| **Division** | **Rule**  **Old# New#** | | **Suggested change** | **Reason/Issues** |
| --- | --- | --- | --- | --- |
|  |  |  | CHECK WITH JERRY AND ANDREA ON DEFINTIONS IN THEIR DIVISIONS AND WHETHER THEY NEED TO BE ADDED HERE. |  |
| **200-0020** | (3)(a)(A) | NA | Add exception for (C) in definition of actual emissions for sources that had not begun normal operation during the baseline period but were permitted to construct and operate | This was omitted in the past and needs correction. |
| **200-0020** | (3)(C) | NA | Clarify the definition of actual emissions to include sources that were permitted even though they had not begun normal operation | The rules don’t address sources that had not begun normal operations during the baseline year but were permitted to construct and operate |
| **200-0020** | NA | (3)(b) | Add a provision for sources that had not begun normal operation during any specified period | The rules don’t address sources that had not begun normal operations during any specified period but were permitted to construct and operate |
| **200-0020** | (3)(c) | (3)(d) | Add reference to Division 220 | This addition ensures that the procedures for establishing verified emissions factors are followed. |
| **200-0020** | NA | (7)(e) | Add aggregate insignificant emissions threshold for PM2.5 in PM2.5 nonattainment areas | This makes PM2.5 consistent with the PM10 threshold, which is 5% of the SER (5 tons) in Medford and other nonattainment areas in older rules. 5% of 10 tons equals 0.5 tons. |
| **200-0020** | NA | (13) | Add definition of average operating opacity | Move from Divisions 234 and 240 but move the statement about when a violation occurs to the standards in Divisions 234 and 240. |
| **200-0020** | (13) | (14)(a) | Add subsection for regulated pollutants only | Provided clarification that the baseline emission rate only applies to pollutants subject to the New Source Review program. Specifically, HAPs are not subject to NSR, but other there may be other pollutants also not subject to NSR. |
| **200-0020** | (13) | (14)(b) | Move the rules in netting basis that apply to the baseline emission rate | The requirements for establishing the baseline emission rate should be in the definition of baseline emission rate, not the netting basis |
| **200-0020** | (13) | (14)(b)(D) | Add provision for change to baseline emission rate if material mistake discovered | If an error was made in establishing baseline, a provision for correcting it is needed. |
| **200-0020** | (13) | (14)(c) | Add subsection for PM2.5 | The baseline emission rate for PM2.5 will be established with the first permit action after the rules are adopted (February 16, 2011). |
| **200-0020** | (13) | (14)(d) | Add subsection for GHG | The baseline emission rate for GHG will be established with the first permit action after the rules are adopted (February 16, 2011). |
| **200-0020** | (13) | (14)(e) | Add provision for owner/operator to submit corrected information | DEQ has become aware of instances where material mistakes should have been pointed out by sources. This provision will make it a requirement to notify DEQ. |
| **200-0020** | (14) | (15) | Add baseline period for PM2.5 and GHG: 2006 and 2007 w/2 year look back | Add provision for newly regulated pollutants, PM2.5 and GHG |
| **200-0020** | NA | (19) | Add definition of carbon dioxide equivalent | This definition is consistent with EPA’s Tailoring Rules for purposes of Title V and NSR. |
| **200-0020** | (18) | (19) | Replace fuel burning equipment with external combustion devices in the definition lf categorically insignificant activities | The definition of fuel burning equipment is being changed to “external combustion device” |
| **200-0020** | NA | (24) | Add definition of collection efficiency | Move from Divisions 236 and 240 |
| **200-0020** | (31) | (34) | Delete the editorial note about the table not being included with the rules for de minimis emission levels | The Secretary of State will now include links to tables in PDF files |
| **200-0020** | NA | (37) | Add definition of direct PM2.5 | This definition is needed because is it used in the definition of PM2.5. |
| **200-0020** | (41) | (44) | Delete approval of emission factor by EPA or the Department | Discretionary approval should not be allowed. It should be clear what emission factors are being used to calculate emissions. They will be included in the plant site emissions detail sheets |
| **200-0020** | NA | (55) | Add definition of external combustion device | Change definition of fuel burning equipment to “external combustion device,” delete from Divisions 208, 228, and 240, move to Division 200. Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). |
| **200-0020** | (53) | (57) | Add GHG threshold of 100,000 tons per year to definition of Federal Major Source | The GHG threshold is based on EPA’s rule. |
| **200-0020** | (53) | (57) | Include fugitive emissions in the definition of major modification | Clarify that fugitive emissions should be included in the major new source review applicability |
| **200-0020** | (57) | (61) | Delete the editorial note about the table not being included with the rules for generic PSELs | The Secretary of State will now include links to tables in PDF files |
| **200-0020** | NA | (62) | Add definition greenhouse gases (GHGs) | This definition is consistent with EPA’s Tailoring Rules for purposes of Title V and NSR. |
| **200-0020** | NA | (64) | Add definition of hardboard | Move from Divisions 232, 234, and 240 |
| **200-0020** | (65) | (71) | Definition of maintenance area different from Division 204 | Use Division 204 definition |
| **200-0020** | (67) | (73) | Reword definition of major modification | This clarifies the definition and is consistent with EPA rules. |
| **200-0020** | (67)(a) | (73)(a) | Clarify that major modification is triggered if the PSEL exceeds the netting basis | This clarifies the definition and is consistent with past implementation of the rules. |
| **200-0020** | NA | (73)(a)(A) | Add ozone precursor provisions to definition of major modification | This provision was unintentionally omitted in previous rulemakings. |
| **200-0020** | NA | (73)(a)(B) | Add PM2.5 precursor provisions to definition of major modification | PM2.5 precursors can also define a major source |
| **200-0020** | (67)(b)(A) | (73)(b)(A) | Include fugitive emissions in the definition of major modification | Clarify that fugitive emissions should be included in the major new source review applicability |
| **200-0020** | (67)(c) | (73)(c) | Delete subsection (c) and replace with new language | Subsection (c) was not clear about when sources would trigger NSR with only a 1 ton/year increase. The new subsection (c) specifies the triggers and matches the intent and past interpretation of the rule. |
| **200-0020** | (67)(d)(B) | (73)(d)(B) | Delete the exception for pollution control projects | The DC Circuit invalidated the federal exemption from NSR upon which this paragraph is based. It is more lenient than federal requirements. |
| **200-0020** | (68)(a) | (74)(a) | Add fugitive emissions to the definition of major source | Fugitive emissions should be included to determine whether a source is major or not. |
| **200-0020** | (68)(a) | (74)(a) | Add that potential to emit calculations must include emissions increases due to the new or modified source | Potential to emit calculations of the new or modified source should be included to determine whether a source is major or not. |
| **200-0020** | (68)(b)(B) | (74(b)(B) | Add threshold for GHG for Title V for definition of major source | The GHG threshold is based on EPA’s rules. |
| **200-0020** | (68)(b)(C) | (74(b)(C) | Exempt GHG from the list of sources that have PTE of 100 tpy of regulated pollutants | The 100 tpy threshold does not apply to GHGs. |
| **200-0020** | NA | (78)(a) | Add subsection for regulated pollutants only | Provided clarification that the netting basis only applies to pollutants subject to the New Source Review program. Specifically, HAPs are not subject to NSR, but other there may be other pollutants also not subject to NSR. |
| **200-0020** | (72)(a) | NA | Move the rules in netting basis that apply to the baseline emission rate | The requirements for establishing the baseline emission rate should be in the definition of baseline emission rate, not the netting basis |
| **200-0020** | (72) | (78)(b) | Add provision for establishing the netting basis for newly regulated pollutants | The netting basis is defined differently for newly regulated pollutants since the baseline period is different. |
| **200-0020** | NA | (78)(c) | Add provision for establishing the netting basis for PM2.5 | The netting basis for PM2.5 will be established after the rules are adopted. |
| **200-0020** | NA | (78)(d) | Add provision for establishing the netting basis for PM2.5 | The netting basis for GHG will be established after the rules are adopted. |
| **200-0020** | (72)(c) | (78)(e) | Clarify when the netting basis is zero | The changes clarify the instances when the netting basis is zero and matches the intent and past interpretation of the rule. |
| **200-0020** | (72)(e) | (78)(g) | Add when changes to the netting basis are effective | The changes clarify the instances when the netting basis and PSEL are reduced and matches the intent and past interpretation of the rule. |
| **200-0020** | (74) | (80) | Definition of nonattainment area different from Division 204 | Use Division 204 definition |
| **200-0020** | NA | (88) | Add definition of ozone precursors | PM2.5 precursors are defined but not ozone precursors |
| **200-0020** | NA | (90) | Add definition of particleboard | Move from Divisions 234 and 240 |
| **200-0020** | (83) | (91) | Change definition of particulate matter | Make consistent with other divisions |
| **200-0020** | NA | (92) | Add definition of parts per million | Move from Divisions 230 and 234 |
| **200-0020** | (89) | (97) | Definition of person different from Division 232 | Use definition from Division 232 and move to Division 200 |
| **200-0020** | (92) | (100) | Change definition of PM2.5 | This definition is consistent with EPA’s rules for purposes of Title V and NSR. |
| **200-0020** | NA | (104) | Add definition of press/cooling vent | Move from Divisions 234 and 240 |
| **200-0020** | (98) | (107) | Add part 52 to the CFR citations for reference methods | Appendix M of Part 52 includes reference methods for condensable PM. |
| **200-0020** | (100) | (109) | Add GHG and any other pollutant regulated under the Clean Air Act to definition of regulated pollutant | This is a requirement for SIPs. See CFR 51.166(b)(1)(i)(a) |
| **200-0020** | (100)(c) | (109)(c) | Clarify the definition of regulated pollutant for pollutants subject to NSR | Ensures that only regulated pollutants with Significant Emission Rates are subject to NSR |
| **200-0020** | (126) | (135) | Clarify the definition of significant air quality impact | Significant air quality impact levels are used to protect the ambient air quality impacts and the PSD increments in all Class areas so the definition has been changed to reflect current implementation. |
| **200-0020** | (127) | (136) | Add exception for GHG emissions impacting Class I areas. | There is no ambient standard for GHG, so this provision should not apply to GHG emissions. |
| **200-0020** | NA | (138) | Add definition of small scale local energy project | House Bill 2952 amended ORS 468A.040 to add an exception for small scale local energy projects regarding net air quality benefit |
| **200-0020** | NA | (142) | Add definition of standard cubic foot | Move definition of standard cubic foot from Divisions 208, 226, 228 and incorporate definition of standard conditions |
| **200-0020** | NA | (154) | Add definition of veneer | Move from Divisions 234 and 240 |
| **200-0020** | (144) | (156) | Add propylene carbonate to definition of VOC | This pollutant has been added to the list of volatile organic compounds by the EPA. |
| **200-0020** | NA | (157) | Add definition of wigwam waste burner | Move from Divisions 234 and 240 |
| **200-0025** | NA | (24) | Add CO2e to Abbreviations and Acronyms | CO2e is needed for the definition of greenhouse gases |
| **200-0025** | NA | (43) | Add GHG to Abbreviations and Acronyms | GHG is a newly regulated pollutant |
| **200-0025** | NA | (85) | Add PM2.5 to Abbreviations and Acronyms | PM2.5 is a newly regulated pollutant |

| **Division** | **Rule** | **Suggested change** | **Reason/Issues** |
| --- | --- | --- | --- |
| **200** | 0025 | Add the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **200** | 0040 | 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** | Table 1 | Delete annual significant impact levels for PM10 | EPA rescinded the annual PM10 ambient air quality standard and all associated standards |
| **200** | Table 1 | Add PM2.5 SILs | EPA adopted SILs for PM2.5 |
| **200** | Table 1 | Combine SILs for all air quality areas into one table for all pollutants | Having all SILs in one table will make it easier. |
| **200** | Table 2 | Add significant emission rate for direct PM2.5 | EPA adopted a major source threshold and significant emission rate for PM2.5 |
| **200** | Table 2 | Add significant emission rate for PM2.5 precursors | EPA adopted significant emission rates for PM2.5 precursors |
| **200** | Table 2 | Add significant emission rate for VOC precursors | EPA already adopted significant emission rates for VOC precursors but these were never added to this table |
| **200** | Table 2 | Add significant emission rate for GHG | EPA adopted a major source threshold and significant emission rate when it defined GHG as a regulated pollutant |
| **200** | Table 3 | Add PM2.5 to the Significant Emission Rate table for the Medford-Ashland Air Quality Maintenance Area. | The Medford-Ashland Air Quality Maintenance Area has a lower PM10 significant emission rate because it is a maintenance area. Since PM2.5 is a subset of PM10, it’s significant emission rate should be the same or lower than the PM10 significant emission rate in order to protect air quality in the area. |
| **200** | Table 3 | Remove the metric significant emission rates in metric units | The conversion from English units to metric units is not exact. This has caused problems in compliance with these limits. |
| **200** | Table 3 | Remove a significant figure in the significant emission rates (English units) | None of the significant emission rates for the other New Source Review/Prevention of Significant Deterioration pollutants have this many significant figures. The change will make these values consistent with other significant emission rates for the state. |
| **200** | Table 4 | Add de minimis level for GHG | The de minimis level for GHG is set at a level DEQ thinks is reasonable for GHG. DEQ will evaluate this level upon implementation and make adjustments if necessary. |
| **200** | Table 4 | Add de minimis levels for PM2.5 in the Medford AQMA | The de minimis levels for PM2.5 are consistent with PM10. |
| **200** | Table 4 | Add de minimis levels for PM2.5 | The de minimis levels for PM2.5 are consistent with PM10. |
| **200** | Table 5 | Add generic PSEL for PM2.5 and GHG | The Generic PSEL for GHG is based on proposed SER minus de minimis level. |
| **202** | 0010(1) | Definition of ambient air already in Division 200 | Delete and use definition in Division 200 |
| **202** | 0010(4) | Definition of baseline concentration already in Division 225 | Deleted and reference in Division 225 |
| **202** | 0010(8) | Definition of PPM already in Divisions 230 and 240 | Move to Division 200 |
| **202** | 0060(1) | Delete annual PM10 air quality standard | Rescinded by EPA. Since DEQ is limiting PM2.5 to the filterable portion until 1/1/11, the PM10 annual standard has been retained until this rulemaking. Sources would have to model for PM10 and PM2.5 in the interim. |
| **202** | 0210 | 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 |
| **202** | 0210 Table 1 | Add PM2.5 increments | Adopted by EPA |
| **202** | 0210 Table 1 | Delete annual PM10 increments (maximum allowable increases) | Rescinded by EPA |
| **202** | 0210 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **208** | 0010(2) | Definition of air contaminant already in Division 200 | Delete and use definition in Division 200 |
| **208** | 0010(3) | Definition of emission already in Division 200 | Delete and use definition in Division 200 |
| **208** | 0010(4) | Definition of fuel burning equipment different from Division 228 and 240 | Change definition of fuel burning equipment to “external combustion device,” delete from Divisions 208, 228, and 240, move to Division 200. Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). |
| **208** | 0010(5) | Definition of fugitive emissions already in Division 200 | Delete and use definition in Division 200 |
| **208** | 0010(12) | Definition of standard conditions different from Division 230 and 240 but same as Division 226 and 228 | Delete and incorporate into definition of standard cubic foot and move to Division 200 |
| **208** | 0010(13) | Definition of standard cubic foot different from Division 236 and 240 but same as 228 | Use definition in 240 and move to Division 200 |
| **208** | 0100 | Exempt fugitive sources from opacity limits | Fugitive emission sources are regulated in 0200-0120 (Proposed SIP Implementation Change) |
| **208** | 0100 | Make it so source specific rules in other Divisions, as well as the NSPS and NESHAP, supersede the general requirements. | New Source Performance Standards (NSPS) and National Emission Standard for Hazardous Air Pollutants are specifically written for certain industries. These rules are more stringent than the general permitting requirements. By applying only the industry specific standards, the Department will eliminate confusion and steamline permitting requirements. To address the stringency issue, a requirement that any source exempt from 208-0110 must have a startup/shutdown plan in accordance with 340-314-0340 has been added. This would be equivalent to existing practices in which we exercise enforcement discretion for excess emissions during startup/shutdown (Proposed SIP Implementation Change) |
| **208** | 0110(1) and (2) | Delete 40% opacity limit and add a compliance date for existing sources. | 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 opacity in all areas and will help prevent future problems, especially in light of EPA’s plan to reduce the PM2.5 NAAQS even further. * Phased compliance will give sources that cannot meet the new standards time to comply. |
| **208** | 0110(1) and (2) | 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 the Department’s policy that the inspector observes the source for at least 6 minutes before making a compliance determination. |
| **208** | 0110 | Add a provision for maintenance for wood-fired boilers and process heaters installed before 1970 | Visible emissions during grate cleaning are greater than 20% opacity. Since the 40% opacity limit is being eliminated, a provision for grate cleaning and other maintenance is needed. |
| **208** | 0110 | Add a provision that non-fugitive emissions units exempt from this rule must have a startup/shutdown procedures | Non-fugitive emission units that are subject to source specific rules in other Divisions, as well as the NSPS and NESHAP, must have startup/shutdown procedures approved because these rules do not apply during startup/shutdown (Proposed SIP Implementation Change) |
| **208** | 0110 | Add a test method | A test method should always be specified with each standard in order to be able to show compliance |
| **208** | 0200 | Make the fugitive emission requirements applicable statewide to replace the opacity standards. | Fugitive emissions should be controlled statewide |
| **208** | 0210(1) | 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. (Proposed SIP Implementation Change) |
| **208** | 0210(2) | Add a definition for particulate fugitive emissions | This clarifies what fugitive emissions entail |
| **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 |
| **208** | 0210(5) | Add requirement for fugitive emission control plan | This requirement will help address issues if fugitive emissions escape the property boundary |
| **208** | 0550-0630 | Eliminate all of these special requirements for the Portland area | Apply only in Clackamas, Columbia, Multnomah and Washington counties. 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. (Proposed SIP Implementation Change) |
| **210** | 0225(1)(a) & (c) | Correct spelling of de minimis | Correction |
| **210** | 0225(1) | Add requirement that changes that are subject to NESHAP or NSPS should not be included as Type 1 changes | Corrects a problem regarding the distinctions between the Type 1 and Type 2 changes. A project that qualifies as a Type 1 change gets default approval to proceed 10 days after receipt of the application.  There have been instances when companies have replaced a NESHAP subject chrome plating line (or lines) with entirely new equipment or have replaced the respective control devices.  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 there is insufficient time to respond to the applicant.  Sixty days should be allowed under the Type 2 criteria for such reviews.  With all of the new area source NESHAP permits, there may be many more similar scenarios.  Change the rule language to bump such changes into the Type 2 category to allow for adequate review time. |
| **210** | 0225(2) | List requirements for Type 2 changes rather than reference changes in 0225(1) | Clarification |
| **210** | 0230(1)(o) | Remove LUCS | LUCS should only be required for boundary changes or increased emissions. A Notice of Construction does not allow for either. |
| **216** | 0040(4) | Add requirement for owner/operator to correct permit application upon becoming aware of error | This is a requirement for Title V sources and should be the same for ACDP sources. |
| **216** | 0064 | Correct source category numbers to match Table 1 | Correction |
| **216** | 0064(3)(a)(x) | Add PM2.5 to category 78 | Using 5 tons as the threshold for requiring a permit in nonattainment areas provides more protection for the area through source surveillance. |
| **216** | 0064 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **216** | 0020 Table 1, Part B | Add PM2.5 to category 78 | Using 5 tons as the threshold for requiring a permit in nonattainment areas provides more protection for the area through source surveillance. |
| **216** | Table 1, Part C | Add 100,000 as the threshold for GHG. | The EPA threshold for GHG in the Tailoring Rule is 100,000 metric tons. |
| **216** | Table 1, Part C, 5 | Exclude GHG and HAPs | 100 tons threshold is too low for GHGs and HAPs thresholds are listed in 7 and 8 below. |
| **216** | 0040 | Add requirement for owner/operator to provide relevant information that was omitted or correct application if errors are found | Makes this rule consistent with Title V application requirements. |
| **216** | 0064(3)(a)(A)(x) | Add PM2.5 to category 78 | Makes this rule consistent with Table 1. |
| **222** | 0020 | Exclude toxic air pollutants in division 246 other than those listed in the SER table | This is consistent with the netting basis. |
| **222** | 0041(3)(c) | Add reference to division 224 for NSR | This is a clarification and consistent with other rules. |
| **224** | 0010(1) | Add provision that division 224 does not apply to non-federal major sources in attainment or unclassified areas. | This is a clarification. |
| **224** | 0010(3) | Add a provision sources can continue to use the PM10 Surrogate Policy until EPQ withdraws the policy. | EPA has not yet finalized standards for full implementation of PM2.5 NSR/PSD or withdrawn the PM10 Surrogate Policy. |
| **224** | 0050(1)(a) | Reformat to be consistent with 224-0060(1)(a) | This is a clarification. |
| **224** | 0050(3) | Delete federal major source | This section applies to more than just federal major sources. |
| **224** | 0050(3)(a) and (b) | Add GHG threshold | Need to address NSR pollutants but the threshold for GHG is different than the other NSR pollutants. |
| **224** | 0060(1) | Add precursors to the list of pollutants subject to BACT | BACT applies to non-attainment pollutants, as well as the precursors. |
| **224** | O070(1)(a) | Add provisions limiting BACT to only new or modified units that have actual or potential emission increases equal to or greater than the SER as compared to the portion of the netting basis assigned to the emissions unit. | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **224** | 0070(2) | Add provision that an air quality analysis is for the pollutant with increases above the SER over the netting basis | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **224** | 0070(2)(a) | Add provision that increases above the SER for precursors also trigger an analysis of PM2.5. | PM2.5 precursors have to be addressed in attainment and unclassified areas. |
| **224** | 0070(2)(b) | Change affects to impacts | This is a clarification. |
| **225** | 0020(12) | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0030 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0030(1) | Refer to averaging times by pollutant in Division 202 and delete Table 2. | This table is not necessary since the averaging times are the same as the ambient air quality standard averaging times. |
| **225** | 0045 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0045(1) | Clarify that a single source impact analysis is sufficient to show compliance with standards and increments for only the pollutants that trigger PSD | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **225** | 0050 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0050(1) | Clarify that a single source impact analysis is sufficient to show compliance with standards and increments for only the pollutants that trigger PSD | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **225** | 0060 | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0060(2)(a) | Clarify that a single source impact analysis is sufficient to show compliance with standards and increments for only the pollutants that trigger PSD | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **225** | 0060(2)(a) | Delete the editorial note about the table not being included with the rules | The Secretary of State will now include links to tables in PDF files |
| **225** | 0060(2)(c) | Clarify that a single source impact analysis is for emission increases equal to or greater than a significant emission rate above the netting basis due to the proposed source or modification | This change is recommended as a clarification to the rules consistent with how the rules have been applied. |
| **225** | 0090(2)(a)(C) | Add SO2 and NOx offsets for non-ozone areas | This offset ratios are based the presumptive levels established by EPA in the preamble to Significant Impact Levels (SILs) |
| **225** | 0090(2)(a)(D) | Add exception to net air quality benefit for small scale local energy projects | House Bill 2952 amended ORS 468A.040 to add an exception for small scale local energy projects regarding net air quality benefit |
| **225** | 0090(3) | Add SO2 and NOx offsets | This offset ratios are based the presumptive levels established by EPA in the preamble to Significant Impact Levels (SILs) |
| **225** | 0090(4) | Add NOx offsets | This makes the rule language consistent with EPA requirements in 40 CFR Part 51 and past implementation of the rule. |
| **225** | 0020 Table | Add K for PM2.5 | K is a pollutant specific constant for determining the range of influence of a competing source. |
| **225** | Table 1 | Delete Table 1 | Class I Significant Impact Levels are being added to Table I in Division 200 |
| **226** | 0010(1) | Definition of new source different from Division 208 | Incorporate dates for new and existing sources into rule |
| **226** | 0010(2) | Delete definition of particulate matter already in Division 200 | Delete and use Division 200 definition |
| **226** | 0010(5) | Definition of standard conditions different from Division 230 and 240 but same as Division 226 and 228 | Delete and incorporate into definition of standard cubic foot and move to Division 200 |
| **226** | 0010(6) | Definition of standard cubic foot different from Division 236 and 240 | Use definition in 240 and move to Division 200 |
| **226** | 0120 | Change all instances of fuel burning equipment to external combustion devices | This is consistent with the change to the definition of fuel burning equipment |
| **226** | 0210 | Make it so source specific rules in other Divisions, as well as the NSPS and NESHAP, supersede the general requirements. | New Source Performance Standards (NSPS) and National Emission Standard for Hazardous Air Pollutants are specifically written for certain industries. These rules are more stringent than the general permitting requirements. By applying only the industry specific standards, the Department will eliminate confusion and steamline permitting requirements. (Proposed SIP Implementation Change) |
| **226** | 0210(1) & (2) | Change 0.2 gr/dscf and 0.1 gr/dscf to 0.20 and 0.10 and add compliance schedule | This change is based on 06/06/90 EPA guidance and also to help meet the new PM2.5 ambient air quality standard. |
| **226** | 0300 though 0320 | Eliminate the process weight limit | DEQ proposes to repeal OAR 340-226-0300 through 0320 because it has limited applicability and because other rules make this rule largely redundant. |
| **228** | 0020(1) | Delete definition of ASTM already in Division 200 | Delete and use definition in Division 200 |
| **228** | 0020(4) | Definition of fuel burning equipment different than Divisions 208 and 240 | Change definition of fuel burning equipment to “external combustion device,” delete from Divisions 208, 228, and 240, move to Division 200. Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). |
| **228** | 0020(5) | Delete definition of new source and include dates in 228-0200 and 228-0120 | Incorporate dates for new sources into rule |
| **228** | 0020(7) | Definition of standard conditions different from Division 230 and 240 but same as Division 208 and 226 | Delete and incorporate into definition of standard cubic foot and move to Division 200 |
| **228** | 0020(8) | Definition of standard cubic foot different from Division 236 and 240 | Use definition in 240 and move to Division 200 |
| **228** | 0200 | Exempt sources subject to source specific standards in other Divisions, NSPS (division 238), or NESHAP (division 244). | New Source Performance Standards (NSPS) and National Emission Standard for Hazardous Air Pollutants are specifically written for certain industries. These rules are more stringent than the general permitting requirements. By applying only the industry specific standards, the Department will eliminate confusion and steamline permitting requirements. (Proposed SIP Implementation Change) |
| **228** | 0200(3) | Add a provision that emissions units exempt from this rule must have a startup/shutdown procedures | Emission units that are subject to source specific rules in other Divisions, as well as the NSPS and NESHAP, must have startup/shutdown procedures approved because these rules do not apply during startup/shutdown (Proposed SIP Implementation Change) |
| **228** | 0210 | Exempt sources subject to source specific standards in other Divisions, NSPS (division 238), or NESHAP (division 244). | New Source Performance Standards (NSPS) and National Emission Standard for Hazardous Air Pollutants are specifically written for certain industries. These rules are more stringent than the general permitting requirements. By applying only the industry specific standards, the Department will eliminate confusion and steamline permitting requirements. (Proposed SIP Implementation Change) |
| **228** | 0210(1) | Change 0.2 and 0.1 gr/dscf limit to 0.20 and 0.10 gr/dscf. | This change is based on 06/06/90 EPA guidance and also to help meet the new PM2.5 ambient air quality standard. |
| **228** | 0210(3) | Add test method | A test method should always be specified with each standard in order to be able to show compliance |
| **228** | 0210(4) | Add date for compliance. | This change is based on 06/06/90 EPA guidance and also to help meet the new PM2.5 ambient air quality standard. |
| **228** | 0210(5) | Add a provision that emissions units exempt from this rule must have a startup/shutdown procedures | Emission units that are subject to source specific rules in other Divisions, as well as the NSPS and NESHAP, must have startup/shutdown procedures approved because these rules do not apply during startup/shutdown (Proposed SIP Implementation Change) |
| **228** | 0300 | Update federal reference for 40 CFR Parts 72, 75 and 76 from July 1, 2006 | Changes adopted on July 2, 2010 |
| **232** | 0030(19) | Definition of emission unit different from Division 200 | Delete and use Division 200 definition |
| **232** | 0030(31) | Definition of hardboard different from Division 234 and 240 | Use definition from Division 234 and Division 240 and move to Division 200 |
| **232** | 0030(42) | Definition of major modification different from Division 200 | Delete and use Division 200 definition |
| **232** | 0030(43) | Definition of major source different from Division 200 | Delete and use Division 200 definition |
| **232** | 0030(54) | Definition of person different from Division 200 | Use definition from Division 232 and move to Division 200 |
| **232** | 0030(57) | Definition of potential to emit different from Division 200 | Delete and use Division 200 definition |
| **232** | 0030(68) | Definition of source different from Division 200 | Delete and use Division 200 definition |
| **232** | 0030(69) | Definition of source category different from Division 200 | Delete and use Division 200 definition |
| **234** | 0010(1) | Definition of acid absorption tower no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(2) | Definition of acid plant no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(3) | Definition of average daily emission no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(4) | Definition of average daily production no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(5) | Definition of average operating opacity same as Division 240 | Move to Division 200 |
| **234** | 0010(7) | Definition of blow system no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(11) | Definition of continuous-flow conveying system no longer needed | This definition is not used in this division. |
| **234** | 0010(13) | Definition of Department already in Division 200 | Delete and use Division 200 definition |
| **234** | 0010(14) | Definition of emission different from Division 200 | Delete and use Division 200 definition |
| **234** | 0010(15) | Definition of EPA Method 9 same as Division 240 | Move to Division 200 |
| **234** | 0010(16) | Delete definition of fuel moisture content. | Incorporated language into OAR 340-234-0510(1)(c)(A) and (B) |
| **234** | 0010(17) | Definition of fugitive emissions different from Division 200 and 236, same as Division 240 | Delete and use Division 200 definition |
| **234** | 0010(18) | Definition of hardboard different from Division 232 but same as Division 240 | Use definition from Division 234 and move to Division 200 |
| **234** | 0010(21) | Definition of maximum opacity same as Division 240 | Move to Division 200 |
| **234** | 0010(23) | Definition of neutral sulfite semi-chemical (NSSC) pulp mill no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(27) | Definition of particle board same as Division 240 | Move to Division 200 |
| **234** | 0010(28) | Definition of particulate matter 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. |
| **234** | 0010(29) | Definition of parts per million same as Division 230 | Move to Division 200 |
| **234** | 0010(30) | Definition of person already in Division 200 | Delete and use Division 200 definition |
| **234** | 0010(32) | Definition of press cooling vent same as Division 240 | Move to Division 200 |
| **234** | 0010(39) | Definition of spent liquor incinerator no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(42) | Definition of sulfite mill no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(43) | Definition of sulfur oxides no longer needed | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0010(44) | Definition of total reduced sulfur already Division 200 | Delete and use Division 200 definition |
| **234** | 0010(45) | Definition of veneer same as Division 240 | Move to Division 200 |
| **234** | 0010(46) | Definition of wigwam fired burner (not used) same as definition of wigwam waste burner in Division 240 | Move to Division 200 |
| **234** | 0240(2)(a) | Add 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. |
| **234** | 0300-0360 | Delete neutral sulfite semi-chemical pulp mill rules | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0400-0430 | Delete sulfite pulp mill rules | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **234** | 0500(2) | 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). |
| **234** | 0510(1)(b)(A) | 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. |
| **234** | 0510(1)(c)(A) and (B) | 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). |
| **234** | 0510(2)(b) | 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). |
| **234** | 0520(2)(b) | 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). |
| **234** | 0530(2)(c) | 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). |
| **234** | 0540 | 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 |
| **236** | 0010(1) | Delete definition of all sources | No longer needed since primary aluminum and ferronickel rules are being repealed |
| **236** | 0010(2) | Delete definition of annual average | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(3) | Delete definition of anode baking plant | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(4) | Delete definition of anode plant | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(5) | Delete definition of average dry laterite ore production rate | No longer needed since ferronickel rules are being repealed |
| **236** | 0010(6) | Definition of collection efficiency different from Division 240 | Use Division 240 definition and move to Division 200 |
| **236** | 0010(7) | Definition of Commission different from Division 200 | Delete and use Division 200 definition |
| **236** | 0010(8) | Delete definition of cured forage | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(9) | Definition of Department different from Division 200 | Delete and use Division 200 definition |
| **236** | 0010(11) | Delete definition of average dry laterite ore | No longer needed since ferronickel rules are being repealed |
| **236** | 0010(12) | Definition of emission different from Division 200, same as Division 240 | Delete and use Division 200 definition |
| **236** | 0010(14) | Delete definition of ferronickel | No longer needed since ferronickel rules are being repealed |
| **236** | 0010(15) | Delete definition of fluorides | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(16) | Delete definition of forage | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(17) | Definition of fugitive emissions different from Division 200, 234, 240 | Delete and use Division 200 definition |
| **236** | 0010(19) | Delete definition of laterite ore | No longer needed since ferronickel rules are being repealed |
| **236** | 0010(20) | Delete definition of monthly average | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(21) | Definition of particulate matter different from Division 200, 234, 238, 240 | Move to Division 200 |
| **236** | 0010(22) | Delete definition of primary aluminum plant | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(24) | Delete definition of pot line primary emission control systems | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(26) | Delete definition of pot line regularly schedule monitoring | No longer needed since primary aluminum rules are being repealed |
| **236** | 0010(27) | Definition of source test already in Division 200 | Delete and use Division 200 definition |
| **236** | 0010(28) | Definition of standard cubic foot different from Division 236 and 240 | Use definition in 240 and move to Division 200 |
| **236** | 0100-0150 | Delete primary aluminum standards | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **236** | 0200-0230 | Delete laterite ore production of ferronickel rules | These sources no longer exist in the state. If a new source did build a facility, New Source Review, New Source Performance Standards and MACT would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **236** | 0410 | Eliminate different standards for inside and outside of special control areas. | All asphalt plants should comply with the requirements, regardless of where they are located. (Proposed SIP Implementation Change) |
| **236** | 0410 | 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. |
| **236** | 0410(3) | Add test method | A test method should always be specified with each standard in order to be able to show compliance |
| **236** | 0420 | Delete “Other Established Air Quality Limitations” | Make it so source specific rules in other Divisions, as well as the NSPS and NESHAP, supersede the general requirements. Other Established Air Quality Limitations refer to general requirements. (Proposed SIP Implementation Change) |
| **240** | 0030(1) | Definition of air contaminant already in Division 200 | Delete and use Division 200 definition |
| **240** | 0030(3) | Definition of average operating opacity same as Division 234 | Move to Division 200 |
| **240** | 0030(4) | Delete definition of charcoal producing plant | No longer needed since Charcoal Producing Plant rules are being repealed |
| **240** | 0030(5) | Definition of collection efficiency different than Division 236 | Use Division 240 definition and move to Division 200 |
| **240** | 0030(6) | Definition of Department already in Division 200 | Delete and use Division 200 definition |
| **240** | 0030(9) | Definition of dry standard cubic foot different from standard cubic foot in Division 236 | Use definition of standard cubic foot and Move to Division 200 |
| **240** | 0030(10) | Definition of emission different from Division 200, same as Division 234 | Delete and use Division 200 definition |
| **240** | 0030(11) | Definition of EPA Method 9 same as Division 234 | Move to Division 200 |
| **240** | 0030(12) | Definition of facility different from Division 238 | Move to Division 200 but make exception for Division 238 NSPS definition |
| **240** | 0030(13) | Definition of fuel burning equipment different than Division 208 and 228 | Change definition of fuel burning equipment to “external combustion device,” delete from Divisions 208, 228, and 240, move to Division 200. Avoids confusion about indirect heat transfer (e.g., boilers), direct heat transfer (e.g., dryers), and internal combustion devices (e.g., gas turbines). |
| **240** | 0030(11) and (12) | Delete definitions of fuel moisture content. | Incorporated language into OAR 340-240-0120(1)(e) and (f) |
| **240** | 0030(16) | Definition of fugitive emissions different from Division 200 and 236, same as Division 234 | Delete and use Division 200 definition |
| **240** | 0030(18) | Definition of hardboard different from Division 232 but same as Division 234 | Use definition from Division 234 and Division 240 and move to Division 200 |
| **240** | 0030(22) | Definition of lowest achievable emission rate already in Division 200 | Delete and use Division 200 definition |
| **240** | 0030(23) | Move definition of maximum opacity to Division 200, same as Division 234 | Move to Division 200 |
| **240** | 0030(29) | Delete definition of offset | This definition refers to the definition in Division 200 |
| **240** | 0030(32) | Definition of particle board same as Division 234 | Move to Division 200 |
| **240** | 0030(33) | Definition of particulate matter different from Division 200, 234, 236, 238 | Move to Division 200. |
| **240** | 0030(34) | Definition of person already in Division 200 | Delete and use Division 200 definition |
| **240** | 0030(35) | Definition of press cooling vent same as Division 234 | Move to Division 200 |
| **240** | 0030(37) | Definition of source different from Division 200 | Delete and use definition in Division 200 |
| **240** | 0030(38) | Definition of standard conditions different from Division 230 and 240 but same as Division 226 and 228 | Delete and incorporate into definition of standard cubic foot and move to Division 200 |
| **240** | 0030(39) | Definition of veneer same as Division 234 | Move to Division 200 |
| **240** | 0030(42) | Definition of wigwam fired burner (not used) same as definition of wigwam waste burner in Division 234 | Delete and move definition of wigwam waste burner to Division 200 |
| **240** | 0120(1)(a) | 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. |
| **240** | 0120(1)(e) and (f) | Incorporate fuel moisture content into rule and add test method | This clarifies the requirement |
| **240** | 0120(2) | 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). |
| **240** | 0150(3) | 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). |
| **240** | 0170 | Delete Charcoal Producing Plant rules | These sources no longer exist in the state outside of Lane County. If a new source did build a facility, New Source Review would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **240** | 0220(1)(b) and (e) | Delete dates in the past | The required testing dates are already past |
| **240** | 0220(1)(b) | Delete requirement for source testing of charcoal producing plant | These sources no longer exist in the state outside of Lane County. If a new source did build a facility, New Source Review would apply. These rules would be more stringent than the existing rules. (Proposed SIP Implementation Change) |
| **240** | 0220(6) | 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. |