**Major Modification**

(1) "Major Modification" means any physical change(s) or change(s) in the method of operation of a source where the requirements of both sections (2) and (3) or of section (5) are satisfied for any pollutant subject to Major New Source Review as specified in subpart (c) of the definition of regulated air pollutant in division 200 since the later of:

(a) the baseline period for all pollutants except PM2.5; or

(b) May 1, 2011 for PM2.5; or

(c) the most recent New Source Review action for that pollutant. .

 (2) Except as provided in section (6), a PSEL that exceeds the netting basis by an amount that is equal to or greater than the significant emission rate; and

(3) The accumulation of emission increases due to physical changes and changes in the method of operation is equal to or greater than the significant emission rate.

(a) Calculations of emission increases in section (3) must account for all accumulated increases in actual emissions due to physical changes and changes in the method of operation occurring at the source since the netting basis was last established for that pollutant as specified in section (1). Emissions from categorically insignificant activities, aggregate insignificant emissions, and fugitive emissions must be included in the calculations.

(b) Emission increases due solely to increased use of equipment or facilities that existed or were permitted or approved to construct in accordance with OAR 340 division 210 during the applicable baseline period are not included, except if the increased use is to support a physical change or change in the method of operation.

(4) Major modifications for ozone precursors or PM2.5 precursors also constitute major modifications for ozone and PM2.5, respectively.

 (5) Any change at a source, including production increases, that would result in a Plant Site Emission Limit increase of 1 ton or more for any regulated pollutant for which the source is a federal major source, if the source obtained permits to construct and operate after the applicable baseline period but has not undergone New Source Review.

(a) Section (5) does not apply to PM2.5 and greenhouse gases.

(b) Changes to the PSEL solely due to the availability of better emissions information are exempt from being considered an increase.

(6) If a portion of the netting basis or PSEL or both was set based on PTE because the source had not begun normal operations but was permitted or approved to construct and operate, that portion of the netting basis or PSEL or both must be excluded from the tests in sections (2) and (3) until the netting basis is reset as specified in OAR 340-222-0050.

(7) The following are not considered major modifications:

(a) Except as provided in section (5), proposed increases in hours of operation or production rates that would cause emission increases above the levels allowed in a permit and would not involve a physical change or change in method of operation in the source;

(b) Routine maintenance, repair, and replacement of components;

(c) Temporary equipment installed for maintenance of the permanent equipment if the temporary equipment is in place for less than six months and operated within the permanent equipment's existing PSEL;

(d) Use of alternate fuel or raw materials, that were available and the source was capable of accommodating in the baseline period.

(8) When better emissions information becomes available, a recalculation of the PSEL, netting basis, and increases/decreases in emissions must be performed to determine whether a major modification has occurred. Regardless of the preconstruction PSEL contained in the permit, a major modification has occurred if the criteria in sections (1) through (7) are met as a result of the recalculated PSEL.

 [ED. NOTE: This rule was moved verbatim from OAR 340-200-0020(71) and amended in redline/strikeout.]

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

Stat. Auth.: ORS 468.020, 468A.025, 468A.035, 468A.055 & 468A.070
Stats. Implemented: ORS 468A.025 & 468A.035