**DIVISION 236**

**EMISSION STANDARDS FOR SPECIFIC INDUSTRIES**

**NOTE**: Administrative Order DEQ 60 repealed previous OAR 340-025-0255 through 340-025-0290 (consisting of DEQ 19, filed 7-14-70 and effective 8-10-70).

**340-236-0010**

**Definitions**

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

(1) "Dusts" means minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, or sweeping.

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 (2) "Hot Mix Asphalt Plants" means those facilities and equipment which convey or batch load proportioned quantities of cold aggregate to a drier, and heat, dry, screen, classify, measure, and mix the aggregate with asphalt for purposes of paving, construction, industrial, residential, or commercial use.

 (3) "Portable Hot Mix Asphalt Plants" means those hot mix asphalt plants which are designed to be dismantled and are transported from one job site to another job site.

 (4) "Process Weight" means the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

 (5) "Special Control Areas" means an area designated in OAR 340-204-0070 and:

(a) Any incorporated city or within six miles of the city limits of said incorporated city;

(b) Any area of the state within one mile of any structure or building used for a residence;

(c) Any area of the state within two miles straight line distance or air miles of any paved public road, highway, or freeway having a total of two or more traffic lanes.

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

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

Stat. Auth.: ORS 468.020
Stats. Implemented: ORS 468A.025
Hist.: [DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 4-1993, f. & cert. ef. 3-10-93]; [DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 26-1995, f. & cert. ef. 12-6-95; DEQ 18-1998, f. & cert. ef. 10-5-98]; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0105, 340-025-0260; DEQ 8-2007, f. & cert. ef. 11-8-07

**Primary Aluminum Standards**

**340-236-0100**

Repealed Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0255

**340-236-0110**

RepealedStat. Auth.: ORS 468A
Stats. Implemented: ORS 468 & ORS 468
Hist.: DEQ 14-1999, f. & cert. ef. 10-14-99

**340-236-0120**

RepealedStat. Auth.: ORS 468.020
Stats. Implemented: ORS 468A.025
Hist.: DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 4-1980, f. & ef. 1-28-80; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 26-1995, f. & cert. ef. 12-06-96; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 26-1995, f. & cert. ef. 12-6-95; DEQ 2-1999, f. & cert. ef. 2-5-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0265

**340-236-0130**

RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0270

**340-236-0140**

RepealedStat. Auth.: ORS 468.020
Stats. Implemented: ORS 468A.025
Hist.: DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 26-1995, f. & cert. ef. 12-06-95; DEQ 18-1998, f. & cert. ef. 10-5-98; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0280

**340-236-0150**

RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 60, f. 12-5-73, ef. 12-25-73; DEQ 10-1982, f. & ef. 6-18-82; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 18-1998, f. & cert. ef. 10-5-98; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0285

**Laterite Ore Production of Ferronickel**

**340-236-0200**

RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ 37, f. 2-15-72, ef. 3-1-72; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0405

**340-236-0210**

RepealedStat. Auth.: ORS 468A
Stats. Implemented: ORS 468 & ORS 468A
Hist.: DEQ 14-1999, f. & cert. ef. 10-14-99

**340-236-0220**

RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ 37, f. 2-15-72, ef. 3-1-72; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0415

RepealedStat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025
Hist.: DEQ 37, f. 2-15-72, ef. 3-1-72; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0430

**Reduction of Animal Matter**

**340-236-0300**

**Applicability**

OAR 340-236-0300 through 340-236-0330 apply to the reduction of animal matter in all areas of the state which are within city limits or within two miles of the boundaries of incorporated cities.

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: SA 30, f. 6-7-68, ef. 8-1-68; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0070

**340-236-0310**

**Control Facilities Required**

(1) A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

(a) Incinerated at temperatures of not less than 1,200° Fahrenheit for a period of not less than 0.3 seconds; or

(b) Processed in such a manner determined by DEQ to be equally, or more, effective for the purpose of air pollution control than section (1) of this rule.

(2) A person incinerating or processing gases, vapors or gas-entrained effluents pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices as specified by DEQ, for indicating temperature, pressure or other operating conditions.

(3) For the purpose of OAR 340-236-0300 through 340-236-0330, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

(4) The provisions of OAR 340-236-0300 through 340-236-0330 shall not apply to any article, machine, equipment, or other contrivance used exclusively for the processing of food for human consumption.

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: SA 30, f. 6-7-68, ef. 8-1-68; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0055

**340-236-0320**

**Monitoring of Reduction Facilities**

(1)(a) When requested by DEQ for the purpose of formulating plans in conjunction with industries who are or may be sources of air pollution, and to investigate sources of air pollution, monitoring data shall be submitted for plant operational periods and shall include:

(A) Continuous or at least hourly influent and effluent temperature readings on the condenser;

(B) Continuous or at least hourly temperature readings on the after-burner;

(C) Estimated weights of finished products processed in pounds per hour;

(D) Hours of operation per day; and

(E) A narrative description to accurately portray control practices, including the housekeeping measures employed.

(b) When requested by the plant manager any information relating to processing or production shall be kept confidential by DEQ and shall not be disclosed or made available to competitors or their representatives in the rendering industry.

(2) Whenever a breakdown of operating facilities occurs or unusual loads or conditions are encountered that cause or may cause release of excessive and malodorous gases or vapors, DEQ shall be immediately notified.

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: SA 30, f. 6-7-68, ef. 8-1-68; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0060

**340-236-0330**

**Housekeeping of Plant and Plant Area**

The plant facilities and premises are to be kept clean and free of accumulated raw material, products, and waste materials. The methods used for housekeeping shall include, but not be limited to:

(1) A washdown at least once each working day, of equipment, facilities and building interiors that come in contact with raw or partially processed material, with steam or hot water and detergent or equivalent additive.

(2) All solid wastes shall be stored in covered containers and disposed of daily in an incinerator or fill, approved by DEQ; or by contract with a company or municipal department providing such service.

(3) Disposal of liquid and liquid-borne waste in a manner approved by DEQ.

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: SA 30, f. 6-7-68, ef. 8-1-68; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0065

**Hot Mix Asphalt Plants**

[**NOTE**: Administrative Order DEQ 49 repealed previous OAR 340-025-0105 through 340-025-0130 (consisting of SA 32, filed 8-5-68, effective 4-1-69).]

**340-236-0400**

**Applicability**

OAR 340-236-0400 through 340-236-0440 apply to hot mix asphalt plants.

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

Stat. Auth.: ORS 468A
Stats. Implemented: ORS 468 & ORS 468
Hist.: DEQ 14-1999, f. & cert. ef. 10-14-99

**340-236-0410**

**Control Facilities Required**

(1) 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.

(2) No person shall operate any hot mix asphalt plant, either portable or stationary, located within any special control area of the state without installing and operating systems or processes for the control of particulate emissions so as to comply with the emission limits established by the process weight table, Table 1, attached herewith and by reference made a part of this rule.

(3) Hot mix asphalt plants are subject to the emission limitations in OAR 340-208-0110(1), 340-226-0210, and 340-238-0060, as applicable.

(4) If requested by DEQ, the owner or operator must develop a fugitive emission control plan, that will prevent any visible emissions from leaving the property of a source for more than six minutes in any hour. Visible emissions are determined by EPA Method 22 at the downwind property boundary.

(5) Compliance with the emissions standard in sections (1) and (2) is determined using DEQ Method 5. All source tests shall be done in accordance with DEQ’s **Source Sampling Manual** **(March 2014)**.

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

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0110; DEQ 8-2007, f. & cert. ef. 11-8-07

**340-236-0420**

**Other Established Air Quality Limitations**

The emission limits established under OAR 340-236-0400 through 340-236-0440 are in addition to visible emission and other ambient air standards, established or to be established by the Environmental Quality Commission unless otherwise provided by rule or regulation.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0115

**340-236-0430**

**Portable Hot Mix Asphalt Plants**

Portable hot mix asphalt plants may apply for air contaminant discharge permits within the area of Department jurisdiction without indicating specific site locations. As a condition of said permit, the permittee will be required to obtain approval from DEQ for the air pollution controls to be installed at each site location or set-up at least ten days prior to operating at each site location or set-up.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 5-1983, f. & ef. 4-18-83; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0120

**340-236-0440**

**Ancillary Sources of Emission -- Housekeeping of Plant Facilities**

(1) Ancillary air contamination sources from the plant and its facilities which emit air contaminants into the atmosphere such as, but not limited to, the drier openings, screening and classifying system, hot rock elevator, bins, hoppers, and pug mill mixer, shall be controlled at all times so as to maintain the highest possible level of air quality and the lowest possible discharge of air contaminants.

(2) The handling of aggregate and traffic shall be conducted at all times so as to minimize emissions into the atmosphere.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ 49, f. 2-9-73, ef. 3-1-73; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0125

**Solid Waste Landfills**

**340-236-0500**

**Emission Standards for Municipal Solid Waste Landfills**

(1) Applicability. This rule applies to small and large municipal solid waste landfills in the following categories:

(a) Landfills that have accepted waste since 11/08/87;

(b) Landfills with no modifications after 5/30/91;

(c) Landfills that closed after 11/08/87 with no modifications after 5/30/91.

(2) General Requirements. Landfills subject to this rule must comply with **40 CFR Section 60.751 through 60.759, July 1, 1998** as adopted under OAR 340-238-0060, except as noted in Section 4 of this rule.

(3) Permitting requirements. Landfills subject to this rule must comply with Oregon Title V Operating Permit program requirements (Title V) as specified in OAR 340 divisions 218 and 220 except as noted in (c):

(a) Existing large landfills must submit a complete Oregon Title V Operating Permit application one year after EPA approves the 111(d) State Plan associated with this rule;

(b) Existing small landfills that are major sources as defined in OAR 340-200-0020 must submit a complete Federal Operating Permit application within one year of becoming a major source;

(c) The exemption from the Oregon Title V Operating Permit program in OAR 340-218-0020 for sources that are not major does not apply to sources subject to this rule.

(4) Reporting requirements. Landfills subject to this rule must comply with the following:

(a) Large landfills listed in Subsection (1)(a) through (c) must comply with the following:

(A) Submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 90 days of the effective date of this rule;

(B) Submit an annual Nonmethane Organic Compound Report until nonmethane emissions are 50 Mg/yr.

(b) Small landfills listed in subsection (1)(a) through (c) must submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 90 days of the effective date of this rule.

(5) Definitions. As used in this rule:

(a) "Closed municipal solid waste landfill" (closed landfill) means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under **40 CFR 60.7(a)(4)**. Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed. A landfill is considered closed after meeting the criteria of **40 CFR 258.60**;

(b) "Effective date" means the date this rule is filed with the Secretary of State;

(c) "Existing municipal solid waste landfill" (existing landfill) means a municipal solid waste landfill that began construction, reconstruction or modification before 5/30/91and has accepted waste at any time since 11/08/87 or has additional design capacity available for future waste deposition;

(d) "Large municipal solid waste landfill" (large landfill) means a municipal solid waste landfill with a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters;

(e) "Modification" means an action that results in an increase in the design capacity of the landfill;

(f) "Municipal solid waste landfill" (landfill) means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads and may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion (modification);

(g) "New municipal solid waste landfill" (new landfill) means a municipal solid waste landfill that began construction, reconstruction or modification or began accepting waste on or after 5/30/91;

(h) "Small municipal solid waste landfill" (small landfill) means a municipal solid waste landfill with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters.

Stat. Auth.: ORS 468.020 & 468A.025
Stats. Implemented: ORS 468A.040
Hist.: DEQ 8-1997, f. & cert. ef. 5-6-97; DEQ 22-1998, f. & cert. ef. 10-21-98; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-025-0745