| **Current** | **Proposed** | **Suggested change** | **Reason/Issues** | **Status** |
| --- | --- | --- | --- | --- |
| **Division** | **Rule** | **Division** | **Rule** |
|  |  |  |  | IMDs? |  |  |
|  |  |  |  | Compliance Assurance Agreement and the PPA | NICOLE? |  |
|  |  |  |  | ADD CFR DATE TO ALL RULES (JULY 1, 2013)  |  |  |
| ALL | ALL | NA | NA | Replace “the Department” with “DEQ” |  | done |
| ALL | ALL | NA | NA | Replace “the Commission” with “the EQC” |  | done |
| ALL | ALL | NA | NA | Replace “Division” with “division” |  | done |
| ALL | ALL | NA | NA | Move tables to their own rule number | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** |  |  |  | General Air Pollution Procedures and Definitions |  |  |
| **200** | 0020(3) |  | NA | Add a cross reference to divisions 214, 220, and 222 for determining actual emissions | Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in division 214 for Emission Statements, division 220 for Title V Operating Permit Fees and division 222 Plant Site Emission Limits**.** | done |
| **200** | 0200(3)(a) – (c) | 222 | 0050 | Move (a) through (c) for determining actual emissions to division 222  | Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in division 222 Plant Site Emission Limits**.** | done |
| **200** | 0020(3)(d) | 214 | 0210(10(c)(A) | Move the definition of actual emissions for emission statements to division 214 | The part of the definition of actual emissions for emission statements should be included in the rules for emission statements | done |
| **200** | 0020(3)(d) | 220 | 0120(1) | Move the definition of actual emissions for Title V operating permit fees to division 220 | The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees | done |
| **200** | 0020(3)(e) | 220 | 0120(2) | Move the method of measuring actual emissions for Title V operating permit fees to division 220 | The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees | done |
| **234****240** | 0020(5)0030(3) | 200 | 0020(13) | Add definition of “average operating opacity” | Definition of average operating opacity same as Division 234 and 240. Move to division 200 except for sentence about when a violation occurs. | done |
| **200** | 0020(13) | 200 | 0020(14) | Add a cross reference to division 222 for determining baseline emission rate | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13) | NA | NA | Delete the language “Baseline emission rate does not include increases due to voluntary fuel switches or increased hours of operation that occurred after that baseline period.” | This language is not necessary. The baseline emission rate obviously would not include these changes that occurred after the baseline period. | done |
| **200** | 0020(13)(a) | 222 | 0048(2) | Move (a) for establishing the baseline emission rate for regulated air pollutants | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13)(a) | 222 | 0048(3) | Move part of (a) that states a baseline emission rate will not be established for PM2.5 | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13)(b) | 222 | 0048(4) | Move (b) for establishing the baseline emission rate for GHG. | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13)(c) | 222 | 0048(5) | Move (c) for establishing the baseline emission rate for new regulated pollutants | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13)(d) | 222 | 0048(6) | Move (d) for recalculating the baseline emission rate and further clarify when the baseline emission rate will be recalculated | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13)(e) | 222 | 0048(6) | Move (e) and further clarify when the baseline emission rate will be recalculated | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(14) | 200 | 0020(15) | Add a cross reference to division 222 for determining baseline period | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0200(14)(a) | 222 | 0048(1)(a)  | Move (a) for determining baseline period for non-GHG | Move procedural requirements out of definitions. Establishment of the baseline period should be in Division 222 Plant Site Emission Limits | Done |
| **200** | 0200(14)(b) | 222 | 0048(1)(b)  | Move (b) for determining baseline period for GHG | Move procedural requirements out of definitions. Establishment of the baseline period should be in Division 222 Plant Site Emission Limits | Done |
| **200** | 0020(16) | 200 | 0020(17) | Add provision that the definition of biomass only applies to divisions 215 (GHG reporting) and 224 (NSR applicability).  | Add provision that the definition of biomass only applies to divisions 215 (GHG reporting) and 224 (NSR applicability). The MACT definition is different and is included in individual permits. The definition in division 228 has been deleted.  | done |
| **200** | 0020(20)(c) | 200 | 0020(21)(c) | Delete “fuel,” spell out hour and clarify that the requirement is for “each” piece of equipment | Correction/clarification | done |
| **200** | 0020(20)(d) | 200 | 0020(21)(d) | Spell out hour and clarify that the requirement is for “each” piece of equipment | Correction/clarification | done |
| **200** | 0020(20)(uu) | 200 | 0020(21)(uu) | Add " rated at less than 500 horsepower” to emergency generators and pumps | DEQ will require permits for emergency generators and pump rater at 500 horsepower or more | done |
| **200** | 0020(25) | 200 | 236-0010(6)240-0030(5) | Clarify “collection efficiency” definition | Definition of collection efficiency same in division 236 and 240. Clarify and move to division 200. | done |
| **200** | 0020(35) | 200 | 232-0030(17) | Add definition of “day”  | Move from division 232  | done |
| **200** | 0020(33) | 200 | 0020(36) | Add rule number for table of de minimis levels | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(33) | 200 | 0020(36) | Delete **NOTE:** De minimis is compared to all increases that are not included in the PSEL.  | De minimis is used in division 210 and 222. It was clarified what is meant by de minimis in relation to the PSEL so this note is unnecessary.  | done |
| **200** | 0020(42) | 230240208226228 | 0030(8)0030(10)0010(13)0010(6)0020(7) | Add definition of “dry standard cubic foot” | Move from division 230 and 240; change all references to “dry” standard cubic food; and delete definition of “standard cubic foot” from other divisions | done |
| **200** | 0020(51) | 236 | 0010(13) | Add definition of “emission standards”  | Move from division 236 and clarify | done |
| **200** | 0020(54) | 234240 | 0010(15)0030(12) | Add definition of “EPA Method 9” | Move from division 234 and 240 and change reference to 40 CFR Part 60 Appendix A-4 since opacity will be a six-minute average rather than an aggregate in one hour | done |
| **200** | 0020(60) | 240 | 0030(13) | Add definition of “facility” and add definitions of “affected facility” and “existing facility” from the NSPS regulations and division 238 | Move from division 240  | done |
| **200** | 0020(55)(a) | 200 | 0020(62)(a) | Change definition of “federal major source” to include: “(a) a source located in a nonattainment, reattainment, or maintenance area with potential to emit the regulated pollutant for which the area is designated nonattainment, reattainment or maintenance greater than or equal to 100 tons per year.”  | DEQ is regulating major sources at the federal major thresholds under the Major New Source Review program. Sources emitting at the significant emission rate up to the federal major thresholds will be regulated under the Minor New Source Review program.  | done |
| **200** | 0020(55) | 200 | 0020(62)(b) | Change definition of “federal major source” to include sources located in an attainment, unclassified, or sustainment area with potential to emit any individual regulated pollutant, excluding hazardous air pollutants listed in OAR 340 division 244 greater than or equal to 100 tons per year or 250 tons per year  | See above | done |
| **200** | NA | 200 | 0020(62)(c) | Separate what emissions should be included in the calculations for determining whether a source is a federal major source or not.  | clarification | done |
| **200** | NA | 200 | 0020(62)(c)(A) | Clarify that fugitive emissions from insignificant activities must be included in the determination of a federal major source | clarification | done |
| **200** | NA | 200 | 0020(62)(c)(B) | Simplify wording for emission increases and decreases | clarification | done |
| **200** | NA | 200 | 0020(63)(d) | Add a heading for source categories | clarification | done |
| **200** | 0020(55)(w) | 200 | 0020(62)(d)(W) | Add “excluding ethanol production facilities” to chemical process plants under the definition of “Federal Major Source” | EPA published a final rule in the May 1, 2007 Federal Register that changed the federal prevention of significant deterioration regulations. The final rule changed the major source threshold for ethanol plants from 100 tons per year to 250 tons per year. | done |
| 208228240 | 0010(4)0020(4)0030(14) | 200 | 0020(65) | Add the definition of “fuel burning equipment”  | Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify.  | done |
| **200** | 0020(60) | 200 | 0020(68) | Add rule number for table of generic PSELs | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(60) |  | 0020(68) | Delete the note from the definition of generic PSEL | The requirements included in the note are covered in the generic PSEL rules in division 222.  | done |
| **232****234****240** | 0030(31)0010(18)0030(18) | 200 | 0020(71) | Add definition of “hardboard”  | Definition of hardboard same in divisions 232, 234 and 240. Move to division 200 | done |
| **202** | 0010(5) | 200 | 0020(73) | Add definition of “Indian governing body”  | Defined in division 202 but used in divisions 204 and 209. Move to division 200. | done |
| **202** | 0010(6) | 200 | 0020(74) | Add definition of “Indian reservation”  | Used in division 200 and 204. Move to division 200. | done |
| **NA** | NA | 200 | 0020(78) | Add definition of “internal combustion source” | clarification  | done |
| **240** | 0030(24) | 200 | 0020(80) | Add definition of “liquefied petroleum gas” | Move from division 240  | done |
| **200** | 0020(69) | 200 | 0020(83) | Delete the definition of “maintenance area” and use the definition from division 204 with clarifications. Update the CFR date. | Move from division 204 with clarifications. The definition in division 204 is more comprehensive. | done |
| **200** | 0020(71) | 200 | 0020(84) | Add a cross reference to division 224 for determining whether a source makes a major modification  | Move procedural requirements out of definitions. Determination of whether a source makes a major modification should be in division 224 New Source Review | done |
| **200** | 0020(71) | 224 | 0025 | Move (a) through (e) for determining whether a source makes a major modification  | Move procedural requirements out of definitions. Determination of whether a source makes a major modification should be in division 224 New Source Review | done |
| **200** | 0020(72)(a) | 200 | 0020(85)(a) | Change the definition of “major source” by referring to the definition of “federal major source,” one with the PTE at the significant emission rate to one with the PTE at 100 tons per year or more. | DEQ is regulating major sources at the federal major thresholds under the Major New Source Review program. Sources emitting at the significant emission rate up to the federal major thresholds will be regulated under the Minor New Source Review program.  | done |
| **200** | 0020(72)(xx) | 200 | 0020(85)(xx) | Add “excluding ethanol production facilities” to chemical process plants under the definition of “major source” | EPA published a final rule in the May 1, 2007 Federal Register that changed the federal prevention of significant deterioration regulations. The final rule changed the major source threshold for ethanol plants from 100 tons per year to 250 tons per year. | done |
| **234****240** | 0010(21)0030(23) | 200 | 0020(87) | Add definition of “maximum opacity” | Move from division 234 and 240 | done |
| **216** | 0030(2) | 200 | 0020(89) | Add definition of “modified permit”  | Move from division 216. Modified permit has the same meaning as “permit modification”  | done |
| **240** | 0030(26) | 200 | 0020(91) | Add definition of “natural gas” | Move from division 240. This term is used throughout many divisions. | done |
| **200** | 0020(76) | 200 | 0020(92) | Add a cross reference to division 222 for determining how to calculate netting basis | Move procedural requirements out of definitions. Determination of whether a source makes a major modification should be in division 222 Plant Site Emission Limits | done |
| **200** | 0020(76) | 222 | 0046 | Move the definition of netting basis  | Move procedural requirements out of definitions. Calculating netting basis should be in Division 222 Plant Site Emission Limits | done |
| **204** | 0010(14) | 200 | 0020(94) | Delete the definition of “nonattainment area” and use the definition from division 204 with clarifications. Update the CFR date. | Move from division 204 with clarifications. The definition in division 204 is more comprehensive. | done |
| **208****240** | 0010(8)0030(28) | 200 | 0020(97) | Add definition of “odor” | Move from divisions 208 and 240 | done |
| **200****240** | 0020(82)0030(30) | 200 | 0020(99) | Reference EPA Method 9 or other method(s), as specified in each applicable rule rather than the Source Sampling Manual in OAR 340-212-0120 and 212-014 or the Continuous Monitoring Manual.  | Opacity defined in divisions 200 and 240. Move from division 240 and change reference method to EPA Method 9. Change limit to a 6-minute average instead of a 3-minute aggregate.  | done |
| **234****240** | 0010(27)0030(32) | 200 | 0020(105) | Add definition of particleboard | Move from divisions 234 and 240 | done |
| **200** | 0020(88) | 200 | 0020(106) | Delete test methods from definition of "Particulate Matter"  | The change makes the definition closer to the EPA definition. Include test methods with limit in specific rules.  | done |
| **200****232** | 0020(94)0030(54) | 200 | 0020(112) | Delete the definition of “person” and use the definition from division 232 | The definition in division 232 is more comprehensive. | done |
| **200** | 0020(95) | 200 | 0020(113) | Add “for fee purposes in division 220” to the definition of Plant Site Emission Limit | Clarification | done |
| **200** | 0020(96)(a) | 200 | 0020(114)(a) | Change the test methods in the definition of "PM10" to those specified in the applicable rule or permit. Delete the reference to DEQ’s Source Sampling Manual.  | Include test methods with limit in specific rules or permits.  | done |
| **200** | 0020(96)(b) | 200 | 0020(114)(b) | Add “or an equivalent method designated in accordance with 40 CFR Part 53” | 40 CFR Part 53 may designate a method for measuring ambient PM10 concentrations. | done |
| **200** | 0020(97)(a) | 200 | 0020(115)(a) | Change the test methods in the definition of "PM2.5" to those specified in the applicable rule or permit. Delete the reference to EPA reference methods 201A and 202 in 40 CFR Part 51, appendix M  | Include test methods with limit in specific rules or permits.  | done |
| **200** | 0020(97(b) | 200 | 0020(115) (b) | Change the test methods in the definition of "PM2.5" to those specified in the applicable rule or permit. Delete the reference to EPA reference methods in 40 CFR Part 60, appendix A. | Include test methods with limit in specific rules or permits.  | done |
| **200** | 0020(97)(c) | 200 | 0020(115)(c) | Add “airborne finely divided solid or liquid material” and “in accordance with” to the definition of PM10 in the context of ambient concentration | This change more closely matches the definition of PM10 ambient concentration | done |
| **202** | 0010(8) | 200 | 0020(119) | Add definition of “ppm” | Move the definition from Division 202 to Division 200 | done |
| **234****240** | 0010(32)0030(35) | 200 | 0020(121) | Add definition of “press/cooling vent” | Move from division 234 and 240 | done |
| **NA** | NA | 200 | 0020(123) | Add definition of “reattainment area” | Define new area for minor new source review. Reattainment areas are those that were nonattainment areas but have monitoring data that shows 3 years of compliance with the NAAQS but are not yet designated as maintenance by EPA.  | done |
| **200** | 0020(106) | 200 | 0020(127) | Delete parentheses and capitalize name of table 2 in definition of “regulated air pollutant.” Add  | correction | done |
| **200** | 0020(106) | 200 | 0020(127)(c) | Add rule number for table of significant emission rates | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(132) | 200 | 0020(154) | Change the definition of “significant air quality impact” to “significant impact” or “significant impact level”  | EPA defines “significant impact levels” or SILs.  | done |
| **200** | 0020(132) | 200 | 0020(154) | Add rule number for table of significant impact levels | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(132) | 200 | 0020(154) | Change the sentence from the definition of “significant impact” that says that the threshold concentrations in Table 1 are used for comparison against the ambient air quality standards and PSD increments but do not apply for protecting air quality related values, including visibility.  | The part of the sentence about protecting PSD Class I increments is from a September 10, 1991 EPA memo regarding Class I Area Significant Impact Levels and were never intended to be used for evaluating impacts on the Class I increments (43 FR 26380, June 19, 1978). The memo also states that “use of such significant impact levels for the purpose of Class I increment analyses does not include their use for determining whether a source should conduct an adverse impact analysis for any air quality-related value (AQRV) in a Class I area, or whether a source would have an adverse impact on an AQRV.”  | done |
| **200** | 0020(132) | 200 | 0020(154) | Change OAR 340-225-0020 to OAR 340 division 225 | The definition of ozone precursor distance has been moved from the definition section of division 225. | done |
| **200** | 0020(133) | 200 | 0020(153) | Move definition of “significant emission rate” to before definition of “significant impact”  | Changing the definition of “significant air quality impact” to “significant impact” makes it out of alphabetic order | done |
| **200** | 0020(133) | 200 | 0020(153) | Add rule number for table of significant emission rates | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(133)(a) | 200 | 0020(153)(a) | Add rule number for table of Medford-Ashland AQMA significant emission rate | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020(135) |  |  | Delete definition of “small scale local energy project” | Definition no longer needed since the definition of net air quality benefit is being changed | done |
| **200** | 0020(138) | 200 | 0020(138) | Add date to Source Sampling Manual | correction | done |
| **208****226****228** | 0010(12)0010(5)0020(6) | 200 | 0020(159) | Add definition of “standard conditions” | Move from division 208, 226, and 228. The definition of standard conditions in division in 240 needs correction for temperature. | done |
| **200** | 0020(142) | 200 | 0020(163) | Change Underpayment to lower case underpayment | correction | done |
| **NA** | NA | 200 | 0020(164) | Add definition of “sustainment area” | Define new area for minor new source review. Sustainment areas are those that have monitoring data over the NAAQS but are not yet designated nonattainment by EPA.  | done |
| **234****240** | 0010(45)0030(39) | 200 | 0020(172) | Add definition of “veneer” | Move from division 234 and 240 | done |
| **240** | 0030(40) | 200 | 0020(173) | Add definition of “veneer dryer” | Move from division 240 |  |
| **200** | 0020(151) | 200 | 0020(175) | Update the definition of VOCs | EPA changed the definition of VOCs in the June 22, 2012 Federal Register. This revision adds *trans*-1,3,3,3-tetrafluoropropene (also known as HFO-1234ze) to the list of compounds excluded from the definition of VOC on the basis that this compound makes a negligible contribution to tropospheric ozone formation. As a result, if one is subject to certain federal regulations limiting emissions of VOCs, emissions of HFO-1234ze may not be regulated for some purposes.  | done |
| **234** | 0010(47) | 200 | 0020(176) | Add definition of “wood fired veneer dryer” | Move from division 234. | done |
| **NA** | NA | 200 | 0020(177) | Add definition of “wood fuel-fired device” | Term not defined and used in multiple divisions | done |
| **200** | 0025(81) | NA | NA | Change the acronym from “PCDE” to “PCDCE” | Correction. The term used is “pollution control device collection efficiency” | done |
| **NA** | NA | 200 | 0025(88) | Add ppm to Abbreviations and Acronyms | Add PPM to Division 200 abbreviations and acronyms because it is used in other divisions | done |
| **200** | 0040 | NA | NA | Change the date for the State Implementation Plan modification | The proposed changes are part of the SIP which will be revised as a result of the proposed changes. CHECK ON OTHER SIP REVISIONS FOR DATE  |  |
| **200** | 0040(3)(a) | NA | NA | Change the date of the CFR | update | done |
| **200** | Tables |  |  | Change date of last EQC revision | CorrectionDO THESE TABLES NEED RULE HISTORY?? | done |
| **200** | 0020 Table 1 | 200 | 8000 | Change title from Significant Air Quality Impact to Significant Impact Levels | correction | done |
| **200** | 0020Table 1 | 200 | 8000 | Add rule number for table of significant impact levels | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020Table 2 | 200 | 8010 | Add rule number for table of significant emission rates | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020Table 3 | 200 | 8020 | Add rule number for table of significant emission rates for the Medford-Ashland AQMA | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020Table 4 | 200 | 8030 | Add rule number for table of de minimis levels | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **200** | 0020Table 5 | 200 | 8040 | Add rule number for table of generic PSELs | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **202** |  |  |  | Ambient Air Quality Standards and PSD Increments |  |  |
| **202** | 0010 | NA | NA | Add Division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **202** | 0010(2) | NA | NA | Delete definition of “ambient air monitoring site criteria”  | Definition not used in this division or any other division | done |
| **202** | 0010(4) | NA | NA | Delete definition of “Baseline Concentration”  | Definition already in Division 225, delete and use definition in Division 225 | done |
| **202** | 0010(5) | 200 | 0020(73) | Move definition of “Indian Governing Body” to division 200  | Definition not used in this division but used in divisions 204 and 209 so move to division 200 | done |
| **202** | 0010(6) | 200 | 0020(74) | Move definition of “Indian Reservation” to division 200  | Definition not used in this division but used in divisions 204 and 209 so move to division 200 | done |
| **202** | 0010(8) | 200 | 0020(119) | Move definition of “PPM” to division 200 | Definition used in many divisions so move to division 200 | done |
| **202** | 0210(1) | NA | NA | Add reference to Division 225 for baseline concentration | Since the definition of baseline concentration is being deleted from this division, a reference to Division 225 is needed | done |
| **202** | 0210(2) | NA | NA | Add “or PSD increment”  | Clarification. “maximum allowable increase” is not used in Division 224 or 225 but only in Division 202. The “maximum allowable increase” is also known as the “PSD increment.”  | done |
| **224** | 0060(2)(c) and (d) | **202** | 0225 | Move Ambient Air Quality Thresholds for CO and PM10 Maintenance Areas (e.g., Klamath Falls and Grants Pass PM10 maintenance standards) from OAR 340-224-0060 | Division 202 will contain all ambient standards and thresholds intended to protect ambient air quality  | done |
| **202** | 0225 | NA | NA | Change title of rule , use “Limits” instead of “Thresholds”  | Clarification | done |
| **202** | 0210Table 1 | 202 | 8000 | Add rule number for table of de minimis levels | Pull out tables from rule and make the tables their own rule. Consistent with Water Quality Division.  | done |
| **202** | 0210Table 1 | 202 | 8000 | Add PSD Increments to the title of the table | The table is titled “Maximum Allowable Increase” even though this language is only used in division 202. Add PSD Increment to clarify since this language is used in divisions 224 and 225.  | done |
| **202** | 0210Table 1 | 202 | 8000 | Delete footnote about PM2.5 Increments will become effective on October 20, 2011 | No longer needed | done |
| **204** |  |  |  | Designation of Air Quality Areas |  |  |
| **204** | 0010(1) | 200 | 0025(5) | Delete definition of “AQCR” | Delete and use division 200 acronym | done |
| **204** | 0010(2) | 200 | 0025(6) | Delete definition of “AQMA” | Delete and use division 200 acronym | done |
| **204** | 0010(3) | 200 | 0025(23) | Delete definition of “CO” | Delete and use division 200 acronym | done |
| **204** | 0010(4) | 200 | 0025(15) | Delete definition of “CBD” | Delete and use division 200 acronym | done |
| **204** | 0010(5) | 200 | 0020(33) | Delete definition of criteria pollutant. | Delete and use division 200 definition | done |
| **204** | 0010(15) | 200 | 0020(82) | Delete definition of “Maintenance area” | Move from division 204 to division 200 with clarifications. The definition in division 204 is more comprehensive. | done |
| **204** | 0010(19) | 200 | 0020(94) | Delete definition of “nonattainment area”  | Move from division 204 to division 200 with clarifications. The definition in division 204 is more comprehensive. | done |
| **204** | 0010(20) | 200 | 0025(75) | Delete definition of “O3” | Delete and use division 200 acronym | done |
| **204** | 0010(22) | 200 | 0020(106) | Delete definition of “particulate matter” | Delete and use division 200 definition | done |
| **204** | 0010(23) | 200 | 0020(114) | Delete definition of “PM10” | Delete and use division 200 definition | done |
| **204** | 0010(24) | 200 | 0020(115) | Delete definition of “PM2.5” | Delete and use division 200 definition | done |
| **204** | 0010(30) | 200 | 0025(111) | Delete definition of “UGB” | Delete and use division 200 acronym | done |
| **204** | 0020(5)(j) | NA | NA | Correct spelling of Wheeler County | correction | done |
| **204** | 0020 NOTE: |  | NA | Delete “**NOTE:** The AQCRs should not be confused with the recent DEQ reorganization that split the state into three DEQ regions: Northwest, West and East.” | NOTE no longer needed. DEQ reorganization occurred many years ago so there is no longer any confusion.  | done |
| **204** | 0030(2) | NA | NA | Change designation of Klamath Falls Nonattainment Area for PM2.5 to reference the Klamath Falls Nonattainment area defined in division 204-0010. | Already defined in division 204 | done |
| **204** | 0090 | NA | NA | Change the oxygenated gasoline requirement in control areas since the October 31, 2007 is past. Require oxygenated gasoline if required under an applicable attainment or maintenance plan adopted by the Environmental Quality Commission, and apply it to the oxygenated gasoline control areas: Clackamas, Multnomah, Washington and Yamhill Counties. | The October 31, 2007 date has past. DEQ’s 2004 CO maintenance plan states that Section 175A(d) of the Clean Air Act provides that any control strategies removed upon redesignation to attainment must be reinstated if the area violates the air quality standard. The provisions of this section of the Contingency Plan are dictated by that Clean Air Act requirement.If the Portland area violates the NAAQS for CO, the requirement to use wintertime oxygenated fuel in Clackamas, Multnomah, Washington, and Yamhill Counties will be reinstated. | done |
| NA | NA | 204 | 0300 | Add rules that explain how sustainment areas will be designated | DEQ has defined two new areas for minor new source review: sustainment and reattainment areas. These new areas will provide options for sources when constructing or modifying in these areas.  | done |
| NA | NA | 204 | 0310 | Add rules that explain how reattainment areas will be designated | DEQ has defined two new areas for minor new source review: sustainment and reattainment areas. These new areas will provide options for sources when constructing or modifying in these areas.  | done |
| **206** |  |  |  | Air Pollution Emergencies | None |  |
| **206** | all | NA | NA | Correct Division to lower case division | correction | done |
| **206** | 0010 | NA | NA | Update CFR date | Update | done |
| **206** | 0020 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **206** | 0040(4) | NA | NA | Add title of Table 4: **Air pollution episode conditions due to Particulate which is primarily fallout from volcanic activity or windblown dust. Ambient Particulate control measures to be taken as appropriate in episode area** | correction | done |
| **206** | 0050(2) | NA | NA | Correct Emits to lower case emits | correction | done |
| **208** |  |  |  | Visible Emissions and Nuisance Requirements |  |  |
| **208** | 0010 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **208** | 0010(2) | 200 | 0020(9) | Delete definition of “air contaminant” and use definition in division 200 | Already defined in division 200 | done |
| **208** | 0010(3) | 200 | 0020(45) | Delete definition of “emission” and use definition in division 200 | Already defined in division 200 | done |
| **208** | 0010(4) | 200 | 0020(65) | Delete definition of “fuel burning equipment”  | Move to division 200 with clarification and delete from divisions 208, 228, and 240 | done |
| **208** | 0010(5) | 200 | 0020(66) | Definition of “fugitive emissions”  | Delete and use definition in division 200 | done |
| **208** | 0010(6) | NA | NA | Delete definition of “new source”  | Definition no longer needed since all sources will have to comply with 20% opacity limit, except hog fuel boilers during grate cleaning and soot blowing | done |
| **208** | 0010(8) | 200 | 200-0020(97) | Move definition of “odor” to division 200 | Same as division 240 definition so move to division 200 | done |
| **208** | 0010(12) | 200 | 0020(159) | Delete definition of “standard conditions” and move to division 200  | Definition different from division 240 but same as division 226 and 228. Use division 240 definition and move to division 200 | done |
| **208** | 0010(13) | 200 | 0020(42) | Delete definition of “standard cubic foot” and use definition of “dry standard cubic foot” from division 240 and move to division 200 | Definition different from division 236 and 240 but same as 228.  | done |
| **208** | 0100 | NA | NA | Add exemption for fugitive emissions from opacity limits.  | See the explanation below about changes to OAR 340-208-0210 for regulating visible emissions from fugitive sources.  | done |
| **208** | 0110(1) and (2) | 208 | 0110(1) | Delete 40% opacity limit and make a provision for soot blowing and grate cleaning:“No person may emit or allow to be emitted any air contaminant into the atmosphere from any air contaminant stack or emission point that equals or exceeds 20% opacity as a six-minute average except as allowed in section (2).”  | DEQ is proposing the changes for the following reasons:* Some of the affected sources will probably have to reduce emissions anyway due to future regulations, such as the Boiler and Industrial furnace MACT.
* Having two standards creates an unequal playing field for industry; especially since new sources can be as much as 40 years old.
* More and more areas of the state are special control areas due to population increases.
* EPA’s adoption of a new PM2.5 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce opacity in all areas and will help prevent future problems.
* Phased compliance will give sources that cannot meet the new standards time to comply.
 |  |
| **208** | 0110(1) | NA | NA | Change “source” to “stack or emission point”  | “Stack or emission point” are not defined but are used in divisions 234 and 240 for veneer dryers. Each stack or emission point (vent or stack or door opening where emissions come from) should have an opacity limit and should not be averaged. The pulp mill rule says “stack” rather than source.  | done |
| **208** | 0110(1) and (2) | 208 | 0110(1) | Make the 20% limit applicable to all non-fugitive sources in the state. Change limit to a 6-minute average instead of a 3-minute aggregate. | DEQ is proposing the change because of the following reasons:* An opacity standard based on a 6-minute average is no more or less stringent than a standard based on an aggregate of 3 minutes in any hour. Theoretically, either basis could be more stringent than the other, but practically, sources do not typically have intermittent puffs of smoke. If there is an upset that lasts longer than 3 minutes, it usually lasts longer than 6 minutes, as well.
* Other reasons for changing to a 6 minute average include:
	+ A reference compliance method has not been developed for the 3 minute standard.
	+ EPA method 9 results are reported as 6-minute averages.
	+ The 3-minute standard adds more cost to data acquisition systems for continuous opacity monitoring systems. Many of the COMS are designed for 6-minute averages, so they have to be modified to record and report data for the 3-minute standard.
	+ Compliance with a 6 minute average can be determined with 24 readings (6-minute observation period); whereas, compliance with the 3-minute standard may require as many as 240 readings (60 minute observation period). In addition, it is DEQ’s policy that the inspector observes the source for at least 6 minutes before making a compliance determination.
 | done |
| **208** | 0110(2) | NA | NA | Add exemption for wood-fired boilers constructed or installed prior to June 1, 1970 and not modified since that time:“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 or soot blowing operations must not equal or exceed 40% opacity as a six minute average.”  | These wood-fired boilers cannot meet 20% opacity during grate cleaning or soot blowing so a provision was added to allow 40% during these times  | done |
| **NA** | NA | **208** | 0110(2)(a)  | Add exception for wood-fired boilers to allow 40% opacity during grate cleaning or soot blowing operations as long as these activities are conducted in accordance with a grate cleaning or soot blowing plan approved by DEQ by September 30, 2014.  | This provision will ensure that sources minimize emission during grate cleaning or soot blowing | done |
| **NA** | NA | **208** | 0110(2)(b) | Add provision for wood-fired boilers that are allowed 40% opacity during grate cleaning or soot blowing operations to develop a grate cleaning or soot blowing plan and submit it to DEQ for approval by September 1, 2014.  | This provision will ensure that sources minimize emission during grate cleaning or soot blowing | done |
| **208** | 0110(3) | NA | NA | Add a reference method for determining compliance with the opacity limit and provision for continuous opacity monitoring systems installed and operated in accordance with DEQ’s Continuous Monitoring Manual | This provision will ensure that sources will know what method should be used to determine compliance with the opacity limit. | done |
| NA | NA | **208** | 0110(4) | Add a deferral (3 years) until January 31, 2016 for compliance for sources that were installed, constructed, or modified before June 1, 1970 and are located outside special control areas and were subject to the 40 percent opacity limits.  | This compliance date coincides with the Boiler NESHAP and gives existing sources time to add control equipment or make any other physical changes  |  |
| **208** | 0200 | NA | NA | Make the fugitive emission requirements applicable statewide to replace the opacity standards. | Fugitive emissions should be controlled statewide | done |
| **208** | 0210(1) | NA | NA | Since the opacity standards will not apply to fugitive emission sources, work practice standards will be used instead to abate fugitive emissions. | The Department has clarified that fugitive emissions must be abated upon order, rather than the subjective determination of a nuisance or trying to read opacity to comply with an opacity limit.  | done |
| NA | NA | **208** | 0210(2) | Add a definition for particulate fugitive emissions | This clarifies what fugitive emissions entail | done |
| NA | NA | **208** | 0210(3) | Add EPA Method 22 as the reference method | A test method should always be specified with each standard in order to be able to show compliance | done |
| **208** | 0210(2)(b) | **208** | 0210(4)(b) | Delete “asphalt, oil,” from the reasonable precautions to prevent particulate matter from becoming airborne | DEQ discourages the use of asphalt and oil as dust suppressants because of the negative environmental impact on other media. | done |
| NA | NA | **208** | 0210(5) | Add requirement for fugitive emission control plan if requested by DEQ | This requirement will help address issues if fugitive emissions escape the property boundary | done |
| **208** | 0450 | NA | NA | Change “emission” to “deposition” | Particulate matter larger than 250 microns is deposited on property, not emitted | done |
| **208** | 0450 | NA | NA | Delete “ sufficient duration” and “quantity” from fallout and add cross reference to AOT 340-202-0110 Particle Fallout which helps define duration and quantity | Limits for particle fallout are specified in division 202.  | done |
| **208** | 0500  | NA | NA | Repeal “Application”  | DEQ proposes to repeal OAR 340-208-0550 through 630 because these rules have limited applicability and because other rules make this rule largely redundant.  |  |
| **208** | 0510 | NA | NA | Repeal “Exclusions” | The exclusions from the 4-county rules when specific industrial standards apply and for domestic residences are no longer necessary.  | done |
| **208** | 0550 | NA | NA | MOVE “Odor Control Measures” | Move to nuisance rules? CHECK WITH ANDY ON THIS ONE FOR ODOR CONTROL BEFORE PUBLIC NOTICE |  |
| **208** | 0570 | NA | NA | Repeal “Ships” | The requirements for visible emissions, particulate matter size and minimizing soot emissions are impossible for DEQ to enforce.  | done |
| **208** | 0590 | NA | NA | Repeal “Emission Standards – General | The preclusion from compliance with any other applicable standard in addition to compliance with the 4-county rules is no longer necessary. | done |
| **208** | 0600 | NA | NA | Repeal “Visible Air Contaminant Standards” | DEQ is changing to a 6-minute averaging time for all opacity standards. | done |
| **209** |  |  |  | Public Participation | None |  |
| **209** | 0050(1) | NA | NA | Add provision for public notice by email | Most people receive notices by email, which is cheaper and easier to use than mail. A few people are still on DEQ’s list to receive hard copies of public notices.  | done |
| **209** | 0070(1)(c)(B) | NA | NA | Add “answer questions”  | DEQ answers questions from the public during informational meetings, in addition to accepting comments | done |
| **210** |  |  |  | Stationary Source Notification Requirements | None |  |
| **210** | 0020 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **210** | 0205(1)(a) | NA | NA | Add “not otherwise required to obtain a permit under OAR 340, division 216. Sources that are required to submit a permit application are not required to submit a Notice of Construction application;”  | Clarification for new sources that are not required to submit a Notice of Construction application | done |
| **210** | 0205(1)(b) | NA | NA | Add “(b) Modifications at existing sources that have permits under OAR 340 division 216 or 218;”  | Clarification for modifications at existing sources that are required to submit a Notice of Construction application | done |
| **210** | 0205(2)(c) | NA | NA | Add “ed” to limit | Correction | done |
| **210** | 0205(2)(d) | NA | NA | Change wording to “unless they are subject to NESHAP or NSPS requirements.” | Clarification | done |
| **210** | 0205(3) | NA | NA | Add “As used in OAR-340-210-200 through 340-210-0250, “stationary source” means any device or process that emits air contaminants and “source” means the combination of all stationary sources that make up a source.” | Clarification. “Stationary source” as used in this definition has a different meaning than “stationary source” used in other divisions.  | done |
| **210** | 0225(1) | NA | NA | Add “meets the criteria in subsections (a) through (f)” | Clarification | done |
| **210** | 0225(1)(a) & (b) | NA | NA | Add “from the source” | Clarification. Emissions are from the source, not individual “stationary sources” for comparison to the netting basis and significant emission rate | done |
| **210** | 0225(1)(a) & (c) |  | NA | Correct spelling of de minimis | Correction | done |
| **210** | 0225(1)(c) & (2)(c) | NA | NA | Add “new, replacement, or modified” before stationary source and “(i.e., individual emission devices or processes)” after stationary source | Clarification. Emissions are from the stationary source for comparison to de minimis levels | done |
| **210** | 0225(1)(f) and (2)(f) | NA | NA | Add requirement that changes that are required to obtain a permit under OAR 340 division 216 would not qualify as a Type 1 or Type 2 changes.  | Corrects a problem regarding changes that otherwise qualify as a Type 1 change but should be required to obtain a permit under division 216. There have been instances when companies have replaced a NESHAP subject chrome plating line with entirely new equipment or have replaced the control device.  In each instance the associated emissions are well below the de minimis rate and the change meets the Type 1 criteria.  The review process in these instances is more complicated than for what Type 1 category was intended and therefore  a permit is required.  | done |
| **210** | 0225(2) | NA | NA | List requirements for Type 2 changes rather than reference changes in 0225(1) | Clarification | done |
| **210** | 0225(3)(b) | NA | NA | Correct the cross reference to Division 222 and spell out NSR | OAR 340-222-0041(3)(b) was renumbered to 340-222-0041(3)(c) | done |
| **210** | 0240(1)(d) [NOTE:] |  |  | Delete “[**Note:** In non-attainment areas and maintenance areas” and “. In attainment areas, Type 4 changes may be subject to OAR 340-224-0070, Prevention of Significant Deterioration, only if the source would be a federal major source after making the change.]” | Put the language in the rule, rather than a note. Clarify that Type 4 changes may also be subject to division 224, New Source Review.  | done |
| **212** |  |  |  | Stationary Source Testing and Monitoring |  |  |
| **212** | all | NA | NA | Bold Source Sampling Manual, Continuous Monitoring Manual and CFR references | correction | done |
| **212** | 0010 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **212** | 0120(3) | NA | NA | Update Source Sampling Manual and Continuous Monitoring Manual | The Source Sampling Manual (1992) and the Continuous Monitoring Manual (1992) have been updated to reflect current methods and procedures. |  |
| **212** | 0130(1) | NA | NA | Update CFR dates | Update | done |
| **212** | 0130(2)(c) | NA | NA | Add “Major” to New Source Review and add cross reference to OAR 340 division 224 | DEQ has added rules for minor new source review in this division so the distinction between major and minor new source review must be made  | done |
| **212** | 0140(1) | NA | NA | Update Source Sampling Manual  | The Source Sampling Manual (1992) has been updated to reflect current methods and procedures. |  |
| **212** | 0140(3)(b)(A) | NA | NA | Update Source Sampling Manual  | The Source Sampling Manual (1992) has been updated to reflect current methods and procedures. |  |
| **212** | 0200(2)(a)(E)  | NA | NA | Update CFR date | Update | done |
| **212** | 0200 (2)(b) and (2)(b)(A) | NA | NA | Update CFR date | Update | done |
| **212** | 0210(4)(b)(A) through (E) | NA | NA | Update CFR date | Update | done |
| **212** | 0220 (2)(c)  | NA | NA | Update CFR date | Update | done |
| **212** | 0280(1) | NA | NA | Correct spelling of complying | correction | done |
| **214** |  |  |  | Stationary Source Reporting Requirements |  |  |
| **200** | 0020(3)(d) | 214 | 0210(1)(c)(A) | Move the definition of actual emissions for emission statements to division 214 | The part of the definition of actual emissions for emission statements should be included in the rules for emission statements | 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 | done |
| **214** | 0410(2) | NA | NA | Delete “or until the first control period under the Western Backstop Sulfur Dioxide Trading Program as established in 340-228-0510(1)(a), whichever is earlier”. | The Western Backstop Sulfur Dioxide Trading Program rules are being repealed. DEQ is using the federal regional haze rules instead. |  |
| **216** |  |  |  | Air Contaminant Discharge Permits[[Table 1 and Table 2](http://www.deq.state.or.us/regulations/rules/div216/div216-Tables.pdf)] |  |  |
| **216** | 0020 | NA | NA | Add table names | Clarification | done |
| **216** | 0020(1) | NA | NA | Add “More than one category in **Table** 1 may apply to a source” | Clarification. If a source finds their source category in Table 1, they may quit looking and not realize that another source category also applies to them.  | done |
| **216** | 0020(1)(a) & (b) | NA | NA | Change “Authority” to “Agency” | Correction | done |
| **216** | 0030 | NA | NA | Add Division 204 as another division that has definitions that would apply to this division | Add reference to Division 204 definitions | done |
| **216** | 0030 | 200 | 0020(89) | Move the definition of “modified permit” to division 200 and reference definition of “permit modification” already in division 200 | “Permit Modification” is already defined in division 200: (90) "Permit modification" means a permit revision that meets the applicable requirements of OAR 340 division 216, 340 division 224, or 340-218-0160 through 340-218-0180 | done |
| **216** | 0040(5) | NA | NA | Require submittal of application at least 180 days before a permit or modified permit is needed rather than 60 days. | Earlier application submittals should help DEQ with permit issuance timeliness. | done |
| **216** | 0054(1) | NA | NA | Add “unexpected or” before emergency and “activity” after emergency | 216-0025 allows for short term activity ACDPs for unexpected or emergency activities, operations, or emissions. This change makes 215-0054 consistent with 216-0025. | done |
| **216** | 0060(4) | NA | NA | Change to “Rescission. DEQ may rescind an individual source's assignment to a General ACDP if the source no longer meets the requirements of the permit. The source must submit an application for a Simple or Standard permit upon notification by DEQ of its intent to rescind the general ACDP. Upon issuance of the Simple or Standard permit, DEQ will rescind a source's assignment to a General ACDP.” | Clarify the language for rescission of a General ACDP and add a requirement that the source must apply for a Simple or Standard permit upon notification of rescission. If the source no longer qualifies for the general permit because of violations, provide a simple way to cancel the general permit and require a simple or standard permit.  | done |
| **216** | 0064(3)(a)(A) | NA | NA | Delete “(category 27. Electric Power Generation, may be included with any category listed below).” Include it only with categories 13 and 85 and make a separate category for it.  | Category 25 electrical power generators and their relationship to simple-low fee sources and permitting was discussed by regional managers.  The current rule wording is unclear as to their categorization and due to this wording there is the actual or potential issue of regional inconsistency in assigning to the proper permit category.   | done |
| **216** | 0064(4)(d) | NA | NA | Change the permit duration of a simple permit from 5 to ?? years | Do we want to do this? |  |
| NA | NA | **216** | 0082(2)(e) | Add “(e) Failure to commence construction within the second extension period under a permit issued in accordance with OAR 340-224-0010 through 340-224-0199.” | Add a provision for automatic termination if a source fails to commence construction within the second extension permit issued under Major New Source Review. DEQ will not grant three extensions and will instead require a new NSR/PSD application.  | done |
| **216** | 0090 | NA | NA | Add “ keep a copy of the permit onsite” | Having the permit on site and monitoring and record-keeping conditions all exist to ensure the permittee is meeting the “rules and standards adopted by the Commission.” | done |
| **216** | Table 1 | NA | NA | Add “The following source categories must obtain a permit. More than one source category in Table 1 may apply to a source. If more than one source category in Table 1 applies to a source, the highest level of permit specified in Part A, B, or C is required.” | Clarification | done |
| **216** | Table 1 Part B 1.  | NA | NA | Add “subject to RACT as regulated by division 232” | Clarification | done |
| **216** | Table 1 Part B 7.  | NA | NA | Add “Manufacturing” | Clarification | done |
| **216** | Table 1 Part B 11.  | NA | NA | Add “Lead-Acid” | Clarification | done |
| **216** | Table 1 Part B 13. | NA | NA | Change “over 10 MMBTU/hr heat input” to “with a combined heat input greater than” | Clarification | done |
| **216** | Table 1 Part B 13.  | NA | NA | Change to “Boilers and other Fuel Burning Equipment equal to or greater than 10 MMBTU/hour heat input each, except exclusively Natural Gas and Propane fired boilers (with or without #2 diesel backup) less than 30 MMBTU/hour each. “ | Clarification | done |
| **216** | Table 1 Part B 14. | NA | NA | Capitalize “paper” | Correction | done |
| **216** | Table 1 Part B 16. | NA | NA | Add “subject to RACT as regulated by division 232” to Can or Drum Coating | Clarification | done |
| **216** | Table 1 Part B 20. | NA | NA | Change “Alkalies” to “Alkali” | Correction | done |
| **216** | Table 1 Part B 21. | NA | NA | Add “and Anodizing subject to a NESHAP” | Clarification. Some chrome plating is not subject to a NESHAP and we don’t want to permit them.  | done |
| **216** | Table 1 Part B 27. | NA | NA | Change to “Stationary Electrical Power Generation from combustion, with a combined electrical output of 500 horsepower or more, excluding emergency generators and firewater pumps “ | Clarification. RICE NESHAP requires semi-annual or annual testing for engines greater than 500 hp (375 kW) so these sources need to be on a permit.  | done |
| **216** | Table 1 Part B 28. | NA | NA | Add “Stationary emergency generators and firewater pumps that meet either of the following criteria:a. any individual emergency generator or firewater pump rated at 500 horsepower or more; orb. combined potential plant site emissions of any criteria pollutant greater than 10 tons per year based on a minimum of 100 hours of operation per year for each emergency generator or firewater pump” | Emergency generators over a certain size (or combined size) need to get permit because of potential emissions | done |
| **216** | Table 1 Part B 29. | NA | NA | Add “Stationary reciprocating internal combustion engines used to power pumps or compressors less than 500 horsepower, excluding emergency generators and firewater pumps.” | \_\_\_\_\_\_\_\_\_\_\_\_ | done |
| **216** | Table 1 Part B 31. | 216 | Table 1 Part B XX | Add “as regulated by division 232” to flexographic or rotogravure printing | Clarification |  |
| **216** | Table 1 Part B 34. | 216 | Table 1 Part B XX | Change to “Bulk Gasoline Plants, Bulk Gasoline Terminals, and Pipeline Facilities | Clarification |  |
| **216** | Table 1Part B 37 and 38. | NA | NA | Delete the “Applies only to Special Control Areas” footnote from grain elevators in category 37 and delete category 38 Grain terminal elevators.  | All grain elevators with 10,000 tons/year throughput should be required to get a general permit. NEED TO SWITCH 3 CATEGORY 38 PERMITS OVER TO THE GENERAL PERMIT | done |
| **216** | Table 1Part B 45.  | 216 | Table 1 Part B XX | Change “subject to OAR Division 232” to “subject to RACT as regulated by division 232” to liquid storage tanks | Clarification | done |
| **216** | Table 1Part B 48.  | 216 | Table 1 Part B XX | Add “subject to RACT as regulated by division 232” to marine vessel petroleum loading and unloading | Clarification  | done |
| **216** | Table 1Part B 50.  | 216 | Table 1 Part B XX | Add “manufacturing” to millwork | Clarification | done |
| **216** | Table 1Part B 51.  | NA | NA | Add “manufacturing” to molded container | Clarification | done |
| **216** | Table 1Part B 60.  | NA | NA | Add “subject to RACT as regulated by division 232” to paper or other substrate coating | Clarification | done |
| **216** | Table 1Part B 75.  | NA | NA | Add “engines or flares” to internal combustion for sewage treatment facilities | Clarification | done |
| **216** | Table 1Part B 76.  | NA | NA | Add “using thermal desorption and not exempted under ORS 465.315(3), or a performing party not under a DEQ oversight through a cleanup agreement” to soil remediation facilities | Some remedial actions are exempt from having to obtain permits. Under ORS 465.315(3):Except as provided in subsection (4) of this section, the director may exempt the on-site portion of any removal or remedial action conducted under ORS 465.200 to 465.545 and 465.900 from any requirement of ORS 466.005 to 466.385 and ORS chapters 459, 468, 468A and 468B.  | done |
| **216** | Table 1 Part B 78. | 216 | Table 1 Part B XX | Add “as regulated by division 232” to Surface Coating in Manufacturing subject to RACT | Clarification | done |
| **216** | Table 1 Part C 3. | NA | NA | Delete “baseline emission rate, or” from all sources electing to maintain the source’s baseline emission rate, or netting basis | Sources have a netting basis based on the baseline emission rate so “baseline emission rate” is Definition no longer needed | done |
| **216** | Table 1 Part C 4b. | NA |  | Change 10 tons/year actual emissions to “the significant emission rate for any pollutant” for sources that qualify for a simple ACDP rather than a standard ACDP | Correction. Sources that qualify for simple ACDPs can have Generic PSELs in them, which are 1 ton less than the SERs.  | done |
| **216** | Table 1Part C 4b. | NA | NA | **Part C: Activities and Sources** The following sources must obtain a Standard ACDP under the procedures set forth in 340-216-0066:4. All Sources subject to a RACT, BACT, LAER, NESHAP adopted in OAR 340-244-0220, NSPS, State MACT, or other significant Air Quality regulation(s), except: b. Sources with less than 10 tons/yr. actual emissions that are subject to RACT, NSPS or a NESHAP adopted in OAR 340-244-0220 which qualify for a Simple ACDP. | As I mentioned the other day, there’s an issue we currently have in Table 1 Part C that identifies criteria for distinguishing Simple ACDP’s from Standard ACDP’s that I think needs to be reconsidered and revised. Part C: item 4.b. requires all sources subject to a RACT, BACT, LAER, NESHAP, NSPS, State MACT, or other significant Air Quality regulation, with > 10 tons/yr. actual emissions have a Standard ACDP (unless exempted elsewhere - see below). The history of this criteria, as best I can determine, is that it represents the old Minimal Source ACDP threshold of ancient DEQ rules. The problem this presents us is that all of our regional offices likely have sources operating with Simple permits that actually should have Standard permits under this requirement. This is especially true now with the advent of the area source NESHAPs for which many of our sources are now subject. I suggest that we cut this requirement from the rule and make the Simple/Standard applicability distinction based on IMD or policy statement. |  |
| **216** | Table 1 Part C, 4d. | NA | NA | Add “stationary” to electrical power generation and change 500 kW to 500 horsepower | Clarification. RICE NESHAP requires semi-annual or annual testing for engines greater than 500 hp (375 kW) so these sources need to be on a permit. | done |
| NA | NA | **216** | Table 1 Part C, 4e. | Add “Stationary reciprocating internal combustion engines used to power pump or compressors less than 500 horsepower.” | Exempt engines that run pumps or compressors similar to electrical emergency generators | done |
| **NA** | NA | **216** | Table 1 Part C, 4m. | Add “Boilers and other fuel burning equipment less than or equal to 10 MMBTU/hr. heat input.” | These sources should be exempt from getting a standard ACDP because the current permitting threshold for boilers is 10 MMBtu/hr. Adopting the area source boiler NESHAP will pull solid and liquid fuel fired boilers < 10 MMBtu/hr into the permitting program, unless we add an exemption. The boilers < 10 MMBtu/hr only have to be tuned-up, so it doesn't make sense to permit them. Keep the same permitting threshold for boilers and may register smaller boilers in the future, as the rules already allow. | done |
| **216** | Table 1 Part C, 6 | NA |  | Change regulated air “contaminant” to regulated air “pollutant” | Regulated air contaminant is not defined | done |
| **216** | Table 1 Part C, 6, 7, and 8 | NA |  | Do not capitalize potential to emit | correction | done |
| **218** |  |  |  | Oregon Title V Operating Permits |  |  |
| **218** | 0030 | NA | NA | Add Division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **218** | 0040(1)(a)(F) | NA | NA | Delete “through 0180”  | Correction. OAR 340-244-0110 is now the only rule that applies to early reductions of HAPs | done |
| **218** | 0040(3)(c)(A) | NA | NA | Change 340-224-0040 to 340-244-0040 | Correction | done |
| **218** | 0040(3)(c)(C) | NA | NA | Change 340-222-0070 to 340-222-0035 (6) and (7), and 340-224-0025(1)(b)(A) | Provisions for emissions from insignificant activities were moved in division 222. CAN THIS BE WORDED SOME OTHER WAY RATHER THAN POINTING TO ALL THESE RULES? | done |
| **218** | 0040(3)(c)(C) | NA | NA | Delete hyphen from require-ment | Correction | done |
| **218** | 0040(3)(o)(D) | NA | NA | Delete reference to “enhanced monitoring” protocols and change to compliance assurance monitoring | There are no enhanced monitoring protocols, only compliance assurance monitoring protocols | done |
| **218** | 0040(4)(a)(A) | NA | NA | Change date of Continuous Monitoring Manual | The Continuous Monitoring Manual has been updated. | done |
| **218** | 0040(4)(a)(B) | NA | NA | Change date of Source Sampling Manual | The Source Sampling Manual has been updated. | done |
| **218** | 0050(3)(a)(C) | NA | NA | Change date of Continuous Monitoring Manual and Source Sampling Manual | The documents have been updated. | done |
| **218** | 0050(6)(a) | NA | NA | Add a requirement to keep a copy of the permit onsite | Having the permit on site and monitoring and record-keeping conditions all exist to ensure the permittee is meeting the “rules and standards adopted by the Commission.” | done |
| **218** | 0090(XX) | NA | NA | Allow us to include area source NESHAP general permit attachments to TV permits |  |  |
| **218** | 0150(1)(h) | NA | NA | Correct 340-0210-250 to 340-210-0250 | correction | done |
| **218** | 0210(1) | NA | NA | Add “with” to in accordance the procedures | correction | done |
| **220** |  |  |  | **Oregon Title V Operating Permit Fees** |  |  |
| **220** | 0020 |  | NA | Add Division 204 as another division that has definitions that would apply to this division | Add reference to Division 204 definitions | ANDREA? |
| **220** | 200-0020(3)(d) |  | 0120(1) | Move the definition of actual emissions for Title V operating permit fees to division 220 | The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees.  | ANDREA? |
| **220** | 200-0020(3)(e) |  | 0120(2) | Move the method of measuring actual emissions for Title V operating permit fees to division 220 | The part of the definition of actual emissions for Title V operating permit fees should be included in the rules for Title V operating permit fees | ANDREA? |
| **222** |  |  |  | Stationary Source Plant Site Emission Limits |  |  |
| **222** | 0020(1) | NA | NA | Change rule citations for insignificant activities since these rules were moved | correction | done |
| **222** | 0020(3)(c) | NA | NA | Reference CFRs Early Reduction High Risk and Accidental Release Substances  | Tables 2 and 3 in Division 244 are being removed so the CFRs should be referenced instead. | done |
| **222** | 0020(3)(c) and (d) | NA | NA | Include “unless listed in Table 2 OAR 340-200-8010” | Some hazardous air pollutants have SERs in Table 2 OAR 340-20-8010 that require PSELs. This is consistent with the netting basis. | done |
| **222** | 0020(3)(d) | NA | NA | Exclude toxic air pollutants in division 246 unless listed in Table 2 OAR 340-200-8010 | Some air toxics have SERs in Table 2 OAR 340-20-8010 that require PSELs This is consistent with the netting basis. | done |
| **222** | 0020(4) | NA | NA | Add “or source specific PSELs set at the generic PSEL levels, or may be set at source specific levels. (a) A source with a generic PSEL cannot maintain a netting basis for that pollutant.(b) A source with a source specific PSEL that is set at the generic PSEL level may maintain a netting basis for that pollutant.” | Clarification. PSELs can be Generic PSELs or they can be set at the same levels as the Generic PSEL but not be a Generic PSEL. Clarify when netting basis can or cannot be maintained with generic or generic level PSELs. | done |
| **222** | 0030 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **222** | 0043(1), (2), and (3) | 222 | 0035(1) & (2) | Move General Requirements for All PSELs from 222-0043 to 222-0035 | Reorder | done |
| **200** | 0200(76)(f) | 222 | 0035(3) | Add “PSEL reductions required by rule, order or permit condition will be effective on the compliance date of the rule, order, or permit condition.”  | This provision is from the definition of netting basis and applies to all PSELs.  | done |
| **222** | 0043(3) | 222 | 0035(4) | Move “Annual PSELs are established on a rolling 12 consecutive month basis and will limit the source's potential to emit.” | This applies to all PSELs | done |
| **222** | 0070(1) | 222 | 0035(5) | Move requirements for categorically insignificant activities  | This applies to all PSELs | done |
| **222** | 0070(2) | 222 | 0035(6) | Move requirements for aggregate insignificant activities  | This applies to all PSELs | done |
| **222** | 0040 and 0041 |  | NA | “Generic” should not be capitalized | correction | done |
| **222** | 0041(2) | 222 | 0041(3) | Add “”for that pollutant” | Clarification. The generic PSEL is pollutant specific.  | done |
| **222** | 0041(1) | NA | NA | Delete “an initial” | The source specific PSEL that is set equal to the generic PSEL level doesn’t necessarily need to be the “initial” source specific PSEL | done |
| **222** | 0041(2) | NA | NA | Add a provision that the source specific PSEL could be set to a level requested by the applicant  | Sources can request a PSEL set at a level different than the potential to emit or the netting basis | done |
| **222** | 0041(2) | NA | NA | Add an exception for setting the source specific PSEL for PM2.5 in section (3) | The source specific PSEL for PM2.5 is the PM2.5 fraction of the PM10 PSEL.  | done |
| **222** | 0041(2) | NA | NA | Add an exception for increasing in the PSEL in section (4) | Sources can request a PSEL greater than the netting basis in accordance with OAR 340-222-0041(4).  | done |
| **222** | 0041(2) | NA | NA | Add an exception for OAR 340-222-0046(3)(e) | What is this cross reference supposed to be??? Delete if we can’t figure it out. |  |
| **200** | 0020(76)(b) & (b)(A) | 222 | 0041(3) | Add the provision for establishing the source specific annual PSEL for PM2.5 that was in the netting basis definition.  | This will move procedural requirements from the definitions | done |
| **NA** | NA | 222 | 0041(3)(a) | Add “(a) Any source with a permit in effect on May 1, 2011 is eligible for an initial PM2.5 PSEL without being otherwise subject to OAR 340-222-0041(4) except as provided in OAR 340-224-0030(2)(a)(C).”  | Sources with permits in effect on May 1, 2011 get an initial PM2.5 PSEL based on the PM2.5 fraction of the PM10 PSEL are not required to do any modeling or go through NSR/PSD as required in OAR 340-222-0041(4) if the PM2.5 PSEL is greater than an SER over the PM2.5 netting basis. The exception is if a source needs a third extension of an NSR/PSD permit under OAR 340-224-0030(2)(a)(C). A new application would be required since DEQ does not grant three extensions and that would require a whole analysis of PM2.5. PM2.5 protected under first 2 extensions of an NSR/PSD permit.  | done |
| **NA** | NA | 222 | 0041(3)(b) | Add “(b) For a source that had a permit in effect on May 1, 2011 but later needs to correct its PM10 PSEL that was in effect on May 1, 2011, due to better information, the corrected PM10 PSEL will be used to correct the initial PM2.5 PSEL.” | Clarification. If the PM10 PSEL was incorrect, it should be corrected before setting the PM2.5 PSEL based on the PM2.5 fraction of the PM10 PSEL. This is a one-time correction only for the initial PSEL and netting basis.  | done |
| **200** | 0020(76)(b)(A) | 222 | 0041(3)(c) | Add “(c) If after establishing the initial PSEL for PM2.5 in accordance with this rule and establishing the initial PM2.5 netting basis in accordance with OAR 340-222-0046, the PSEL is more than nine tons above the netting basis, any future increase in the PSEL for any reason would be subject to OAR 340-222-0041(4).”  | Initially PM2.5 PSELs will be exempt from triggering ambient air quality modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant. If the PM2.5 PSEL is more than 9 tons above the netting basis, then any future increase will trigger modeling or NSR/PSD.  | done |
| **222** | 0041(3) | 222 | 0041(4) | Clarify language if the source is requesting an increase in the PSEL  | Clarification | done |
| **222** | 0041(3)(a) | 222 | 0041(4)(a) | Clarify that if the source is requesting an increase in the PSEL, it must be less than or equal to the SER above the netting basis or (b) or (c) | Clarification | done |
| **222** | 0041(3)(b) | 222 | 0041(4)(b) | Clarify that if the source is requesting an increase in the PSEL and it is greater than the SER over the netting basis, the source must meet the applicable requirements of OAR 340-224-0010 through 224-0070, Major New Source Review | Clarification | done |
| **NA** | NA | 222 | 0041(4)(c) | Add “(c) For a PSEL increase that is equal to or greater than the SER over the netting basis, and is not subject to Major New Source Review, the applicant must meet the applicable requirements of OAR 340-224-0010 and OAR 340-224-200 through 224-0270 (Minor New Source Review),”  | If a PSEL is greater than the SER over the netting basis and the increase is not subject to Major New Source Review, then the applicant must meet the requirements of Minor New Source Review.  | done |
| **NA** | NA | 222 | 0041(5) | Add a provision for not adjusting the source specific PSEL if the netting basis is adjusted in accordance with OAR 340-222-0050(3). | Clarification | done |
| **222** | 0041(3)(b)(A) | 224 | 0250 | Move to division 224 | The requirements for Minor NSR in nonattainment areas are now in 340-224-0250. SEE SEPARATE DOCUMENT. | done |
| **222** | 0041(3)(b)(B) | 224 | 0260 | Move to division 224 | The requirements for Minor NSR in maintenance areas are now in 340-224-0260. SEE SEPARATE DOCUMENT. | done |
| **222** | 0041(3)(b)(C) | 224 | 0270 | Move to division 224 | The requirements for Minor NSR in attainment or unclassified areas are now in 340-224-0260. SEE SEPARATE DOCUMENT. | done |
| **222** | 0041(3)(b)(D) | 224 | 0250(2)(a)0260(2)(a)(C)0270(1)(c) | Move to division 224 | The requirement for demonstrating compliance with AQRV protection are in OAR 340-224-0250 for nonattainment areas, OAR 340-224-0260 for maintenance areas, and OAR 340-224-0270 for attainment and unclassified areas. | done |
| **222** | 0041(3)(c) | 224 | 0010 | Move to division 224 | The requirements for New Source Review are in division 224 | done |
| **222** | 0042(1) | NA | NA | Add “an” to established short term SER | correction | done |
| **222** | 0042(1)(a) & (a)(A) | NA | NA | Restructure by adding “new and” to existing sources and “with potential to emit less than the short term SER, an initial short term PSEL will be set equal to the level of the short term generic PSEL” | Clarification  | done |
| **222** | 0042(1)(a)(B) | 222 | 0042(1)(b) | Delete “the generic PSEL, if either the short term capacity or the current short term PSEL is less than the short term SER.” | There are no generic short term PSELs THERE IS A GENERIC PM10/PM2.5 PSEL FOR MEDFORD 49 LBS/DAY | done |
| **222** | 0042(1)(b) | 222 | 0042(1)(c) | Add “with potential to emit greater than or equal to the short term SER” and “set at the level requested by the applicant provided the applicant meets the requirements of (2)(b)” | Sources can request a short term PSEL at a level greater than or equal to the short term SER if they follow the correct procedures in (2)(b) | done |
| **222** | 0042(2) | NA | NA | Change “If an applicant wants a short term PSEL at a rate greater than the initial short term PSEL, the applicant must” to “If an applicant requests an increase in a short term PSEL, the applicant must satisfy subsection (a) or (b) as applicable” | Clarification | done |
| **222** | 0042(2)(a) | NA | NA | Change “Demonstrate that the requested increase over the initial short term PSEL is less than the significant emission rate (Note: In this case new sources would get a generic PSEL); or” to “Demonstrate that the requested short term PSEL is not equal to or greater than the significant emission rate; or” | Clarification. The Note is not necessary. | done |
| **222** | 0042(2)(b) | NA | NA | Change to “For increases equal to or greater than the SER over the initial short term PSEL:” to “Meet the requirements of subsections (A) through (D) as applicable for a PSEL increase that is equal to or greater than the SER:”  | Clarification and restructure | done |
| **222** | 0042(2)(b)(A) | NA | NA | Change “Obtain offsets and demonstrate a net air quality benefit in accordance with OAR 340-225-0090” to “Obtain offsets in accordance with the offset provisions for the designated area as specified in division 224” | The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. SEE SEPARATE DOCUMENT. | done |
| **222** | 0042(2)(b)(D) | NA | NA | Delete (D) For federal major sources, demonstrate compliance with air quality related values (AQRV) protection in accordance with OAR 340-225-0070. | The annual PSEL should be the driver for this AQRV requirement, not short term PSEL because it is a PSD provision. | done |
| **NA** | NA | **222** | 0042(2)(b)(D) | Add “For satisfying the requirements of (A) or (B), the short term PSEL increase must first be converted to an annual increase by multiplying the short term increase by 8,760 hours, 365 days, or 12 months, depending on the term of the short term PSEL.” | Offsets for short term PSEL increases need to be in terms of tons per year. | done |
| **222** | 0042(3) | **NA** | NA | Change “Once the short term PSEL is increased pursuant to section (2) of this rule, the increased level becomes the initial short term PSEL for future evaluations.” to “Once the short term PSEL is increased pursuant to section (2) of this rule, the increased level becomes the basis for evaluating future increases in the short term PSEL.” | Clarification | done |
| **200** | 0020(76) | 222 | 0046 | Move rules about establishing the netting basis from the definition to the PSEL rule | This will move procedural requirements from the definitions | done |
| **200** | 0020(76)(a) | 222 | 0046(1) | Move from division 200 definition of netting basis. Add “those” and delete “as specified in the definition of regulated pollutant” | Clarification. Division 224 defines what pollutants are regulated. | done |
| **200** | 0020(76)(b) | 222 | 0046(1)(a) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76)(c) | 222 | 0046(1)(b) | Move from division 200 definition of netting basis. Delete “and PSEL” | This rule is for netting basis, not the PSEL | done |
| **NA** | NA  | 222 | 0046(2) | Add “(2) The netting basis is determined as specified in subsection (a), (b), or (c) and will be adjusted according to section (3):” | Clarification | done |
| **200** | 0020(76) | 222 | 0046(2)(a) | Move from division 200 definition of netting basis. Add exception for PM2.5.  | There is no baseline emission rate for PM2.5  | done |
| **200** | 0020(76)(b)(A) | 222 | 0046(2)(b) | Move from division 200 definition of netting basis. Change to "For PM2.5, a source’s initial netting basis is equal to the PM2.5 fraction of the PM10 PSEL in effect on May 1, 2011 times the netting basis in effect on May 1, 2011. The initial netting basis may be increased by up to 5 tons if necessary to avoid exceedance of the PM2.5 significant emission rate.” | Clarification | done |
| **222** | 0035?? |  |  | Add a provision for when the PM 2.5 true-up does not apply and the PM2.5 PSEL is greater than the PM2.5 netting basis by more than the significant emission rate of 10 tons/year, DEQ shall determine whether:* the PM2.5 emissions correction would not have a material impact on air quality, or
* the source is willing to commit to enforceable conditions (i.e., offsets from other point sources, offsets from area sources such as woodstove change-outs, etc.) to ensure that the PM2.5 emissions correction would not have a material impact on air quality.
 |  | Done |
| **200** | 0020(76)(b)(B) | 222 | 0046(2)(b)(A) | Change to “(A) Any source with a permit in effect on May 1, 2011 is eligible for a PM2.5 netting basis without being otherwise subject to OAR 340-222-0041(4) unless required by OAR 340-224-0030(2)(a)(C).” | Clarification. Initially PM2.5 PSELs will be exempt from triggering ambient air quality modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant. The exception is if a source needs a third extension of an NSR/PSD permit under OAR 340-224-0030(2)(a)(C). A new application would be required since DEQ does not grant three extensions and that would require a whole analysis of PM2.5. PM2.5 protected under first 2 extensions of an NSR/PSD permit.  |  |
| **NA** | NA | NA | 0046(2)(b)(B) | Add “(B) For a source that had a permit in effect on May 1, 2011 but later needs to correct its PM10 netting basis that was in effect on May 1, 2011, due to better information, the corrected PM10 netting basis will be used to correct the initial PM2.5 netting basis.”  | After adding PM2.5 as a regulated pollutant, DEQ found that some PM10 netting bases required correction before they could be used to establish PM2.5 netting bases. DEQ wrote an Internal Management Directive addressing this situation and is now including it in the rule.  | done |
| **200** | NA | NA | 0046(2)(b)(B)(i) | Add “(i) Correction of a PM10 netting basis will not by itself trigger OAR 340-222-0041(4) for PM2.5.”  | Clarification. Initially PM2.5 PSELs will be exempt from triggering ambient air quality modeling or NSR/PSD because DEQ did not want a source to trigger any new requirements if it was not making any modifications or production increases when PM2.5 was added as a regulated pollutant.  | done |
| **200** | NA | NA | 0046(2)(b)(B)(ii) | Add “(ii) Correction of a PM10 netting basis could result in further requirements for PM10 in accordance with all applicable regulations.”  | Clarification. Correcting the PM10 netting basis could result in further requirements such as a different permit, modeling, or triggering NSR/PSD.  | done |
| **200** | 0020(76)(d) | 222 | 0046(2)(c) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76) | 222 | 0046(2)(c)(A) | Move from division 200 definition of netting basis. Add “Major” to New Source Review and add “except as provided in subsection (2)(b) for PM2.5”  | Sources will be given a netting basis for PM2.5 without going through Major New Source Review if they had a netting basis for PM10. | done |
| **200** | 0020(76) | 222 | 0046(2)(c)(B) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76) | 222 | 0046(2)(c)(C) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76) | 222 | 0046(2)(c)(D) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76) | 222 | 0046(3) | Move from division 200 definition of netting basis | Separate the ways that the netting basis can be adjusted from section (76) | done |
| **200** | 0020(76)(f) | 222 | 0046(3)(a) | Move from division 200 definition of netting basis . Change to “(a) The netting basis will be reduced by any emission reductions required by rule, order, or permit condition required by the SIP or used to avoid SIP requirements effective as of the effective date of the rule, order or permit condition;” | Correction. Add language about SIP which was previously omitted. | done |
| **200** | 0020(76)(f) | 222 | 0046(3)(a)(A) | Move from division 200 definition of netting basis. Change to “(A) The netting basis reduction only applies if the source is allowed, on the effective date of the rule, order or permit condition, to operate the devices or emissions units that are subject to the rule, order, or permit condition requiring emission reductions.” | Clarification | done |
| **200** | 0020(76) | 222 | 0046(3)(a)(B) | Add “(B) Emission reductions for the affected devices or emissions units will be determined consistent with the approach used to determine the netting basis prior to the regulatory action reducing the emissions. The emission reduction is the difference between the emissions calculated using the previous emission rate and the emission rate established by rule, order, or permit using appropriate conversion factors when necessary.”  | Clarification. DEQ wrote an Internal Management Directive addressing this situation and is now including it in the rule.  | done |
| **200** | 0020(76)(h) | 222 | 0046(3)(a)(C) | Move from division 200 definition of netting basis | Move without changes | done |
| **NA** | NA | 222 | 0046(3)(a)(D) | Add “(D) Emission reductions required by rule do not include emission reductions as a result of the requirements in OAR 340, division 244 and therefore, do not reduce the netting basis for criteria pollutants.” | From 11/12/97 EPA Memo: Crediting of MACT emissions reductions for NSR netting and offsets. Required HAP emission reductions are not creditable as offsets but can be used if in excess of MACT standards. Therefore, these reductions would not affect the netting basis.  | done |
| **200** | 0020(76) | 222 | 0046(3)(b) | Move from division 200 definition of netting basis | Separate the ways that the netting basis can be adjusted from section (76) | done |
| **200** | 0020(76) | 222 | 0046(3)(c) | Move from division 200 definition of netting basis | Separate the ways that the netting basis can be adjusted from section (76) | done |
| **200** | 0020(76)(g) | 222 | 0046(3)(d) | Move from division 200 definition of netting basis. Change to “(d) The netting basis will be reduced when actual emissions are reduced according to OAR 340-222-0050” | Simplify | done |
| **NA** | NA | 222 | 0046(3)(e) | Add “(e) Except as provided in subsection (f), the netting basis will be increased by any emission increases approved through the Major New Source Review regulations in OAR 340 division 224 provided the increases were subject to both an air quality analysis and a control technology analysis.” | Clarification | done |
| **NA** | NA | 222 | 0046(3)(f) | Add “(f) For sources that were granted netting basis in accordance with DEQ PSD rules prior to 2001 that included emissions from emissions units that were not subject to both air quality analysis and a control technology analysis, the emissions that were not subject to both air quality analysis and a control technology analysis will remain in the netting basis.” | Clarification. Prior to 2001, DEQ PSD rules allowed sources that triggered PSD but did not cause or contribute to a significant air quality impact to be exempt from BACT requirements. These sources satisfied all the applicable requirements at the time and should therefore receive an increase in their netting basis like other sources that met the applicable requirements of PSD at the time they triggered PSD.  | done |
| **222** | 0043(3) | 222 | 0046(4) | Move from OAR 340-222-0043 General Requirements for All PSEL. Add “ and remains at zero unless an increase is approved in accordance with OAR 230-222-0046(3)(e)”  | The netting basis can be increase if approved through Major New Source Review.  | done |
| **200** | 0020(76)(e) | 222 | 0046(5) | Move from division 200 definition of netting basis | Move without changes | done |
| **200** | 0020(76)(i) | 222 | 0046(6) | Move from division 200 definition of netting basis. Change “permit’s netting basis to “source’s netting basis” | clarification | done |
| **200** | 0020(76)(j) | 222 | 0046(7) | Move from division 200 definition of netting basis | Move without changes | done |
| **222** | 0048 |  |  | Add baseline emission rate procedures from division 200 definitions | Move procedural requirements out of definitions. Establishment of the baseline emission rate should be in Division 222 Plant Site Emission Limits | done |
| **200** | 0020(13) | 222 | 0048(1) | Move from division 200 definition of baseline emission rate | Move without changes | done |
| **200** | 0020(14)(a) | 222 | 0048(1)(a) | Move from division 200 definition of baseline period. Change to “(a) The baseline period for any regulated pollutant other than greenhouse gases is any consecutive 12 calendar month period during the calendar years 1977 or 1978. DEQ may allow the use of a prior time period upon a determination that it is more representative of normal source operation.” | Restructure from definition of baseline period | done |
| **200** | 0020(14)(b) | 222 | 0048(1)(b) | Move from division 200 definition of baseline period. Change to “(b) The baseline period for greenhouse gases is any consecutive 12 calendar month period during the calendar years 2000 through 2010.” | Restructure from definition of baseline period | done |
| **200** | 0020(13)( | 222 | 0048(1)(c) | Add “(c) For a pollutant that becomes a regulated pollutant subject to OAR 340 division 224 after May 1, 2011, the baseline period is any consecutive 12 month period within the 24 months immediately preceding its designation as a regulated pollutant if a baseline period has not been defined for the pollutant.” | For consistency with the definition of baseline emission rate since pollutant that become regulated after May 1, 2011 also need a baseline period defined. | done |
| **200** | 0020(13)(a) | 222 | 0048(2) | Move from division 200 definition of baseline emission rate. Delete “as specified in the definition of regulated pollutant” | Simplification. Division 224 defines what pollutants are regulated. | done |
| **200** | 0020(13)(a) | 222 | 0048(3) | Move from division 200 definition of baseline emission rate.  | Move without changes | done |
| **200** | 0020(13)(b) | 222 | 0048(4) | Move from division 200 definition of baseline emission rate.  | Move without changes | done |
| **200** | 0020(13)(c) | 222 | 0048(5) | Move from division 200 definition of baseline emission rate. Change to “For a pollutant that becomes a regulated pollutant subject to OAR 340 division 224 after May 1, 2011, the initial baseline emission rate is the actual emissions of that pollutant during the baseline period specified in OAR 340-222-0048(1)(c)” | Simplification | done |
| **200** | 0020(13)(d) | 222 | 0048(6) | Move from division 200 definition of baseline emission rate. Change to “(6) The baseline emission rate will be recalculated only under the following circumstances:” | Clarification. Restructure how the baseline emission rate will be recalculated. | done |
| **200** | 0020(13)(d) | 222 | 0048(6)(a) | Move from division 200 definition of baseline emission rate. Change to “(a) For greenhouse gases, if actual emissions are reset in accordance OAR 340-222-0050;” | Only the GHG baseline emission rate will be reset. The netting basis will be reset for all other pollutants, not the baseline emission rate.  | done |
| **200** | 0020(13)(e) | 222 | 0048(6)(b) | Move from division 200 definition of baseline emission rate. Change to “(b) If a material mistake or an inaccurate statement was made in establishing the production basis for the baseline emission rate; or” | Clarification | done |
| **NA** | NA | 222 | 0048(6)(c) | Add “(c) A better emission factor is available.” | Correction, previously omitted | done |
| **NA** | NA | 222 | 0048(7) | Move from division 200 definition of baseline emission rate.  | Move without changes | done |
| **200** | 0020(3) | 222 | 0050 | Move from division 200 definition of actual emissions | Move procedural requirements out of definitions. Establishing and resetting actual emissions should be in Division 222 Plant Site Emission Limits**.** | done |
| **200** | 0020(3)(a) | 222 | 0050(1) | Move from division 200 definition of actual emissions | Move without changes | done |
| **200** | 0020(3)(a)(A) | 222 | 0050(1)(a) | Move from division 200 definition of actual emissions. Delete “Except as provided in paragraphs (B) and (C) of this subsection and subsection (b) of this section, a” | Restructure so not necessary | done |
| **200** | 0020(3)(a)(B) | 222 | 0050(1)(b) | Move from division 200 definition of actual emissions. Change (A) to (a) | Restructure | done |
| **200** | 0020(3)(a)(C) | 222 | 0050(1)(c) | Move from division 200 definition of actual emissions. Change “(i) through (iii)” to “(A) through (C)” and “subsection (c) of this section” to “subsection (3) below” | Restructure | done |
| **200** | 0020(3)(a)(C)(i) | 222 | 0050(1)(c)(A) | Move from division 200 definition of actual emissions. Add division 216 | Sources can be approved to construct and operate in accordance with division 216  | done |
| **200** | 0020(3)(a)(C)(ii) | 222 | 0050(1)(c)(B) | Move from division 200 definition of actual emissions | Move without changes | done |
| **200** | 0020(3)(a)(C)(iii) | 222 | 0050(1)(c)(C) | Move from division 200 definition of actual emissions | Move without changes | done |
| **200** | 0020(3)(b) | 222 | 0050(2) | Move from division 200 definition of actual emissions. Add “the Major New Source Review rules in” | Clarification. Only the Major New Source Review rules would set actual emissions to potential to emit. | done |
| **200** | 0020(3)(b) & (3)(c)(A) | 222 | 0050(3) | Move from division 200 definition of actual emissions. Change to “For any source or part of a source whose actual emissions of greenhouse gases were determined pursuant to paragraph (1)(c)(B), and for all other sources of all other regulated pollutants that are permitted in accordance with the Major New Source Review rules in OAR 340 division 224 on or after May 1, 2011, the potential to emit of the source or part of the source will be reset to actual emissions as follows:” | Restructure  | done |
| **200** | 0020(3)(c)(B) | 222 | 0050(3)(a) | Move from division 200 definition of actual emissions. Change to “Except as provided in subsection (c), ten years from the end of the applicable baseline period under paragraph (1)(c)(B) or ten years from the date the permit is issued under section (2), or an earlier time if requested by the source in a permit application involving public notice, DEQ will reset actual emissions of the source or part of the source to equal the highest actual emission rate during any consecutive 12-month period during the ten year period or any shorter period if requested by the source. Actual emissions are determined as follows:” | Restructure  | done |
| **NA** | NA | 222 | 0050(3)(a)(A) | Add “(A) The source must select a consecutive 12-month period and the same 12-month period must be used for all pollutants and all affected devices or emissions units;” | Defines the period for which actual emissions are determined | done |
| **NA** | NA | 222 | 0050(3)(a)(B) | Add “(B) The source must determine the actual emissions during that 12-month period for each device or emissions unit that was subject to Major New Source Review or for which the baseline emission rate is equal to the potential to emit;: | Defines the devices or emissions units for which actual emissions must be determined for sources that triggered Major New Source Review and GHG sources whose baseline emission rate was set to potential to emit | done |
| **NA** | NA | 222 | 0050(3)(a)(C) | Add “(C) The reset netting basis or part of the netting basis is equal to the sum of the actual emissions for all of the affected devices and emissions units.” | Defines how the netting basis will be reset based on actual emissions | done |
| **200** | 0020(3)(c)(C) | 222 | 0050(3)(b) | Move from division 200 definition of actual emissions. Change “paragraph (A)” to “subsection (a)” | Restructure | done |
| **200** | 0020(3)(c)(D) | 222 | 0050(3)(c) | Move from division 200 definition of actual emissions.  | Move without changes | done |
| **222** | 0045 | 222 | 0055 | Renumber | Renumber | done |
| **222** | 0070(1) | 222 | 0035(5) | Move PSELs for categorically insignificant activities to the General Requirements for All PSELs | Reorganize to clarify | done |
|  | 0070(2) | 222 | 0035(6) | Move PSELs for aggregate insignificant emissions to the General Requirements for All PSELs | Reorganize to clarify | done |
|  | 0070(3) | 224 | 0025(1)(b)(A) | Move PSELs for insignificant activities to the major modification section of division 224  | Reorganize to clarify  | done |
| **222** | 0090(1)(b)(A) & (B) | NA | NA | Add “Major” to New Source Review | DEQ has separated Major New Source Review from Minor New Source Review | done |
| **222** | 0090(2) & (2)(a) |  | NA | Require sources that split into two or more separate sources, and where each new separate source has a different two-digit primary SICs from the original source, the netting basis and SER for the original source stays with the original source.  | If you split a source into 2 separate sources, those two sources can have different SICs but the netting basis and SER must stay with the original source. The netting basis protects the airshed. If the new SIC source is grandfathered, then they wouldn’t have to do an AQ analysis. The source with the new SIC should be considered a new source and should potentially trigger NSR/PSD.  | done |
| **222** | 0090(2)(b)(A) & (B) | NA | NA | Add “Major” to New Source Review | DEQ has separated Major New Source Review from Minor New Source Review | done |
| **222** | 0090(3) | NA | NA | Add “or operator” and “or most recent Major New Source Review action” | Clarification. If a source has triggered Major New Source Review, then a netting basis since that action must be split instead of the netting basis since the baseline period.  | done |
| **224** |  |  |  | Major New Source Review |  |  |
| **224** |  |  |  | **Correct rule history in whole division** | Research into the rule history for this division found inaccuracies. Rules for NSR/PSD were adopted at the June 8, 1979, April 24, 1981 and June 5, 1981 EQC meetings. Hist.: DEQ 25-1981, f. & ef. 9-8-81; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 12-1993, f. & cert. ef. 9-24-93, Renumbered from 340-020-0220; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 26-1996, f. & cert. ef. 11-26-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-1900; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2004, f. & cert. ef. 4-14-04; DEQ 10-2010(Temp), f. 8-31-10, cert. ef. 9-1-10 thru 2-28-11; Administrative correction, 3-29-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11 | done |
| **224** | NA | NA | NA | Change title of division to New Source Review | DEQ has added rules for minor new source review in this section so this division now covers both major and minor new source review  | done |
| NA | NA | **224** | 0010(1) & (2) | Add rules that specify which rules apply to Major New Source Review and which rules apply to Minor New Source Review | clarification | done |
| **224** | 0010(1) | 224 | 0010(3) | Add an applicability section for sustainment areas which are areas violating the NAAQS but not yet designated as nonattainment areas | There are areas that violate the NAAQS but have not yet been designated nonattainment by EPA.  Sources in these areas would fall under the requirements for attainment or unclassified areas rather than nonattainment areas. DEQ is creating requirements for sources in these “sustainment areas” in order to improve air quality and to enable the source to construct or modify. Without these rules, sources would not be able to construct or modify because they would never be able to show compliance with the NAAQS since the background concentration is already above the NAAQS.  | done |
| **224** | 0010(1) | 224 | 0010(3) | Add an applicability section for reattainment areas which are areas that are currently designated as nonattainment areas but are meeting ambient air quality standards and have not yet been designated as maintenance areas | It takes time to develop maintenance plans for nonattainment areas before EPA can redesignate the area to maintenance. After DEQ has three years of data showing that the area is meeting the NAAQS but before the maintenance plan can be developed, DEQ wants to designate these areas as reattainment areas. This will give source more flexibility in permitting requirements before the area is redesignated as maintenance.  | done |
| **224** | 0010(1) | 224 | 0010(3) | Change to “(3) Within designated sustainment, nonattainment, reattainment and maintenance areas, the requirements for these areas apply only to the regulated pollutant(s) for which the area is designated.” | Clarification for additional areas and define by pollutant | done |
| **224** | 0010(2) | 224 | 0010(4) | Change to “(4) Within attainment and unclassifiable areas, this division applies to all regulated pollutant(s) emitted at or above the significant emission rate for the regulated pollutant(s).” | Define by pollutant instead of source type | done |
| **224** | 0010(3) | 224 | 0010(5) | Change to “(5) Owners and operators of all sources are subject to other DEQ rules, including but not limited to Highest and Best Practicable Treatment and Control (OAR 340-226-0100 through 340-226-0140),” | All sources are subject to the listed applicable requirements, not just sources that are not subject to either Major or Minor New Source Review | done |
| **224** | 0010(5) | 224 | 0010(7)  | Delete the “s” from GHG | Correction | done |
| **NA** | NA | NA | NA | Add the title “Major New Source Review” | DEQ has added rules for minor new source review in this section so this division now covers both major and minor new source review  | done |
| **200** | 0020(71) | **224** | 0025 | Add definition of major modification from division 200 | The definition of major modification only applies to this division and explains how to determine if a major modification takes place. This procedural requirement does not belong in the definitions of division 200. | done |
| **200** | 0020(71)(1)(b)(A) | 224 | 0025(1)(b)(A) | Change to “(A) Calculations of emission increases in subsection (b) 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. Emissions from categorically insignificant activities, aggregate insignificant emissions, and fugitive emissions must be included in the calculations.” | There is no baseline period for PM2.5 so the changes must be tracked since the netting basis was last established. | done |
| **200** | 0020(71)(1)(c) | 224 | 0025(1)(c) | Change to “(c) 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 Major New Source Review.” | Simplification. DEQ has changed the definition of major source so the rules can be simplified. | done |
| **224** | 0030(2) | NA | NA | Change “Other Obligations” to “Permit Extensions" | Correction | done |
| **224** | 0030(2)(a) | NA | NA | Add a provision to ensure an extension for good cause is allowed if there have not been any changes to the project which would negatively affect air quality. | Clarify that extensions to NSR/PSD construction permits are allowed as long as there haven’t been any changes to the project that would negatively affect air quality, such as increase emissions, different stack characteristics, etc.  | done |
| **NA** | NA | **224** | 0030(3)(a)(A) through (C) | Add details on what is required if extensions are granted | Clarify what is required for the first and second extensions to NSR/PSD construction permits. DEQ will not grant three extensions and will instead require a new NSR/PSD application.  | done |
| **NA** | NA | **224** | 0030(3)(a)(C)(ii)  | Add a provision that any emission reduction credits or offsets used in the original application may continue to be used if a new application is required.  | Clarification | done |
| **NA** | NA | **224** | 0030(3)(a)(D) | Add a provision that if the attainment status of an area changes before construction of an NSR/PSD source is constructed, the owner or operator must submit an application for a permit modification to address all new requirements applicable to the change in attainment status | Clarify that a change in attainment status of an area must be addressed before an extension can be granted | done |
| **NA** | NA | 224 | 0030(3)(b) | Add a provision for public participation if a construction extension is requested | DEQ will provide different types of public notice depending on whether an air quality analysis must be redone. | done |
| **NA** | NA | 224 | 0030(b)(A) | Require the Category II public participation procedures for an extension of a construction permit beyond the 18-month time period if no air quality analysis is required. | DEQ will grant the first extension provided there have not been any changes to the project which would negatively affect air quality. The public participation procedures for Category II provide a 30 period to submit written comments | done |
| **NA** | NA | 224 | 0030(b)(B) | Add a provision for category III public participation procedures for an extension of a construction permit beyond the 18-month time period that requires a new air quality analysis. | If an air quality analysis is required for the second extension, the public participation procedures for Category III provides a 35 day period to submit written comments and a provision for a hearing, if one is scheduled.  | done |
| **224** | 0030(2)(c) | 224 | 0030(5) | Change “paragraph (3)(b) of this rule” to “division 216” | Construction approval under an ACDP is in division 216 | done |
| **224** | 0030(3)(b)(B) | NA | NA | Delete “Extension of Construction Permits beyond the 18-month time period in paragraph (2)(a) of this rule are available in accordance with the public participation procedures required by Category II in lieu of Category IV.” | Permit extensions are covered in section (3) | done |
| **224** | 0080 | 224 | 0034 | Move “Exemptions” | Restructure | done |
| **224** | 0080 | 224 | 0034 | Add “PSD” to increment | Clarify that it is the PSD increment that is defined in division 202.  | done |
| **224** | 0100 | 224 | 0038 | Move “Fugitive and Secondary Emissions” | Restructure | done |
| **224** | 0040 | NA | NA | Add “federal” and “at a federal major source” | DEQ has changed the definition of major source so the distinction between major and federal major must be made.  | done |
| **NA** | NA | 224 | 0045 | Add a section for Requirements for Sources in Sustainment Areas:1. Preconstruction air quality monitoring
2. BACT
3. Air quality protection:
	1. Air quality analysis
	2. Net Air Quality Benefit
4. Outside but impacting designated areas
 | This provision will help the area from becoming a nonattainment area and will also allow source to construct in areas that are not yet designated as nonattainment areas. Preconstruction monitoring data will show what the background concentration is in the area of the proposed source. BACT will minimize emissions and air quality protection requirements will ensure that AQ will not be harmed. | done |
| **224** | 0050 | NA | NA | Add “federal” and “at a federal major source” | DEQ has changed the definition of major source so the distinction between major and federal major must be made.  | done |
| **224** | 0050(1)(a)(B) | NA | NA | Change “or” to “for” | Correction | done |
| **224** | 0050(1)(c) | NA | NA | Add “major” | DEQ has changed the definition of major source so the distinction between major and federal major must be made.  | done |
| **NA** | NA | **224** | 0050(2) | Add a provision for Air Quality Protection* Air quality analysis – AQRV for federal major sources
* Net Air Quality Benefit
	+ ozone NAA – no change
	+ other pollutant NAA
		- offsets 1.2:1 or 1.0:1 if from priority sources
		- modeling < Class II SILs @ all receptors or
		- modeling < Class II SILs @ DEQ monitor &
		- modeling < 10% of NAAQS
 | DEQ is redefining Net Air Quality Benefit for all sources in all areas. See SEPARATE DOCUMENT.  | done |
| **NA** | NA | **224** | 0050(3) | Add a provision for requirements if a source is located outside but impacts a designated area:* Other than attainment or unclassified area:
	+ less than Class II SIL at all receptors or
	+ offsets
* Attainment or unclassified area:
	+ NAAQS
	+ Class II Increments
 | DEQ is redefining Net Air Quality Benefit for all sources in all areas. See SEPARATE DOCUMENT.Nonattainment: offsets and demonstrate a net air quality benefit 340-225-0090Maintenance: offsets and demonstrate a net air quality benefit OAR 340-225-0090; ORgrowth allowance; or (compliance with the air quality impact levels in OAR 340-224-0060(2)(c) or (2)(d), Located in attainment, maintenance, or unclassifiable area: single source < SILs or competing sources < NAAQS and PSD increments  | done |
| **224** | 0050(3) | 224 | 0050(4) | Change “division” to “rule” | Correction | done |
| **224** | 0050(3)(c) | NA | NA | Delete this rule requiring visibility impact analysis | Already included in OAR 340-224-0050(2)(a) | done |
|  **NA** | NA | **224** | 0055 | Add a section for Requirements for Sources in Reattainment Areas:* Same as OAR 340-224-0050 for nonattainment areas
* Additional impacts modeling
* No new NAAQS violation
 | It takes time to develop maintenance plans for nonattainment areas before EPA can redesignate the area to maintenance. After DEQ has three years of data showing that the area is meeting the NAAQS but before the maintenance plan can be developed, DEQ wants to designate these areas as reattainment areas. This will give source more flexibility in permitting requirements before the area is redesignated as maintenance.  | done |
| **224** | 0060(1) | 224 | 0060(1) & (2) | Replace existing requirements with:* Same as OAR 340-224-0070 for attainment or unclassified areas
* Net Air Quality Benefit
 | DEQ is redefining Net Air Quality Benefit for all sources in all areas. See SEPARATE DOCUMENT. | done |
| **224** | 0060(2)(b) | 226 | 0060(2)(c) | Add “obtain an allocation from a” before growth allowance and change cross reference to Net Air Quality Benefit | Clarification. The Net Air Quality Benefit requirements have been moved from OAR 340-225-0090 to OAR 340-224-5010 for ozone areas and OAR 340-224-5020 for non-ozone areas. | done |
| **225** | 0090(1)(d) & (e) | 224 | 0060(2)(d) & (e) | Move Medford and Salem Ozone Maintenance Area requirements to this rule | Restructure | done |
| **224** | 0060(2)(c) | 202 | 0225 | Move Ambient Air Quality Thresholds for Maintenance Areas to division 202  | Division 202 will contain all ambient standards and thresholds intended to protect ambient air quality  | done |
| **224** | 0060(2)(e) | NA | NA | Delete (e) for Salem Ozone Maintenance exemption | Already included in OAR 340-224-0060(2)(e) | done |
| **224** | 0060(3) | NA | NA | Delete this rule | Already included in OAR 340-224-0070 | done |
| **224** | 0060(4) | NA | NA | Delete the provision for OAR 340-224-0070 applying to federal majors  | Already included in OAR 340-224-0070 | done |
| **NA** | NA | **224** | 0060(3) | Add a provision for requirements if a source is located outside but impacts a designated area:* Other than attainment or unclassified area:
	+ less than Class II SIL at all receptors or
	+ offsets
* Attainment or unclassified area:
	+ NAAQS
	+ Class II Increments
 | DEQ is redefining Net Air Quality Benefit for all sources in all areas. See SEPARATE DOCUMENT.  | done |
| **224** | 0060(5)(c) | 224 | 0060(4)(c) | Add “(2)(b)” to the exemptions provided  |  |  |
| **224** | 0060(5)(c) | 224 | 0060(4)(c) | Add “s” to exemptions and change the cross references to (2)(c) and (2)(d)  | Restructure | done |
| **224** | 0060(7) | 224 | 0060(6) | Change the cross reference to OAR 340-224-0055 and add “(Requirements for Sources in Reattainment Areas)” | If a source submits an application before the maintenance area was redesignated from nonattainment to attainment by EPA, the source is subject to the requirements for sources in reattainment areas.  | done |
| **225** | 0050(4) | 224 | 0070(1) | Move Air Quality Monitoring to this rule | Preconstruction air quality monitoring may be required for attainment or unclassified areas and belongs in division 224 rather than division 225.  | done |
| **224** | 0070(1)(a)(B) | 224 | 0070(2)(a)(B) | Change “or” to “for” and delete “non” from nonattainment  | Correction | done |
| **224** | 0070(1)(c) | 224 | 0070(2)(c) | Add “major” to NSR | DEQ has added rules for minor new source review in this division so the distinction between major and minor new source review must be made  | done |
| **NA** | NA | 224 | 0070(3) | Add Air Quality Protection heading | Restructure | done |
| **224** | 0070(2) | 224 | 0070(3) | Delete “subject to this rule” | The owner or operator of a source would only be in this part of the rules if it were subject to this rule. | done |
| **224** | 0070(2) | 224 | 0070(3) | Change the cross references from “OAR 340-225-0050 through 340-225-0070” to “OAR 340-225-0050(1) through (3), 340-225-0060, and 340-225-0070” | OAR 340-225-0050(4) Air Quality Monitoring is being moved to division 224. | done |
| **224** | 0070(2)(a) | 224 | 0070(3)(a) | Delete “or PM2.5 precursors” | A separate sentence has been added for PM2.5 precursors | done |
| **224** | 0070(2)(a) | 224 | 0070(3)(a) | Add “For increases of PM2.5 precursors equal to or greater than the significant emission rate, the owner or operator must provide an analysis of PM2.5 air quality impacts based on all increases of direct PM2.5 and PM2.5 precursors.” | DEQ is requiring analysis of PM2.5 air quality impacts on all increases of direct PM2.5 and PM2.5 precursors if the PM2.5 precursors increase greater than the significant emission rate. | done |
| **NA** | NA | **224** | 0070(3)(b) | Add “The owner or operator must not cause or contribute to a new violation of an ambient air quality standard even if the single source impact is less than the significant impact level, in accordance with OAR 340-202-0050(2).” | In a recent lawsuit, the Sierra Club argued that EPA lacks authority to establish Significant Impact Levels (SILs) because a proposed source or modification in an area that is close to violating the NAAQS or an increment could violate the NAAQS or increment even if its emissions would have an ambient impact below the SIL. The U.S. Court of Appeals for the D.C. Circuit vacated and remanded to EPA certain aspects of a 2010 agency rule regarding SILs and the Significant Monitoring Concentration (SMC) for fine particulate matter (PM2.5). Therefore, DEQ has added the requirement that the new or modified source must not cause or contribute to a new violation of an ambient air quality standard even if the single source impact is less than the SIL. This safeguard ensures that a new or modified source will not significantly impact the area.  | done |
| **NA** | NA | **224** | 0070(4) | Add a provision for requirements if a source is located outside but impacts a designated area:* Other than attainment or unclassified area:
	+ less than Class II SIL at all receptors or
	+ offsets
* Attainment or unclassified area:
	+ NAAQS
	+ Class II Increments
 | DEQ is redefining Net Air Quality Benefit for all sources in all areas. See SEPARATE DOCUMENT.  | done |
| **224** | 0070(3) | NA | NA | Delete Air Quality Monitoring | Already included in OAR 340-224-0070(1) | done |
| **224** | 0070(4) | NA | NA | Delete the requirement for significantly impacting a PM10 maintenance area | Already included in AOR 340-224-0070(4) | done |
| **224** | 0080 | 224 | 0034 | Move this rule to OAR 340-224-0034 | Restructure | done |
| **224** | 0100 | 224 | 0038 | Move this rule to OAR 340-224-0038 | Restructure | done |
| **NA** | NA | **224** | 0200 | Add Minor New Source Review Applicability | DEQ has added rules for minor new source review in this section so this division now covers both major and minor new source review  | done |
| **NA** | NA | **224** | 0210 | Add Procedural Requirements | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0245 | Add Requirements for Sources in Sustainment Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0250 | Add Requirements for Sources in Nonattainment Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0255 | Add Requirements for Sources in Reattainment Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0260 | Add Requirements for sources in Maintenance Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0270 | Add Requirement for Sources in Attainment and Unclassifiable Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | NA | Add Offsets | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 0500 | Add Common Offset Requirements | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | NA | Add Net Air Quality Benefit for Sources Locating Within or Impacting Designated Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **NA** | NA | 224 | 5010 | Add Requirements for demonstrating Net Air Quality Benefit for Ozone Areas  | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **225** | 0020(9) | 224 | ? | Add “or area violating the ozone NAAQS” to the definition of ozone precursor distance | There are areas that violate the NAAQS but have not yet been designated nonattainment by EPA.  See explanation above in the applicability section. | done |
| **225** | 0020(10) | 224 | ? | Add “or area violating the ozone NAAQS” to the definition of ozone precursor offsets | There are areas that violate the NAAQS but have not yet been designated nonattainment by EPA.  See explanation above in the definition of “area violating the NAAQS.”  | done |
| **NA** | NA | 224 | 5020 | Add Requirements for Demonstrating Net Air Quality Benefit for Non-Ozone Areas | DEQ has added rules for minor new source review. See SEPARATE DOCUMENT. | done |
| **225** |  |  |  | Air Quality Analysis Requirements |  |  |
| **225** | 0010 | NA | NA | Delete “Major” | DEQ has added rules for minor new source review so the division has been renamed to “New Source Review” | done |
| **225** | 0020 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **225** | 0020(2) | NA | NA | Delete the definition of “background light extinction”  | “Background light extinction” not used in this division or any air quality division | done |
| **225** | 0020(3) | 225 | 0020(2) | Add “major” to “background concentration” definition | DEQ has added rules for minor new source review in this division so the distinction between major and minor new source review must be made  | done |
| **225** | 0020(3)(d) | 225 | 0020(2)(d) | Change “redesignates” to “redesignated” and add the year that EPA redesignated the AQMA to attainment for PM10 - 2006 | Clarification | done |
| **225** | 0020(4) | 225 | 0020(3) | Add “and decreased” | Decreases in emissions since the baseline concentration year should also be included in a competing PSD increment consuming source analysis | done |
| **225** | 0020(5) | 225 | 0020(4) | Change “are within the Range of Influence of the source in question” to “significantly impact the Significant Impact Area of the new or modified source being analyzed” | Clarification. Range of Influence is only for ozone sources | done |
| **225** | 0020(8) | 225 | 0020(8) | Move definition of “predicted maintenance area concentration” | This definition is not in alphabetic order | done |
| **225** | 0020(10) | 224 | ? | Move definition of “ozone precursor distance” to division 224 | This definition is part of the requirements for VOC and NOx offsets in ozone nonattainment and maintenance areas. Therefore, it belongs with the offset requirements in division 224. |  |
| **225** | 0020(11) | 224 | ? | Move definition of “ozone precursor offsets” to division 224 | This definition is part of the requirements for VOC and NOx offsets in ozone nonattainment and maintenance areas. Therefore, it belongs with the offset requirements in division 224. |  |
| **225** | 0020(12)(a)(B)(iii) | **225** | 0020(9)(a)(B)(iii) | Delete “in the table” and add constants K to definition of “Range of Influence” | Clarification. Add constants to text and strike Ed. Note that links to table of K values | done |
| **225** | 0020(13) | 225 | 0020(10) | Delete “Air Quality” from “Class II Significant Air Quality Impact levels.” Add “On a case by case basis, the source impact area may be adjusted to reflect the distribution of predicted impacts paired in space and time.” to the definition of “Source Impact Area.” | Clarification | done |
| **NA** | NA | **225** | 0030(1) | Add a new section (1): When required to conduct an air quality analysis by division 224, the owner or operator must submit a modeling protocol to DEQ and have it approved before submitting a permit application. | Clarification. This has always been a requirement. | done |
| **225** | 0030 | 225 | 0030(1) | Delete “Information Required.” | Heading not needed. | done |
| **225** | 0030 | 225 | 0030(2) | Add “for permit applications” to clarify what OAR 340-216-0040 pertains to | Clarification | done |
| **225** | 0030 | 225 | 0030(2) | Delete parentheses and reference to division 222 | Division 222 no longer requires modeling analyses. Modeling for PSEL increases in division 222 has been moved to division 225.  | done |
| **225** | 0040 | NA | NA | Change date of 40 CFR Part 51, Appendix W | Updated in 2013 | done |
| **225** | 0040 | NA | NA | Add “other than that” and change “inappropriate” to “appropriate”  | Provide an option of using another impact model in PSD Class II and III areas based on approval by DEQ and EPA | done |
| **225** | 0040 | NA | NA | Delete reference to "Interim Procedures for Evaluating Air Quality Models (Revised)" (U.S. Environmental Protection Agency, 1984) | This document is no longer used. | done |
| **225** | 0045 | NA | NA | Change “224-0060(2)(c) and (2)(d), NAAQS, and PSD Increments” to “202-0225” | Correction. Reference the ambient air quality limits for maintenance areas that were moved to division 202. | done |
| **225** | 0045(1) | NA | NA | Delete “standards, PSD increments, and” and add “the” | Correction | done |
| **225** | 0045(1) | NA | NA | Delete “Air Quality” from “Class II Significant Air Quality Impact Levels” | Correction | done |
| **225** | 0045(2) | NA | NA | Delete “the owner or operator of a proposed source or modification being evaluated must perform competing source modeling as follows: (a) For demonstrating compliance with the maintenance area limits established in OAR 340-224-0060(2)(c) and (2)(d),” | Restructure | done |
| **225** | 0045(2)(a) | 225 | 0045(2) | Do not capitalize “Competing Source Impacts” and add “in OAR 340-202-0225” | Correction | done |
| **225** | 0045(2)(b) and (c) | NA | NA | Delete (b) for demonstrating compliance with the NAAQS and (c) for demonstrating compliance with the PSD increments | These requirements are less restrictive than the maintenance area limits in OAR 340-202-0225 plus they are already included in OAR 340-225-0050. | done |
| **225** | 0050(1) | NA | NA | Replace “standards” with “the NAAQS”  | Clarification | done |
| **225** | 0050(1) | NA | NA | Delete “Air Quality” from “Class II Significant Air Quality Impact Levels” | Correction | done |
| **225** | 0050(1) | NA | NA | Add “The owner or operator cannot cause or contribute to a new violation of an ambient air quality standard even if the single source impact is less than the significant impact level, in accordance with OAR 340-202-0050(2).” | In a recent lawsuit, the Sierra Club argued that EPA lacks authority to establish Significant Impact Levels (SILs) because a proposed source or modification in an area that is close to violating the NAAQS or an increment could violate the NAAQS or increment even if its emissions would have an ambient impact below the SIL. The U.S. Court of Appeals for the D.C. Circuit vacated and remanded to EPA certain aspects of a 2010 agency rule regarding SILs and the Significant Monitoring Concentration (SMC) for fine particulate matter (PM2.5). Therefore, DEQ has added the requirement that the new or modified source must not cause or contribute to a new violation of an ambient air quality standard even if the single source impact is less than the SIL. This safeguard ensures that a new or modified source will not significantly impact the area.  |  |
| **225** | 0050(2) | NA | NA | Delete “of this rule” | Not necessary | done |
| **225** | 0050(2)(a) | NA | NA | Add “Class II and III” | Clarification | done |
| **225** | 0050(2)(a) | NA | NA | Do not capitalize “Baseline Concentration” or “Competing PSD Increment Consuming Source Impacts.” Delete parentheses. | Correction | done |
| **225** | 0050(2)(b) | NA | NA | Do not capitalize “Competing NAAQS Source Impacts” or “General Background Concentrations.”  | Correction | done |
| **225** | 0050(2)(a) | NA | NA | Delete division 222 | Division 222 has been changed to refer to sources to division 224 rather than division 225 | done |
| **225** | 0050(4) | NA | NA | Move Air Quality Monitoring to division 224 | Reorganization. Air quality monitoring is a NSR/PSD requirement. It is not a part of an air quality analysis. | done |
| **225** | 0060(1) | NA | NA | Delete division 222 and parentheses | Division 222 has been changed to refer to sources to division 224 rather than division 225 | done |
| **225** | 0060(2)(a) | NA | NA | Add “PSD” to increments and “significant” to Class I impact | Clarification | done |
| **225** | 0060(2)(b) | NA | NA | Delete “of this section” | Not necessary | done |
| **225** | 0060(2)(b) | NA | NA | Do not capitalize “Baseline Concentration” or “Competing PSD Increment Consuming Source Impacts.” Delete parentheses. | Correction | done |
| **225** | 0060(2)(b) | NA | NA | Add “Class I” to PSD increments | Clarification | done |
| **225** | 0060(2)(c) | NA | NA | Add “significant” to Class II impact | Clarification | done |
| **225** | 0060(2)(d) | NA | NA | Delete “of this section” | Not necessary | done |
| NA | NA | **225** | 0070(2) | Add “(2) When directed by division 224, the requirements of this rule apply to each emissions unit that increases the actual emissions of the pollutant in question above the portion of the netting basis attributable to that emissions unit.” | Clarification. AQRV requirements apply to each emissions unit that increases actual emissions above its portion of the netting basis. | done |
| **225** | 0070(2) | 225 | 0070(3) | Change to “DEQ shall provide notice of permit applications involving AQRV analysis to EPA and Federal Land Managers as follows:” | Clarification. DEQ provides notice of permit applications to EPA and Federal Land Managers | done |
| **225** | 0070(2)(d) | **225** | 0070(3)(d) | Replace “maximum allowable” with PSD | Correction | done |
| **225** | 0070(3) | **225** | 0070(4) | Delete division 222 | Division 222 has been changed to refer to sources to division 224 rather than division 225 | done |
| **225** | 0070(3)(a) | **225** | 0070(3)(b) | Require visibility analysis in Columbia River Gorge National Scenic Area  | DEQ is making a visibility analysis on the Columbia River Gorge National Scenic Area mandatory if it is affected by the source because \_\_\_\_\_\_\_\_\_  | done |
| **225** | 0070(3)(c) | 225 | 0070(4)(c) | Delete “pursuant to AOR 340-224-0030(1) | Not necessary | done |
| **225** | 0070(5) | 225 | 0070(6)(a) | Delete parentheses | Correction | done |
| **225** | 0070(6) | 225 | 0070(7) | Require deposition modeling in Class I areas and the Columbia River Gorge Scenic Area where visibility modeling is required. | \_\_\_\_\_\_\_\_\_ | done |
| **225** | 0070(7)(a) | 225 | 0070(8)(a) | Delete division 222 | Division 222 has been changed to refer to sources to division 224 rather than division 225 | done |
| **225** | 0070(7)(b) | 225 | 0070(8)(b) | Change to “After construction has been completed the owner or operator must conduct such visibility monitoring if DEQ requires visibility monitoring as a permit condition to establish the effect of the pollutant on visibility conditions within the impacted Class I area.” | Clarification | done |
| **225** | 0070(8) | 225 | 0070(9) | Change cross reference | Rule numbers have changed | done |
| **225** | 0090(1) | 224 | 5010 | Move to division 224 | The Requirements for Demonstrating a Net Air Quality Benefit are being moved to division 224 because they are requirements for NSR/PSD. They are not air quality analysis requirements. SEE SEPARATE DOCUMENT. | done |
| **225** | 0090(1)(a) | 224 | 5010(1) | Move to division 224 | See above | done |
| **225** | 0090(1)(b) | 224 | 5010(2) | Move to division 224 | See above | done |
| **225** | 0090(1)(c) | 224 | 5010(3) | Move to division 224 | See above | done |
| **225** | 0090(1)(d) | 224 | 0060(2)(d) | Move to division 224 | See above | done |
| **225** | 0090(1)(e) | 224 | 0060(2)(e) | Move to division 224 | See above | done |
| **225** | 0090(2) | 224 | 5020 | Move to division 224 | See above | done |
| **225** | 0090(2)(a)(B) | 224 | 5020(2) | Move to division 224 | See above. Change offset requirement to 1.2:1 if offsets do not include offsets from priority sources. Ratio reduced to 1.0:1 if using offsets from priority sources. SEE SEPARATE DOCUMENT | done |
| **225** | 0090(2)(a)(C) | 224 | 0500(3) | Move to division 224 | See above | done |
| **225** | 0090(2)(a)(D) | 224 | 5000 | Move to division 224 | See above | done |
| **225** | 0090(2)(a)(D)(i) | 224 | 5020(4) | Move to division 224 | See above | done |
| **225** | 0090(2)(a)(D)(ii) & (2)(c)(A)(ii) | NA |  NA | Delete requirements for small scale local energy project | Not necessary with new definition of Net Air Quality Benefit | done |
| **225** | 0090(2)(a)(E) | 224 | 0500 | Move to division 224 | See above | done |
| **225** | 0090(2)(b) & (c) | 224 | 5020(5) & (6) | Move to division 224 | See above | done |
| **225** | 0090(2)(c)(A) | 224 | 5020(1) | Move to division 224 | See above CHECK THIS ONE | done |
| **225** | 0090(2)(c)(B) | 224 | 5020(5) & (6) | Move to division 224 | See above | done |
| **225** | 0090(3) | 224 | 0500(2) | Move to division 224 | See above | done |
| **225** | 0090(4) | 224 | 0500(1) | Move to division 224 | See above. Also covered in division 268.  | done |
| **225** | 0090(5) | 224 | 0500(1) | Move to division 224 | See above | done |
| **225** | 0090(6) | 224 | 0500(4) | Move to division 224 | See above | done |
| **225** | 0090(7) | 224 | 5020 | Move to division 224 | See above | done |
| **226** |  |  |  | General Emission Standards[Table 1-Particulate Matter Emissions Standards for Process Equipment] |  |  |
| **226** | 0010 | NA | NA | Add Division 204 as another division that has definitions that would apply to this division | Add reference to Division 204 definitions | done |
| **226** | 0010(1) | NA | NA | Delete definition of new source and incorporate dates for new and existing sources into rule language.  | Clarification | done |
| **226** | 0010(2) | 200 | 0020(106) | Delete definition of particulate matter already in division 200 | Delete and use division 200 definition | done |
| **226** | 0010(5) | 200 | 0020(159) | Move definition of “standard conditions” to division 200 | Definition of standard conditions different from division 230 and 240 but same as division 226 and 228 | done |
| **226** | 0010(6) | 200 | 0020(42) | Move definition of “standard cubic foot” to division 200 and change to “dry standard cubic foot”  | Definition of standard cubic foot different from division 236 and 240. Use definition in 240 and move to division 200 | done |
| **226** | 0120 |  |  | 226-0120(1)(b)(A) = authority for ammonia slip under Operation and Maintenance; (b) Operational, maintenance, and work practice requirements include: (A) Flow rates, temperatures, and other physical or chemical parameters related to the operation of air pollution control equipment and emission reduction processes;  | Can you add ammonia slip as something to consider a rule change on? Ammonia isn’t a regulated pollutant, but typically a limit on ammonia slip is set in PSD permits when an SCR control system is used. However, it’s not clear what authority we have to set such a limit. Might be worth clarifying. |  |
| **226** | 0130 | NA | NA | Add note that this rule is included in the Oregon SIP | Correction | done |
| **226** | 0210 | NA | NA | Change title to “Particulate Emission Limitations for Sources Other Than Fuel Burning Equipment, and Refuse Burning Equipment, and Fugitive Emissions:  | Clarification | done |
| **226** | 0210(1) | NA | NA | Change 0.2 and 0.1 gr/dscf to the following: (a) 0.20 grains per dry standard cubic foot for sources installed, constructed, or modified before June 1, 1970 except as required by section (d). (b) 0.1 grains per dry standard cubic foot for sources installed, constructed, or modified after June 1, 1970, except as required by sections (c) and (d).(c) 0.10 grains per dry standard cubic foot if the source is located within 5 miles of a potential nonattainment area, nonattainment area, or maintenance area and was installed, constructed or modified after June 1, 1970. (d) 0.10 grains per dry standard cubic foot for all sources on or after January 1, 2019. (2) The owner or operator of an existing source who is unable to comply with OAR 340-228-0210(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.  | DEQ is proposing the change because of the following reasons:* Some of the affected sources will probably have to reduce emissions anyway due to future regulations, such as the Boiler and Industrial furnace MACT.
* Having two standards creates an unequal playing field for industry; especially since new sources can be as much as 40 years old.
* More and more areas of the state are special control areas due to population increases.
* EPA’s adoption of a new PM2.5 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce grain loading in all areas and will help prevent future problem.
* Phased compliance will give sources that cannot meet the new standards time to comply.
* Changes would make it easier
* to determine compliance for the both the source and the DEQ.
 | done |
| **NA** | NA | 226 | 0210(2) | Add “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.”  | Allows extra time for installation of control equipment if necessary | done |
| **NA** | NA | 226 | 0210(3) | Add “Sources with exhaust gases at or near ambient conditions may be tested with DEQ Method 5 or DEQ Method 8, as approved by DEQ. Direct heat transfer sources must be tested with DEQ Method 7. Indirect heat transfer combustion sources and all other non-fugitive emissions sources not listed above must be tested with DEQ Method 5 or an equivalent method approved by DEQ.” | A test method should always be specified with each standard in order to be able to show compliance | done |
| **226** | 0210(2) | 226 | 0210(4) | Add a comma after refuse burning equipment | Correction | done |
| **228** |  |  |  | Requirements For Fuel Burning Equipment and Fuel Sulfur Content |  |  |
| **228** | 002002000210 |  |  |  | CARRIE ANN – DID SHE CHANGE THIS DIVISION? |  |
| **228** | 0020 | NA | NA | Add division 204 as another division that has definitions that would apply to this division | Add reference to division 204 definitions | done |
| **228** | 0020(1) | 200 | 0025(8) | Delete definition of ASTM already in division 200 | Delete and use acronym in division 200 | done |
| **228** | 0020(2) | NA | NA | Definition of Coastal Areas not used in this or any other air quality division | Delete definition | done |
| **228** | 0020(4) | 200 | 002065) | Change definition of” fuel burning equipment” to ““Fuel burning equipment” means any type of equipment that burns fuel including but not limited to boilers, dryers, internal combustion engines, and process heaters.” and move to division 200  | Delete from divisions 208, 228, and 240, move to division 200.  | done |
| **228** | 0020(6) | 200 | 0020(159) | Move definition of “standard conditions” to division 200 | Definition of standard conditions different from division 230 and 240 but same as division 226 and 228 | done |
| **228** | 0020(7) | 200 | 0020(42) | Move definition of “standard cubic foot” to division 200 and change to “dry standard cubic foot”  | Definition of standard cubic foot different from division 236 and 240. Use definition in 240 and move to division 200 | done |
| **228** | 0120(4) and (5) | NA | NA | These requirements are for coal users in 1980.  | Delete rule |  |
| **228** | 0130(2) | NA | NA | Delete “of Environmental Quality” | Department is defined in Division 200 as “Department of Environmental Quality” so “of Environmental Quality” isn’t necessary | done |
| **228** | 0210(1) | NA | NA | Change 0.2 gr/dscf to the following: (a) 0.20 grains per dry standard cubic foot for sources installed, constructed, or modified before June 1, 1970 except as required by section (d). (b) 0.1 grains per dry standard cubic foot for sources installed, constructed, or modified after June 1, 1970, except as required by sections (c) and (d).(c) 0.10 grains per dry standard cubic foot if the source is located within 5 miles of a PM10/PM2.5 sustainment area, nonattainment area, or maintenance area and was installed, constructed or modified after June 1, 1970. (d) 0.10 grains per dry standard cubic foot for all sources on or after January 1, 2019. (2) The owner or operator of an existing source who is unable to comply with OAR 340-228-0210(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.  | DEQ is proposing the change because of the following reasons:* Some of the affected sources will probably have to reduce emissions anyway due to future regulations, such as the Boiler and Industrial furnace MACT.
* Having two standards creates an unequal playing field for industry; especially since new sources can be as much as 40 years old.
* More and more areas of the state are special control areas due to population increases.
* EPA’s adoption of a new PM2.5 24-hour NAAQS has resulted in 2 nonattainment areas, with a third meeting the definition but not legally designated as such. This proposed rule change will reduce grain loading in all areas and will help prevent future problem.
* Phased compliance will give sources that cannot meet the new standards time to comply.
* Changes would make it easier
* to determine compliance for the both the source and the DEQ.
 | done |
| **228** | 0210(2) | NA | NA | Add “The owner or operator of an existing source who is unable to comply with OAR 340-228-0210(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.” | Allows extra time for installation of control equipment if necessary | done |
| **228** | 0210(2) | 228 | 0210(3) | Change “subsection (1)(a) or (b)” to “section (1)” and add “dry” to standard cubic foot | Correction based on renumbering of proposed rule language | done |
| **228** | 0210(2)(b) | 228 | 0210(3)(b) | Change to “Sources which utilize this exemption, to demonstrate compliance otherwise with section (1), must submit the results of a particulate emissions source test of the boiler bi-annually.” | Correction based on renumbering of proposed rule language and other corrections | done |
| **NA** | NA | **228** | 0210(5) | Add “Compliance with the emissions standards in section (1) is determined using Oregon Method 5. When combusting wood fuel by itself or in combination with any other fuel, the emission results are corrected to 12% CO2. When combusting fuels other than wood, the emission results are corrected to 50% excess air.” | A test method should always be specified with each standard in order to be able to show compliance | done |
| **228** | 0300 | NA | NA | Update CFR date | Can I just add 2013 to all the CFR references? |  |
| **228** | 0400 through 0530 plus Appendix A |  |  | Repeal Federal Acid Rain Program rules for Western Backstop SO2 Federal Trading Program | Rules are no longer necessary since DEQ now uses federal regional haze rules | done |
| **232** |  |  |  | Emission Standards For VOC Point Sources |  |  |
| **232** | 0010(3) | NA | NA | Change Salem SATS to Salem SKATS | correction | done |
| **232** | 0030(17) | 200 | 0020(35) | Move definition of “day” to division 200  | Definition used in many divisions  | done |
| **232** | 0030(19) | 200 | 0020(52) | Move definition of “emission unit” to division 200 | Definition different from division 200 definition | done |
| **232** | 0030(28) | NA | NA | Change “gas service” which is not used to “gaseous service” | Correction | done |
| **232** | 0030(31) | 200 | 0020(71) | Move definition of “hardboard” to division 200 | Definition different from division 234 and 240 definitions. Use definition from division 234 and division 240 and move to division 200 | done |
| **232** | 0030(41) | NA |  NA | Delete definition of “low solvent coating”  | Definition not used in division 232 or any other division | done |
| **232** | 0030(42) | 200 | 0020(84) | Use definition of “major modification” in division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(43) | 200 | 0020(85) | Use definition of “major source” in division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(51) | 232 | 0030(45) | The term should be “oven dried,” not “oven-dried” | Remove hyphen | done |
| **232** | 0030(54) | 200 | 0020(112) | Move definition of “person” to division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(56) | NA | NA | Delete definition of “plant site basis” | Definition not used in division 232 or any other division | done |
| **232** | 0030(57) | 200 | 0020(118) | Move definition of “potential to emit” to division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(61) | 232 | 0030(50) | Move definition of “prime coat” since it is not in alphabetic order | Move definition | done |
| **232** | 0030(62) | NA | NA | Definition of “publication rotogravure printing” not used in this division | Delete definition CHECK WITH JERRY |  |
| **232** | 0030(67) | NA | NA | Definition of “splash filling” not used in this division or any other division | Delete definition | done |
| **232** | 0030(68) | 200 | 0020(156) | Move definition of “source” to division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(69) | 200 | 0020(157) | Move definition of “source category” to division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **232** | 0030(71) | NA | NA | Definition of thin particleboard not used in this division or any other division | Delete definition | done |
| **232** | 0060 | NA | NA | Change date of Source Sampling Manual | The Source Sampling Manual has been updated. | done |
| **232** | 0110(1) | NA | NA | Delete “ozone” from Portland ozone air quality maintenance area | The term defined is “Portland Air Quality Maintenance Area” | done |
| **232** | 0150(1)(a) | NA | NA | **Change “**as amended by **Federal Register, April 4, 1980, pages 23379** through **23381” to “(July 2013)**; | Or should we just reference division 238 and not the CFR?  | done |
| **232** | 0160(5)(j)(B) | NA | NA | The term defined is “forced air dried,” not force air dried | Correction | done |
| **232** | 0230(1)(a) |  |  | (a) The volatile fraction of ink, as it is applied to the substrate contains 25.0 percent by volume or less ~~or~~ **of** organic solvent and 75 percent by volume or more of water; or | Correction | done |
| **234** |  |  |  | Emission Standards For Wood Products Industries |  |  |
| **234** | 0010(1) | NA | NA | Definition of “acid absorption tower” no longer needed | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(2) | NA | NA | Definition of “acid plant” no longer needed | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(3) | NA | NA | Definition of “average daily emission” no longer needed | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(4) | NA | NA | Definition of “average daily production” no longer needed | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(5) | 200 | 0020(13) | Move definition of average operating opacity to division 200 | Definition same as division 240. Move to division 200 | done |
| **234** | 0010(7) | NA | NA | Definition of “blow system” no longer needed | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(9) | NA | NA | Change the range of rules for the definition of continual monitoring | Since the neutral sulfite semi-chemical pulp mill rules are being repealed the range of rules that this definition applies to changes. | done  |
| **234** | 0010(9) | 234 | 0010(3) | Delete subsection (a) and rule applicability | (b) is more inclusive as it covers emission rates and concentrations | done |
| **234** | 0010(11) | NA | NA | Definition of “continuous-flow conveying system” no longer needed | This definition is not used in this division. | done |
| **234** | 0010(13) | 200 | 0020(37) | Definition of “Department” already in division 200 | Delete and use division 200 definition | done |
| **NA** | NA | 234 | 0010(6) | Add definition of “dry standard cubic meter” | Not previously defined | done |
| **234** | 0010(14) | 200 | 0020(45) | Move definition of “emission” different from division 200 | Definition different from division 200. Delete and use division 200 definition | done |
| **234** | 0010(15) | 200 | 0020(54) | Move definition of “EPA Method 9” to Division 2o0 | Definition same as division 240. Move to division 200 and change reference to 40 CFR Part 60 Appendix A-4 | done |
| **234** | 0010(16) | NA | NA | Delete definition of "fuel moisture content” | Incorporated language into OAR 340-234-0510(1)(c)(A) and (B) | done |
| **234** | 0010(17) | 200 | 0020(66) | Delete definition of “fugitive emissions” and use division 200 definition | Definition different from division 200 and 236, same as division 240. Delete and use division 200 definition | done |
| **234** | 0010(18) | 200 | 0020(71) | Move definition of “hardboard” to division 200 | Definition different from division 232 but same as division 240. Use definition from division 234 and move to division 200 | done |
| **234** | 0010(21) | 200 | 0020(87) | Move definition of “maximum opacity” to division 200 | Definition same as division 240. Move to division 200 | done |
| **234** | 0010(22) | NA | NA | Delete definition of “modified wigwam waste burner” | This definition is not used in this division. | done  |
| **234** | 0010(23) | NA | NA | Delete definition of “neutral sulfite semi-chemical (NSSC) pulp mill”  | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(24) | NA | NA | Correct spelling of condensable in the definition of “non-condensibles” | Condensable used throughout this rule | done |
| **234** | 0010(27) | 200 | 0020(105) | Move definition of “particleboard” to division 200 | Definition same as Division 240. Move to division 200 | done |
| **234** | 0010(28) | 200 | 0020(106) | Delete definition of “particulate matter” and use division 200 definition | Definition different from Division 200, 236, 238, 240. Delete and use Division 200 definition. Move specific test requirements to rule with standard. Create a testing and monitoring section in 234-0540. | done |
| **234** | 0010(29) | 200 | 0020(119) | Delete definition of “parts per million” and use division 234 definition | Definition different division 202 and 256. Clarify division 202 definition and move to division 200 | done |
| **234** | 0010(30) | 200 | 0020(112) | Delete definition of “person” and use division 200 definition | Delete definition and use division 200 definition | done |
| **234** | 0010(31) | 200 | 0020(XX) | Move definition of “plywood” to division 200.  | Term used in divisions 240 and 244 but not defined there.  | done |
| **234** | 0010(32) | 200 | 0020(121) | Move definition of “press cooling vent” to division 200 | Definition same as division 240. Move to division 200 | done |
| **234** | 0010(33)(b) | NA | NA | Delete definition of “production” for neutral sulfite semi-chemical pulping”  | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(39) | NA | NA | Delete definition of “spent liquor incinerator” | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(40) | 234 | 0010(6) | Change defined term from “standard dry cubic meter” to “dry standard cubic meter” and re-alphabetize | The term used in the rule is “dry standard cubic meter” | done |
| **234** | 0010(42) | NA | NA | Delete definition of “sulfite mill”  | Definition no longer needed since the neutral sulfite semi-chemical pulp mill rules are being repealed | done |
| **234** | 0010(43) | 200 | 0020(XXX) | Move definition of “sulfur oxides”  | Definition no longer needed in division 234 since the neutral sulfite semi-chemical pulp mill rules are being repealed. Term used in division 200 in definition of “criteria pollutant” so move to division 200 | done |
| **234** | 0010(44) | 200 | 0020(167) | Delete definition of “total reduced sulfur”  | Definition already in division 200  | done |
| **234** | 0010(45) | 200 | 0020(172) | Move definition of “veneer” to division 200 | Definition same as division 240. Move to division 200 | done |
| **234** | 0010(46) |  |  | Definition of “wigwam fired burner” (not used) but same as definition of “wigwam waste burner” in Division 240 | Move to Division 200 | done |
| **234** | 0010(47) | 200 | 0020(176) | Move definition of “wood fired veneer dryer” division 200 | Definition same as division 240. Move to division 200 | done |
| **234** | 0100(2) | NA | NA | Correct cross reference to OAR 340-222-0055 | Rule renumbered | done |
| **234** | 0210 | NA | NA | Change “lbs.” to “pound” in all cases | Consistency | done |
| **234** | 0210(4) | NA | NA | Clarify opacity limits for Kraft pulp mill sources other than recovery furnace | clarification | done |
| **234** | 0240(1)(b) & (c) | NA | NA | Add date to Continuous Monitoring Manual | Correction | done |
| **234** | 0240(1)(d) | NA | NA | Add date to Source Sampling Manual | Correction | done |
| **234** | 0240(2)(a) | NA | NA | Add the source test methods for particulate matter and date to Source Sampling Manual | The definition of particulate matter has been moved to Division 200. The test methods are being separated from the definition and included with the standard. | done |
| **234** | 0240(2)(a)(A), (B) and (C) | NA | NA | Add adjustments for oxygen correction | Clarification | done |
| **234** | 0240(2)(b) & (3) | NA | NA | Add date to Source Sampling Manual and Continuous Monitoring Manual | Correction | done |
| **234** | 0250(7) | NA | NA | Correct spelling of condensible | Condensable used throughout this rule | done |
| **234** | 0300-0360 | NA | NA | Delete neutral sulfite semi-chemical pulp mill rules | These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. | done |
| **234** | 0400-0430 | NA | NA | Delete sulfite pulp mill rules | These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. | done |
| **234** | 0510(1)(b)(A) | NA | NA | Add the sentence that defines a violation  | This sentence does not belong in the definition of average operating opacity. It belongs in this subsection with the standard | done |
| **234** | 0510(1)(c)(A) and (B) | NA | NA | Incorporate fuel moisture content into rule and add test method | Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). | done |
| **234** | 0540 | NA | NA | Add a rule for Testing and Monitoring | A test method should always be specified with each standard in order to be able to show compliance | done |
| **236** |  |  |  | Emission Standards For Specific Industries |  |  |
| **236** | 0010(1) | NA | NA | Delete definition of “all sources” | Definition no longer needed since primary aluminum and ferronickel rules are being repealed | done |
| **236** | 0010(2) | NA | NA | Delete definition of “annual average” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(3) | NA | NA | Delete definition of “anode baking plant” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(4) | NA | NA | Delete definition of “anode plant” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(5) | NA | NA | Delete definition of “average dry laterite ore production rate” | Definition no longer needed since ferronickel rules are being repealed | done |
| **236** | 0010(6) | 200 | 0020(25) | Delete definition of “collection efficiency” and move to division 200 with clarification | Definition in division 240 different so use that definition with clarifications  | done |
| **236** | 0010(7) | 200 | 0020(27) | Delete definition of “Commission”  | Definition different from division 200 definition, use division 200 definition | done |
| **236** | 0010(8) | NA | NA | Delete definition of “cured forage” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(9) | 200 | 0020(37) | Delete definition of “Department”  | Definition different from division 200 definition, use division 200 definition | done |
| **236** | 0010(11) | NA | NA | Delete definition of “dry laterite ore” | Definition no longer needed since ferronickel rules are being repealed | done |
| **236** | 0010(12) | 200 | 0020(45) | Delete definition of “emission”  | Definition different from division 200 but same as division 240. Delete and use division 200 definition | done |
| **236** | 0010(13) | 200 | 0020(51) | Move definition of “emission standards”  | Definition used in used in other divisions, move to division 200 | done |
| **236** | 0010(14) | NA | NA | Delete definition of “ferronickel” | Definition no longer needed since ferronickel rules are being repealed | done |
| **236** | 0010(15) | NA | NA | Delete definition of “fluorides” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(16) | NA | NA | Delete definition of “forage” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(17) | 200 | 0020(66) | Delete definition of “fugitive emissions”  | Definition different from division 200, 234, 240; use division 200 definition | done |
| **236** | 0010(19) | NA | NA | Delete definition of “laterite ore” | Definition no longer needed since ferronickel rules are being repealed | done |
| **236** | 0010(20) | NA | NA | Delete definition of “monthly average” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(21) | 200 | 0020(106) | Change definition of “particulate matter” to “Particulate Matter" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by the test method(s) specified in each applicable rule or permit.” | Definition different from division 200, 234, 238 and 240. Simplify by removing test methods and keep division 200 definition since test methods will be included with each standard throughout the divisions. | done |
| **236** | 0010(22) | NA | NA | Delete definition of “primary aluminum plant” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(24) | NA | NA | Delete definition of “pot line primary emission control systems” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(25) | NA | NA | Delete “by Hour” from the definition of “Process Weight by Hour.” The term should just be “process weight.” “Process weight by hour” is defined later in the definition.  | Clarify definition | done |
| **236** | 0010(26) | NA | NA | Delete definition of “regularly schedule monitoring” | Definition no longer needed since primary aluminum rules are being repealed | done |
| **236** | 0010(27) | 200 | 0020(158) | Definition of “source test”  | Definition already in division 200.  | done |
| **236** | 0010(28) | 200 | 0020(42) | Delete definition of “standard cubic foot” and use definition of “dry standard cubic foot” | Definition different from division 236 and 240. Use definition in 240 but add “dry” and move to Division 200 | done |
| **236** | 0100-0150 | NA | NA | Delete primary aluminum standards | These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. | done |
| **236** | 0200-0230 | NA | NA | Delete laterite ore production of ferronickel rules | These sources no longer exist in the state. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. | done |
| **236** | 0410(1) | NA | NA | Eliminate different standards for inside and outside of special control areas and change to “No person shall operate any hot mix asphalt plant, either portable or stationary, located within any area of the state unless all dusts and gaseous effluents generated by the drum or batch unit are subjected to a particulate emissions control device or devices with a rated control efficiency of at least 80 percent by weight.”  | All asphalt plants should comply with the requirements, regardless of where they are located.  | done |
| **236** | 0410(2) | NA | NA | Make all existing asphalt plants comply with the state standards and all new plants comply with the NSPS. | Clarifies requirements for existing and new asphalt plants and eliminates redundant/conflicting standards. | done |
| **236** | 0410 | NA | NA | Clarify that Table 1does not apply to sources subject to NSPS | NSPS standards are more stringent than the process weight table 1 | done |
| **236** | 0410(3) | NA | NA | Separate opacity, grain loading, and NSPS requirements from other hot mix asphalt plant limits and update references to division 208 based on proposed changes | Clarification | done |
| **236** | 0410(4) & (5) | NA | NA | Add test method and reference to DEQ’s Source Sampling Manual | A test method should always be specified with each standard in order to be able to show compliance | done |
| **236** | 0500(2) | NA | NA | Update CFR date | 40 CFR Section 60.751 through 60.759, July 1, 1998  |  |
| **236** | 0500(3) | NA | NA | Delete “of this subsection” | Not necessary | done |
| **236** | 0500(4)(a) & (b) | NA | NA | Delete “of this rule” and add “the following” to what large landfills must comply with | Correction | done |
| **240** |  |  |  | Rules For Areas With Unique Air Quality Needs |  |  |
| **240** | 0030(1) | 200 | 0020(8) | Delete definition of “air contaminant” and use division 200 definition  | Definition of air contaminant already in division 200 | done |
| **240** | 0030(3) | 200 | 0020(13) | Move definition of average operating opacity to division 200  | Definition is same as in division 234 except for sentence that determines when a violation occurs. Put that sentence with opacity limit. | done |
| **240** | 0030(4) | NA | NA | Delete definition of “charcoal producing plant”  | Definition no longer needed since Charcoal Producing Plant rules are being repealed [needed for LRAPA?] | done |
| **240** | 0030(5) | 200 | 0020(25) | Mover definition of “collection efficiency” to division 200 | Definition is different than division 236 definition. Use Division 240 definition with clarifications and move to Division 200 | done |
| **240** | 0030(6) | 200 | 0020(37) | Delete definition of Department  | Definition already in division 200  | done |
| **240** | 0030(9) | 200 | 0020(42) | Move definition of “dry standard cubic foot” to division 200  | Definition is different from the definition of “standard cubic foot.” Use definition of “dry standard cubic foot” and move to Division 200 | done |
| **240** | 0030(10) | 200 | 0020(45) | Delete definition of “emission” and use division 200 definition  | Definition different from division 200 definition but the same as division 234 | done |
| **240** | 0030(11) | 200 | 0020(54) | Move definition of “EPA Method 9” to division 200 and change reference to 40 CFR Part 60 Appendix A-4.  | Definition of EPA Method 9 same as Division 234 | done |
| **240** | 0030(12) | 200 | 0020(60) | Move definition of “facility” to division 200 and add definitions of “affected facility” and “existing facility” from the NSPS regulations and division 238 | Definition of facility different from Division 238 | done |
| **240** | 0030(14) | 200 | 0020(65) | Add the definition of “fuel burning equipment”  | Move definition of fuel burning equipment from divisions 208, 228, and 240 to division 200 and clarify.  | done |
| **240** | 0030(15) and (16) | NA | NA | Delete definitions of “fuel moisture content” | Incorporated language into OAR 340-240-0120(1)(e) and (f) | done |
| **240** | 0030(17) | 200 | 0020(66) | Delete definition of “fugitive emissions” and use division 200 definition | Definition different from division 200 and 236, same as Division 234 | done |
| **240** | 0030(19) | 200 | 0020(71) | Use definition of “hardboard” from division 234 and division 240 and move to division 200 | Definition of hardboard different from division 232 but same as division 234 | done |
| **240** | 0030(23) | 200 | 0020(80) | Move definition of ‘liquefied petroleum gas” to division 200 | Definition not used in division 240 | done |
| **240** | 0030(24) | 200 | 0020(81) | Delete definition of “lowest achievable emission rate”  | Definition already in division 200  | done |
| **240** | 0030(25) | 200 | 0020(87) | Move definition of “maximum opacity” to division 200 | Definition same as in division 234 | done |
| **240** | 0030(26) | NA | NA | Delete definition of “Medford-Ashland Air Quality Maintenance Area” | Definition already in division 204 | done |
| **240** | 0030(27) | NA | NA | Delete definition of “modified source” | This definition is not needed since it is clear that it is meant to apply to sources with “major modifications” subject to 224-0050 or 224-0060. | done |
| **240** | 0030(28) | 200 | 0020(91) | Move definition of “natural gas” to division 200 | Definition used in other divisions | done |
| **240** | 0030(29) | NA | NA | Delete definition of “new source” | Requirements for “old” wood waste boilers were repealed in 12/2004 because the compliance date (12/31/94) had past. All sources must meet the requirements for “new” sources. New sources and existing sources must comply with 340-240-0110(1), 340-240-120 through 250 so the definition of “new source” is no longer necessary. | done |
| **240** | 0030(30) | 200 | 0020(97) | Move definition of “odor” to Division 200 | Definition same as in division 208 | done |
| **240** | 0030(31) | 200 | 0020(98) | Delete definition of “offset” | This definition refers to the definition in Division 200 | done |
| **240** | 0030(32) | 200 | 0020(99) | Delete definition of "opacity" and use division 200 definition | Move to division 200 | done |
| **240** | 0030(34) | 200 | 0020(105) | Move definition of “particleboard” to division 200  | Definition same as Division 234 | done |
| **240** | 0030(35) | 200 | 0020(106) | Move definition of “particulate matter” to division 200 but delete test methods since each standard will have the applicable test method  | Definition different from Division 200, 234, 236, 238 | done |
| **240** | 0030(36) | 200 | 0020(112) | Delete definition of “person”  | Definition already in division 200  | done |
| **240** | 0030(37) | 200 | 0020(121) | Move definition of “press cooling vent” to division 200  | Definition same as division 234  | done |
| **240** | 0030(41) | 200 | 0020(177) | Move definition of “wood fuel-fired device” to division 200 | Move to division 200 | done |
| **240** | 0030(42) | 200 | 0020(156) | Delete definition of “source” and use definition in division 200  | Definition different than definition in division 200 | done |
| **240** | 0030(43) | 200 | 0020(159) | Move definition of “standard conditions” to division 200  | Definition different from division 226 and 228 | done |
| **240** | 0030(44) | 200 | 0020(42) | Move definition of “standard cubic foot” to division 200 and add “dry”  | Each standard will have the applicable test method long with the correct adjustment | done |
| **240** | 0030(45) | 200 | 0020(172) | Move definition of “veneer” same to division 200  | Definition same as division 234  | done |
| **240** | 0030(46) | 200 | 0020(173) | Move definition of “veneer dryer” to division 200  | Definition used in other divisions  | done |
| **240** | 0030(47) | 200 | 0020(176) | Move definition of “wood fired veneer dryer” to division 200  | Definition same as division 234  | done |
| **240** | 0030(48) | NA | NA | Delete definition of “wigwam fired burner”  | Definition not used and same as definition of “wigwam waste burner” in division 234  | done |
| **NA** | NA | **240** | 0050 | Add a rule on “Compliance Testing Requirements” | Clarification. This rule specifies what test methods to use in this division | done |
| **240** | 0110(1)(b) | NA | NA | Change the 3 minute aggregate in one hour to a six minute average  | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0110(1)(b) | NA | NA | Add reference to OAR 340-240-0210  | OAR 340-240-0210 contains continuous monitoring requirements for opacity | done |
| **240** | 0110(2) | NA | NA | Do not capitalize “Baseline Period” | Correction | done |
| **240** | 0120(1)(a) | NA | NA | Add “as defined in division 200” | The definition of average operating opacity was moved to division 200 | done |
| **240** | 0120(1)(b) | NA | NA | Add “as a six minute average as measured by EPA Method 9” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0120(1)(b) | NA | NA | Do not capitalize “Permit” | Correction | done |
| **240** | 0120(1)(e) and (f) | NA | NA | Incorporate fuel moisture content into rule and add test method ASTM D4442-84 | This clarifies the requirement | done |
| **240** | 0120(2) | NA | NA | Replace fuel burning equipment with external combustion device | Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). | done |
| **240** | 0130 | NA | NA | Change to “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 rated control efficiency of at least 98.5 percent.” | Clarification | done |
| **240** | 0140(2) | NA | NA | Add “as a six minute average as measured by EPA Method 9” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0150(3) | NA | NA | Replace fuel burning equipment with external combustion device | Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). | done |
| **240** | 0170 | NA | NA | Delete Charcoal Producing Plant rules | These sources no longer exist in the state outside of Lane County. If a source did build a new facility, New Source Review/Prevention of Significant Deterioration (requiring a demonstration that emissions would not cause or contribute to a NAAQS or increment violation), New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. | done |
| **240** | 0180(2)(b) | NA | NA | Delete “asphalt, oil,” from the reasonable precautions to prevent particulate matter from becoming airborne | DEQ discourages the use of asphalt and oil as dust suppressants because of the negative environmental impact on other media. | done |
| **240** | 0210(1) | NA | NA | Change “continuous emission monitoring systems guidance” to “DEQ’s Continuous Monitoring Manual (March 2014) and delete reference to 40 CFR 60 | The Continuous Monitoring Manual should be referenced instead of guidance | done |
| **240** | 0220(1) | NA | NA | Change “person responsible for” to “owner or operator of” | Correction | done |
| **240** | 0220(1) | NA | NA | Add reference to DEQ’s Source Sampling Manual | Correction | done |
| **240** | 0220(1)(b) and (e) | NA | NA | Delete dates in the past | The required testing dates are already past | done |
| **240** | 0220(1)(d) | NA | NA | Delete requirement for source testing of charcoal producing plant | These sources no longer exist in the state outside of Lane County. See reason above. | done |
| **240** | 0220(6) | NA | NA | Add (6) to include the source test methods for particulate matter | The definition of particulate matter has been moved to Division 200. The test methods are being separated from the definition and included with the standard. | done |
| **240** | 0230 | NA | NA | Repeal OAR 340-240-0230 as it is no longer necessary | Requirements for “old” wood waste boilers were repealed in 12/2004 because the compliance date (12/31/94) had past. All sources must meet the requirements for “new” sources. New sources and existing sources must comply with 340-240-0110(1), 340-240-120 through 250. | done |
| **240** | 0310 | NA | NA | Repeal OAR 340-240-0310 as it is no longer necessary  | Compliance schedule dates for existing sources are all past | done |
| **240** | 0320(1) | NA | NA | Add “as a six minute average as measured by EPA Method 9” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0330(2) | NA | NA | Add “as a six minute average as measured by EPA Method 9” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0350(1) | NA | NA | Change grain loading from “0.1” to “0.10” | La Grande is in a maintenance area so this limit has to change upon rule adoption, like 226-0210 | done |
| **240** | 0350(1) | NA | NA | Add “except as allowed by section (2) | Allow for extension | done |
| **NA** | NA | 240 | 0350(2) | Add “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.”  | Allows extra time for installation of control equipment if necessary |  |
| **240** | 0350(2) | 240 | 0350(3) | Change to “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.” | Clarification | done |
| **240** | 0350(3) | NA | NA | Add “as a six minute average as measured by EPA Method 9” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0400 | NA | NA | Add other types of sources | Do they exist in Lakeview? |  |
| **240** | 0410(2)(a) | NA | NA | Delete “asphalt, oil,” from the reasonable precautions to prevent particulate matter from becoming airborne | DEQ discourages the use of asphalt and oil as dust suppressants because of the negative environmental impact on other media. | done |
| **240** | 0430 | NA | NA | Change “person responsible for” to “owner or operator of” | Correction | done |
| **240** | 0430 | NA | NA | Reference the Department’s Source Sampling Manual rather than test methods on file with the Department | Add reference to Source Sampling Manual | done |
| **240** | 0430(2) & (3)  | NA | NA | Add source test requirement for wood waste boilers with total heat input less than 35 MMBtu/hr and wood particle dryers | This rule clarifies when source tests are required and what methods should be used | done |
| **240** | 0510(1) | NA | NA | Add “as a six minute average” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0510(2)(b) | NA | NA | Delete “(b) This rule does not apply where the presence of uncombined water is the only reason for failure of any source to meet the requirements of this rule.” | Not necessary with addition of “Compliance Testing Requirements” in OAR 340-240-0050 | done |
| **240** | 0510(2)(c) | **240** | 0510(2)(b) | Add “as a six minute average” | DEQ is changing all opacity limits to 6 minute averages. See reason above for changing opacity to 6-minute average | done |
| **240** | 0510(3) | NA | NA | Delete “Opacity is determined in accordance with EPA Method 9 of Appendix A to 40 CFR Part 60 or a continuous opacity monitoring system (COMS) installed and operated in accordance with Performance Specification 1 of Appendix B to 40 CFR Part 60.” | Not necessary with addition of “Compliance Testing Requirements” in OAR 340-240-0050 | done |
| **240** | 0550  | NA | NA | Change “224-0050 or 340-224-0060” to “division 224” and “340-225-0090(2)” to “340-224-0050 or OAR 340-224-0250” | Division 224 for New Source Review has been changed | done |
| **240** | 0550(2) | NA | NA | Change “340-224-0050 or 340-224-0060” to “division 224” | Division 224 for New Source Review has been changed | done |
| **240** | 0560(4) | NA | NA | Change “340-225-0090(2)(a)(E)” to “340-224-5020(4) | Division 224 for New Source Review has been changed | done |
| **240** | 0610 | NA | NA | Add date for Continuous Monitoring Manual | The Continuous Monitoring Manual is being updated in this rulemaking | done |
| **242** |  |  |  | Rules Applicable to the Portland Area |  |  |
| **242** | 0400(1) |  | NA | Change OAR 340-225-0090 to division 224 | The net air quality benefit requirements have been moved to division 224. | done |
| **242** | 0420(3) |  | NA | Change the cross reference to OAR 340-200-0020 to OAR 340-224-0025 | The definition of major modification as moved to division 224 | done |
| **242** | 0420(3) |  | NA | Change the cross reference to OAR 340-222-0040 to OAR 340-222-0035 | correction | done |
| **242** | 0700-0750, 0770, 0790 |  |  | Repeal rules | Repeal spray paint rules since there are now equivalent federal rules. There is no air quality impact because there are now equivalently protective federal rules. There would be a slight positive fiscal impact because the paint manufacturers would no longer need to certify to two different but environmentally equivalent standards and Title V sources would no longer need to certify compliance with the Oregon rule. While these rules were adopted as part of the Portland ozone plan, the immediate issue is really Title V permit streamlining. | Done |
| **268** |  |  |  | Emission Reduction Credits |  |  |
| **NA** | NA | **268** | 0030(1)(f) | Add provision for ERCs from woodstoves in Klamath Falls | The Klamath Falls attainment plan allows sources to use wood fuel-fired device emission reductions  | done |
| **NA** | NA | **268** | 0030(1)(g) | Add the following language: “Hazardous emissions reductions required to meet the MACT standards at 40 CFR part 60 and part 61, including emissions reductions to meet the early reduction requirements of section 112(i)(5), are not creditable as offsets.However, any emissions reductions that are in excess of or incidental to the MACT standards are not precluded from being creditable as offsets as long as all conditions of a creditable offset are met.”  | From 11/12/97 EPA Memo: Crediting of MACT emissions reductions for NSR netting and offsets. Required HAP emission reductions are not creditable as offsets but can be used if in excess of MACT standards.  | done |
| **268** | 0030(3)(b) | NA | NA | Delete “and the Net Air Quality Benefit requirements of OAR 340-225-0090” | Net Air Quality Benefit was moved to division 224 | done |
| **NA** | NA | **268** | 0030(4) | Add “Emission reduction credits are considered used when a complete NSR permit application is received by DEQ to apply the emission reduction credits to netting actions within the source that generated the credit, or to meet the offset and Net Air Quality Benefit requirements of the New Source Review program in accordance with OAR 340-224-0500.” | Clarification. The existing rules do not specify when ERC are considered “used” and what happens if the proposed project changes. | done |
| **268** | 0030(4)(a) | **268** | 0030(5)(a) | Clarify that emission reduction credits not used or banked and become unassigned PSELS are no longer available for use as external offsets | clarification | done |
| **268** | 0030(4)(b) | **268** | 0030(5)(b) | Clarify that emission reduction credits not used prior to the expiration date and revert back to the source that generated the credit will become unassigned PSELS are no longer available for use as external offsets | clarification | done |