Facility-wide Requirements

# Applicable Requirement: The permittee must not allow or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions must include, but not be limited to the following: [OAR 340-208-0210(1)]

## use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;

## application of water, or other suitable chemicals on unpaved roads, materials stockpiles, and other surfaces which can create airborne dusts;

## full or partial enclosure of materials stockpiles in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;

## installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;

## adequate containment during sandblasting or other similar operations; and

## covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne.

# Monitoring Requirement: At least once each week for a minimum period of 30 minutes, the permittee must visually survey the plant for any sources of excess fugitive emissions. For the purpose of this survey, excess fugitive emissions are considered to be any visible emissions that leave the plant site boundaries for more than 18 seconds in a six minute period using EPA Method 22. If sources of visible emissions are identified, the permittee must: [OAR 340-218-0050(3)(a)]

## immediately take corrective action to minimize the fugitive emissions, including but not limited to those actions identified in condition 1; or

## develop and implement a fugitive emission control plan, if requested by DEQ;

## Recordkeeping: The permittee must maintain records of the fugitive emissions surveys, corrective actions (if necessary), and/or the instances when the fugitive emission control plan was implemented and the results of the implementation.

**Nuisance Conditions**

# Applicable Requirement: The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by DEQ personnel. [OAR 340-208-0300] This condition is enforceable only by the State.

# Applicable Requirement: The permittee must not cause or permit the deposition of any 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. [OAR 340-208-0450] This condition is enforceable only by the State.

# Monitoring Requirement: The permittee must maintain a log of each nuisance complaint received by the permittee during the operation of the facility. Documentation must include date of contact, time of observed nuisance condition, description of nuisance condition, location of receptor, status of plant operation during the observed period, and time of response to complainant. A plant representative must immediately investigate the condition following the receipt of the nuisance complaint and a plant representative must provide a response to the complainant within 24 hours, if possible. This condition is only enforceable by the state. [OAR 340-218-0050(3)(a)]

OPACITY

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Applicable Requirement | Condition Number | Pollutant/ Parameter | Limit/Standard | Averaging Time | Testing Condition | Monitoring Condition |
| 340-208-0110 |  | Visible emissions | 20% opacity | 6 minute block average |  |  |
| 340-208-0110 |  | Visible emissions | 20% opacity | 6 minute block average |  |  |
| 340-226-0210(2) |  | PM | 0.10 gr/dscf  | avg. of 3 test runs |  |  |
| 340-226-0210(2) |  | PM | 0.24 gr/dscf or 0.15 gr/dscf | avg. of 3 test runs |  |  |
| 340-226-0210(2) |  | PM | 0.24 gr/dscf or 0.20 gr/dscf | avg. of 3 test runs |  |  |
| 340-226-0210(2) |  | PM | 0.10 gr/dscf  | avg. of 3 test runs |  |  |
| 340-226-0210(2) |  | PM | 0.14 gr/dscf  | avg. of 3 test runs |  |  |
| 340-226-0210(2) |  | PM | 0.10 gr/dscf  | avg. of 3 test runs |  |  |
| 340-228-0210(2) |  | PM | 0.1 gr/dscf @12%CO2 | avg. of 3 test runs |  |  |

*----OR THIS FORMAT-----*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicable Requirement | Condition Number | Pollutant/ Parameter | Limit/Standard | Monitoring Requirement | Monitoring Condition |
| 340-208-0110 | 15 | Visible emissions | 20% opacity, 6 minute block average |  |  |
| 340-226-0210(2) |  | PM | 0.1 gr/dscf, avg. of 3 test runs |  |  |
| 340-228-0210(2) |  | PM | 0.1 gr/dscf @12%CO2, avg. of 3 test runs |  |  |

# Applicable Requirement: The permittee must not allow emissions from any air contaminant source to equal or exceed 20% opacity as a six-minute block average.

1. Applicable Requirement: The permittee must not allow emissions from EUXX to equal or exceed:
	1. 40% opacity as a six-minute block average through December 31, 2019, with the exception that visible emissions may equal or exceed 40 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 55 percent.
	2. 20 percent opacity on or after January 1, 2020, with one or more of the following exceptions:
		1. Visible emissions may equal or exceed 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.
		2. Visible emissions may equal or exceed 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. [OAR 340-208-0110(3)]
2. Applicable Requirement: The permittee must submit a grate cleaning plan to DEQ within 60 days of permit issuance. The plan must include the following:
	1. Frequency of grate cleaning;
	2. Expected length of grate cleaning period;
	3. Methods to minimize grate cleaning;

The plan must be kept on site and be made available upon request.

1. Applicable Requirement: The permittee must not allow emissions from EUXX to equal or exceed 20% opacity as a six-minute block average with the exception that visible emissions may equal or exceed 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. [OAR 340-208-0110(4)]
2. Applicable Requirement: The permittee must not allow emissions from EUXX to equal or exceed 20% opacity as a six-minute block average. [OAR 340-208-0110(5)]

**GRAIN LOADING**

# Applicable Requirement: The permittee must not cause or allow particulate matter emissions from any air contaminant source other than fuel burning equipment and fugitive emission sources that exceeds 0.10 grains per standard cubic foot. [OAR 340-228-0210(1)(b)]

# Applicable Requirement: The permittee must not cause or allow particulate matter emissions from EUXX in excess of the following, corrected to 12% CO2:

## 0.24 grains per dry standard cubic foot prior to Dec. 31, 2019; and

## 0.15 grains per dry standard cubic foot on or after Jan. 1, 2020. [OAR 340-228-0210(1)(b)]

# Applicable Requirement: The permittee must not cause or allow the emission of particulate matter in excess of 0.2 grains per dry standard cubic foot, corrected to 12% CO2 from equipment or a mode of operation (e.g., backup fuel) that is used less than 876 hours per calendar year, 0.24 grains per standard cubic foot from [INSERT SOS FILING DATE OF RULES] through December 31, 2019, and 0.20 grains per standard cubic foot on or after Jan. 1, 2020. [OAR 340-228-0210(1)(a)]

# Applicable Requirement: The permittee must not cause or allow the emission of particulate matter in excess of 0.2 grains per dry standard cubic foot from any source in the Material Handling emission units. [OAR 340-226-0210(1)(a)]

(2) No person may cause, suffer, allow, or permit particulate matter emissions from any air contaminant source in excess of the following limits:

(C) In addition to the limits in paragraphs (A) or (B),

(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 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.

# Testing Requirement(s): **[Fill in requested information, if applicable]**

## Compliance source testing **[See example below]**

### Pollutant and Test Method (include any allowable deviations from the method)

### Due date and/or frequency **[Note: For annual testing, include: Annual source testing (on a calendar basis) must be a minimum of 6 months apart and maximum of 18 months apart, unless approved by DEQ.]**

### Process and control device information to be collected during the tests

### Test report due date

## **[Example test condition]** Oregon Method 5 must be used for measuring particulate matter emissions from the hog fuel boilers (Steam Plant emissions unit). Each test run must be a minimum of 60 minutes long with a minimum sample volume of 31.8 dscf. Test results must be reported as grains per dry standard cubic feet (gr/dscf), gr/dscf corrected to 12% CO2, pounds per hour, and pounds per thousand pounds of steam.

### Testing must be conducted once each calendar year with the first test performed within 6 months after this permit is issued. If two consecutive annual test results are each less than 75% of the standard (0.15 gr/dscf corrected to 12% CO2), no further testing is required for that boiler during the term of the permit. Consecutive annual tests must be separated by at least 6 months, but not more than 18 months.

### Unless otherwise specified by permit condition or DEQ approved source test plan, hogged fuel boiler compliance source tests must be performed as follows:

#### at least 90% of the design capacity for new or modified equipment;

#### at least 90% of the maximum production capacity for existing equipment; or

#### at 90 to 110% of the normal maximum operating rate for existing equipment. For purposes of this permit, the normal maximum operating rate is defined as the 90th percentile of the average hourly operating rates during a 12 month period immediately preceding the source test. Data supporting the normal maximum operating rate must be included with the source test report.

#### If the process rate during the test is determined by Condition 16.b.ii.C, the permittee must maintain production records on an hourly basis in addition to any other records that may be required by this permit or an applicable requirement.

### During each test run, the permittee must record the following information:

#### as fired fuel characteristics including moisture content, approximate percentage of bark, species, and percent by weight less than 1/8 inch;

#### visible emissions as measured by EPA Method 9 for a minimum of 6 minutes during or within 30 minutes before or after each Oregon Method 5 test run;

#### boiler steaming rate (lbs/hr);

#### boiler excess oxygen (%); and

#### control device operating parameters including the pressure drop across the multiclone.

## Emission Factor verification testing

### Pollutants and Test Methods (include any allowable deviations from the method)

### Frequency

### Emissions results reported in units of the emission factor in the PSEL monitoring section.

### Process information

### Test report due date

## Test methods if testing is not required.

# Monitoring and Recordkeeping Requirement(s): **[Pick one or more of the following and fill in the requested information, if applicable]**

## Visible emissions monitoring as a direct measure of opacity or surrogate for PM standard **[See below]**

## **[Example visible emissions monitoring condition]** The permittee must monitor visible emissions from the stack of the **<insert equipment>** by conducting a Modified EPA Method 9 test (see page 2 of the permit). Each Modified EPA Method 9 test must be a minimum of 6 minutes long unless any one reading is greater than 20% opacity, then the observation period must be 60 minutes or until a violation of the applicable standard in conditions **<insert cross reference to appropriate condition>** is documented, whichever period is shorter.

### The Modified EPA Method 9 tests must be conducted at least once each day, excluding weekends and holidays, on the Steam Plant stack and at least once each month on each individual cyclone.

### If 10 consecutive days of Modified EPA Method 9 test results are less than the standard in condition **<insert cross reference to appropriate condition>**, the test frequency may be weekly.

### If 10 consecutive weeks of Modified EPA Method 9 test results are less than the standard in condition **<insert cross reference to appropriate condition>**, the test frequency may be monthly.

### If 8 consecutive months of Modified EPA Method 9 test results are less than the applicable standard in condition **<insert cross reference to appropriate condition>**, the test frequency may be quarterly.

### If any test result exceeds the applicable standard in condition **<insert cross reference to appropriate condition>**, the test frequency must be daily for 5 consecutive days following the exceedance. If results of the daily tests are all less than the applicable standard in condition **<insert cross reference to appropriate condition>**, the test frequency must be the same as before the exceedance occurred.

### If, on a regularly scheduled test day, it is not possible to conduct a Modified EPA Method 9 test due to inclement weather conditions or interference from other fugitive sources, the permittee must make three attempts during the day at approximately 10 a.m., noon, and 2 p.m. If it is still not possible to conduct the test, the permittee must perform the test the following day. The permittee must record in a log the reason for not conducting the test on a regularly scheduled test day.

### All Modified EPA Method 9 tests must be performed during periods that boilers or cyclones are in operation.

## Process or control device parameter monitoring

### Parameter (i.e., hourly steam monitoring if required as stated in condition 16.b.ii)

### Monitoring equipment and quality assurance

### Data collection frequency

### Data averaging

### Minimum data availability if different than 90% of the averaging periods or hours of operation in a reporting period

### Action levels and duty to perform corrective action

### Contingencies for not being able to initiate corrective action or if the corrective action is ineffective (e.g., visible emissions monitoring)

### DEQ notification requirements for extended periods of excursions

### Recordkeeping: List the specific records for this monitoring condition.

## CEMS or COMS:

### Quality assurance (e.g., reference to DEQ’s Continuous Monitoring Manual)

### Data averaging

### Minimum data availability if different than 90% of the averaging periods or hours of operation in a reporting period

### Recordkeeping: List the specific records for this monitoring condition.

## Inspection and maintenance:

### What to inspect

### Frequency

### Corrective action or routine maintenance

### Recordkeeping: List the specific records for this monitoring condition, which are probably just records of the inspections and corrective action performed.

## Recordkeeping of process records

### Type and amount of fuels

### Sulfur content

### Production levels (monthly, annual and perhaps hourly, daily, or weekly if required as in condition 16.b.ii.D)

**[Repeat conditions** **15, 16, and 17 for each applicable requirement for this emissions unit]**

Emissions Unit Y Requirements

**[Repeat conditions , , and for each applicable requirement for this emissions unit]**

Insignificant Activities Requirements

# DEQ acknowledges that insignificant emissions units (IEUs) identified by rule as either categorically insignificant activities or aggregate insignificant emissions as defined in OAR 340-200-0020 exist at facilities required to obtain an Oregon Title V Operating Permit. IEUs must comply with all applicable requirements. In general, the requirements that could apply to IEUs are incorporated as follows:

## OAR 340-208-0110 (20% opacity)

## OAR 340-228-0210 (0.1 gr/dscf corrected to 12% CO2 or 50% excess air for fuel burning equipment)

## OAR 340-226-0210 (0.1 gr/dscf for non-fugitive, non-fuel burning equipment)

## OAR 340-226-0310 (process weight limit for non-fugitive, non-fuel burning process equipment)

Unless otherwise specified in this permit or an applicable requirement, DEQ is not requiring any testing, monitoring, recordkeeping, or reporting for the applicable emissions limits and standards that apply to IEUs. However, if testing were performed for compliance purposes, the permittee would be required to use the test methods identified in the definitions of “opacity” and “particulate matter” in OAR 340-208-0010 and perform the testing in accordance with DEQ’s Source Sampling Manual.

General Conditions

1. General Provision

Terms not otherwise defined in this permit have the meaning assigned to such terms in the referenced regulation.

1. Reference materials

Where referenced in this permit, the versions of the following materials are effective as of the dates noted unless otherwise specified in this permit:

* 1. Source Sampling Manual; April 15, 2015 - State Implementation Plan Volume 3, Appendix A4;
	2. Continuous Monitoring Manual; April 15, 2015 - State Implementation Plan Volume 3, Appendix A6; and
	3. All state and federal regulations as in effect on the date of issuance of this permit.
1. Applicable Requirements [OAR 340-218-0010(3)(b)]

Oregon Title V Operating Permits do not replace requirements in Air Contaminant Discharge Permits (ACDP) issued to the source even if the ACDP(s) have expired. For a source operating under a Title V permit, requirements established in an earlier ACDP remain in effect notwithstanding expiration of the ACDP or Title V permit, unless a provision expires by its terms or unless a provision is modified or terminated following the procedures used to establish the requirement initially. Source specific requirements, including, but not limited to TACT, RACT, BACT, and LAER requirements, established in an ACDP must be incorporated into the Oregon Title V Operating Permit and any revisions to those requirements must follow the procedures used to establish the requirement initially.

1. Compliance [OAR 340-218-0040(3)(n)(C), 340-218-0050(6), and 340-218-0080(4)]
	1. The permittee must comply with all conditions of this permit. Any permit condition noncompliance constitutes a violation of the Federal Clean Air Act and/or state rules and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. Any noncompliance with a permit condition specifically designated as enforceable only by the state constitutes a violation of state rules only and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
	2. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of permit issuance is supplemental to, and does not sanction noncompliance with the applicable requirements on which it is based.
	3. For applicable requirements that will become effective during the permit term, the source must meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.
2. Masking Emissions:

The permittee must not install or use any device or other means designed to mask the emission of an air contaminant that causes or is likely to cause detriment to health, safety, or welfare of any person or otherwise violate any other regulation or requirement. [OAR 340-208-0400] This condition is enforceable only by the State.

1. Credible Evidence:

Notwithstanding any other provisions contained in any applicable requirement, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any such applicable requirements. [OAR 340-214-0120]

1. Certification [OAR 340-214-0110, 340-218-0040(5), 340-218-0050(3)(c)(D), and 340-218-0080(2)]

Any document submitted to DEQ or EPA pursuant to this permit must contain certification by a responsible official of truth, accuracy and completeness. All certifications must state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and, complete. The permittee must promptly, upon discovery, report to DEQ a material error or omission in these records, reports, plans, or other documents.

1. Open Burning [OAR Chapter 340, Division 264]

The permittee is prohibited from conducting open burning, except as may be allowed by OAR 340-264-0020 through 340-264-0200.

1. Asbestos [40 CFR Part 61, Subpart M (federally enforceable), OAR Chapter 340-248-0005 through 340-248-0180 (state-only enforceable) and 340-248-0205 through 340-248-0280]

The permittee must comply with OAR Chapter 340, Division 248, and 40 CFR Part 61, Subpart M when conducting any renovation or demolition activities at the facility.

1. Stratospheric Ozone and Climate Protection [40 CFR 82 Subpart F, OAR 340-260-0040]

The permittee must comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

1. Permit Shield [OAR 340-218-0110]
	1. Compliance with the conditions of the permit is deemed compliance with any applicable requirements as of the date of permit issuance provided that:
		1. such applicable requirements are included and are specifically identified in the permit, or
		2. DEQ, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
	2. Nothing in this rule or in any federal operating permit alters or affects the following:
		1. the provisions of ORS 468.115 (enforcement in cases of emergency) and ORS 468.035 (function of department);
		2. the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
		3. the applicable requirements of the national acid rain program, consistent with section 408(a) of the FCAA; or
		4. the ability of DEQ to obtain information from a source pursuant to ORS 468.095 (investigatory authority, entry on premises, status of records).
	3. Sources are not shielded from applicable requirements that are enacted during the permit term, unless such applicable requirements are incorporated into the permit by administrative amendment, as provided in OAR 340-218-0150(1)(h), significant permit modification, or reopening for cause by DEQ.
2. Inspection and Entry [OAR 340-218-0080(3)]

Upon presentation of credentials and other documents as may be required by law, the permittee must allow DEQ, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), to perform the following:

* 1. enter upon the permittee's premises where an Oregon Title V Operating Permit program source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
	2. have access to and copy, at reasonable times, any records that must be kept under conditions of the permit;
	3. inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
	4. as authorized by the FCAA or state rules, sample or monitor, at reasonable times, substances or parameters, for the purposes of assuring compliance with the permit or applicable requirements.
1. Fee Payment [OAR 340-220-0010, and 340-220-0030 through 340-220-0190]

The permittee must pay an annual base fee and an annual emission fee for particulates, sulfur dioxide, nitrogen oxides, and volatile organic compounds. The permittee must submit payment to the Department of Environmental Quality, Financial Services, 811 SW 6th Ave., Portland, OR 97204, within 30 days of date DEQ mails the fee invoice or August 1 of the year following the calendar year for which emission fees are paid, whichever is later. Disputes must be submitted in writing to DEQ. Payment must be made regardless of the dispute. User-based fees will be charged for specific activities (e.g., computer modeling review, ambient monitoring review, etc.) requested by the permittee.

1. Off-Permit Changes to the Source [OAR 340-218-0140(2)]
	1. The permittee must monitor for, and record, any off-permit change to the source that:
		1. is not addressed or prohibited by the permit;
		2. is not a Title I modification;
		3. is not subject to any requirements under Title IV of the FCAA;
		4. meets all applicable requirements;
		5. does not violate any existing permit term or condition; and
		6. may result in emissions of regulated air pollutants subject to an applicable requirement but not otherwise regulated under this permit or may result in insignificant changes as defined in OAR 340-200-0020.
	2. A contemporaneous notification, if required under OAR 340-218-0140(2)(b), must be submitted to DEQ and the EPA.
	3. The permittee must keep a record describing off-permit changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those off-permit changes.
	4. The permit shield of condition G11 does not extend to off-permit changes.
2. Section 502(b)(10) Changes to the Source [OAR 340-218-0140(3)]
	1. The permittee must monitor for, and record, any section 502(b)(10) change to the source, which is defined as a change that would contravene an express permit term but would not:
		1. violate an applicable requirement;
		2. contravene a federally enforceable permit term or condition that is a monitoring, recordkeeping, reporting, or compliance certification requirement; or
		3. be a Title I modification.
	2. A minimum 7-day advance notification must be submitted to DEQ and the EPA in accordance with OAR 340-218-0140(3)(b).
	3. The permit shield of condition G11 does not extend to section 502(b)(10) changes.
3. Administrative Amendment [OAR 340-218-0150]

Administrative amendments to this permit must be requested and granted in accordance with OAR 340-218-0150. The permittee must promptly submit an application for the following types of administrative amendments upon becoming aware of the need for one, but no later than 60 days of such event:

* 1. legal change of the registered name of the company with the Corporations Division of the State of Oregon, or
	2. sale or exchange of the activity or facility.
1. Minor Permit Modification [OAR 340-218-0170]

The permittee must submit an application for a minor permit modification in accordance with OAR 340-218-0170.

1. Significant Permit Modification [OAR 340-218-0180]

The permittee must submit an application for a significant permit modification in accordance with OAR 340-218-0180

1. Staying Permit Conditions [OAR 340-218-0050(6)(c)]

Notwithstanding conditions G16 and G17, the filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

1. Construction/Operation Modification [OAR 340-218-0190]

The permittee must obtain approval from DEQ prior to construction or modification of any stationary source or air pollution control equipment in accordance with OAR 340-210-0200 through OAR 340-210-0250.

1. New Source Review Modification [OAR 340-224-0010]

The permittee may not begin construction of a major source or a major modification of any stationary source without having received an air contaminant discharge permit (ACDP) from DEQ and having satisfied the requirements of OAR 340, Division 224.

1. Need to Halt or Reduce Activity Not a Defense [OAR 340-218-0050(6)(b)]

The need to halt or reduce activity will not be a defense. It will not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

1. Duty to Provide Information [OAR 340-218-0050(6)(e) and OAR 340-214-0110]

The permittee must furnish to DEQ, within a reasonable time, any information that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee must also furnish to DEQ copies of records required to be retained by the permit or, for information claimed to be confidential, the permittee may furnish such records to DEQ along with a claim of confidentiality.

1. Reopening for Cause [OAR 340-218-0050(6)(c) and 340-218-0200]
	1. The permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by DEQ.
	2. A permit must be reopened and revised under any of the circumstances listed in OAR 340-218-0200(1)(a).
	3. Proceedings to reopen and reissue a permit must follow the same procedures as apply to initial permit issuance and affect only those parts of the permit for which cause to reopen exists.
2. Severability Clause [OAR 340-218-0050(5)]

Upon any administrative or judicial challenge, all the emission limits, specific and general conditions, monitoring, recordkeeping, and reporting requirements of this permit, except those being challenged, remain valid and must be complied with.

1. Permit Renewal and Expiration [OAR 340-218-0040(1)(a)(D) and 340-218-0130]
	1. This permit expires at the end of its term, unless a timely and complete renewal application is submitted as described below. Permit expiration terminates the permittee's right to operate.
	2. Applications for renewal must be submitted at least 12 months before the expiration of this permit, unless DEQ requests an earlier submittal. If more than 12 months is required to process a permit renewal application, DEQ must provide no less than six (6) months for the owner or operator to prepare an application.
	3. Provided the permittee submits a timely and complete renewal application, this permit will remain in effect until final action has been taken on the renewal application to issue or deny the permit.
2. Permit Transference [OAR 340-218-0150(1)(d)]

The permit is not transferable to any person except as provided in OAR 340-218-0150(1)(d).

1. Property Rights [OAR 340-200-0020 and 340-218-0050(6)(d)]

The permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations, except as provided in OAR 340-218-0110.

1. Permit Availability [OAR 340-200-0020 and 340-218-0120(2)]

The permittee must have available at facility at all times a copy of the Oregon Title V Operating Permit and must provide a copy of the permit to DEQ or an authorized representative upon request.

ALL INQUIRIES SHOULD BE DIRECTED TO:

Eastern RegionEastern Region

Choose an item.

Choose an item.

 Choose an item.

**Attachment 1**

**Cross-reference from New Rule Numbers to Old Rule Numbers (Effective March 24, 2003)**

| **New Rule Number** | **Old Rule Number** |
| --- | --- |
| 208-0110 | 021-0015 |
| 208-0200 | 021-0055 |
| 208-0210 | 021-0060 |
| 214-0300 | 028-1400 |
| 214-0310 | 028-1410 |
| 214-0320 | 028-1420 |
| 214-0330 | 028-1430 |
| 214-0340 | 028-1440 |
| 214-0350 | 028-1450 |
| 214-0360 | 028-1460 |
| 218-0010 | 028-2100 |
| 218-0020 | 028-2110 |
| 218-0040 | 028-2120 |
| 218-0050 | 028-2130 |
| 218-0060 | 028-2140 |
| 218-0070 | 028-2150 |
| 218-0080 | 028-2160 |
| 218-0090 | 028-2170 |
| 218-0100 | 028-2180 |
| 218-0110 | 028-2190 |
| 218-0120 | 028-2200 |
| 218-0130 | 028-2210 |
| 218-0140 | 028-2220 |
| 218-0150 | 028-2230 |
| 218-0160 | 028-2240 |
| 218-0170 | 028-2250 |
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| 220-0050 | 028-2600 |
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| 264-0020 | 023-0025 |
| 264-0030 | 023-0030 |
| 264-0040 | 023-0035 |
| 264-0050 | 023-0040 |
| 264-0060 | 023-0042 |
| 264-0070 | 023-0043 |
| 264-0080 | 023-0045 |
| 264-0100 | 023-0055 |
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| 264-0120 | 023-0065 |
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| 264-0150 | 023-0080 |
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| 264-0170 | 023-0090 |
| 264-0180 | 023-0100 |
| 264-0190 | 023-0105 |
| 264-0200 | 023-0115 |