1. Problem(s):
   1. Opacity limits are not a good standard for fugitive emissions sources because it is difficult to quantify emissions due to interferences and poorly defined plumes.
   2. Current rules apply to all sources whether or not more specific requirements apply in other Divisions, NSPS, or NESHAP. Source specific rules are developed taking into consideration process designs and controls so they should take precedents over general standards.
   3. A source can have multiple standards depending on the type of equipment and when it was installed, whether it was an “existing” wood waste boiler. Including multiple limits in a permit for similar type equipment is confusing.
   4. There are different standards for sources located in inside and outside of “special control areas”. This creates an inequity for sources and can be confusing to inspectors.

Permitting: Changes would make it easier to write permits because fewer standards would have to be included in the permits. This would simplify applicability criteria and streamline permitting requirements

Statutory authority: ORS 468.020 and 468A.025

Stringency:

* + 1. Eliminating opacity limits for fugitive sources may be considered a relaxation. We need to make the argument that visual emissions limits were never intended to be used for fugitive sources. We will also need to make sure that 208-0210 will adequately cover fugitive sources in lieu of opacity limits. It may be necessary to add additional work practice requirements as in 340-240-0180.

Environmental backsliding:

1. Eliminating the visual emission limits for fugitive sources will be considered backsliding unless we can demonstrate that there are adequate work practice standards in place to control fugitive emissions.
2. Exempting some sources from the state standards may be considered backsliding because the federal standards don’t usually apply during startup, shutdown, or malfunctions. However, we just need to point out that we would not pursue formal enforcement action for excess emissions during these periods because they are considered unavoidable.

SIP revision - Appendix 7 (protection of NAAQS and PSD increment):

1. Somehow we have to show EPA that the changes will not have an effect on the air quality.

We may be able to rely on other states that have recently revised their SIPs for similar reasons