Items to discuss at the 05/07/13 Rulewriting Meeting:

Divisions:

200, 222, 224, 225, 264

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| Internal Review **Emission Limit Rules** 200, 206, 208, 212, 214 (less CAM provisions),226, 228, 232, 234, 236, 240, 242, 262) – EPA internal  Focused revision review 3 (cluster 3 = **Title V Rules** 218, 220, 214 CAM provisions) | June 4, 2013 |
| VTC with ODEQ | June 5, 2013 (June 6, 2013 if needed) |
| Internal Review: **Permitting Rules** 200, 202, 204, 209, 210, 216, 222, 224, 225, 268) – EPA internal | June 11, 2013 |
| VTC with ODEQ | June 13, 2013 |

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| 200  232  234  240 | 0020(94)  0030(54)  0010(30)  0030(34) | 200 | 0020(112) | Delete the definition of “person” and use the definition from division 232  (112) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.  USE EXISTING 200 DEFINITION AND GET RID OF THE REST      [USC](http://www.law.cornell.edu/uscode/text) › [Title 42](http://www.law.cornell.edu/uscode/text/42/usc_sup_01_42) › [Chapter 85](http://www.law.cornell.edu/uscode/text/42/usc_sup_01_42_10_85) › [Subchapter III](http://www.law.cornell.edu/uscode/text/42/usc_sup_01_42_10_85_20_III) › § 7602  42 USC § 7602 - Definitions  (e) The term “person” includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof. | 340-232-0030(54) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.  340-234-0010(30) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the Federal Government and any agencies thereof.  340-240-0030(34) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the federal government and any agencies thereof.  340-242-0610(9) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, partnership, association, firm, trust, estate, or any other legal entity whatsoever.  The definition in division 232 is more comprehensive. | done |
| 208  226  228 | 0010(12)  0010(5)  0020(6) | 200 | 0020(159) | Add definition of “standard conditions”  (159) "Standard Conditions" means a temperature of 68° Fahrenheit and a pressure of one atmosphere absolute.  USE THIS ONE AND GET RID OF THE REST  Compendium Method IO-2.4  CALCULATIONS  FOR  STANDARD VOLUME  2. Calculation of Volume to STP  2.1 To compare gas sampling data collected by various agencies and organizations from around the country,  EPA has specified that all gas volumes must be corrected to a set of predetermined standard conditions. For  atmospheric or ambient sampling, these conditions are 25EC or 298K and 760 mm Hg.  In chemistry, IUPAC established standard temperature and pressure (informally abbreviated as STP) as a [temperature](http://en.wikipedia.org/wiki/Temperature) of 273.15 [K](http://en.wikipedia.org/wiki/Kelvin) (0 °C, 32 °F) and an [absolute pressure](http://en.wikipedia.org/wiki/Absolute_pressure) of 100 [kPa](http://en.wikipedia.org/wiki/Pascal_(unit)" \o "Pascal (unit)) (14.504 [psi](http://en.wikipedia.org/wiki/Pound-force_per_square_inch), 0.986 [atm](http://en.wikipedia.org/wiki/Atmosphere_(unit)), [1 bar](http://en.wikipedia.org/wiki/Bar_(unit))).  [NIST](http://en.wikipedia.org/wiki/National_Institute_of_Standards_and_Technology) uses a temperature of 20 °C (293.15 K, 68 °F) and an absolute pressure of 101.325 kPa (14.696 psi, 1 atm). | 340-208-0010 (12) "Standard conditions" means a temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute.  340-226-0010 (5) "Standard conditions" means a temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute.  340-228-0020 (6) "Standard conditions" means a temperature of 68° Fahrenheit and a pressure of 14.7 pounds per square inch absolute.  340-240-0030(38) "Standard Conditions" means a temperature of 60° Fahrenheit (15.6° Celsius) and a pressure of 14.7 pounds per square inch absolute (1.03 Kilograms per square centimeter).  Move from division 208, 226, and 228. The definition of standard conditions in division in 240 needs correction for temperature. | done |
| 214 | 0350(2) | NA | NA | Add “Whether any federal New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants apply and whether the excess emission event caused a violation of the federal standard;” | Add this provision to the criteria for determining whether to take enforcement action for excess emissions. The general standard still applies even when there is a specific one. According to NSPS or NESHAP, there is a source specific standard. Because they are complying with the source specific standard, we can use enforcement discretion if they are exceeding the general standard. The source specific standards have an exception during startup/shutdown so the general standard is more stringent during those times. EPA can approve a SIP revision that creates an affirmative defense to claims for penalties in enforcement actions regarding excess emissions caused by malfunctions as long as the defense does not apply to SIP provisions that derive from federally promulgated performance standards or emission limits, such as new source performance standards (NSPS) and national emissions standards for hazardous air pollutants (NESHAPS). | done |
| 240 | 0400 | NA | NA | Add other types of sources NO, WE CANNOT ADD ANY OTHER SOURCES BECAUSE THE ONES IDENTIFIED WERE ADDED FOR THE MAINTENANCE PLAN.  **The Lakeview Urban Growth Area**  **340-240-0400**  **Applicability**  OAR 340-240-0400 through 340-240-0440 apply to the Lakeview Urban Growth Area.  **340-240-0420**  **Requirement for Operation and Maintenance Plans**  (1) Operation and Maintenance Plans must be prepared by all holders of Permits other than a Regulated Source 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: | Do they exist in Lakeview?  WHAT IS A REGULATED SOURCE ACDP? |  |

**340-225-0090**

**Requirements for Demonstrating a Net Air Quality Benefit**

(c) For a source locating inside or causing a significant air quality impact on a designated maintenance area, the owner or operator must either provide offsets sufficient to reduce modeled impacts below the significant air quality impact level (OAR 340-200-0020) at all receptors within the designated maintenance area or obtain an allocation from an available growth allowance as allowed by an applicable maintenance plan. These offsets may come from within or outside the designated maintenance area.

(A) Medford-Ashland AQMA: Proposed new major PM10 sources or major PM10 modifications locating within the AQMA that are required to provide emission offsets under OAR 340-224-0060(2)(a) must provide reductions in PM10 emissions equal to 1.2 times the emissions increase over the netting basis from the new or modified source, and must provide a net air quality benefit within the AQMA. "Net Air Quality Benefit" means:

(i)A reduction in concentration at a majority of the modeled receptors and less than a significant impact level increase at all modeled receptors; or

(ii) For a small scale local energy project and any infrastructure related to that project located in the same area, a reduction of the maintenance pollutant emissions equal to the ratio specified in this paragraph, provided that the proposed major source or major modification would not cause or contribute to a violation of the national ambient air quality standard or otherwise pose a material threat to compliance with air quality standards in the maintenance area.

(B) Medford-Ashland AQMA: Proposed new major PM10 sources or major PM10 modifications located outside the Medford-Ashland AQMA that cause a significant air quality impact on the AQMA must provide reductions in PM10 emissions sufficient to reduce modeled impacts below the significant air quality impact level (OAR 340-200-0020) at all receptors within the AQMA.

**340-224-0060**

**Requirements for Sources in Maintenance Areas**

Within a designated maintenance area, proposed major sources and major modifications of a maintenance pollutant, including VOC or NOx in a designated ozone maintenance area or SO2 or NOx in a designated PM2.5 maintenance area, must meet the requirements listed below:

(1) The owner or operator must comply with the Prevention of Significant Deterioration Requirements for Sources in Attainment or Unclassified Areas in OAR 340-224-0070; and

(2) Net Air Quality Benefit: The owner or operator must demonstrate Net Air Quality Benefit by satisfying one of the requirements listed below:

(a) obtain offsets in accordance with OAR 340-224-5010 for ozone areas or 340-224-5020(3) and (4) for non-ozone areas, whichever is applicable, except as allowed by subsections (d) and (e); or

(b) comply with the limits in OAR 340-202-0225 by performing the analysis specified in OAR 340-225-0045; or

(c) In a carbon monoxide maintenance area, a proposed carbon monoxide major source or major modification is exempt from subsections (a) and (b) of this section if the owner or operator can demonstrate that the source or modification will not cause or contribute to an air quality impact equal to or greater than 0.5 mg/m3 (8 hour average) and 2 mg/m3 (1-hour average). The demonstration must comply with the requirements of OAR 340-225-0045.

(d) In a PM10 maintenance area, a proposed PM10 major source or major modification is exempt from subsection (a) of this section if the owner or operator can demonstrate, pursuant to the requirements of OAR 340-225-0045, that the source or modification will not cause or contribute to an air quality impact in excess of:

(A) 120 ug/m3 (24-hour average) or 40 ug/m3 (annual average) in the Grants Pass PM10 maintenance area;

(B) 140 ug/m3 (24-hour average) or 47 ug/m3 (annual average) in the Klamath Falls PM10 maintenance area; or

(C) 140 ug/m3 (24-hour average) or 45 ug/m3 (annual average) in the Lakeview PM10 maintenance area. In addition, a single source impact is limited to an increase of 5 ug/m3 (24-hour average) in the Lakeview PM10 maintenance area.