaminants to the atmosphere, is located on one or more contiguous or adjacent properties	Definition different from division 200. Delete and use division 200 definition 340-232-0030(68) "Source" means any building, structure facility, installation or combination thereof which emits or is capable of emitting air	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				and is owned or operated by the same person or by persons under common control. The term includes all pollutant emitting activities that belong to a single major industrial group (i.e., that have the same two-digit code) as described in the Standard Industrial Classification Manual, (U.S. Office of Management and Budget, 1987) or that support the major industrial group.	contaminants to the atmosphere and is located on one or more contiguous or adjacent properties and is owned or operated by the same person or by persons under common control.	
232	0030(69)	200	0020(165)	Delete definition of “source category” and use division 200 definition "Source category": (a) Except as provided in subsection(b) of this section, means all the pollutant emitting activities that belong to the same industrial grouping(i.e., that have the same two-digit code) as described in the Standard Industrial Classification Manual, (U.S. Office of Management and Budget, 1987). (b) As used in OAR 340 division 220, Oregon Title V Operating Permit Fees, means a group of major sources that DEQ determines are using similar raw materials and have equivalent process controls and pollution control equipment.	Definition different from division 200. Delete and use division 200 definition 340-232-0030(69) "Source category" means all sources of the same type or classification.	SIP
232	0030(70)	232	0030(58)	Delete “shall” and replace “mean” with “means”	Delete definition	SIP
232	0030(71)	NA	NA	Definition of thin particleboard not used in this division or any other division	Delete definition	SIP
232	0030	NA	NA	Correct the SIP note to OAR 340-200-0040	Correction	SIP
232	0040(1)	NA	NA	Change to: “(1) All existing sources operating prior to November 15, 1990, located inside the areas cited in OAR 340-232-0020(1)(a) or (1)(c), containing emissions units or devices for which no categorical RACT requirements exist and which have potential emissions before add-on controls of over 100 tons per year of VOC from aggregated, non-regulated emission units, must have RACT requirements developed on a case-by-case basis by DEQ. Sources that have complied with NSR requirements per OAR 340 division 224 and are subject to Best Available Control Technology (BACT) or Lowest Achievable Emission Rate (LAER) requirements are presumed to have met RACT requirements. A source may request RACT not be applied by demonstrating to DEQ that its potential emissions before add-on controls are less than 100 tons per year. Once a source becomes subject to RACT requirements under this section, it will	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				continue to be subject to RACT, unless VOC emissions fall less than 100 tons per year and the source requests that RACT be removed, by demonstrating to DEQ that their potential VOC emissions before add-on controls are below 100 tons per year.”		
232	0040(2)	NA	NA	Change to: “(2) Within 3 months of written notification by DEQ of the applicability of this rule, or, for good cause shown, up to an additional three months as approved by DEQ, the source must submit to DEQ a complete analysis of RACT for each category of emissions unit at the source, taking into account technical and economic feasibility of available control technology, and the emission reductions each technology would provide. This analysis does not need to include any emissions units subject to a specific categorical RACT requirement under this division. These RACT requirements approved by DEQ will be incorporated in the source’s Air Contaminant Discharge Permit, and will be effective upon approval by EPA as a source specific SIP revision. The source must comply with the applicable RACT requirements beginning one year from the date of notification by DEQ of EPA approval.”	Clarification and correction	SIP
232	0040(3)	NA	NA	Change to: “(3) Failure by a source to submit a RACT analysis required by section (2) does not excuse the source from the obligation to comply with a RACT determination established by DEQ.”	Clarification and correction	SIP
232	0060	NA	NA	Change “in accordance with” to “using”	Plain language	SIP
232	0060	NA	NA	Delete: “Applicants are encouraged to submit designs approved by other air pollution control agencies where VOC control equipment has been developed. Construction approvals and proof of compliance will, in most cases, be based on Departmental evaluation of the source and controls.”	Requirements for construction approvals are in division 210 and do not need to be included in division 232.	SIP
232	0060(2)	NA	NA	Change to: “(2) DEQ approval by of alternative methods for demonstrating compliance where specified and allowed in this division, including approval of equivalent testing methods for determining compliance, is subject to review and approval by EPA.”	Clarification	SIP
232	0080	NA	NA	Change rule title to:	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“Bulk Gasoline Plants Including Transfer of Gasoline”		
232	0080(1)(b)	NA	NA	Delete “or equivalent system as approved in writing by the Department”	This discretionary approval for equivalent systems to a vapor tight vapor balance system has never been used and is not needed.	SIP
232	0080(2)	NA	NA	Delete “or some other setting approved in writing by the Department”	This discretionary approval for an alternative pressure relief valve set point has never been used and is not needed.	SIP
232	0085(1)(b)	NA	NA	Delete “or equivalent system as approved in writing by the DEQ”	This discretionary approval for equivalent systems to a vapor tight vapor balance system has never been used and is not needed.	SIP
232	0085(3)	NA	NA	Add “and section (2)” to compliance with subsection (1)(a)	Compliance with handling gasoline in a manner to prevent spillage, discharge into sewers, storage in open containers should also be determined by visual inspection	SIP
232	0090	NA	NA	Change title to: “Bulk Gasoline Terminals Including Truck and Trailer Loading”	Clarification	SIP
232	0090(1)	NA	NA	Change to: “(1) No terminal owner or operator, may allow VOCs to be emitted into the atmosphere in excess of 80 milligrams of VOC per liter of gasoline loaded from the operation of loading truck tanks, and truck trailers at bulk gasoline terminals with a daily throughputs of greater than 76,000 liters (20,000 gallons) per day of gasoline, determined by a thirty-day rolling average.”	Simplification	SIP
232	0110	NA	NA	Change title to: “Loading Gasoline or Volatile Organic Compound Liquids onto Marine Tank Vessels”	Clarification.	SIP
232	0110(1)	232	0110(1)(a) & (b)	Change to: “(1) Applicability. This rule applies to loading events at any location within the Portland ozone air quality maintenance area when a liquid product identified in subsection (a) or (b), as applicable, is placed into a marine tank vessel cargo tank; or where any liquid is placed into a marine tank vessel cargo tank that had previously held a liquid product identified in subsection (a) or (b), as applicable. The owner or operator of each marine terminal and marine tank vessel is responsible for and must comply with this rule. (a) Prior to July 1, 2018, liquid product means gasoline; (b) On and after July 1, 2018, liquid product means all of the following:	Make changes to this rule to ensure that emissions of volatile organic compounds (VOC) other than gasoline receive the same level of control during marine loading events. This rule was originally adopted to require the control of VOC emissions when gasoline is loaded into marine tank vessel cargo tanks. Gasoline is a mixture of VOCs that exhibit significant vapor pressure (i.e., that vaporize readily at ambient conditions). However, there are other VOC liquids that are or may be loaded which may also create significant VOC emissions if not controlled in a similar manner. DEQ proposes to require control of VOC emissions when any VOC liquid with a	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				(A) Gasoline; (B) Any other volatile organic liquid with a Reid vapor pressure of 27.6 kPa (4.0 psi) or more; and (C) Any other organic liquid if the liquid is purposely heated, the liquid temperature is 110 degrees Fahrenheit or more at the time of loading, and the liquid has a Reid vapor pressure of 20.7 kPa (3.0 psi) or more.”	vapor pressure greater than 20.7 kPa (kilopascals) (3.0 psia) at actual monthly average ambient temperatures is loaded, or when such a liquid was in the tank prior to any other liquid being loaded as a response to public comment. The vapor pressure specified is based on the vapor pressure specification in OAR 340-232-0150. This proposal is made to help prevent degradation in ambient ozone levels in the Portland AQMA.	
232	0110(2)(b)(B)	NA	NA	Change to: “(B) When loading any products other than a liquid product identified in subsection (1)(a) or (1)(b), as applicable; and”	See reason above	SIP
NA	NA	232	0110(2)(d)	Add: “(d) Loading organic liquids that are stored in pressurized tanks, such as but not limited to liquefied natural gas, liquefied petroleum gas, butane and propane.”	Clarification in response to public comment	SIP
232	0110(4)	NA	NA	Change to: “(4) Marine Vapor Control Emission Limits. Vapors that are displaced and collected during marine tank vessel loading events must be reduced from the uncontrolled condition by at least 95 percent by weight, as determined by EPA Method 25 or other methods approved under OAR 340-212-0140, or limited to 5.7 grams per cubic meter (2 pounds per 1000 barrels) of liquid loaded.”	Clarification	SIP
232	0110(5)(a)	NA	NA	Change to: “(a) All hatches, pressure relief valves, connections, gauging ports and vents associated with the loading of liquid product identified in subsection (1)(a) or (1)(b), as applicable, into marine tank vessels must be maintained to be leak free and vapor tight.”	Clarification	SIP
232	0110(5)(b)	NA	NA	Change to: “(b) The owner or operator of any marine tank vessel must certify to DEQ that the vessel is leak free, vapor tight, and in good working order based on an annual inspection using EPA Method 21 or other method approved under OAR 340-212-0140.”	Clarification	SIP
232	0110(5)(c)	NA	NA	Change to: “(c) Gaseous leaks must be detected using EPA Method 21 or other methods approved under OAR 340-212-0140.”	Clarification	SIP
232	0110(6)	NA	NA	Change “Record-Keeping” to “recordkeeping” and	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				renumber paragraphs to subsections since there was no subsection (b)		
232	0110(7)	NA	NA	Change “subsection 2 (b)” to “subsection (2)(b) and replace “CAA” with “clean air action”	CAA mean Clean Air Act	SIP
232	0140(3)(f)	NA	NA	Change “which shall contain” to “that contains”	Clarification	SIP
232	0140(3)(g)	NA	NA	Change record retention requirement from two years to five years	Clarification. ACDP sources that are subject to NESHAP requirements and Title V sources are required to retain records for 5 years. DEQ will change recordkeeping requirements for all sources to 5 years for consistency and to avoid confusion.	SIP
232	0150	NA	NA	Change title to: “VOC Liquid Storage”	Clarification	SIP
232	0150(1)	NA	NA	Change kilo Pascal to kilopascal	Correction	SIP
232	0150(1)(a)	NA	NA	Delete “as amended by Federal Register, April 4, 1980, pages 23379 through 23381” and add “or” at the end	CFR date is included in Reference Materials rule, OAR 340-200-0035	SIP
232	0150(2)	NA	NA	Change “shall contain no” to “may not contain”	Clarification	SIP
232	0150(4)(b)(D)	NA	NA	Replace “.” with “; that” at the end of the requirement	Clarification	SIP
232	0150(4)(c)(J)	NA	NA	Change record retention requirement from two years to five years	Clarification. ACDP sources that are subject to NESHAP requirements and Title V sources are required to retain records for 5 years. DEQ will change recordkeeping requirements for all sources to 5 years for consistency and to avoid confusion.	
232	0150(4)(d)(A)	NA	NA	Delete “approved by the Department”	This discretionary approval for equivalent methods to determine compliance for secondary seals has never been used but DEQ has a definition for “alternative method” that allows for approval by DEQ and/or EPA..	SIP
232	0150(4)(d)(C)	NA	NA	Change “shall be” to “is”	Correction	SIP
232	0160(2)(b)(A)	NA	NA	Change to: “(A) Sources whose VOC potential to emit before add on controls from activities identified in section (5) are less than 10 tons per year (or 3 pounds VOC/hour or 15 pounds actual VOC/day); or”	Correction. States must require RACT for major sources using uncontrolled emissions	SIP
232	0160(3)(a)	NA	NA	Change to: “(a) On a case-by-case basis, DEQ may approve exceptions to the emission limits specified in section (5), upon documentation by the source that an alternative emission limit would satisfy the federal criteria for RACT”	Simplification	SIP
232	0160(3)(c)	NA	NA	Change to:	Clarification and correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(c) The alternative emission limit approved by DEQ will be incorporated into the source’s Air Contaminant Discharge Permit, or Title V operating permit, and will be effective upon approval by EPA as a source specific SIP revision.”		
232	0160(4)	NA	NA	Correct spelling of dryer	Correction	SIP
232	0160(5)(a)	NA	NA	Change lb/gal to pounds/gallon for all occurrences	Clarification	SIP
232	0160(5)(e)	NA	NA	Change to: “(e) Existing Coating of Paper and Film in the Medford-Ashland AQMA 55 pounds VOC per 1000 square yards of material per pass;”	Clarification. Incorporate the note into the rule language.	SIP
232	0160(5)(j)(B)	NA	NA	The term defined is “forced air dried,” not force air dried	Correction	SIP
232	0160(7)	NA	NA	Change to: “(7) Reduction Method: Compliance with the emission limits of sections (3) and (5) must be achieved by:”	Clarification	SIP
232	0160(7)(c)	NA	NA	Change to: “(c) An equivalent means of VOC removal. The equivalent means must be approved by DEQ and will be incorporated in the source’s Air Contaminant Discharge Permit or Title V Permit, and will be effective upon approval by EPA as a source-specific SIP revision. Other alternative emission controls approved by DEQ and allowed by EPA may be used to provide an equivalent means of VOC removal.”	Clarification	SIP
232	0160(8)(c)	NA	NA	Change record retention requirement from two years to five years	Clarification. ACDP sources that are subject to NESHAP requirements and Title V sources are required to retain records for 5 years. DEQ will change recordkeeping requirements for all sources to 5 years for consistency and to avoid confusion.	
232	0170(1)	NA	NA	Change lb./gal to pounds/gallon	Clarification	SIP
232	0170(1)(g)	NA	NA	Change to: “(g) High Temperature Coating for conditions between 350° F. - 500° F. -- 6.0 pounds/gallon;”	Clarification. Incorporate note into rule language.	SIP
232	0170(2)(b)	NA	NA	Change to: “(b) Sources whose potential emit from activities identified in section (1) before add on controls of volatile organic compounds are less than ten tons per year (or 3 pounds VOC/hour or 15 pounds VOC/day actual);”	Clarification	SIP
232	0170(3)(a)	NA	NA	Delete “reasonably available control technology” and just use RACT	Simplification	SIP
232	0170(3)(c)	NA	NA	Change to:	Correction	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(c) The alternative emission limit approved by DEQ will be incorporated into the source's Air Contaminant Discharge Permit and will be effective upon approval by EPA as a source-specific SIP revision.”		
232	0170(4)	NA	NA	Change “force air drier” to “forced air dryer”	Correction	SIP
232	0170(7)	NA	NA	Change lbs./gal. to pounds/gallon	Clarification	SIP
232	0170(9)(c)	NA	NA	Change to: “(c) An equivalent means of VOC removal. The equivalent means must be approved by DEQ and will be incorporated in the source's Air Contaminant Discharge Permit or Title V Operating Permit, and will be effective upon approval by EPA as a source-specific SIP revision. Other alternative emission controls approved by DEQ and allowed by EPA may be used to provide an equivalent means of VOC removal.”	Correction	SIP
232	0170(10)(d)	NA	NA	Change record retention requirement from two years to five years	Clarification. ACDP sources that are subject to NESHAP requirements and Title V sources are required to retain records for 5 years. DEQ will change recordkeeping requirements for all sources to 5 years for consistency and to avoid confusion.	
232	0180	NA	NA	Delete “(VOC)”	Not necessary	SIP
232	0180(1)(b)	NA	NA	Change drainrack to drain rack	Clarification	SIP
232	0180(2)	NA	NA	Change to: “(2) An owner or operator of a cold cleaner must follow the required operating parameters and work practices. The owner must post and maintain in the work area of each cold cleaner a pictograph or instructions clearly explaining the work practices in this section:”	Clarification	SIP
232	0180(2)(e)	NA	NA	Delete Chapter and the comma between 340 and division 100	Not necessary	SIP
232	0190(6)	NA	NA	Change to: “(6) Exhaust ventilation may not exceed 20 cubic meters/minute per square meter (65 cubic feet per minute per square foot) of degreaser open area, unless necessary to meet OSHA requirements. Ventilation fans may not be used near the degreaser opening.”	Clarification	SIP
232	0200(1)(a)	NA	NA	Change to: “(a) Exhaust ventilation should not exceed 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser opening, unless necessary to meet OSHA requirements. Workplace fans should not be used near the degreaser opening;”	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
232	0200(5)	NA	NA	Delete Chapter and the comma between 340 and division 100	Not necessary	SIP
232	0220	NA	NA	Delete comma after “facilities:	Not necessary	SIP
232	0220(1)(a) and (2)	NA	NA	Change “particle board” to “particleboard”	The defined term is “particleboard” as one word	SIP
232	0220(3)	NA	NA	Change kg to kilograms and lb. to pounds	Clarification	SIP
232	0220(5)	NA	NA	Change “emission control system” to “control devices” and “shall be required to” to “must”	Correction	SIP
232	0220(6)(e)	NA	NA	Change to: “(e) If an add-on control device is used, continuous monitors of the following parameters must be installed, periodically calibrated, and operated at all times that the associated control device is operating.”	Clarification	SIP
232	0230(1)	NA	NA	Change to: “(1) No owner or operator of a packaging rotogravure, publication rotogravure, flexographic or specialty printing facility, with the potential to emit before add-on controls greater than 100 tons/year, employing ink containing solvent may operate, cause, allow or permit the operation of the press unless.”	Correction. States must require RACT for major sources using uncontrolled emissions. Delete 90 mg/year. The metric version should probably have been 90 Mg/year, megagrams or metric tons which is equivalent to 99 tons/year, rounded to 100 tons/year.	SIP
232	0230(1)(a)			Change to: “(a) The volatile fraction of ink, as it is applied to the substrate contains 25.0 percent by volume or less or of organic solvent and 75 percent by volume or more of water.”	Correction	SIP
232	0230(1)(c)(C)	NA	NA	Change to: “(C) An alternative volatile organic compound pollution control device demonstrated to have at least a 90.0 percent removal efficiency, measured across the air pollution control device, that has been approved by DEQ.”	Correction	SIP
232	0230(2)	NA	NA	Change to: “(2) A capture system must be used in conjunction with the air pollution control devices in subsection (1)(c). The design and operation of a capture system must be consistent with good engineering practice, and must provide for a control efficiency in volatile organic compound emissions of at least.”	Correction	SIP
232	0230(3)(c)(A)	NA	NA	Add “or” at the end of the paragraph	Correction	SIP
234				Emission Standards For Wood Products Industries		
234	NA	NA	NA	Delete “[NOTE: Administrative Order DEQ 37 repealed	This note is no longer needed. SA probably stands	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				applicable portions of SA 22, filed 6-7-68.]”	for Sanitary Authority, which was the regulatory agency before DEQ was established.	
NA	NA	234	0005	Add: “(1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
234	0010(1)	NA	NA	Delete the definition of “acid absorption tower”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(2)	NA	NA	Delete the definition of “acid plant”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(3)	NA	NA	Delete the definition of “average daily emission”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(4)	NA	NA	Delete the definition of “average daily production”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(5)	234	0510(1)(a)(A)	Include the definition of “average operating opacity” with the standard and clarify: "Average operating opacity" means the average of the opacity of emissions determined using EPA Method 9 on any three days within a 12-month period which are separated from each other by at least 30 days.”	Clarification	SIP
234	0010(7)	NA	NA	Delete the definition of “blow system”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(9)	NA	NA	Delete the definition of “continual monitoring”	The term “continual monitoring” is not used	SIP
234	0010(11)	NA	NA	Delete the definition of “continuous-flow conveying system”	This definition is not used in this division.	SIP
234	0010(12)	234	0010(4)	Delete “or Department approved equivalent period,” and change “in accordance with” to “using”	This phrase is not necessary. DEQ will not approve an equivalent period other than a 24 hour period in a calendar day.	SIP
NA	NA	234	0010(5)	Add definition of “dry standard cubic meter”	Not previously defined	SIP
234	0010(13)	200	0020(40)	Delete the definition of “Department”	Delete and use division 200 definition	SIP
234	0010(14)	200	0020(51)	Delete definition of “emission” and use division 200 definition "Emission" means a release into the atmosphere of any regulated pollutant or any air contaminant.	340-234-0010(14) "Emission" means a release into the atmosphere of air contaminants. Definition different from division 200. Delete and	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					use division 200 definition	
234	0010(15)	200	0020(59)	Move definition of “EPA Method 9” to division 200	See discussion above in division 200 in definition of “EPA Method 9.” Definition same as division 240. Move to division 200 and change reference to 40 CFR Part 60 Appendix A-4	SIP
234	0010(16)	NA	NA	Delete definition of "fuel moisture content"	Incorporated language into OAR 340-234-0510(1)(c)(A) and (B)	SIP
234	0010(17)	200	0020(70)	Delete definition of “fugitive emissions” and use division 200 definition	See discussion above in division 208 in definition of “fugitive emissions.” Delete and use definition in division 200	SIP
234	0010(18)	200	0020(75)	Move definition of “hardboard” to division 200	See discussion above in division 200 in definition of “hardboard.” Definition different from division 232 but same as division 240. Use definition from division 234 and move to division 200	SIP
234	0010(21)	NA	NA	Delete definition of “maximum opacity”	Maximum opacity is really not a defined term other than requiring EPA Method 9 to be used to determine compliance. The compliance method has been included with the standard.	SIP
234	0010(22)	NA	NA	Delete definition of “modified wigwam waste burner”	This definition is not used in this division.	SIP
234	0010(23)	NA	NA	Delete definition of “neutral sulfite semi-chemical (NSSC) pulp mill”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(24)	234	0010(8)	Correct spelling of condensable in the definition of “non-condensibles”	Condensable used throughout this rule	SIP
234	0010(26)	234	0010(10)	Delete section (b) of the definition of “other sources” and restructure	The “other sources” in section (b) are for sulfite pulp mills	SIP
234	0010(27)	200	0020(109)	Move definition of “particleboard” to division 200	See discussion above in division 200. Definition same as Division 240. Move to division 200	SIP
234	0010(28)	200	0020(110)	Delete definition of “particulate matter” and use modified division 200 definition	See discussion above in division 204 in definition of “particulate matter.” Definition different from division 200, 226, 234, 236, and 240. Delete and use a modified version of division 200 definition. Move specific test requirements to rule with standard. Create a testing and monitoring section in 340-234-0540.	SIP
234	0010(29)	200	0020(124)	Delete definition of “parts per million” and use division 202 definition	See discussion above in division 200 in definition of “parts per million.” Definition different division 202. Clarify division 202 definition and move to division 200	SIP
234	0010(30)	200	0020(116)	Delete definition of “person” and use division 200 definition	See discussion above in division 200 in definition of “person.” Delete definition and use division 200	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					definition	
234	0010(31)	200	0020(118)	Move definition of “plywood” to division 200. "Plywood" means a flat panel built generally of an odd number of thin sheets of veneers of wood in which the grain direction of each ply or layer is at right angles to the one adjacent to it.	Term used in divisions 240 and 244 but not defined there. 340-234-0010(31) "Plywood" means a flat panel built generally of an odd number of thin sheets of veneers of wood in which the grain direction of each ply or layer is at right angles to the one adjacent to it.	SIP
234	0010(32)	200	0020(126)	Move definition of “press cooling vent” to division 200	See discussion above in division 200 in definition of “press cooling vent.” Definition same as division 240. Move to division 200	SIP
234	0010(33)(b)	NA	NA	Delete definition of “production” for neutral sulfite semi-chemical pulping”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(35)	234	0010(12)	Change to: “(12) "Recovery furnace" means the combustion device in which dissolved wood solids are incinerated and pulping chemicals recovered from the molten smelt. For OAR 340-234-0200 through 340-234-0270, this term includes a direct contact evaporator, if present.”	Clarification	SIP
234	0010(36)	NA	NA	Delete definition of “Significant Upgrading of Pollution Control Equipment”	Incorporate the definition into the text of the rule	SIP
234	0010(39)	NA	NA	Delete definition of “spent liquor incinerator”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(40)	234	0010(5)	Change defined term from “standard dry cubic meter” to “dry standard cubic meter” and re-alphabetize	The term used in the rule is “dry standard cubic meter”	SIP
234	0010(42)	NA	NA	Delete definition of “sulfite mill”	Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed	SIP
234	0010(43)	NA	NA	Delete definition of “sulfur oxides”	Definition no longer needed in division 234 since the neutral sulfite semi-chemical pulp mill rules are being repealed.	SIP
234	0010(44)	200	0020(177)	Delete definition of “total reduced sulfur”	Definition already in division 200	SIP
234	0010(45)	200	0020(185)	Move definition of “veneer” to division 200	See discussion above in division 200 in definition of “veneer.” Definition same as division 240. Move to division 200	SIP
234	0010(47)	200	0020(189)	Move definition of “wood fired veneer dryer” division 200	See discussion above in division 200 in definition of “wood fired veneer dryer.” Definition same as division 240. Move to division 200	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
234	0100(2)	NA	NA	Correct cross reference to OAR 340-222-0046	Rule renumbered	SIP
234				Kraft Pulp Mills		
234	NA	NA	NA	Delete the note: [NOTE: Administrative Order DEQ 50 repealed previous OAR 340-025-0155 through 340-025-0195 (consisting of SA 38, filed 4-4-69).]	This note is no longer needed. SA probably stands for Sanitary Authority, which was the regulatory agency before DEQ was established.	NA
234	0210 & 0240	NA	NA	Change “lbs.” to “pound” in all cases	Consistency	SIP
234	0210(1)	NA	NA	Change “shall not exceed” to “may not exceed”	Correction	SIP
234	0210(1)(d)	NA	NA	Change “in no case shall” to “in no case may” and replace the semi-colon with a period at the end of the subsection	Correction	SIP
234	0210(1)(e)(B)	NA	NA	Change to: “(B) Miscellaneous Sources and Practices. If DEQ determines that sewers, drains, and anaerobic lagoons significantly contribute to an odor problem, a program for control will be required.”	Clarification	SIP
234	0210(2)(d)	NA	NA	Change to: “(d) Replacement of or modification or a rebuild of an existing particulate pollution control device for which a capital expenditure of 50 percent or more of the replacement cost of the existing device is required, other than ongoing routine maintenance, after July 1, 1988 will result in more restrictive standards as follows:”	Clarification. The defined term was not used in the text so incorporate the definition of “significant upgrading of pollution control equipment” into the text.	SIP
234	0210(4)	NA	NA	Change to: “(4) Emissions from each kraft mill source, with the exception of the mill’s emissions attributable to a recovery furnace, may not equal or exceed 20 percent opacity as a six minute average.”	Clarification. Recovery furnaces have an opacity limit in OAR 340-234-0210(2)(a)(C)	SIP
234	0210(4)	NA	NA	Replace “for a period exceeding three minutes in any one hour” to “as a six minute average”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
234	0220(1)	NA	NA	Delete “air quality” from “significant air quality impact” since the defined term is “significant impact”	Clarification	SIP
234	0240(1), (1)(b), (1)(c), (1)(d), (2)(a), (2)(b), (3)	NA	NA	Change “in accordance with” to “using”	Plain language	SIP
234	0240 (1)(c)	NA	NA	Change to: “(c) Unless otherwise authorized or required by permit, at least once per year, vents from other sources as required in OAR 340-234-0210(1)(e), other sources, must be	Clarification and correction	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				sampled to demonstrate the representativeness of the emission of TRS using EPA Method 16, 16A, 16B or continuous emission monitors. Sampling using these EPA methods must consist of three separate consecutive runs of one-hour each using the DEQ Source Sampling Manual. Continuous emissions monitors must be operated for three consecutive hours using the DEQ Continuous Monitoring Manual. All results must be reported to DEQ;"		
234	0240 (1)(d)	NA	NA	Change to: “(d) Smelt dissolving tank vents must be sampled for TRS quarterly except that testing may be semi-annual when the preceding six source tests were less than 0.0124 gram/Kg BLS (0.025 pound/ton BLS) using EPA Method 16, 16A, 16B or continuous emission monitors. Sampling using these EPA methods must consist of three separate consecutive runs of one-hour each using the DEQ Source Sampling Manual.”	Clarification and correction	NA
234	0240(2)(a)	NA	NA	Add the source test methods for particulate matter: “Particulate matter emission determinations by EPA Method 5 must use water as the cleanup solvent instead of acetone, and consist of the average of three separate consecutive runs having a minimum sampling time of 60 minutes each, a maximum sampling time of eight hours each, and a minimum sampling volume of 31.8 dscf each.”	The definition of particulate matter has been moved to Division 200. The test methods are being separated from the definition and included with the standard.	SIP
234	0240(2)(a)(A) , (B) and (C)	NA	NA	Add adjustments for oxygen correction: “(A) When applied to recovery furnace gases "dry standard cubic meter" requires adjustment of the gas volume to that which would result in a concentration of 8% oxygen if the oxygen concentration exceeds 8%. (B) When applied to lime kiln gases "dry standard cubic meter" requires adjustment of the gas volume to that which would result in a concentration of 10% oxygen if the oxygen concentration exceeds 10%. (C) The mill must demonstrate that oxygen concentrations are below the values in (A) and (B) above or furnish oxygen levels and corrected data.”	Clarification	SIP
234	0240(5)	NA	NA	Change to: “(5) New Source Performance Standards Monitoring. New or modified sources that are subject to the New Source Performance Standards, 40 CFR Part 60, Subpart BB, must conduct monitoring or source testing as	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				required by Subpart BB. In addition, when these rules are more stringent than Subpart BB, DEQ may require some or all of the relevant monitoring in this section.”		
234	0250	NA	NA	Change to: “If required by DEQ or by permit, each mill must report data each calendar month by the last day of the subsequent calendar month as follows:”	Clarification	SIP
234	0250(5)	NA	NA	Change to: “(5) New Source Performance Standards Monitoring. New or modified sources that are subject to the New Source Performance Standards, 40 CFR part 60 subpart BB, must conduct monitoring or source testing as required by subpart BB. In addition, when these rules are more stringent than 40 CFR part 60 subpart BB, DEQ may require some or all of the relevant monitoring in this section.”	Clarification	SIP
234	0250(6)	NA	NA	Delete “Where transmissometers are not feasible, the mass emission rate shall be determined by alternative sampling approved by the Department.”	This alternative is not necessary. All pulp mills have transmissometers.	SIP
234	0250(7)	NA	NA	Correct spelling of condensible	Condensable used throughout this rule	SIP
234	0270	NA	NA	Change to: “If DEQ determines that an upset condition is chronic and correctable by installing new or modified process or control procedures or equipment, the owner or operator must submit to DEQ a program and schedule to effectively eliminate the deficiencies causing the upset conditions. Such reoccurring upset conditions causing emissions in excess of applicable limits may be subject to civil penalty or other appropriate action.”	Clarification	SIP
234				Neutral Sulfite Semi-Chemical (NSSC) Pulp Mills		
234	0300-0360	NA	NA	Delete neutral sulfite semi-chemical pulp mill rules	These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules.	SIP
234				Sulfite Pulp Mills		
234	0400-0430	NA	NA	Delete sulfite pulp mill rules	These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					(requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules.	
234				Board Products Industries (Veneer, Plywood, Particleboard, Hardboard)	Correction. Add right parentheses	
234	0510(1)	NA	NA	Change (4) to (3)	Correction	SIP
234	0510(1)(b)(A) & (B)	NA	NA	Change to: “(b) No person may operate any veneer dryer such that visible air contaminants emitted from any dryer stack or emission point exceed: (A) A daily average operating opacity of 10 percent on more than two days within any 12-month period, with the days separated from each other by at least 30 days, as measured by EPA Method 9; and (B) A maximum opacity of 20 percent at any time as measured by EPA Method 9.”	Clarification. Include the definition language with the standard.	SIP
234	0510(1)(c)	NA	NA	Incorporate fuel moisture content into rule and add test method: “(A) 0.75 pounds per 1,000 square feet of veneer dried (3/8 inch basis) for units using fuel which has a moisture content equal to or less than 20 percent by weight on a wet basis as measured by ASTM D4442-84; (B) 1.50 pounds per 1,000 square feet of veneer dried (3/8 inch basis) for units using fuel which has a moisture content greater than 20 percent by weight on a wet basis as measured by ASTM D4442-84; or (C) 0.40 pounds per 1,000 pounds of steam generated in boilers which exhaust gases to the veneer dryer.”	Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines).	SIP
234	0510(2)	NA	NA	Change lbs/hr to pounds/hour	Clarification	SIP
234	0510(3)	NA	NA	Change to: “(3) Monitoring and Reporting: DEQ may require any veneer dryer facility to establish an effective program for monitoring the visible air contaminant emissions from each veneer dryer emission point. The program must be reviewed and approved by DEQ and must consist of the following:”	Clarification	SIP
234	0510(3)(b)	NA	NA	Change to: “(b) All data obtained must be recorded on copies of a "Veneer Dryer Visual Emissions Monitoring Form" provided by DEQ or on an alternative form which is	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				approved by DEQ; and”		
234	0520(1)(a)	NA	NA	Change to: “(a) Every person operating or intending to operate a particleboard manufacturing plant must enclose truck dump and storage areas holding or intended to hold raw materials to prevent windblown particle emissions from these areas from being deposited upon property not under the ownership of said person;”	Clarification	SIP
234	0520(2)(a)	NA	NA	Replace “lbs/hr” with “pounds per hour”	Clarification	SIP
234	0530(1)(a)	NA	NA	Change to: “(a) Every person operating or intending to operate a hardboard manufacturing plant must enclose all truck dump and storage areas holding or intended to hold raw materials to prevent windblown particle emissions from these areas from being deposited upon property not under the ownership of said person;”	Clarification	SIP
234	0530(2)	NA	NA	Replace “lbs/hr” with “pounds per hour”	Clarification	SIP
234	0530(3)(a)	NA	NA	Add “except as allowed by paragraph (b)” at the end	Correction. Paragraph (b) allows an exception for a lower temperature than 1500 F from the requirement to incinerate gases and vapors in a hardboard tempering oven.	SIP
234	0530(3)(b)	NA	NA	Change to: “(b) Specific operating temperatures lower than 1500° F. may be approved by DEQ using the procedures in 40 CFR 63.2262 of the NESHAP for Plywood and Composite Wood Products.”	Remove reference to odors since this requirement is to control VOC emissions. The NESHAP already includes procedures for approving lower temperatures so it is not necessary here.	SIP
234	0530(3)(c) & (d)	NA	NA	Delete subsections (c) and (d): “(c) In no case shall fume incinerators installed pursuant to this section be operated at temperatures less than 1000° F.; (d) Any person who proposes to control emissions from hardboard tempering ovens by means other than fume incineration shall apply to DEQ for written authorization to utilize alternative controls. The application shall describe in detail the plan proposed to control odorous emissions and indicate on a plot plan the location of the nearest property not under ownership of the applicant.”	Subsection (c) is not needed because there are provisions in the NESHAP for setting a lower temperature. Subsection (d) is not needed because the hardboard tempering ovens in Oregon are controlled by fume incineration.	SIP
234	0540	NA	NA	Add a rule for Testing and Monitoring	A test method should always be specified with each standard in order to be able to show compliance	SIP
236				Emission Standards For Specific Industries		

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
236	NA	NA	NA	Delete the note: NOTE: Administrative Order DEQ 60 repealed previous OAR 340-025-0255 through 340-025-0290 (consisting of DEQ 19, filed 7-14-70 and effective 8-10-70).	This note is no longer needed.	NA
NA	NA	236	0005	Add: “(1) This division applies in all areas of the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	Clarification. This change clarifies the relationship and delegation of authority to LRAPA.	SIP
236				Primary Aluminum Standards		
236	0010(1)	NA	NA	Delete definition of “all sources”	Definition no longer needed since primary aluminum and ferronickel rules are being repealed	SIP
236	0010(2)	NA	NA	Delete definition of “annual average”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(3)	NA	NA	Delete definition of “anode baking plant”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(4)	NA	NA	Delete definition of “anode plant”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(5)	NA	NA	Delete definition of “average dry laterite ore production rate”	Definition no longer needed since ferronickel rules are being repealed	SIP
236	0010(6)	NA	NA	Delete definition of “collection efficiency” and define “control efficiency,” “capture efficiency,” “destruction efficiency,” and “removal efficiency”	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency” are being added to help clarify the differences among the terms. To demonstrate compliance with a removal efficiency requirement, testing the inlet/outlet of a control device on an air conveying system would be very difficult. Usually, there is not enough room (straight duct) to measure the inlet and the flow is cyclonic. Therefore, DEQ is changing the requirement to a “rated removal efficiency” which should be available from the manufacturer of the equipment. Required operation and maintenance plans will ensure proper operation of any air	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					pollution control devices.	
236	0010(7)	200	0020(29)	Delete definition of “Commission”	Definition different from division 200 definition, use division 200 definition	SIP
236	0010(8)	NA	NA	Delete definition of “cured forage”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(9)	200	0020(40)	Delete definition of “Department”	Definition different from division 200 definition, use division 200 definition	SIP
236	0010(11)	NA	NA	Delete definition of “dry laterite ore”	Definition no longer needed since ferronickel rules are being repealed	SIP
236	0010(12)	200	0020(51)	Delete definition of “emission”	Definition different from division 200 but same as division 240. Delete and use division 200 definition	SIP
236	0010(13)	200	0020(54)	Delete the definition of “emission standards”	Definition different from division 200. The definition used in division 200 is more comprehensive so use that definition instead.	SIP
236	0010(14)	NA	NA	Delete definition of “ferronickel”	Definition no longer needed since ferronickel rules are being repealed	SIP
236	0010(15)	NA	NA	Delete definition of “fluorides”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(16)	NA	NA	Delete definition of “forage”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(17)	200	0020(70)	Delete definition of “fugitive emissions” and use division 200 definition	See discussion above in division 208 in definition of “fugitive emissions.” Delete and use definition in division 200	SIP
236	0010(19)	NA	NA	Delete definition of “laterite ore”	Definition no longer needed since ferronickel rules are being repealed	SIP
236	0010(20)	NA	NA	Delete definition of “monthly average”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(21)	200	0020(110)	Delete definition of “particulate matter” and use modified division 200 definition	See discussion above in division 204 in definition of “particulate matter.” Definition different from division 200, 226, 234, 236, and 240. Delete and use a modified version of division 200 definition. Move specific test requirements to rule with standard. Create a testing and monitoring section in 340-234-0540.	SIP
236	0010(22)	NA	NA	Delete definition of “primary aluminum plant”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(24)	NA	NA	Delete definition of “pot line primary emission control systems”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(25)	236	0010(4)	Delete “by Hour” from the definition of “Process Weight by Hour.” The term should just be “process weight.”	Clarify definition	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“Process weight by hour” is defined later in the definition.		
236	0010(26)	NA	NA	Delete definition of “regularly schedule monitoring”	Definition no longer needed since primary aluminum rules are being repealed	SIP
236	0010(27)	200	0020(166)	Definition of “source test”	Definition already in division 200.	SIP
236	0010(28)	200	0020(48)	Delete definition of “standard cubic foot” and use definition of “dry standard cubic foot” from division 240 and move to division 200	See discussion above in division 200 in definition of “dry standard cubic foot.” Definition different from division 236 and 240 but same as 228. Each standard will have the applicable test method long with the correct adjustment.	SIP
236	0010 NOTE	NA	NA	Delete “with the exception of fluoride requirements” from the note.	Correction. The fluoride requirements in the aluminum rules are being repealed.	SIP
236	0100-0150	NA	NA	Delete primary aluminum standards	These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules.	SIP
236				Laterite Ore Production of Ferronickel		
236	0200-0230	NA	NA	Delete laterite ore production of ferronickel rules	These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules.	SIP
236				Hot Mix Asphalt Plants		
236	NA	NA	NA	Delete note: [NOTE: Administrative Order DEQ 49 repealed previous OAR 340-025-0105 through 340-025-0130 (consisting of SA 32, filed 8-5-68, effective 4-1-69).]	This note is no longer needed. SA probably stands for Sanitary Authority, which was the regulatory agency before DEQ was established.	NA
236	0310(4)	NA	NA	Change “shall not apply” to “do not apply”	Correction	SIP
236	0320(1)(b)	NA	NA	Change to: “(b) Except as otherwise required under the Oregon Public Records Law, ORS 192.410 to 192.505, when requested by the plant manager any information relating to processing or production must be kept confidential by DEQ and may not be disclosed or made available to competitors or their representatives in the rendering	Clarification. The public records law may require disclosure in some cases.	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				industry.”		
236	0410(1)	NA	NA	Change to: “No person shall operate any hot mix asphalt plant, either portable or stationary, located within any area of the state outside special control areas unless all dusts and gaseous effluents generated by the hot mix asphalt plant are controlled by a control device or devices with a removal efficiency for particulate matter of at least 80 percent by weight.”	Clarification	SIP
236	0410(1)	NA	NA	Add: “To determine compliance with this standard, the owner or operator must conduct a particulate matter source test using DEQ Method 5 at the inlet and outlet of the control device. If it is not feasible to conduct a PM source test at the inlet to the control device, the owner or operator must provide documentation demonstrating that the control device is designed to meet the standard and prepare and implement an operation and maintenance plan for ensuring that the control device will have at least an 80 percent removal efficiency when operated. “	Clarification. A test method should always be specified with each standard in order to be able to show compliance	SIP
236	0410(2)	NA	NA	Change to: “(2) No person may operate any hot mix asphalt plant, either portable or stationary, located within any special control area of the state without installing and operating systems or processes for the control of particulate emissions so as to comply with the emission limits established by the process weight table, OAR 340-236-8010, attached herewith and by reference made a part of this rule. Compliance is determined using DEQ Method 5. All source tests must be done using the DEQ Source Sampling Manual.”	Clarification. A test method should always be specified with each standard in order to be able to show compliance. Re-number table so that each table has its own rule number. Change reference from 236-0410 to 236-8010.	SIP
236	0410(3)	NA	NA	Delete cross references to sections in division 208 based on proposed changes	Clarification	SIP
NA	NA	236	0410(4)	Add: “(4) If requested by DEQ, the owner or operator must develop a fugitive emission control plan.”	If fugitive emissions are an issue, DEQ will request that a fugitive emission control plan be developed and implemented.	SIP
236	0410	NA	NA	Add “Click here for PDF copy of tables.” To the ED. NOTE	Clarification	SIP
236	0420	NA	NA	Delete “or regulation” at the end of the sentence	Clarification	SIP
236	0430	NA	NA	Repeal Portable Hot Mix Asphalt Plants	Requirements for portable hot mix asphalt plants are included in the general permit for asphalt	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					plants. DEQ does not do a control device approval when the plant moves. The source is required to get approval from the local land use authority and the permits include the emission limits and standards for each area where a portable source could be located. No other approval is needed when a source moves. However, the source needs to notify DEQ, but that is a condition of the permit.	
236	0440(1)	NA	NA	Change “from the plant” to “from a hot mix asphalt plant”	Clarification	SIP
236	0440(2)	NA	NA	Add “truck” to “traffic”	Clarification	SIP
236				Solid Waste Landfills		
236	0500(4)(a)	NA	NA	Add “the following” to what large landfills must comply with	Correction	SIP
236	0500(4)(a)(A)	NA	NA	Add “and” at the end	Correction	SIP
236	0500(5)	NA	NA	Remove parentheses and add quotation marks around defined term instead	Correction	SIP
236	0500(5)(g)	NA	NA	Add “and” at the end	Correction	SIP
NA	NA	236	8010	Renumber table so that each table has its own rule number. Change reference from 236-0410 to 236-8010.	Clarification	SIP
NA	NA	236	8010	Change “Disch” to “Discharge” in the table heading	Clarification	SIP
240				Rules For Areas With Unique Air Quality Needs		
240	0030(1)	200	0020(8)	Delete definition of “air contaminant” and use division 200 definition	Definition of air contaminant already in division 200	SIP
240	0030(3)	240	0120(1)	Include the definition of “average operating opacity” with the standard	Clarification	SIP
240	0030(4)	NA	NA	Delete definition of “charcoal producing plant”	Definition no longer needed since Charcoal Producing Plant rules are being repealed	SIP
240	0030(5)	NA	NA	Delete definition of “collection efficiency” and define “control efficiency,” “capture efficiency,” “destruction efficiency,” and “removal efficiency” in division 200	Clarification. There has been confusion among the terms “capture efficiency,” “collection efficiency,” “removal efficiency,” and “control efficiency.” “Collection efficiency” is the only term currently defined in divisions 236 and 240. “Removal efficiency” is replacing “collection efficiency.” The definitions of “capture efficiency,” “destruction efficiency,” and “control efficiency”	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					are being added to division 200 to help clarify the differences among the terms. To demonstrate compliance with a removal efficiency requirement, testing the inlet/outlet of a control device on an air conveying system would be very difficult. Usually, there is not enough room (straight duct) to measure the inlet and the flow is cyclonic. Therefore, DEQ is changing the requirement to a “design removal efficiency” which should be available from the manufacturer of the equipment. Required operation and maintenance plans will ensure proper operation of any air pollution control devices.	
240	0030(6)	200	0020(40)	Delete definition of Department	Definition already in division 200	SIP
240	0030(9)	200	0020(48)	Move definition of “dry standard cubic foot” to division 200	See discussion above in division 200 in definition of “dry standard cubic foot.” Definition is different from the definition of “standard cubic foot.” Use definition of “dry standard cubic foot” and move to Division 200	SIP
240	0030(10)	200	0020(51)	Delete definition of “emission” and use division 200 definition	See discussion above in division 234 in definition of “emission.” Definition different from division 200 definition but the same as division 234	SIP
240	0030(11)	200	0020(59)	Move definition of “EPA Method 9” to division 200 and change reference to 40 CFR Part 60 Appendix A-4.	See discussion above in division 200 in definition of “EPA Method 9.” Definition of EPA Method 9 same as Division 234	SIP
240	0030(12)	NA	NA	Delete the definition of “facility”	The definition of “facility” does not agree with the use of “facility” throughout division 240. “Facility” is used in the context of “source.”	SIP
240	0030(14)	200	0020(69)	Delete definition of “fuel burning equipment” and move to division 200 with clarifications	See discussion above in division 200 in definition of “fuel burning equipment.” Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify.	SIP
240	0030(15) and (16)	NA	NA	Delete definitions of “fuel moisture content”	Incorporated language into OAR 340-240-0120(1)(e) and (f)	SIP
240	0030(17)	200	0020(70)	Delete definition of “fugitive emissions” and use division 200 definition	See discussion above in division 208 in definition of “fugitive emissions.” Delete and use definition in division 200	SIP
240	0030(19)	200	0020(75)	Use definition of “hardboard” from division 234 and division 240 and move to division 200	See discussion above in division 200 in definition of “hardboard.” Definition of hardboard different from division 232 but same as division 234	SIP
240	0030(23)	200	0020(85)	Move definition of “liquefied petroleum gas” to division	See discussion above in division 200 in definition	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				200	of “liquefied petroleum gas”. Definition not used in division 240	
240	0030(24)	200	0020(86)	Delete definition of “lowest achievable emission rate”	Definition already in division 200	SIP
240	0030(25)	NA	NA	Delete definition of “maximum opacity”	Maximum opacity is really not a defined term other than requiring EPA Method 9 to be used to determine compliance. The compliance method has been included with the standard.	SIP
240	0030(26)	NA	NA	Delete definition of “Medford-Ashland Air Quality Maintenance Area”	Definition already in division 204	SIP
240	0030(27)	NA	NA	Delete definition of “modified source”	This definition is not needed since it is clear that it is meant to apply to sources with “major modifications” subject to division 224.	SIP
240	0030(28)	200	0020(95)	Move definition of “natural gas” to division 200	Definition used in other divisions	SIP
240	0030(29)	NA	NA	Delete definition of “new source”	Requirements for “old” wood waste boilers were repealed in 12/2004 because the compliance date (12/31/94) had past. All sources must meet the requirements for “new” sources. New sources and existing sources must comply with 340-240-0110(1), 340-240-120 through 250 so the definition of “new source” is no longer necessary.	SIP
240	0030(30)	200	0020(101)	Move definition of “odor” to division 200	See discussion above in division 200 in definition of “odor.” Definition same as in division 208	SIP
240	0030(31)	200	0020(102)	Delete definition of “offset”	This definition refers to the definition in Division 200	SIP
240	0030(32)	200	0020(103)	Delete definition of “opacity” and use division 200 definition	See discussion above in division 200 in definition of “offset.” Move to division 200	SIP
240	0030(34)	200	0020(109)	Move definition of “particleboard” to division 200	See discussion above in division 200 in definition of “particleboard.” Definition same as Division 234	SIP
240	0030(35)	200	0020(110)	Delete definition of “particulate matter” and use modified division 200 definition	See discussion above in division 204 in definition of “particulate matter.” Definition different from division 200, 226, 234, 236, and 240. Delete and use a modified version of division 200 definition. Move specific test requirements to rule with standard. Create a testing and monitoring section in 340-234-0540.	SIP
240	0030(36)	200	0020(116)	Delete definition of “person”	Definition already in division 200	SIP
240	0030(37)	200	0020(126)	Move definition of “press cooling vent” to division 200	Definition same as division 234	SIP
240	0030(41)	200	0020(187)	Move definition of “wood fuel-fired device” to division 200	Move to division 200	SIP
240	0030(42)	200	0020(164)	Delete definition of “source” and use definition in	Definition different than definition in division 200	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				division 200		
240	0030(43)	200	0020(167)	Move definition of “standard conditions” to division 200	See discussion above in division 200 in definition of “standard conditions.” Definition different from division 240 but same as division 226 and 228. Use division 240 definition and move to division 200	SIP
240	0030(44)	200	0020(48)	Delete definition of “standard cubic foot” and use definition of “dry standard cubic foot” from division 240 and move to division 200	See discussion above in division 200 in definition of “dry standard cubic foot.” Definition different from division 236 and 240 but same as 228. Each standard will have the applicable test method long with the correct adjustment.	SIP
240	0030(45)	200	0020(185)	Move definition of “veneer” same to division 200	See discussion above in division 200 in definition of “veneer.” Definition same as division 234	SIP
240	0030(46)	200	0020(186)	Move definition of “veneer dryer” to division 200	See discussion above in division 200 in definition of “veneer dryer.” Definition used in division 234 but not defined there	SIP
240	0030(47)	200	0020(189)	Move definition of “wood fired veneer dryer” to division 200	See discussion above in division 200 in definition of “wood fired veneer dryer.” Definition same as division 234	SIP
240	0030(48)	240	0030(13)	Change term to of “wigwam waste burner” instead of “wigwam fired burner” and leave definition as is	“Wigwam fired burner” not used but the same as definition of “wigwam <u>waste</u> burner” in division 234.	SIP
NA	NA	240	0050	Add a rule on “Compliance Testing Requirements”	Clarification. This rule specifies what test methods to use in this division	SIP
240				The Medford-Ashland Air Quality Maintenance Area and the Grants Pass Urban Growth Area		
240	0110(1)(b)	NA	NA	Change the 3 minute aggregate in one hour to a six minute average	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0110(1)(b)	NA	NA	Add reference to OAR 340-240-0210	OAR 340-240-0210 contains continuous monitoring requirements for opacity	SIP
240	0110(2)	NA	NA	Do not capitalize “Baseline Period” and change cross reference to division 222	Correction and renumber because the definition netting basis was moved to division 222	SIP
240	0120(1)(a)	NA	NA	Change to: “(1) No person may operate any veneer dryer such that visible air contaminants emitted from any dryer stack or emission point exceed the opacity limits specified in subsections (a) and (b) or such that emissions of particulate matter exceed the mass emission limits of subsections (c) through (g): (a)(i) A daily average operating opacity of five percent on	Clarification. Include the definition language of average opacity and maximum opacity with the standard. DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				more than two days within any 12-month period, with the days separated from each other by at least 30 days, as measured by EPA Method 9; and (ii) A maximum opacity of 10 percent at any time as measured by EPA Method 9, unless the permittee demonstrates by source test that it can achieve the emission limits in subsections (b) through (f) at higher visible emissions than specified in subsection (a) , but in no case may emissions exceed the visible air contaminant limitations of OAR 340-234-0510(1)(b). Specific opacity limits will be included in the permit for each affected source;”		
240	0120(1)(d) and (e)	NA	NA	Incorporate fuel moisture content into rule and add test method ASTM D4442-84. Add “or” at the end of (e)	Clarification	SIP
240	0120(1)(g)	240	0120(1)(f)	Change to: “(f) In addition to subsections (d) and (e), 0.20 pounds per 1,000 pounds of steam generated in any boiler that exhausts its combustion gases to the veneer dryer.”	Clarification	SIP
240	0120(2)	NA	NA	Delete the hyphen in fuel burning equipment	Correction	SIP
240	0120(3)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0120(3)(a), (b) & (c)	NA	NA	Change “(1)(a) through (g)” to “(1)(a) through (f)”	Correction	SIP
240	0120(5)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0130	NA	NA	Change to: “All air conveying systems emitting greater than 10 tons per year of particulate matter to the atmosphere must, with the prior written approval of DEQ, be equipped with a particulate emissions control device or devices with a design removal efficiency of at least 98.5 percent.”	Clarification. To demonstrate compliance with a removal efficiency requirement, testing the inlet/outlet of a control device on an air conveying system would be very difficult. Usually, there is not enough room (straight duct) to measure the inlet and the flow is cyclonic. Therefore, DEQ is changing the requirement to a “design removal efficiency” which should be available from the manufacturer of the equipment. Required operation and maintenance plans will ensure proper operation of any air pollution control devices.	SIP
240	0140(1)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0140(1)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0140(2)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0140(2)	NA	NA	Add “as a six minute” and do not capitalize permit	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
240	0140(1)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0160	NA	NA	Change “wigwam burner” to “wigwam waste burner”	Correction. The defined term is “wigwam waste burner”	SIP
240	0170	NA	NA	Delete Charcoal Producing Plant rules	These sources no longer exist in the state outside of Lane County. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules.	SIP
240	0180(1)	NA	NA	Remove “all” before plywood because it’s already in the beginning of the sentence.	Clarification	SIP
240	0180(1)	NA	NA	Delete “charcoal manufacturing plants”	The rules for charcoal manufacturing plants are being repealed	SIP
240	0180(2)(b)	NA	NA	Delete “asphalt, oil,” from the reasonable precautions to prevent particulate matter from becoming airborne	DEQ discourages the use of asphalt emulsions and oil as dust suppressants because of the negative environmental impact on other media.	SIP
240	0180(2)(d)	NA	NA	Delete “oil,” and add “suitable” before chemicals	Clarification. DEQ discourages the use of oil as dust suppressants because of the negative environmental impact on other media.	SIP
240	0180(2)(h)	NA	NA	Change “earth” to “earthen material, dirt, dust,”	Clarification.	SIP
240	0210(1)	NA	NA	Change “continuous emission monitoring systems guidance” to “the DEQ Continuous Monitoring Manual (March 2014) and delete reference to 40 CFR 60	The Continuous Monitoring Manual should be referenced which includes a reference to 40 CFR 60.	SIP
240	0210(2)(b)	NA	NA	Add “and” at the end	Correction	SIP
240	0220(1)	NA	NA	Change “person responsible for” to “owner or operator of”	Correction	SIP
240	0220(1)	NA	NA	Add reference to DEQ’s Source Sampling Manual	Correction	SIP
240	0220(1)(a) & (d)	NA	NA	Change “hr.” to “hour”	Clarification	SIP
240	0220(1)(b) and (e)	240	0220(1)(b) and (d)	Delete dates in the past and spell out numbers	The required testing dates are already past	SIP
240	0220(1)(d)	NA	NA	Delete requirement for source testing of charcoal producing plant	These sources no longer exist in the state outside of Lane County. See reason above.	SIP
240	0230	NA	NA	Repeal OAR 340-240-0230 as it is no longer necessary	Requirements for “old” wood waste boilers were repealed in 12/2004 because the compliance date (12/31/94) had past. All sources must meet the requirements for “new” sources. New sources and existing sources must comply with 340-240-	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					0110(1), 340-240-120 through 250.	
240	0250	NA	NA	Change to: “Open burning of domestic waste is prohibited on any day or at any time when DEQ advises fire permit issuing agencies that open burning is not allowed because of adverse meteorological or air quality conditions.”	Clarification	SIP
240				La Grande Urban Growth Area		
240	0310	NA	NA	Repeal OAR 340-240-0310 as it is no longer necessary	Compliance schedule dates for existing sources are all past	SIP
240	0320	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0320(1)	NA	NA	Change to: “(1) Any air contaminant which is equal to or greater than 10 percent opacity as a six minute average, unless the permittee demonstrates by source test that the source can comply with the emission limit in section (2) at higher opacity but in no case may emissions equal or exceed 20 percent opacity as a six minute average. Specific opacity limits will be included in the permit for each affected source.”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0330(1)	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0330(2)	NA	NA	Change to: “(2) No person may cause or permit the visible emissions from the wood particle dryers at a particleboard plant to exceed 10 percent opacity as a six minute average, unless the permittee demonstrates by source test that the particulate matter emission limit in section (1) can be achieved at higher visible emissions, but in no case may emissions equal or exceed 20 percent opacity as a six minute average. Specific opacity limits will be included in the permit for each affected source.”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0350	NA	NA	Change “is allowed to” to “may”	Correction	SIP
240	0350(1)	NA	NA	Change grain loading from “0.1” to “0.10”	La Grande is in a maintenance area so this limit has to change upon rule adoption, like 226-0210	SIP
240	0350(1)	NA	NA	Add “except as allowed by section (2)” to the end of the sentence	Allow for extension	SIP
NA	NA	240	0350(2)	Add: “(2) The owner or operator of an existing source who is unable to comply with OAR 340-226-0210(1)(a)(B) or (b)(C) may request that DEQ grant an extension allowing the source up to one year to comply with the standard, and DEQ may grant such extension if it determines that such period is necessary for the installation of controls.”	Allows extra time for installation of control equipment if necessary	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
240	0350(2)	240	0350(3)	Change to: “(3) All air conveying systems emitting greater than 10 tons of particulate matter to the atmosphere during any 12-month period beginning on or after January 1, 1990, must be equipped with a particulate emissions control device or devices with a rated control efficiency of at least 98.5 percent.”	Clarification. Testing the inlet/outlet of a control device on an air conveying system would be very difficult. Usually, there is not enough room (straight duct) to measure the inlet and the flow is cyclonic. Rated removal efficiency – can get this number from the manufacturer. Source test not required. O&M plan requirements will ensure correct O&M to maintain control efficiency.	SIP
240	0350(3)	240	0350(4)	Change to: “(4) No person may cause or permit the emission of any air contaminant which is equal to or greater than five percent opacity as a six minute average from any air conveying system subject to section (3).”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0360	NA	NA	Change to: “The owner or operator of any sawmill, plywood mill or veneer manufacturing plant, particleboard plant, or hardboard plant that is located in the La Grande Urban Growth Area must comply with OAR 340-240-0180.”	Correction. “Any” applies to all the sources listed, not just plywood mills and veneer manufacturing plants. Delete “large” since it is not defined and this rule should apply to any sawmill, plywood mill or veneer manufacturing plant, particleboard plant, or hardboard plant. Delete “, or charcoal manufacturing plant” since there are no charcoal manufacturing plants in the La Grande Urban Growth Area”	SIP
240				The Lakeview Urban Growth Area		
240	0410(1)	NA	NA	Change to: “(1) All sawmills, plywood mills and veneer manufacturing plants, particleboard and hardboard plants, asphalt plants, stationary rock crushers, and sources subject to OAR 340-240-0420 must prepare and implement site-specific plans for the control of fugitive emissions.”	Correction. “All” applies to all the sources listed, not just plywood mills and veneer manufacturing plants. Delete “large” since it is not defined and this rule should apply to all sawmills, plywood mills or veneer manufacturing plants, particleboard plants, or hardboard plants. Delete “stationary” as division 216 regulates both portable and stationary asphalt plants. Delete “, or charcoal manufacturing plant” since there are no charcoal manufacturing plants in the Lakeview Urban Growth Area”	SIP
240	0410(2)	NA	NA	Change to: “(2) Fugitive emission control plans must identify	Clarification	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				reasonable measures to prevent particulate matter from becoming airborne. Such reasonable measures must include, but not be limited to, the following:		
240	0410(2)(a)	NA	NA	Delete “asphalt, oil,” from the reasonable precautions to prevent particulate matter from becoming airborne; add a comma after water and change “created” to “create”	DEQ discourages the use of asphalt emulsions and oil as dust suppressants because of the negative environmental impact on other media.	SIP
240	0410(2)(b)	NA	NA	Delete “oil,”	DEQ discourages the use of oil as dust suppressants because of the negative environmental impact on other media.	SIP
240	0410(2)(f)	NA	NA	Change “earth” to “earthen material” and add “dirt, dust,”	Clarification	SIP
240	0420(1)	NA	NA	Change to: “With the exception of basic and general permit holders, a permit holder must prepare and implement operation and maintenance plans for non-fugitive sources of particulate matter.”	Clarification. DEQ no longer has “regulated source ACDPs.	SIP
240	0430	NA	NA	Change to: “The owner or operator of the following sources of particulate emissions must make or have made tests to determine the type, quantity, quality, and duration of emissions, and/or process parameters affecting emissions, using the DEQ Source Sampling Manual at the following frequency: wood waste boilers with total heat input capacity equal to or greater than 35 million Btu/hour -- Once every three years.”	Correction. Add reference to Source Sampling Manual	SIP
240				Klamath Falls Nonattainment Area		
240	0510(1)	NA	NA	Add “as a six minute average”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0510(2)	NA	NA	Add “include the following”	Clarification	SIP
240	0510(2)(b)	NA	NA	Delete: “(b) This rule does not apply where the presence of uncombined water is the only reason for failure of any source to meet the requirements of this rule.”	Not necessary with addition of “Compliance Testing Requirements” in OAR 340-240-0050	SIP
240	0510(2)(b)(A)	NA	NA	Add “and” at the end	Correction	SIP
240	0510(2)(c)	240	0510(2)(b)	Add “as a six minute average except that:”	DEQ is changing all non-recovery furnace opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average	SIP
240	0510(3)	NA	NA	Delete: “Opacity is determined in accordance with EPA Method 9 of Appendix A to 40 CFR Part 60 or a continuous	Not necessary with addition of “Compliance Testing Requirements” in OAR 340-240-0050	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				opacity monitoring system (COMS) installed and operated in accordance with Performance Specification 1 of Appendix B to 40 CFR Part 60.”		
240	0520 NOTE	240	0520(5)	Change NOTE to section (5): “(5) Test methods are based on methods used in other states with established stage II programs. See DEQ, Operations Division, for copies of the approved test methods.”	There is no an Air Quality Division at DEQ. It is now called the Operations Division.	SIP
240	0550(1)	NA	NA	Change to: “(1) All new or modified sources subject to OAR 340 division 224 may opt to use wood fuel-fired device emission reductions to satisfy offset requirements;”	Division 224 for New Source Review has been changed	SIP
240	0550(1)(a)	240	0550(2)	Change to: “(2) Offsets for decommissioning fireplaces and non-certified woodstoves (including fireplace inserts) must be obtained at the ratio specified in OAR 340-224-0530, as applicable. One ton of emission reductions from fireplaces and non-certified wood stoves offsets one ton of emissions from a proposed new or modified industrial point source proposed to be located inside or impacting the non-attainment area or maintenance area;”	Clarification	SIP
240	0550(1)(b) & (c)	240	0550(3) & (4)	Restructure	Clarification	SIP
240	0550(2)	NA	NA	Delete: “(2) The net air quality benefit analysis specified in OAR 340-225-0090(2)(a)(E) is not applicable to offsets meeting the criteria in (a) through (c) of section (1) of this rule.”	Clarification. The net air quality benefit requirements have changed and are referenced in section (1) above.	SIP
240	0560(1)	NA	NA	Change to: “(1) For Klamath Falls and other designated areas when allowed under OAR 340-204-0320, annual emissions reductions offsets for PM _{2.5} and PM ₁₀ are determined as follows:”	Clarification. Allows for use of OAR 340-240-0560 for other areas such as Lakeview.	SIP
240	0560(4)	NA	NA	Change “340-224-0050 or 340-224-0060” to “division 224”	Division 224 for New Source Review has been changed	SIP
240	0560	NA	NA	Move note to end of rule: “ Note: As used in this rule, “Certified” includes catalytic and non-catalytic designs, unless otherwise specified.”	Clarification	SIP
242				Rules Applicable to the Portland Area		
242				Industrial Emission Management Program		
242	0400(1)	NA	NA	Change to:	Clarification. The net air quality benefit	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(1) OAR 340-242-0430 through 340-242-0440 apply to all new sources or modifications at existing sources that have increases of VOC or NOx equal to or greater than the SER and are located in the Portland Air Quality Maintenance Area.”	requirements have been moved to division 224.	
242	0400(2)	NA	NA	Change to: “(2) OAR 340-242-0430 and 340-242-0440 apply to new sources and modifications at existing sources that have increases of CO equal to or greater than the SER and are located within the Portland Metro area or outside the Portland Metro area but that will have a significant impact within the Portland Metro area.”	Clarification	SIP
242	0420(3)	NA	NA	Change the cross reference to OAR 340-200-0020 to OAR 340-224-0025	The definition of major modification as moved to division 224	SIP
242	0420(3)	NA	NA	Change the cross reference to OAR 340-222-0040 to OAR 340-222-0035 and delete “by rule”	Correction	SIP
242	0430(2)	NA	NA	Change to: “(2) The owner or operator of a source subject to this division may obtain a portion of the respective growth allowance pursuant to OAR 340-242-0440.”	Simplification	SIP
242	0430(3)	NA	NA	Change to: “(3) If no emissions remain in the respective growth allowance, the owner or operator must provide offsets as required under OAR 340 division 224.”	Simplification and correction. The offset ratios have changed so reference division 224.	SIP
242	0440(1)	NA	NA	Change to: “(1) The owner or operator of a source subject to this division may obtain a portion of any remaining emissions in the respective growth allowance in accordance with procedures described in the SIP that is on file with DEQ, and based on the following conditions:”	Simplification	SIP
242	0440(1)(d)	NA	NA	Change “proposed new major source or modification” to “proposed source”	Simplification	SIP
242				Gasoline Vapors from Gasoline Transfer and Dispensing Operations		
242	0520(1) Note -1-	NA	NA	Change to: “[NOTE: Underground piping requirements are described in OAR 340-150-0300 and 40 CFR 280.20(d). Systems installed according to Petroleum Equipment Institute Publication RP100, "Recommended Practices for Installation of Underground Liquid Storage Systems" or American Society of Mechanical Engineers Standard B31.4 "Pipeline Transportation Systems for Liquid	Correction. Updates to referenced documents	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				Hydrocarbons and Other Liquids" are considered approved systems."		
242	0520(1) Note -2-	NA	NA	Delete: "-2- Above-ground stage II equipment requirements are based on systems recently approved in other states with established stage II program."	Correction. OAR 340-242-0510 defines: (6) "Stage II vapor collection system" means a system where at least 90 percent, by weight, of the gasoline vapors that are displaced or drawn from a vehicle fuel tank during refueling are transferred to a vapor-tight holding system or vapor control system. DEQ has does not maintain a list of approved equipment. The requirement for approval of equivalent systems is included in the definition of "equivalent control" and is not needed in the note. Therefore, Note -2- is not necessary.	SIP
242	0520 NOTE	NA	NA	Change to: "(5) Test methods are based on methods used in other states with established stage II programs. See DEQ, Operations Division, for copies of the approved test methods."	Correction. This should be a rule, not a note.	SIP
242				Motor Vehicle Refinishing		
242	0610(1)	200	0020(40)	Delete definition of "Department" and use the definition in division 200	The definition in division 200 is the same	SIP
242	0610(9)	200	0020(116)	Delete definition of "person" and use the definition in division 200	See discussion above in division 200 in the definition of "person." The definition in division 200 is more comprehensive.	SIP
242	0610(10)	204	0010(19)	Delete definition of "Portland Air Quality Maintenance Area"	The definition in division 204 is more comprehensive	SIP
242	0610(13)	200	0020(185)	Delete definition of "Volatile Organic Compound"	The definition is in division 200	SIP
242	0620(3)	NA	NA	Change to: "(3) This rule is not applicable to any person who performs motor vehicle refinishing without compensation, and who performs refinishing on two or fewer on-road motor vehicles, or portions thereof, in any calendar year."	Clarification	SIP
242				Spray Paint		
242	0700-0750	NA	NA	Repeal Spray Paint rules	Repeal spray paint rules since there are now more stringent federal rules. Oregon's rules reduce spray paint VOCs by 15 percent. EPA's rules reduce	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
					spray paint VOCs by 19 percent. There is no air quality impact because there are now more protective federal rules. There would be a slight positive fiscal impact because the paint manufacturers would no longer need to certify to two different but environmentally equivalent standards and Title V sources would no longer need to certify compliance with the Oregon rule. While these rules were adopted as part of the Portland ozone plan, the immediate issue is Title V permit streamlining.	
242				Area Source Common Provisions		
242	0760-0790	NA	NA	Repeal Area Source Common Provisions rules	These rules are no longer needed. Applicability, 242-0760, for the Motor Refinishing Rules, 0600 through 0630, only require cleaning equipment and use of certain equipment for spraying. The rules do not require submittal of any information so Exemption from Disclosure to the Public, 242-0780, isn't relevant. The Public Records Law to the extent provided in 192.410 to 192.505 specifies requirements for information exempt from disclosure. Compliance Extensions, 242-0770, are for manufacturers defined in 242-0710, which is being repealed. Future Review, 242-0790, is no longer needed since it applies to 242-0700 through 0750, which are being repealed.	SIP
244				Oregon Federal Hazardous Air Pollutant Program		
244	0232 - 0252	NA	NA	Change "DEQ" to "DEQ and the EPA Administrator"	The EPA Administrator is added as the regulating authority to make the rules federally enforceable and for delegation approval.	NA
244	0232 - 0252	NA	NA	Add "340-244-" if not already included in the rule citation	Clarification	NA
244	0232	NA	NA	Change to: "This rule establishes emission limitations and management practices for hazardous air pollutants and volatile organic compounds emitted from the loading of gasoline storage tanks and dispensing of fuel at gasoline dispensing facilities . This rule also establishes	Simplification	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				requirements to demonstrate compliance with the emission limitations and management practices.”		
244	0234(4)(a)(A)	NA	NA	Change to “Whose monthly throughput is 480,000 gallons of gasoline or more; or”	Correction. Changed to align with EPA rule language.	NA
244	0234(4)(a)(B)	NA	NA	Change to “Whose monthly throughput is 100,000 gallons of gasoline or more; or”	Correction. Changed to align with EPA rule language.	NA
244	0234(4)(a)(C)	NA	NA	Change to “In Clackamas, Multnomah, or Washington County whose annual throughput is 120,000 gallons of gasoline or more.”	Correction.	NA
244	0234(4)(b)	NA	NA	Change to “Salem-Keizer in the SKATS”	Correction.	NA
244	0234(6)	NA	NA	Add “or the EPA Administrator” after DEQ, change “their” to “its” and “January” to “Jan.”	Clarification. EPA may also request that the affected source demonstrate annual or monthly throughput.	NA
244	0234(7)	NA	NA	Change to: “The owner or operator of an affected source, as defined in section (1), is not required to obtain an Oregon Title V Operating Permit as a result of being subject to OAR 340-244-0236 through 0252. However, the owner or operator of an affected source must still apply for and obtain an Oregon Title V Operating Permit if meeting one or more of the applicability criteria found in OAR 340-218-0020.”	Clarification. Add language from EPA's rules that is missing from DEQ rules.	NA
244	0234(8)	NA	NA	Change to “Salem-Keizer in the SKATS”	Correction.	NA
244	0236(1)	NA	NA	Do not capitalize “vacuum”	Correction	NA
244	0236(2)	NA	NA	Change “November” to “Nov.”	Correction	NA
244	0238(1)	NA	NA	Change to January to Jan.	Style guide	NA
244	0238(1)(b)	NA	NA	Change to December to Dec.	Style guide	NA
244	0238(1)(c)	NA	NA	Change to September to Sep.	Style guide	NA
244	0238(2)	NA	NA	Change to January to Jan.	Style guide	NA
244	0238(2)(a) & (b)	NA	NA	Change to December to Dec.	Style guide	NA
244	0238(4)(b)(A) & (B)	NA	NA	Change to December to Dec.	Style guide	NA
244	0238(5)(a)	NA	NA	Change to January to Jan.	Style guide	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
244	0238(5)(b)(A)	NA	NA	Change to December to Dec.	Style guide	NA
244	0242(5)(d)	NA	NA	Add “or the EPA Administrator” after DEQ	Clarification. EPA may also request records	NA
244	0238(5)(b)(A) & (B)	NA	NA	Change to January to Jan.	Style guide	NA
244	0239(1)	NA	NA	Add “or the EPA Administrator” after DEQ	Clarification. EPA may also have information to determine whether operation and maintenance procedures are being used.	NA
244	0239(2)	NA	NA	Change “OAR 340-244-0248(3)” to “OAR 340-244-0248(4)”	Correction	NA
244	0240(3)(a) & (b)	NA	NA	Change to November to Nov.	Style guide	NA
244	0240(3)(c)	NA	NA	Add “and the EPA Administrator” after DEQ	Clarification. EPA may also conduct inspections	NA
244	0240(6)	NA	NA	Add “or the EPA Administrator” after DEQ	Clarification. EPA may also request records	NA
244	0242	NA	NA	Add rule numbers to the table references	Clarification.	NA
244	0242(1)(b)	NA	NA	Change January to Jan.	Style guide	NA
244	0242(5)(d)	NA	NA	Add “or the EPA Administrator” after DEQ	Clarification. EPA may also request records	NA
244	0242(5)(a) to (c)	NA	NA	Change to: “(a) The applicable testing requirements in OAR 340-244-0244. (b) The applicable notification requirements in OAR 340-244-0246. (c) The applicable recordkeeping and reporting requirements in OAR 340-244-0248 and 340-244-0250.”	Plain language	NA
244	0244(1)(a)(A)	NA	NA	Change October to Oct.	Style guide	NA
244	0244(1)(b)(C)	NA	NA	Change November to Nov. and December to Dec.	Style guide	NA
244	0244(2)	NA	NA	Add “or upon request by the EPA Administrator” after DEQ	Clarification. EPA may also request records	NA
244	0244(2)(a)	NA	NA	Change February to Feb. and October to Oct.	Style guide	NA
244	0244(3)	NA	NA	Change to: “(3) Conduct of performance tests. Performance tests	Clarification. EPA may also request demonstration of equivalency of the vapor balance system	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				must be conducted under such conditions as DEQ or the EPA Administrator specifies to the owner or operator of a GDF based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Upon request by DEQ or the EPA Administrator, the owner or operator of a GDF must make available such records as may be necessary to determine the conditions of performance tests.”		
244	0246(1)(a)	NA	NA	Change “April 24, 2013” to “May 24, 2011”	Correction. The DEQ date is later than EPA's. This change would adopt EPA's date to remove a potential barrier to delegation approval.	NA
244	0246(1)(a)	NA	NA	Change “through (C)” to “through (D)”	Correction	NA
244	0246(1)(b)	NA	NA	Add “OAR 340-244-“ before “-0252”	Clarification	NA
244	0246(2)(a)	NA	NA	Change “April 24, 2013” to “May 24, 2011”	Correction. The DEQ date is later than EPA's. This change would adopt EPA's date to remove a potential barrier to delegation approval.	NA
244	0248(2)	NA	NA	Add “and the EPA Administrator” after DEQ	Clarification. EPA may also request records	NA
244	0248(3)(b)(B)	NA	NA	Add “and the EPA Administrator” after DEQ	Clarification. EPA may also conduct inspections	NA
244	0250(1)	NA	NA	Add “and the EPA Administrator” after DEQ	Clarification. Owners or operators must also report to EPA	NA
244	0250(2)	NA	NA	Add “that has monthly throughput of 10,000 gallons of gasoline or more” to the annual reporting requirement for gasoline dispensing facilities	Remove the annual reporting for gasoline dispensing facilities with monthly throughput of less than 10,000 gallons of gasoline A gasoline dispensing facility with a monthly throughput of less than 10,000 gallons of gasoline is currently required to meet work practice standards, have a submerged fill tube installed on their tank(s), submit a one-time initial notification and notification of compliance status, and submit annual reports of throughput; they are not required to have an air quality permit. DEQ has determined that the annual reporting requirement for these small gasoline dispensing facilities is unnecessary. DEQ would still have the authority to request throughput information from these facilities, and may do so, for businesses close to the 10,000 gallon permitting threshold.	NA

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
246				Oregon State Air Toxics Program		
246	0230(2)	NA	NA	Change “340-216-0020, Table 1, Part B, line 74” to “340-216-0066”	Correction	SIP
262				Heat Smart Program for Residential Woodstoves and Other Solid Fuel Heating Devices		
262	0450(6)	NA	NA	Change “shall” to “will”	Correction	SIP
262	0450(24)(g)	NA	NA	Change to: “(g) Boilers providing process heat to a commercial, industrial, or institutional establishment that obtain construction approval under OAR 340-210-0205 through 340-210-0250.”	When EPA adopted 40 CFR part 63, subpart DDDDD and subpart JJJJJ, as in effect on February 16, 2012, they exempted small boilers from the NESHAP requirements. The proposed rule language would continue to exempt these boilers.	SIP
264				Rules for Open Burning		
264	ALL	NA	NA	Make the ED. NOTE for the figure the same	Consistency	SIP
264	0010	NA	NA	Delete chapter and the comma between OAR 340 and division 266	Correction	SIP
264	0010(2)(l)	NA	NA	Delete “(l) OAR 340-264-0190 establishes criteria for use of forced-air pit incineration.”	EPA’s rules for Commercial/Industrial Solid Waste Incineration require forced-air pit or air curtain incinerators to have Title V permits. Therefore, these emissions units can no longer be allowed under the open burning rules.	SIP
264	0010(3)(f)	NA	NA	Delete “or 340-363-0190 (Forced-Air Pit Incinerators)”	Forced- air pit or air curtain incinerators must obtain Title V permits. These emissions units are no longer allowed under the open burning rules.	SIP
264	0030(6)	NA	NA	Delete “or air curtain incinerators”	EPA’s rules for Commercial/Industrial Solid Waste Incineration require forced-air pit or air curtain incinerators to have Title V permits. Therefore, these emissions units can no longer be allowed under the open burning rules.	SIP
264	0030(10)	200	0020(29)	Delete the definition of “Commission	Delete and use division 200 definition	SIP
264	0030(16)	200	0020(40)	Delete the definition of “Department”	Delete and use division 200 definition	SIP
264	0030(17)	200	0020(46)	Delete the definition of “Director”	Delete and use division 200 definition	SIP
264	0030(21)	NA	NA	Delete the definition of “Forced-Air Pit Incineration”	EPA’s rules for Commercial/Industrial Solid Waste Incineration require forced-air pit or air curtain incinerators to have Title V permits. Therefore, these emissions units can no longer be allowed under the open burning rules.	SIP
264	0030(29)	NA	NA	Delete: “(c) Burning in incinerators that do not meet the emission limitations specified for solid and infectious waste	Correction. Burning in incinerators that do not meet the solid and infection waste incineration requirements in division 230 has not been allowed	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				incinerators in OAR 340-230-0100 through 340-230-0150; and”	for approximately 10 years even though the rules were not changed.	
264	0030(31)	200	0020(116)	Delete the definition of “person”	Delete and use division 200 definition	SIP
264	0030	NA	NA	Delete the editorial note about referenced figures	This rule does not reference any figures	SIP
264	0040(5)	NA	NA	Delete chapter and the comma between OAR 340 and division 266	Correction	SIP
264	0075	NA	NA	Add SIP note: “NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan that EQC adopted under OAR 340-200-0040.”	This rule was last approved into the SIP by EPA on 04/25/13. The note was inadvertently omitted from the rule.	SIP
264	0078	NA	NA	Add figure names	Clarification	SIP
264	0110	NA	NA	Add figure names	Clarification	SIP
264	0110	NA	NA	Add “Click here for PDF copy of figures.” To the ED. NOTE	Clarification	SIP
264	0120(4)(c)	NA	NA	Correct cross reference to OAR 340-264-0078(7)	Correction	SIP
264	0130(5)(a)(A)	NA	NA	Change “SE 172 nd Avenue” to “SE 162 nd Avenue”	Correction	SIP
264	0160	NA	NA	Add figure names	Clarification	SIP
264	0170(1)	NA	NA	Change to: “(1) Open burning control areas: (a) The Coos Bay open burning control area, as described in OAR 340-264-0078(2) and generally depicted in Figure 3 Coos Bay Open Burning Control Area of OAR 340-264-0078, is located in Coos County; (b) The Umpqua Basin open burning control area, as described in OAR 340-264-0078(4), and generally depicted in Figure 5 Umpqua Basis Open Burning Control Area of OAR 340-264-0078, is located in Douglas County; (c) The Rogue Basin open burning control area, as described in OAR 340-264-0078(3) and generally depicted in Figure 4 Rogue Basin Open Burning Control Area of OAR 340-264-0078, is located in Jackson and Josephine Counties.”	Clarification	SIP
264	0190	NA	NA	Repeal Forced Air Pit Incinerators rules	EPA’s rules for Commercial/Industrial Solid Waste Incineration require forced-air pit or air curtain incinerators to have Title V permits. Therefore, these emissions units can no longer be allowed under the open burning rules.	SIP
268				Emission Reduction Credits		
268	0010	NA	NA	Change title to “Applicability and Jurisdiction”	Clarification	SIP
268	0010	NA	NA	Change to:	Clarification. This change clarifies the relationship	SIP

Current		Proposed		Suggested change	Reason/Issues	SIP
Division	Rule	Division	Rule			
				“(1) This division applies to any person who wishes to create or bank an emission reduction credit in the state. (2) Subject to the requirements in this division and OAR 340-200-0010(3), LRAPA is designated by the EQC to implement the rules in this division within its area of jurisdiction.”	and delegation of authority to LRAPA.	
NA	NA	268	0030(1)(f)	Add: “Hazardous emissions reductions required to meet the MACT standards at 40 CFR part 61 and part 63, including emissions reductions to meet the early reduction requirements of section 112(i)(5), are not creditable as emission reduction credits for purposes of Major NSR in nonattainment or reattainment areas. However, any emissions reductions that are in excess of or incidental to the MACT standards are not precluded from being credited as emission reduction credits as long as all conditions of a creditable emission reduction credit are met.”	From 11/12/97 EPA Memo: Crediting of MACT emissions reductions for NSR netting and offsets. Required HAP emission reductions are not creditable as offsets in nonattainment or reattainment areas but can be used in maintenance or sustainment areas. Emission reductions in excess of or incidental to MACT standards can be used as emission reduction credits anywhere.	SIP
NA	NA	268	0030(2)(c)(C)	Add provision for a lower amount of ERCs in Klamath Falls and Lakeview	ERCs from woodstoves are approximately 0.04 tons/year/woodstove. To make ERCs from wood fuel-fired devices bankable, an amount lower than 10 tons per year is needed.	SIP
268	0030(3)(b)	NA	NA	Change to: “(b) Offsets pursuant to the New Source Review program, OAR 340 division 224.”	Net Air Quality Benefit was moved to division 224	SIP
NA	NA	268	0030(4)	Add: “(4) Emission reduction credits are considered used when a complete NSR permit application is received by DEQ to apply the emission reduction credits to netting actions within the source that generated the credit, or to meet the offset and net air quality benefit requirements of the NSR program under OAR 340-224-0500 though 340-224-0540.”	Clarification. The existing rules do not specify when ERC are considered “used” and what happens if the proposed project changes.	SIP
268	0030(4) & (5)	268	0030(5) & (6)	Add a period at the end	Correction	SIP
268	0030(4)(a)	268	0030(5)(a)	Clarify that emission reduction credits not used or banked and become unassigned PSELS are no longer available for use as external offsets	Clarification	SIP
268	0030(4)(b)	268	0030(5)(b)	Clarify that emission reduction credits not used prior to the expiration date and revert back to the source that generated the credit will become unassigned PSELS and are no longer available for use as external offsets	Clarification	SIP

