**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**DIVISION 240**

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

**340-240-0010**

**Purpose**

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

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

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

**340-240-0030**

**Definitions**

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

(1) "Air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid or particulate matter, or any combination thereof.

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

(3) "Average Operating Opacity" means the opacity of emissions determined using EPA Method 9 on any three days within a 12-month period which are separated from each other by at least 30 days; a violation of the average operating opacity limitation is judged to have occurred if the opacity of emissions on each of the three days is greater than the specified average operating opacity limitation.

(4) “Certified” includes catalytic and non-catalytic designs, unless otherwise specified.

(5) "Charcoal Producing Plant" means an industrial operation which uses the destructive distillation of wood to obtain the fixed carbon in the wood.

(6) "Collection Efficiency" means the overall performance of the air cleaning device in terms of ratio of weight of material collected to total weight of input to the collector.

(7) "Department" means Department of Environmental Quality.

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

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

(10) "Dry Standard Cubic Foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions.

(11) "Emission" means a release into the outdoor atmosphere of air contaminants.

(12) "EPA Method 9" means the method for Visual Determination of the Opacity of Emissions From Stationary Sources described as Method (average of 24 consecutive observations) in the Department Source Sampling Manual (January, 1992).

(13) "Facility" means an identifiable piece of process equipment. A stationary source may be comprised of one or more pollutant-emitting facilities.

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

(15) "Fuel Burning Equipment" means a device that burns a solid, liquid, or gaseous fuel, the principal purpose of which is to produce heat or power by indirect heat transfer. All stationary gas turbines are considered Fuel Burning Equipment. Marine installations and internal combustion engines are not considered Fuel Burning Equipment.

(16) "Fuel Moisture Content By Weight Greater Than 20 Percent" means bark, hogged wood waste, or other wood with an average moisture content of more than 20 percent by weight on a wet basis as used for fuel in the normal operation of a wood-fired veneer dryer as measured by ASTM D4442-84 during compliance source testing.

(17) "Fuel Moisture Content By Weight Less Than 20 Percent" means pulverized ply trim, sanderdust, or other wood with an average moisture content of 20 percent or less by weight on a wet basis as used for fuel in the normal operation of a wood-fired veneer dryer as measured by ASTM D4442-84 during compliance source testing.

(18) "Fugitive Emissions" means dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof not easily given to measurement, collection and treatment by conventional pollution control methods.

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

(20) "Hardboard" means a flat panel made from wood that has been reduced to basic wood fibers and bonded by adhesive properties under pressure.

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

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

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

(24) "Liquefied petroleum gas" has the meaning given by the American Society for Testing and Materials in ASTM D1835-82, "Standard Specification for Liquid Petroleum Gases."

(25) "Lowest Achievable Emission Rate" or "LAER" is defined in OAR 340-200-0020.

(26) "Maximum Opacity" means the opacity as determined by EPA Method 9 (average of 24 consecutive observations).

(27) "Medford-Ashland Air Quality Maintenance Area" (AQMA) means the area defined as beginning at a point approximately two and quarter miles northeast of the town of Eagle Point, Jackson County, Oregon at the northeast corner of Section 36, Township 35 South, Range 1 West (T35S, R1W); thence South along the Willamette Meridian to the southeast corner of Section 25, T37S, R1W; thence southeast along a line to the southeast corner of Section 9, T39S, R2E; thence south-southeast along line to the southeast corner of Section 22, T39S, R2E; thence South to the southeast corner of Section 27, T39S, R2E; thence southwest along a line to the southeast corner of Section 33, T39S, R2E; thence West to the southwest corner of Section 31, T39S, R2E; thence northwest along a line to the northwest corner of Section 36, T39S, R1E; thence West to the southwest corner of Section 26, T39S, R1E; thence northwest along a line to the southeast corner of Section 7, T39S, R1E; thence West to the southwest corner of Section 12, T39S, R1W, T39S, R1W; thence northwest along a line to southwest corner of Section 20, T38S, R1W; thence West to the southwest corner of Section 24, T38S, R2W; thence northwest along a line to the southwest corner of Section 4, T38S, R2W; thence West to the southwest corner of Section 6, T38S, R2W; thence northwest along a line to the southwest corner of Section 31, T37S, R2W; thence North and East along the Rogue River to the north boundary of Section 32, T35S, R1W; thence East along a line to the point of beginning.

(28) "Modified Source" means any source with a major modification as defined in OAR 340-200-0020.

(29) "Natural gas" means a naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal component is methane.

(30) "New Source" means any source not in existence prior to April 7, 1978 or any source not having a Permit as of April 7, 1978.

(31) "Odor" means that property of an air contaminant that affects the sense of smell.

(32) "Offset" is defined in OAR 340-200-0020.

(33) "Opacity" means the degree to which an emission reduces transmission of light and obscures the view of an object in the background as measured in accordance with the Department's Source Sampling Manual (January, 1992). Unless otherwise specified by rule, opacity must be measured in accordance with EPA Method 9. For all standards, the minimum observation period must be six minutes, though longer periods may be required by a specific rule or permit condition. Aggregate times (e.g. 3 minutes in any one hour) consist of the total duration of all readings during the observation period that exceed the opacity percentage in the standard, whether or not the readings are consecutive. Alternatives to EPA Method 9, such as a continuous opacity monitoring system (COMS), alternate Method 1 (LIDAR), or EPA Methods 22, or 203, may be used if approved in advance by the Department, in accordance with the Source Sampling Manual.

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

(35) "Particleboard" means matformed flat panels consisting of wood particles bonded together with synthetic resin or other suitable binders.

(36) "Particulate Matter" means all solid or liquid material, other than uncombined water, emitted to the ambient air as measured in accordance with the Department Source Sampling Manual. Particulate matter emission determinations must consist of the average of three separate consecutive runs. For sources tested using DEQ Method 5 or DEQ Method 7, each run must have a minimum sampling time of one hour, a maximum sampling time of eight hours, and a minimum sampling volume of 31.8 dscf. For sources tested using DEQ Method 8, each run must have a minimum sampling time of 15 minutes and must collect a minimum particulate sample of 100 mg. Wood waste boilers and charcoal producing plants must be tested with DEQ Method 5; veneer dryers, wood particle dryers, fiber dryers and press/cooling vents must be tested with DEQ Method 7; and air conveying systems must be tested with DEQ Method 8 (January, 1992).

(37) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the federal government and any agencies thereof.

(38) "Press/Cooling Vent" means any opening through which particulate and gaseous emissions from plywood, particleboard, or hardboard manufacturing are exhausted, either by natural draft or powered fan, from the building housing the process. Such openings are generally located immediately above the board press, board unloader, or board cooling area.

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

(40) "Refuse" means unwanted material.

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

 (42) “Wood Fuel-Fired Device” means a device or appliance designed for wood fuel combustion, including cordwood stoves, wood stoves and fireplace stove inserts, fireplaces, wood fuel-fired cook stoves, pellet stoves and combination fuel furnaces or boilers, which burn wood fuels.

(43) "Source" means any structure, building, facility, equipment, installation or operation, or combination thereof, which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person, or by persons under common control.

(44) "Standard Conditions" means a temperature of 68° Fahrenheit (20° Celsius) and a pressure of 14.7 pounds per square inch absolute (1.03 Kilograms per square centimeter).

(45) "Standard cubic foot" means the amount of gas that would occupy a volume of one cubic foot, if the gas were free of uncombined water at standard conditions. When applied to combustion flue gases from fuel or refuse burning, "standard cubic foot" also implies adjustment of gas volume to that which would result at a concentration of 12% carbon dioxide or 50% excess air.

(46) "Veneer" means a single flat panel of wood not exceeding 1/4 inch in thickness formed by slicing or peeling from a log.

(47) "Veneer Dryer" means equipment in which veneer is dried.

(48) "Wood-fired Veneer Dryer" means a veneer dryer which is directly heated by the products of combustion of wood fuel in addition to or exclusive of steam or natural gas or propane combustion.

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

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

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

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

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

**Klamath Falls Nonattainment Area**

**340-240-0500**

**Applicability**

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

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ xx-2013, f. & cert. ef. xx-xx-xx;

**340-240-0510**

**Opacity Standard**

(1) With the exception of fugitive emissions, no person conducting a commercial or industrial activity may cause or permit the emission of any air contaminant into the atmosphere from any stationary source including fuel or refuse burning equipment, that exhibits equal to or greater than 20% opacity for a period or periods aggregating more than three minutes in any one hour.

 (2) Exceptions to sections (1) of this rule: Where the presence of uncombined water is the only reason for failure of any source to meet the requirement of sections (1) of this rule.

 (3) 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.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025.
Hist.: DEQ xx-2012, f. xx-xx-xx, ef. xx-xx-xx;

**340-240-0520**

**Control of Fugitive Emissions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ xx-xxxx, f. & cert. ef. xx-xx-xx;

**340-240-0530**

**Requirement for Operation and Maintenance Plans**

(1) With the exception of basic and general permit holders, a permit holder must prepare Operation and Maintenance Plans. All sources subject to regular permit requirements are subject to operation and maintenance requirements.

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

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

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

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

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

(a) Personnel training in operation and maintenance;

(b) Preventative maintenance procedures, schedule and records;

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

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

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

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

(g) Inventory of key spare parts.

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

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

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ xx-xxxx, f. & ef. xx-xx-xx;

**340-240-0540**

**Compliance Schedule for Existing Industrial Sources**

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

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

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

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

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

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

(f) No later than October 15, 2014, the owner or operator must demonstrate compliance with the applicable requirements identified in OAR 340-240-500 through 340-240-540.

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

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

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ xx-2012, f. & cert. ef. xx-xx-xx;

**340-240-0550**

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

(1) All new or modified sources subject to OAR 340-224-0050 or 340-224-0060 may opt to use wood fuel-fired device emission reductions from within the nonattainment or maintenance area to satisfy the offset requirements of OAR 340-225-0090(2):

(a) Offsets for decommissioning fireplaces and non-certified woodstoves (including fireplace inserts) are obtained at a ratio of at least 1:1 (i.e., one ton of emission reductions from fireplaces and non-certified wood stoves offsets one ton of emissions from a proposed new or modified industrial point source proposed to be located inside or impacting the non-attainment area) or maintenance area;

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

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

(2) The net air quality benefit analysis specified in OAR 340-225-0090(2)(a)(E) is not applicable to offsets meeting the criteria in (a) through (c) of section (1) of this rule.

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

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468.020 & 468A.025
Hist.: DEQ xx-xxxx, f. & ef. xx-xx-xx;

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

**340-240-0560**

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

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

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

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

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

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

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

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

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

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

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

(A) certified woodstove or certified fireplace insert is 0.03 tons for each replaced device; or

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

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

(d) For **certified woodstoves**, the emission reduction for replacing the heating device with a:

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

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

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

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

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

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

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

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

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

(4) All emission reductions must be achieved prior to startup of the proposed source using the emission reductions as offsets in the permitting action specified in OAR 340-224-0050 or 340-224-0060.

**Klamath Falls Nonattainment Area Contingency Measures**

**340-240-0570**

**Applicability**

OAR 340-240-0570 through 340-240-0630 apply to the Klamath Falls Nonattainment Area for PM2.5 should the area not achieve attainment by the applicable Clean Air Act deadline.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.480
Hist.: DEQ xx-xxxx, f. & cert. ef. xx-xx-xx;

**340-240-0580**

**Existing Industrial Sources Control Efficiency**

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

**340-240-0590**

**Particulate Emission Limitations for Industrial Sources**

 (1) No person may cause, suffer, allow, or permit particulate matter emissions from any wood-fired boiler in excess of: 0.1 grains per standard cubic foot, corrected to 12 percent CO2. Particulate matter emissions are measured in accordance with Oregon DEQ Method 5.

(2) No person may cause, suffer, allow, or permit particulate matter emissions from any air contaminant source other than boilers and fugitive emission sources in excess of: 0.1 grains per standard cubic foot. Particulate matter emissions are measured in accordance with Oregon Methods 5, 7, or 8, as specified by DEQ in an approved source test plan.

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468.020 & ORS 468A.025.
Hist.: DEQ xx-2012, f. xx-xx-xx, ef. xx-xx-xx;

**340-240-600**

**Contingency Measures: Schedule for Compliance** **for Existing Industrial Sources**

Additional control equipment required to meet contingency requirements described in OAR 340-240-0590 must be implemented on a compliance schedule.

(1) Except as provided in sections (2) and (3) of this rule, the owner or operator of a source located in the Klamath Falls Nonattainment Area prior to December 14, 2014, must demonstrate compliance with the applicable requirements of OAR 340-240-0570 through 340-240-0590 as expeditiously as possible, but in no case later than the following schedule:

(a) No later than June 15, 2015, the owner or operator must submit Design Criteria and a Notice of Intent to Construct for emission-control systems for Department review and approval. If the Department disapproves the Design Criteria, the owner or operator must revise the Design Criteria to meet the Department's objections and submit the revised Design Criteria to the Department no later than one month after receiving the Department's disapproval;

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

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

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

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

(f) No later than December 15, 2016, the owner or operator must demonstrate compliance by conducting a source test with the applicable contingency requirements.

(2) Section (1) of this rule does not apply if the owner or operator has demonstrated by September 15, 2015 that the source is capable of being operated and is operated in continuous compliance with applicable requirements of OAR 340-240-0570 through 340-240-0590 and the Department has agreed with the demonstration in writing. The Department may grant an extension until April 15, 2017 for a source to demonstrate compliance under this section. The applicable requirements will be incorporated in the Permit issued to the source.

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

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

Stat. Auth.: ORS 468 & ORS 468A
Stats. Implemented: ORS 468A.025
Hist.: DEQ xx-2012, f. & cert. ef. xx-xx-xx;

**340-240-0610**

**Continuous Monitoring for Industrial Sources**

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

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

 (a) Continuous monitoring of control device parameters for any wood- fired boiler, veneer dryer, particle dryer, or fiber dryer.

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

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

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

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

**340-240-0620**

**Contingency Measures: New Industrial Sources**

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

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

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

**340-240-0630**

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

1. No fireplace, as defined by OAR 340-362-0450, installed after March 1, 2015, may emit more than 5.1 grams per kilogram of particulate emissions.  A new fireplace shall be deemed in compliance with this emission standard if, when installed, it has been certified either in accordance with ASTM international standard test method E2558 or by the Department pursuant to OAR 340-262-0500.  A fireplace installed after March 1, 2015, that is not certified as described in this rule shall be presumed not to comply with this rule.

Stat. Auth.: ORS 468 & 468A
Stats. Implemented: ORS 468A.010 to 468A.025
Hist.: DEQ xx-xxx, f. & ef. xx-xx-xx;