**DIVISION 240**

**RULES FOR AREAS WITH UNIQUE
AIR QUALITY NEEDS**

**340-240-0010**

**Purpose**

The purpose of this division is to address the air quality control needs of the Medford-Ashland AQMA and Grants Pass UGB (OAR 340-240-0100 through 340-240-0270), the La Grande UGB (340-240-0300 through 340-240-0360, the Lakeview UGB ( 340-240-0400 through 340-240-0440), and the Klamath Falls Nonattainment Area (340-240-0500 through 340-240-0630).

[NOTE: These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0005

**340-240-0020**

**Emission Limitations**

Emission limitations established herein and stated in terms of pounds per 1,000 square feet of production are to be computed on an hourly basis using the maximum 8 hour production capacity of the plant.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ 3-1996, f. & cert. ef. 1-29-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0007; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0030**

**Definitions**

The definitions in OAR 340-200-0020, 340-204-0010 and this rule apply to this division. If the same term is defined in this rule and 340-200-0020 or 340-204-0010, the definition in this rule applies to this division.

 (1) "Air Conveying System" means an air moving device, such as a fan or blower, associated ductwork, and a cyclone or other collection device, the purpose of which is to move material from one point to another by entrainment in a moving airstream.

(2) "Design Criteria" means the numerical as well as verbal description of the basis of design, including but not necessarily limited to design flow rates, temperatures, humidities, contaminant descriptions in terms of types and chemical species, mass emission rates, concentrations, and specification of desired results in terms of final emission rates and concentrations, and scopes of vendor supplies and owner-supplied equipment and utilities, and a description of any operational controls.

(3) "Domestic Waste" means combustible household waste, other than wet garbage, such as paper, cardboard, leaves, yard clippings, wood, or similar materials generated in a dwelling housing four (4) families or less, or on the real property on which the dwelling is situated.

 .

(4) “Fireplace” is defined in OAR 340-262-0450.

 (5) "Grants Pass Urban Growth Area" and "Grants Pass Area" means the area within the Grants Pass Urban Growth Boundary as shown on the Plan and Zoning Maps for the City of Grants Pass as of 1 February 1988.

 () “Klamath Falls Nonattainment Area” means the area as defined in OAR 340-204-0010.

(6) "La Grande Urban Growth Area" means the area within the La Grande Urban Growth Boundary as shown on the Plan and Zoning Maps for the City of La Grande as of 1 October 1991.

(7) "Lakeview Urban Growth Area" means the area within the Lakeview Urban Growth Boundary as shown on the Plan and Zoning Maps for the Town of Lakeview as of 25 October 1993.

 (8) "Open Burning" means burning conducted in such a manner that combustion air and combustion products may not be effectively controlled including, but not limited to, burning conducted in open outdoor fires, burn barrels, and backyard incinerators.

 (

 (9) "Rebuilt Boiler" means a physical change after April 29, 1988, to a wood-waste boiler or its air-contaminant emission control system which is not considered a modified source and for which the fixed, depreciable capital cost of added or replacement components equals or exceeds fifty percent of the fixed depreciable cost of a new component which has the same productive capacity

(10) "Refuse" means unwanted material.

(11) "Refuse burning equipment" means a device designed to reduce the volume of solid, liquid, or gaseous refuse by combustion.

(12) "Wigwam Waste Burner" means a burner which consists of a single combustion chamber, has the general features of a truncated cone, and is used for the incineration of wastes.

(13) "Wood Waste Boiler" means equipment which uses indirect heat transfer from the products of combustion of wood waste to provide heat or power.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 9-1979, f. & ef. 5-3-79; DEQ 3-1980, f. & ef. 1-28-80; DEQ 14-1981, f. & ef. 5-6-81; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 4-1995, f. & cert. ef. 2-17-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 3-1996, f. & cert. ef. 1-29-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0010; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0050**

**Compliance Testing Requirements**

(1) For demonstrating compliance with the standards in this division, testing must be done in accordance with DEQ’s **Source Sampling Manual**.

(2) For demonstrating compliance with particulate standards, testing must be conducted using the following test methods:

(a) For wood waste boilers – DEQ Method 5. Results must be corrected to 12% CO, as follows

C12% CO2 = CODEQ5 x 12/%CO2

Where:

C12%CO2 = Particulate matter emission concentration corrected to 12% CO2;

CODEQ5 = Particulate matter emission concentration as measured by Oregon DEQ Method 5;

% CO2 = Percent CO2 in the exhaust gas, as measured by EPA Method 3 (or equivalent) during each particulate matter test run.

(b) For veneer dryers, wood material dryers, press and other process vents – DEQ Method 7;

(c) For air conveying systems - DEQ Method 5 or 8.

(3) For demonstrating compliance with opacity standards, observations must be made in accordance with EPA Method 9 or continuous opacity monitoring systems certified in accordance with DEQ’s **Continuous Monitoring Manual**.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025

**The Medford-Ashland Air Quality Maintenance
Area and the Grants Pass Urban Growth Area**

**340-240-0100**

**Applicability**

OAR 340-240-0100 through 340-240-0250 apply in the Medford-Ashland Air Quality Maintenance Area (AQMA) and the Grants Pass Urban Growth Area (Area), except that OAR 340-240-0130, 340-240-0180, and 340-240-0190 apply only in the Medford-Ashland AQMA.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0012; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0110**

**Wood Waste Boilers**

(1) No person may cause or permit the emission of particulate matter from any boiler with a heat input capacity greater than 35 million Btu/hour unless the boiler has been equipped with emission control equipment which:

(a) Limits emissions of particulate matter to LAER as defined by DEQ at the time DEQ approves the control device; and

(b) Limits visible emissions such that opacity does not exceed 5% as a six minute average, unless the permittee demonstrates by source test that emissions can be limited to LAER at higher visible emissions, but in no case may emissions equal or exceed 10% opacity as a six minute average. Specific opacity limits will be included in the permit for each affected source.

(2) For boilers existing in the baseline period with a heat input capacity greater than 35 million Btu/hour, boiler mass emission limits for the purpose of establishing the facility's netting basis under OAR 340-200-0020 will be based on particulate matter emissions of 0.030 grains per dry standard cubic foot, corrected to 12% CO2.

(3) Rebuilt Boilers are subject to OAR 340-240-0110(1). Boiler mass emissions for purposes of 340-222-0041 will be based on LAER at the time DEQ approves the rebuilt boiler.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 29-1980, f. & ef. 10-29-80; DEQ 14-1986, f. & ef. 6-20-86; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 4-1995, f. & cert. ef. 2-17-95; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0015; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0120**

**Veneer Dryer Emission Limitations**

(1) No person is allowed to 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) of this section or such that emissions of particulate matter exceed the mass emission limits of subsections (c) through (g) of this section:

(a) An average operating opacity, as defined in division 200, of five percent; a violation of the average operating opacity limitation is judged to have occurred if the opacity of emissions on each of the three days is greater than the specified average operating opacity limitation; and

(b) A maximum opacity of ten percent as a six minute average, unless the permittee demonstrates by source test that the emission limits in subsections (c) through (g) of this section can be achieved at higher visible emissions than specified in subsections (a) and (b) of this section, 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;

(c) 0.30 pounds per 1,000 square feet of veneer dried (3/8" basis) for direct natural gas or propane fired veneer dryers;

(d) 0.30 pounds per 1,000 square feet of veneer dried (3/8" basis) for steam heated veneer dryers;

(e) 0.40 pounds per 1,000 square feet of veneer dried (3/8" basis) for direct wood fired veneer dryers 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;

(f) 0.45 pounds per 1,000 square feet of veneer dried (3/8" basis) for direct wood fired veneer dryers using fuel which has a moisture content greater than 20 percent by weight on a wet basis as measured by ASTM D4442-84;

(g) In addition to subsections (e) and (f) of this section, 0.20 pounds per 1,000 pounds of steam generated in boilers which exhaust combustion gases to the veneer dryer.

(2) Exhaust gases from fuel-burning equipment vented to the veneer dryer are exempt from OAR 340-228-0210.

(3) No person is allowed to operate a veneer dryer unless:

(a) The owner or operator has submitted a program and time schedule for installing an emission-control system which has been approved in writing by DEQ as being capable of complying with subsections (1)(a) through (g) of this rule;

(b) The veneer dryer is equipped with an emission-control system which has been approved in writing by DEQ and is capable of complying with subsections (1)(a) through (g) of this rule; or

(c) The owner or operator has demonstrated and DEQ has agreed in writing that the dryer is capable of being operated and is operated in continuous compliance with subsections (1)(a) through (g) of this rule.

(4) Each veneer dryer must be maintained and operated at all times such that air contaminant generating processes and all contaminant control equipment are at full efficiency and effectiveness so that the emission of air contaminants is kept at the lowest practicable levels.

(5) No person is allowed to willfully cause or permit the installation or use of any means, such as dilution, which, without resulting in a reduction in the total amount of air contaminants emitted, conceals an emission which would otherwise violate this rule.

(6) Where effective measures are not taken to minimize fugitive emissions, DEQ may require that the equipment or structures in which processing, handling and storage are done, be tightly closed, modified, or operated in such a way that air contaminants are minimized, controlled, or removed before discharge to the open air.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A

Stats. Implemented: ORS 468A.025

Hist.: DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0021; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0130**

**Air Conveying Systems (Medford-Ashland AQMA Only)**

All air conveying systems emitting greater than ten 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.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0025; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0140**

**Wood Particle Dryers at Particleboard Plants**

(1) No person is allowed to cause or permit the total emission of particulate matter from all wood particle dryers at a particleboard plant site to exceed 0.40 pounds per 1,000 square feet of board produced by the plant on a 3/4" basis of finished product equivalent.

(2) No person is allowed to 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) of this rule can be achieved at higher visible emissions. In no case are emissions allowed to equal or exceed 20 percent opacity as a six minute average. Specific opacity limits will be included in the Permit for each affected source.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 14-1981, f. & ef. 5-6-81; DEQ 14-1986, f. & ef. 6-20-86; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0030; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0150**

**Hardboard Manufacturing Plants**

(1) Emissions from Hardboard plants excluding press vents. No person is allowed to cause or permit the total emissions of particulate matter from a hardboard plant, excluding press/cooling vents, to exceed 0.25 pounds per 1,000 square feet of hardboard produced on a 1/8" basis of finished product equivalent.

(2) Emissions from Hardboard plants including press vents. No person is allowed to cause or permit the total emissions of particulate matter from a hardboard plant, including press/cooling vents, to exceed 0.55 pounds per 1,000 square feet of hardboard produced on a 1/8" basis of finished product equivalent.

(3) When calculating emissions for this rule, emissions from truck dump and storage areas, fuel burning equipment, and refuse burning equipment are not included.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 14-1981, f. & ef. 5-6-81; DEQ 14-1986, f. & ef. 6-20-86; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 4-1995, f. & cert. ef. 2-17-95; DEQ 2-1996, f. & cert. ef. 1-29-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0031; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0160**

**Wigwam Waste Burners**

No person owning or controlling any wigwam waste burner is allowed to cause or permit the operation of the wigwam waste burner.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 29-1980, f. & ef. 10-29-80; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0035; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0170**

Repealed

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 14-1986, f. & ef. 6-20-86; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0040; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0180**

**Control of Fugitive Emissions (Medford-Ashland AQMA Only)**

(1) All sawmills, plywood mills and veneer manufacturing plants, particleboard and hardboard plants, asphalt plants, rock crushers, animal feed manufacturers, and other major industrial facilities as identified by DEQ, must prepare and implement site-specific plans for the control of fugitive emissions.

(2) Fugitive emission-control plans must identify reasonable measures to prevent particulate matter from becoming airborne. Special care will be taken by the facility to avoid the migration of material onto the public road system. Such reasonable measures include, but are not limited to the following:

(a) The systematic paving of all unpaved roads and areas on which vehicular traffic occurs. Until an area is paved, subsection (2)(b) applies;

(b) Scheduled application of water, or other suitable chemicals on unpaved roads, log storage or sorting yards, materials stockpiles, and other surfaces which can create airborne dust. Dust suppressant material must not adversely affect water quality;

(c) Periodic sweeping or cleaning of paved roads and other areas as necessary to prevent migration of material onto the public road system;

(d) Full or partial enclosure of materials stockpiled in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;

(e) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;

(f) Adequate containment during sandblasting or other similar operations;

(g) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; and

(h) Procedures for the prompt removal of earth or other material from paved streets.

(3) Reasonable measures may include landscaping and using vegetation to reduce the migration of material onto public and private roadways.

(4) The facility owner or operator must supervise and control fugitive emissions and material that may become airborne caused by the activity of outside contractors delivering or removing materials at the site.

(5) The site-specific fugitive dust emissions control plan must be submitted to DEQ prior to or within 60 days of permit issuance or renewal. DEQ will approve or deny the plan within 30 days.

[**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
Stats. Implemented: ORS 468A.025
Hist.: DEQ 6-1983, f. & ef. 4-18-83; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 4-1995, f. & cert. ef. 2-17-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ16-1998, f. & cert. ef. 9-23-98; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0043; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0190**

**Requirement for Operation and Maintenance Plans (Medford-Ashland AQMA Only)**

(1) Operation and Maintenance Plans must be prepared by all holders of Permits other than a Basic ACDP. All sources subject to regular permit requirements are subject to operation and maintenance requirements.

(2) The purposes of the operation and maintenance plans are to:

(a) Reduce the number of upsets and breakdowns in particulate control equipment;

(b) Reduce the duration of upsets and downtimes; and

(c) Improve the efficiency of control equipment during normal operations.

(3) The operation and maintenance plans should consider, but not be limited to, the following:

(a) Personnel training in operation and maintenance;

(b) Preventative maintenance procedures, schedule and records;

(c) Logging of the occurrence and duration of all upsets, breakdowns and malfunctions which result in excessive emissions;

(d) Routine follow-up evaluation of upsets to identify the cause of the problem and changes needed to prevent a recurrence;

(e) Periodic source testing of pollution control units as required by the permit;

(f) Inspection of internal wear points of pollution control equipment during scheduled shutdowns; and

(g) Inventory of key spare parts.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 6-1983, f. & ef. 4-18-83; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 4-1995, f. & cert. ef. 2-17-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0044; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0210**

**Continuous Monitoring**

(1) DEQ will require the installation and operation of instrumentation for measuring and recording emissions and/or the parameters which affect the emission of air contaminants from wood-waste fired boilers, veneer dryers, fiber dryers, and particle dryers to ensure that the sources and the air pollution control equipment are operated at all times at their full efficiency and effectiveness so that the emission of air contaminants is kept at the lowest practicable level. The instrumentation must be periodically calibrated. The method and frequency of calibration must be approved in writing by DEQ. Continuous monitoring equipment and operation must be in accordance with DEQ’s **Continuous Monitoring Manual** . The recorded information must be kept for a period of at least one year and must be made available to DEQ upon request.

(2) At a minimum, the monitoring required under paragraph (1) of this section must include:

(a) Continuous monitoring and monthly reporting of carbon monoxide concentration and oxygen concentration for any wood-waste fired boiler with a heat input capacity greater than 35 million BTU/hr or for any wood-waste boiler using a wet scrubber as pollution control equipment and steam production rate for any wood-waste fired boiler;

(b) Continuous monitoring and monthly reporting of pressure drop, scrubber water pressure, and scrubber water flow or other parameters deemed by DEQ to be equal or better indicators of proper operation of the wet scrubber used as pollution control equipment for any wood-waste fired boiler, veneer dryer, particle dryer, or fiber dryer.

(c) Continuous monitoring and monthly reporting of opacity for any wood-waste fired boiler not controlled by a wet scrubber.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 22-1989, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0050; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0220**

**Source Testing**

(1) 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, in accordance with DEQ’s **Source Sampling Manual** at the following frequencies:

(a) Wood Waste Boilers with heat input capacity greater than 35 million Btu/hr. -- Once every year;

(b) Veneer Dryers -- Once every 3 years;

(c) Wood Particle Dryers at Hardboard and Particleboard Plants -- Once every year;

 (d) Wood Waste Boilers with heat input capacity equal to or less than 35 million BTU/hr with dry emission control equipment -- Every 3 years.

(2) Source testing must begin at these frequencies within 90 days of the date by which compliance is to be achieved for each individual emission source.

(3) These source testing requirements will remain in effect unless waived in writing by DEQ because of adequate demonstration that the source is consistently operating at lowest practicable levels, or that continuous emission monitoring systems are producing equivalent information.

(4) Source tests on wood waste boilers must not be performed during periods of soot blowing, grate cleaning, or other abnormal operating conditions. The maximum steaming rate for the boiler may not exceed the average steam production rate measured during the source test by more than ten percent (10%).

(5) Source tests must be performed within 90 days of the startup of air pollution control systems. [**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 14-1986, f. & ef. 6-20-86; DEQ 22-1988, f. & cert. ef. 9-26-89; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0055; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0230**

**New Sources**

Repealed

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 22-1988, f. & cert. ef. 9-26-89; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0065; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2005, f. & cert. ef. 1-4-05

**340-240-0250**

**Open Burning**

No open burning of domestic waste is allowed 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.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 4-1978, f. & ef. 4-7-78; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0070; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**La Grande Urban Growth Area**

**340-240-0300**

**Applicability**

OAR 340-240-0300 through 340-240-0360 apply in the La Grande Urban Growth Area.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0200

**340-240-0310**

**Compliance Schedule for Existing Sources**

 RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0205; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0320**

**Wood-Waste Boilers**

No person is allowed to cause or permit the emission into the atmosphere from any wood-waste boiler that is located on a plant site where the total heat input capacity from all wood-waste boilers is greater than 35 million Btu/hr:

(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) of this rule at higher opacity but in no case are 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.

(2) Particulate matter in excess of 0.05 grains per standard cubic foot, corrected to 12 percent CO2.[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0210; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0330**

**Wood Particle Dryers at Particleboard Plants**

(1) No person is allowed to cause or permit the total emission of particulate matter from all wood particle dryers at a particleboard plant site to exceed 0.40 pounds per 1,000 square feet of board produced by the plant on a 3/4" basis of finished product equivalent.

(2) No person is allowed to cause or permit the visible emissions from the wood particle dryers at a particleboard plant to exceed ten percent opacity as a six minute average, unless the permittee demonstrates by source test that the particulate matter emission limit in section (1) of this rule 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.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0330; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0340**

**Hardboard Manufacturing Plants**

No person is allowed to cause or permit the total emissions of particulate matter from all sources within a hardboard plant, other than press/cooling vents, in excess of 0.25 pounds per 1,000 square feet of hardboard produced on a 1/8" basis of finished product equivalent.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0220; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0350**

**Air Conveying Systems**

(1) No person is allowed to cause or permit the emission of particulate matter in excess of 0.10 grains per standard cubic foot from any air conveying system emitting less than or equal to ten tons of particulate matter to the atmosphere during any 12-month period beginning on or after January 1, 1990 except as allowed by section (2).

(2) The owner or operator of an existing source who is unable to comply with OAR 340-226-0210(1)(a), (c) or (d) may request that DEQ grant an extension allowing the source up to one year to comply with the standard, if such period is necessary for the installation of controls.

(3) All air conveying systems emitting greater than ten 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.

(4) No person is allowed to 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 (2).

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0225; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0360**

**Fugitive Emissions**

The owner or operator of any large sawmill, plywood mill or veneer manufacturing plant, particleboard plant, hardboard plant that is located in the La Grande Urban Growth Area must comply with OAR 340-240-0180.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0230; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**The Lakeview Urban Growth Area**

**340-240-0400**

**Applicability**

OAR 340-240-0400 through 340-240-0440 apply to the Lakeview Urban Growth Area.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0300; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0410**

**Control of Fugitive Emissions**

(1) All large sawmills, plywood mills and veneer manufacturing plants, particleboard and hardboard plants, stationary 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.

(2) Fugitive emission control plans must identify reasonable measures to prevent particulate matter from becoming airborne. Such reasonable measures include, but not be limited to the following:

(a) Scheduled application of water, or other suitable chemicals on unpaved roads, log storage or sorting yards, materials stockpiles, and other surfaces which can created airborne dust;

(b) Full or partial enclosure of materials stockpiled in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;

(c) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;

(d) Adequate containment during sandblasting or other similar operations;

(e) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; and

(f) Procedures for the prompt removal from paved streets of earth or other material which does or may become airborne.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0310; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0420**

**Requirement for Operation and Maintenance Plans**

(1) 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.

(2) The purposes of the operation and maintenance plans are to:

(a) Reduce the number of upsets and breakdowns in particulate control equipment;

(b) Reduce the duration of upsets and downtimes; and

(c) Improve the efficiency of control equipment during normal operations.

(3) The operation and maintenance plans should consider, but not be limited to, the following:

(a) Personnel training in operation and maintenance;

(b) Preventative maintenance procedures, schedule and records;

(c) Logging of the occurrence and duration of all upsets, breakdowns and malfunctions which result in excessive emissions;

(d) Routine follow-up evaluation of upsets to identify the cause of the problem and changes needed to prevent a recurrence;

(e) Periodic source testing of pollution control units as required by a permit;

(f) Inspection of internal wear points of pollution control equipment during scheduled shutdowns; and

(g) Inventory of key spare parts.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ-10-1995, f. & cert. ef. 5-1-95; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0320; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0430**

**Source Testing**

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, in accordance with the DEQ’s **Source Sampling Manual** at the following frequency: Wood Waste Boilers with total heat input capacity equal to or greater than 35 million Btu/hr. -- Once every three years.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ-10-1995, f. & cert. ef. 5-1-95; DEQ 22-1996, f. & cert. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0330; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**340-240-0440**

**Open Burning**

No open burning of domestic waste is allowed to be initiated on any day or at any time when the local air stagnation advisory forecasts adverse meteorological or air quality conditions.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ-10-1995, f. & cert. ef. 5-1-95; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-030-0340; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01

**Klamath Falls Nonattainment Area**

**340-240-0500**

**Applicability**

OAR 340-240-0500 through 340-240-0630 apply in the Klamath Falls Nonattainment Area beginning January 1, 2013.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0510**

**Opacity Standard**

(1) Except as provided in section (2) of this rule, no person conducting a commercial or industrial activity may cause or permit the emission of any air contaminant into the atmosphere from any stationary source including fuel or refuse burning equipment, that exhibits equal to or greater than 20% opacity as a six minute average.

(2) Exceptions to section (1) of this rule:

(a) This rule does not apply to fugitive emissions.

 (b) For wood-fired boilers that were constructed or installed prior to June 1, 1970 and not modified since that time, visible emissions during grate cleaning operations must not equal or exceed 40% opacity as a six minute average.

 (A) Beginning June 30, 2013, this exception will only apply if the owner or operator conducts the grate cleaning in accordance with a grate cleaning plan that has been approved by DEQ.

(B) The owner or operator must prepare a grate cleaning plan in consultation with DEQ and submit the plan to DEQ by June 1, 2013.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025.
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0520**

**Control of Fugitive Emissions**

(1) All sawmills, plywood mills and veneer manufacturing plants, particleboard and hardboard plants, asphalt plants, rock crushers, animal feed manufacturers, and other major industrial facilities as identified by the DEQ, must prepare and implement site-specific plans for the control of fugitive emissions. The plan must be submitted to the DEQ for approval in accordance with paragraph (5) below.

(2) Fugitive emission-control plans must identify reasonable measures to prevent particulate matter from becoming airborne, and avoid the migration of material onto the public road system. Such reasonable measures may include, but are not limited to the following:

(a) Paving all roads and areas on which vehicular traffic occurs at the facility;

(b) Scheduled application of water, or other suitable chemicals on unpaved roads, log storage or sorting yards, materials stockpiles, and other surfaces which can create airborne dust. Dust suppressant material must not adversely affect water quality;

(c) Periodic sweeping or cleaning of paved roads and other areas as necessary to prevent migration of material onto the public road system;

(d) Full or partial enclosure of materials stockpiled or other best management practices in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;

(e) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;

(f) Adequate containment during sandblasting or other similar operations;

(g) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; and

(h) Procedures for the prompt removal of earth or other material from paved streets.

(3) Reasonable measures may include landscaping and using vegetation to reduce the migration of material onto public and private roadways or from becoming airborne.

(4) The facility owner or operator must supervise and control fugitive emissions and material that may become airborne caused by the activity of outside contractors delivering or removing materials at the site.

(5) For existing sources, the site-specific fugitive emissions control plan must be submitted to the DEQ by July 1, 2013. For sources that obtain their initial permit after December 14, 2012, the site-specific fugitive emission control plan must be submitted within 60 days after permit issuance. For portable sources that move into the nonattainment area after December 14, 2012, the site-specific fugitive emission control plan must be submitted with the relocation notification. Unless otherwise notified by the DEQ, the fugitive emission control plan will be approved by default within 30 days after the plan is submitted to the DEQ. The DEQ may request revisions to the plan at any time if fugitive emissions are not adequately controlled as demonstrated by visible emissions.

 [**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0530**

**Requirement for Operation and Maintenance Plans**

(1) 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.

(2) The purposes of the operation and maintenance plans are to:

(a) Reduce the number of upsets and breakdowns in particulate control equipment;

(b) Reduce the duration of upsets and downtimes; and

(c) Improve the efficiency of control equipment during normal operations.

(3) The operation and maintenance plans should consider, but not be limited to, the following:

(a) Personnel training in operation and maintenance;

(b) Preventative maintenance procedures, schedule and records;

(c) Logging of the occurrence and duration of all upsets, breakdowns and malfunctions which result in excessive emissions;

(d) Routine follow-up evaluation of upsets to identify the cause of the problem and changes needed to prevent a recurrence;

(e) Periodic source testing of pollution control units as required by the permit;

(f) Inspection of internal wear points of pollution control equipment during scheduled shutdowns; and

(g) Inventory of key spare parts.

(4) Existing sources must submit an Operation and Maintenance Plan to the DEQ by July 1, 2013. Sources obtaining an initial permit after December 14, 2012 must submit the Operation and Maintenance Plan within 60 days of permit issuance. The DEQ will notify sources within 30 days of plan submittal only if the Operation and Maintenance Plan is not approved. The DEQ may request revisions to the plan at any time if plans are not sufficient.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0540**

**Compliance Schedule for Existing Industrial Sources**

(1) Except as provided in sections (2) and (3) of this rule, compliance with applicable requirements of OAR 340-240-0500 through 340-240-0540 for a source that is built and located in the Klamath Falls Nonattainment Area prior to December 14, 2012 must be demonstrated by the owner or operator of the source as expeditiously as possible, but in no case later than the following schedule:

(a) No later than June 15, 2013, the owner or operator must submit Design Criteria and a Notice of Intent to Construct for emission-control systems for complying with OAR 340-240-0510 through 340-240-0540 for DEQ review and approval; If the DEQ disapproves the Design Criteria, the owner or operator must revise the Design Criteria to meet the DEQ's objections and submit the revised Design Criteria to the DEQ no later than one month after receiving the DEQ's disapproval;

(b) No later than three months after receiving the DEQ's approval of the Design Criteria, the owner or operator must submit to the DEQ copies of purchase orders for any emission-control devices;

(c) No later than eight months after receiving the DEQ's approval of the Design Criteria, the owner or operator must submit to the DEQ vendor drawings as approved for construction of any emission-control devices and specifications of any other major equipment in the emission-control system in sufficient detail to demonstrate that the requirements of the Design Criteria will be satisfied;

(d) No later than nine months after receiving the DEQ's approval of the Design Criteria, the owner or operator must begin construction of any emission-control devices;

(e) No later than fourteen months after receiving DEQ's approval of Design Criteria, the owner or operator must complete construction in accordance with the Design Criteria;

(f) No later than October 15, 2014, the owner or operator must demonstrate compliance with the applicable requirements identified in OAR 340-240-0500 through 0540. Compliance with 340-240-0510 must be demonstrated by conducting a source test. Compliance with 340-240-0520 and 0530 must be demonstrated by implementing the approved plans.

(2) Section (1) of this rule does not apply if the owner or operator of the source has demonstrated by September 15, 2014 that the source is capable of being operated and is operated in continuous compliance with applicable requirements of OAR 340-240-0500 through 340-240-0540 and the DEQ has agreed with the demonstration in writing. The DEQ may grant an extension until April 15, 2015 for a source to demonstrate compliance under this section. The applicable requirements will be incorporated in the Permit issued to the source.

(3) The DEQ may adjust the schedule specified in subsections (1)(a) through (e) of this rule if necessary to ensure timely compliance with subsection (1)(f) of this rule or if necessary to conform to an existing compliance schedule with an earlier compliance demonstration date.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0550**

**Requirements for New Sources When Using Residential Wood Fuel-Fired Device Offsets**

(1) All new or modified sources subject to OAR 340 division 224may opt to use wood fuel-fired device emission reductions from within the nonattainment or maintenance area to satisfy the offset requirements of OAR 340-224-0050 or OAR 340-224-0250:

(a) Offsets for decommissioning fireplaces and non-certified woodstoves (including fireplace inserts) are obtained at a ratio of at least 1:1 (i.e., 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 nonattainment area or maintenance area);

(b) Offsets must be obtained from within the Klamath Falls Nonattainment Area and Maintenance Area; and

(c) The emission reductions offsets must be approved by the DEQ and comply with OAR 340-240-0560.

(2) The net air quality benefit analysis specified in OAR 340-224-0540(4) is not applicable to offsets meeting the criteria in (a) through (c) of section (1) of this rule.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**Real and Permanent PM2.5 and PM10 Offsets**

**340-240-0560**

(1) Annual emissions reductions offsets (PM2.5 and PM10) are determined as follows:

(a) For **fireplaces**, the emission reductions offsets for decommissioning the fireplace and replacing it with a:

(A) certified fireplace insert is 0.02 tons for each replaced device;

(B) pellet stove insert is 0.03 tons for each replaced device; or

(C) alternative non-wood burning heating system is 0.04 tons for each replaced device.

**Note:** As used in this rule, “Certified” includes catalytic and non-catalytic designs, unless otherwise specified.

(b) For **non-certified fireplace inserts**, the emission reduction for replacing the heating device with a:

(A) certified fireplace insert is 0.02 tons for each replaced device;

(B) pellet stove is 0.04 tons for each replaced device; or

(C) alternative non-wood burning heating system is 0.04 tons for each replaced device

(c) For **conventional (non-certified) woodstoves**, the emission reduction for replacing the heating device with a:

(A) certified woodstove (including both catalytic and non-catalytic designs) or certified fireplace insert is 0.03 tons for each replaced device; or

(B) pellet stove is 0.05 tons for each replaced device; or

(C) alternative non-wood burning heating system is 0.06 tons for each replaced device

(d) For **certified woodstoves** (including both catalytic and non-catalytic designs), the emission reduction for replacing the heating device with a:

(A) pellet stove is 0.03 tons for each replaced device; or

(B) alternative non-wood burning heating system is 0.04 tons for each replaced device

(2) For the emission reductions identified in section (1) to be considered permanent, the person responsible for taking credit for the emission reductions must obtain and maintain the following records for at least 5 years from the date that the proposed industrial point source commences operation:

(a) the address of the residence where the emission reduction occurred;

(b) the date that the emission reduction was achieved;

(c) purchase and installation records for certified woodstoves, certified inserts, or alternative non-wood burning heating systems;

(d) records for permanently decommissioning fireplaces, if applicable; and

(e) disposal records for non-certified woodstoves or fireplace inserts removed.

(3) The records identified in section (2) may be provided by a third party authorized and monitored by the DEQ to procure the emission reductions identified in section (1).

(4) All emission reductions must be achieved prior to startup of the proposed source using the emission reductions as offsets in the permitting action specified in OAR 340 division 224.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025

Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**Klamath Falls Nonattainment Area Contingency Measures**

**340-240-0570**

**Applicability**

OAR 340-240-0570 through 340-240-0630 apply to the Klamath Falls Nonattainment Area for PM2.5 should the area not achieve attainment by the applicable attainment date established pursuant to 42 U.S.C. 7502(a)(2).

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.480
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0580**

**Existing Industrial Sources Control Efficiency**

The owner or operator of an Oregon Title V Operating Permit program source, as defined in OAR 340-200-0020 may not remove or modify existing control devices unless the new control device has the same or better PM2.5 control efficiency as the old device.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.480
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0610**

**Continuous Monitoring for Industrial Sources**

(1) The owner or operator of an Oregon Title V Operating Permit program source, as defined in OAR 340-200-0020 must install and operate instrumentation for measuring and recording emissions or the parameters that affect the emission of particulate matter from wood-fired boilers by June 1, 2015, to ensure that the sources and the air pollution control equipment are operated at all times at their full efficiency and effectiveness so that the emission of particulate matter is kept at the lowest practicable level. Continuous monitoring equipment and operation must be in accordance with DEQ’s **Continuous Monitoring Manual**.

(2) At a minimum, the monitoring required under paragraph (1) of this section must include:

 (a) Continuous monitoring of control device parameters for any wood- fired boiler.

(b) Continuous monitoring of opacity for any wood- fired boiler not controlled by a wet scrubber.

[**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0620**

**Contingency Measures: New Industrial Sources**

New industrial sources must comply with OAR 340-240-0570 through 340-240-0610 immediately upon receiving an Air Contaminant Discharge Permit or an Oregon Title V Operating Permit.

[**NOTE:** These rules are included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-200-0040.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12

**340-240-0630**

**Contingency Enhanced Curtailment of Use of Solid Fuel Burning Devices and Fireplaces**

1. Beginning on November 1 of each year and continuing through and including February 28 of the following year, no fireplace, as defined by OAR 340-262-0450, may emit more than 5.1 grams per kilogram of particulate emissions.  A fireplace shall be deemed in compliance with this emission standard if it has been certified either in accordance with ASTM international standard test method E2558 or by the DEQ pursuant to OAR 340-262-0500. A fireplace that is not certified as described in this rule shall be presumed not to comply with this rule.
2. The DEQ may approve exemptions from compliance with section (1) of this rule on days when the DEQ or the Klamath County Health Department has issued a local Klamath Falls Advisory Call indicating that it is a good ventilation day (a “green day”) that are also state holidays or days that the county has designated as a “special occasion day”. Any person who wishes to receive such an exemption must file an exemption application with the DEQ and the DEQ must have approved the exemption request prior to the green day.

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.010 to 468A.025
Hist.: DEQ 10-2012, f. & cert. ef. 12-11-12