**340-208-0110**

**Visible Air Contaminant Limitations**

(1) The emissions standards in this rule do not apply to fugitive emissions from a source or part of a source.

(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 compose 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, or

(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, such as EPA’s ALT Method 082.

(3) For sources, other than wood-fired boilers, that existed prior to June 1, 1970 and have not been modified since May 31, 1970:

(a) If located outside a special control area, visible emissions must not equal or exceed:

(A) 40 percent opacity through December 31, 2019; and

(B) 20 percent opacity on and after January 1, 2020

(b) If located inside a special control area, visible emissions must not equal or exceed 20 percent opacity.

(4) For sources, other than wood-fired boilers, installed, constructed, or modified on or after June 1, 1970, visible emissions must not exceed 20 percent opacity.

(5) For wood-fired boilers that existed prior to June 1, 1970 and have not been modified since May 31, 1970, visible emissions must not equal or exceed:

(a) 40 percent opacity 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.

(b) 20 percent opacity on or after January 1, 2020, with one or more of the following exceptions:

(A) 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.

(B) 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; and

(C) DEQ may approve, at the owner’s or operator’s request, a boiler specific limit greater than 20 percent opacity, but not to equal or exceed 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.

(6) For wood-fired boilers installed, constructed, or modified after June 1, 1970 but before [INSERT SOS FILING DATE OF RULES], visible emissions must not equal or exceed 20 percent opacity 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.

(7) For all wood-fired boilers installed, constructed, or modified after [INSERT SOS FILING DATE OF RULES], emissions must not equal or exceed 20 percent opacity.

**340-226-0210**

**Particulate Emission Limitations for Sources Other Than Fuel Burning, Refuse Burning Equipment and Fugitive Emissions**

(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.

(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 data collected prior to [INSERT SOS FILING DATE OF RULES] demonstrates emissions no greater than 0.080 grains per dry standard cubic foot;

(B) If any representative compliance source test data collected prior to [INSERT SOS FILING DATE OF RULES] demonstrates emissions greater than 0.080 grains per dry standard cubic foot, or if there is no representative compliance source test data, 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 (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.

(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 data collected prior to [INSERT SOS FILING DATE OF RULES] demonstrates emissions no greater than 0.080 grains per dry standard cubic foot; or;

(B) If any representative compliance source test data collected prior to [INSERT DATE OF EQC ADOPTION OF RULES] is greater than 0.080 grains per dry standard cubic foot, or if there is no representative compliance source test data, 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 [INSERT SOS FILING DATE OF RULES] 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.

(3) Compliance with the emissions standards in section (2) is determined using:

(a) Oregon 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 data is data that was obtained:

(A) No more than five 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.

**340-228-0210**

**Grain Loading Standards**

(1) This rule applies to fuel burning equipment, except solid fuel burning devices that have been certified under OAR 340-262-0500.

(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 data collected prior to [INSERT SOS FILING DATE OF RULES] demonstrates emissions no greater than 0.080 grains per dry standard cubic foot;

(B) If any representative compliance source test data collected prior to [INSERT DATE OF EQC ADOPTION OF RULES] demonstrates emissions greater than 0.080 grains per dry standard cubic foot, or if there is no representative compliance source test data, 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 standard cubic foot from [INSERT SOS FILING DATE OF RULES] through December 31, 2019, and 0.20 grains per 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 data collected prior to [INSERT SOS FILING DATE OF RULES] demonstrates emissions no greater than 0.080 grains per dry standard cubic foot; or

(B) If any representative compliance source test data collected prior to [INSERT DATE OF EQC ADOPTION OF RULES] demonstrates emissions greater than 0.080 grains per dry standard cubic foot, or if there is no representative compliance source test data, 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 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.

(3) Compliance with the emissions standards in section (2) is determined using Oregon 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 data is data that was obtained:

(A) No more than five 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 control equipment.