

Invitation to Comment

Infrastructure SIP PM 2.5

DEQ invites input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules.

DEQ proposal

See far right column to learn how to comment on this proposal. DEQ proposes the following changes to OAR 340, division number for

- Amend 340-200-0004 to update the Oregon Clean Air Act State Implementation Plan
- Amend 340-202-0060(3) to incorporate the annual primary ambient air quality standard for PM 2.5
- Amend 340-250-0030(22) to include PM 2.5 in the definition of National Ambient Air Quality Standard (NAAQS)

Rulemaking goal

The goal of this rulemaking is to update Oregon's Clean Air Act State Implementation Plan to ensure DEQ has the authority to implement the current NAAQS for PM 2.5.

DEQ requests public comment on whether to consider other options for achieving these rules' substantive goals while reducing the rules' negative economic impact on business. DEQ's statement of fiscal and economic impact is in the notice at: [DEQ Rules](#).

Who does this affect?

The proposed amendment of Oregon Administrative Rule 340-200-0040 to incorporate the latest NAAQS for PM 2.5 into the State of Oregon Clean Air Act Implementation Plan does not add or remove any parties regulated by DEQ. However, it does reflect meeting a more restrictive test.

Attend a hearing

DEQ invites you to attend the public hearing listed below. The presiding officer will provide a brief overview of the proposal before inviting your spoken or written comment.

More information

The proposed rules and notice for this rulemaking are on DEQ's rules and regulations web page. [DEQ Rules](#)

Sign up for rulemaking notices

Get email updates about future DEQ proposed rule by signing through [GovDelivery](#).

Documents used to develop proposal

DEQ relied on the following documents to consider the need for the proposed rules and to prepare the rulemaking documents.

- 2011 Oregon Title V Emissions Inventory (DEQ): Available upon request.
- TRAACS database query for large businesses (DEQ): Available upon request.
- [2013 Oregon Annual Ambient Air Monitoring Network Plan](#) (DEQ)
- [Infrastructure and Interstate Transport SIPS](#) (EPA)
- [Interstate Transport Technical Support Documents](#) (EPA)

The notice lists documents that DEQ relied on to consider the need for the proposed rules and prepare the rulemaking documents.

Rulemaking dates

Hearing locations

Thursday, July 16, 2015
5-6 p.m.
DEQ Headquarters, Room EQC B
811 SW 6th Avenue
Portland, OR 97204
Presiding Officer: DEQ staff

Comment deadline

To consider comments on the proposed rules, DEQ must receive the comment by 4 p.m. on July 20, 2015.

What will happen next?

DEQ will prepare a written response to each comment or summary of similar comments received by the comment deadline. DEQ may modify the rule proposal based on the comments.

Comments or summary of comments and responses will become part of the DEQ staff report that will go to the Oregon [Environmental Quality Commission](#) for final decision.



State of Oregon
Department of
Environmental
Quality

Online
[Submit comments](#)

[Protected email for public
university and OHSU students](#)

By mail
Oregon DEQ
Attn: Program Lead
811 SW 6th Avenue
Portland, OR 97204-1390

By fax
503-229-5675
Attn: Nancy Cardwell

At hearing
July 16, 2015
5-6 p.m.

Comment deadline
4 p.m., July 20, 2015

Present proposal to the EQC

The Environmental Quality Commission is the board that reviews all proposed changes to division 340 of the Oregon Administrative Rules. The commission adopts, rejects, or adopts with changes, any proposed rule.

DEQ plans to take the completed draft proposal, including any modifications made in response to public comments to the commission for decision at its meeting in October, 2015.

If EQC approves the proposed rules and incorporating the amendments into the Oregon Clean Air Act State Implementation Plan under OAR 340-200-0040, DEQ will submit the revised state implementation plan to EPA.

Accessibility information

You may review copies of all websites and documents referenced in this announcement at:

DEQ Headquarters
811 SW 6th Ave,
Portland, OR 97204

To schedule a review, call or toll-free in Oregon at 1-800-452-4011, extension.

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. Hearing impaired persons may call 711.



Oregon Department of Environmental Quality
June 15, 2015
Notice of Proposed Rulemaking

Update Oregon State Implementation Plan for Annual Fine Particulate Matter (PM 2.5) Standard; Amend Definition of National Ambient Air Quality Standards to include PM 2.5; and Address the Interstate Transport of Nitrogen Dioxide (NO₂), Sulfur Dioxide (SO₂), Lead (Pb) and Fine Particulate Matter (PM 2.5)

Overview

Oregon must update its Clean Air Act State Implementation Plan to ensure that DEQ has the authority to implement the current National Ambient Air Quality Standards for PM 2.5. These proposed rule amendments update infrastructure elements of Oregon's State Implementation Plan and allow DEQ to request that the U.S. Environmental Protection Agency approve the revised Oregon State Implementation Plan.

Short summary

DEQ proposes the Oregon Environmental Quality Commission approve the proposed rules for incorporation into the Oregon Clean Air Act State Implementation Plan and submittal to the U.S. Environmental Protection Agency for its approval under the federal Clean Air Act. After the public notice period, DEQ will submit the proposed rules to EQC for approval. Following the commission's approval, DEQ will submit the proposed rules to EPA for its approval.

The proposed rule amendments incorporate a revised annual National Ambient Air Quality Standard for PM 2.5 and amend the definition of NAAQS to include PM 2.5 in Oregon's administrative rule. These changes will allow Oregon to meet Clean Air Act requirements and request that EPA approve Oregon's revised State Implementation Plan.

The proposal includes the following actions:

- Amend Oregon Administrative Rule 340-200-0040 to update the Oregon Clean Air Act State Implementation plan. If EQC adopts the amendments, the actions proposed in this rulemaking will be incorporated into and made part of the Oregon SIP.
- Amend OAR 340-202-0060(3) to incorporate the annual national primary ambient air quality standard for PM 2.5, adopted by the EPA, Dec.14, 2012, and effective on March 18, 2013.
- Amend OAR 340-250-0030(22) to include PM 2.5 as part of the definition of NAAQS.

In addition to the rule amendments outlined above, a "crosswalk" titled "Infrastructure SIP Submittal for Purposes of Clean Air Act Sections 110(a)(1) and (2) for the 2012 PM 2.5 NAAQS" is included with this proposal. The crosswalk is attached to this notice as Attachment B. The crosswalk identifies existing Oregon Administrative Rules and corresponding Oregon Revised Statutes that demonstrate

DEQ has the necessary authorities in place to implement requirements of Sections 110(a)(1) and (a)(2) of the CAA with respect to the current NAAQS for PM 2.5. They are included for EQC approval and submittal to EPA as documentation that the infrastructure elements of the Oregon SIP meet the requirements of the CAA as they relate to the PM 2.5 NAAQS.

Brief history

Section 110 of the CAA, 42 U.S.C. §7410, requires state and local air pollution control agencies to adopt federally approved control strategies to minimize air pollution. The resulting body of regulations is known as the State Implementation Plan, or more commonly called a “SIP.”

SIPs serve two main purposes:

1. To demonstrate that the state has the basic air quality management program components in place to implement new or revised NAAQS; and
2. To identify the emissions control requirements the state will rely upon to attain and/or maintain the primary and secondary NAAQS.

All states are required to submit SIPs with general infrastructure elements showing the state has the capacity to implement new or revised NAAQS. Infrastructure SIP submittals must include the basic program requirements for managing air quality required in Section 110(a)(2) of the CAA as listed in Table 1 below.

Table 1: Required Infrastructure Elements Tracked for Each State

Section 110(a)(2)(A)	Emission limits and other control measures
Section 110(a)(2)(B)	Ambient air quality monitoring/data system
Section 110(a)(2)(C)	Program for enforcement of control measures
Section 110(a)(2)(D)(i)	I Prong 1: Interstate transport - significant contribution
Section 110(a)(2)(D)(i)	I Prong 2: Interstate transport - interfere with maintenance
Section 110(a)(2)(D)(i)	II Prong 3: Interstate transport - prevention of significant deterioration
Section 110(a)(2)(D)(i)	II Prong 4: Interstate transport - protect visibility
Section 110(a)(2)(D)(ii)	Interstate and international pollution abatement
Section 110(a)(2)(E)	Adequate authority and resources
Section 110(a)(2)(F)	Stationary source monitoring system
Section 110(a)(2)(G)	Emergency power
Section 110(a)(2)(H)	Future SIP revisions
Section 110(a)(2)(J)	Consultation with government officials; Public notification; PSD and visibility protection
Section 110(a)(2)(K)	Air quality modeling/data
Section 110(a)(2)(L)	Permitting fees
Section 110(a)(2)(M)	Consultation/participation by affected local entities

The Clean Air Act requires the EPA to set National Ambient Air Quality Standards for widespread pollutants from numerous and diverse sources considered harmful to public health and the environment. The Act established two types of standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children and the elderly. Secondary standards set limits to protect public welfare, including protection against visibility impairment, damage to animals, crops, vegetation and buildings. The Act requires periodic review of the science on which the standards are based and the standards themselves.

SIPs generally establish emission limits or work practice standards to minimize emissions of air pollutants (and their precursors) for which EPA has issued air quality criteria (the “criteria pollutants”).

The six current criteria pollutants are sulfur oxides (sulfur dioxide as indicator), particulate matter, oxides of nitrogen (nitrogen dioxide as indicator), lead, carbon monoxide and ozone. EPA has established NAAQS for these pollutants and updated these standards over time. As the standards change, states must submit revisions to the infrastructure elements of their SIPs to reflect these changes.

On Dec. 14, 2012, EPA revised the annual national primary ambient air quality standard for PM 2.5 to protect the public from adverse health effects, as appropriate under CAA Section 109. EPA revised the annual NAAQS for fine particle to 12.0 micrograms per cubic meter (μm^3) and retained the 24-hour fine particle standard of 35 μm^3 and secondary annual fine particulate standard of 15 $\mu\text{g}/\text{m}^3$.

Main Functions of a State Clean Air Act Implementation Plan

Three overarching activities occur when a NAAQS is added or revised, as summarized below:

- Within two years of revising the NAAQS for a criteria pollutant, EPA is required to identify or “designate” areas as meeting (attainment areas) or not meeting (nonattainment areas) the standard. Designations are based on the most recent set of air monitoring data. (See CAA Section 107(d)(1)(B); 42 U.S.C. § 7407(d)(1)(B).)
- Within three years of EPA designations, all states must submit revisions to their state implementation plans to show they have the basic air quality management program components in place to implement a new or revised NAAQS, as specified in CAA section 110. These plans are often called “infrastructure SIPs.” (See CAA Section 110(a)(1); 42 U.S.C. § 7410(a)(1)).
- Within three years of area designations, states are required to submit nonattainment area SIPs to EPA for any criteria pollutant for which the standard is not met. Each nonattainment area SIP must outline the strategies and emissions control measures that show how the area will improve air quality and meet the national ambient air quality standards. (See CAA Section 172; 42 U.S.C. § 7502.)

Table 2: EPA Area Designations for Revised PM 2.5 NAAQS in Oregon

2014 PM 2.5 (Annual)	EPA designated all of Oregon as unclassifiable/attainment in a final rule published on 1/15/15 (80 Federal Register 2206), effective 4/15/2015
2009 PM 2.5 (24 hour)	EPA designated Klamath Falls and Oakridge as nonattainment in a final rule published on 11/13/09 (74 Federal Register 58688), effective 12/14/2009

Air Quality Monitoring

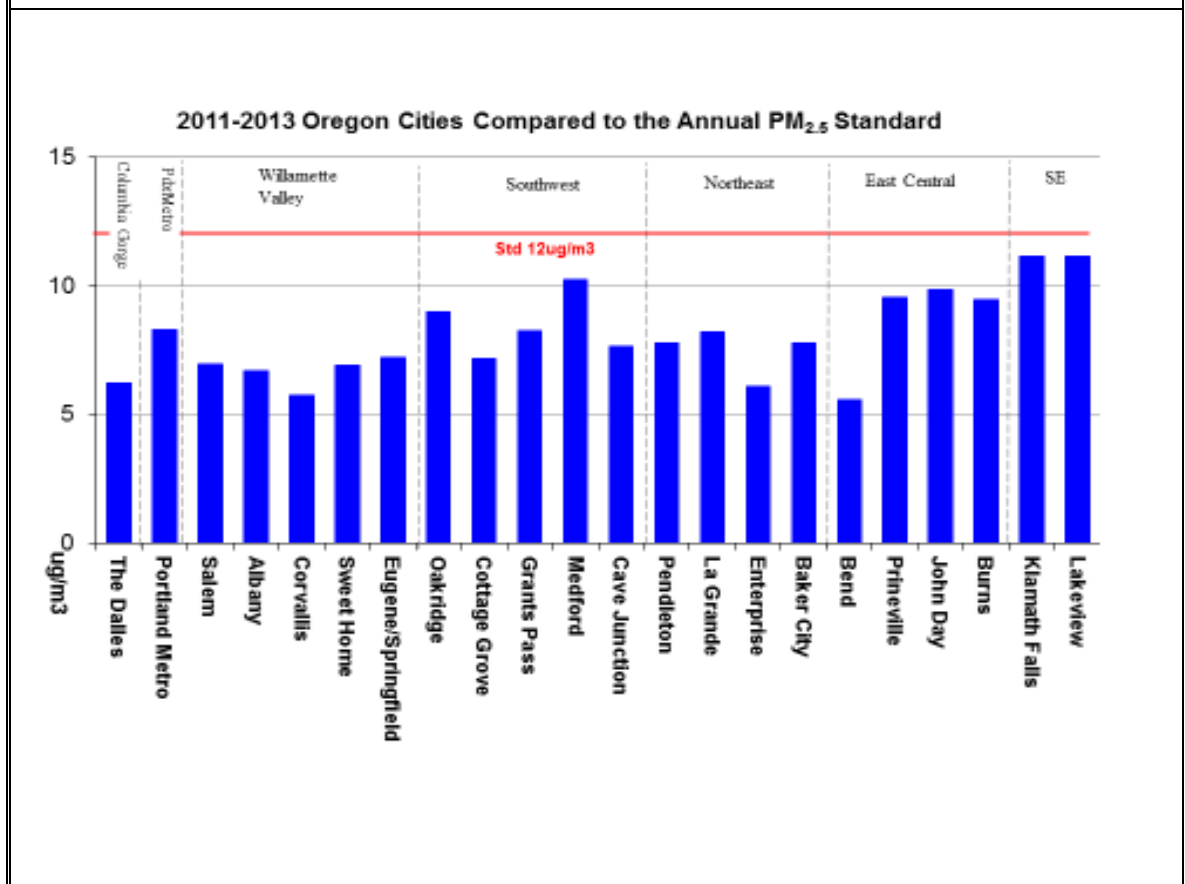
DEQ conducts ambient air quality monitoring as Title 40, Code of Federal Regulations section 58.10 specifies. This rule requires state and local air quality agencies to develop and submit an annual ambient air quality monitoring network plan to EPA by July 1 of each year. The DEQ ambient air quality monitoring network is designed in response to EPA’s National Monitoring Strategy to meet the five basic monitoring objectives federal regulations specify:

- (1) To determine highest concentrations expected to occur in the area covered by the network;
- (2) To determine representative concentrations in areas of high population density;
- (3) To determine the impact of significant sources or source categories on ambient pollution levels;
- (4) To determine general background concentration levels; and
- (5) To determine transport characteristics into and out of airsheds.

DEQ monitors ambient air concentrations of PM 2.5 throughout Oregon. The state meets the annual PM 2.5 standard all across the state and all areas are in attainment. Federal reference monitors are located in:

- Medford
- Grants Pass
- Portland Metro Area (Portland and Hillsboro)
- Eugene/Springfield
- Oakridge
- Cottage Grove
- Klamath Falls
- Lakeview
- Burns
- Prineville

Figure 1: Annual PM_{2.5} Standard Comparison in Oregon



Infrastructure SIP submittals

This proposal addresses the CAA requirement that states must submit infrastructure SIPs within three years of a NAAQS revision to demonstrate they have the basic air quality program components in place

to implement the revised NAAQS. The proposed rule amendments are needed to ensure DEQ has the necessary authority to enforce and implement the latest national standards for PM 2.5.

The proposed rule amendments would revise the existing ambient air quality standards for PM 2.5 under Oregon Administrative Rule chapter 340, division 202 to reflect the annual NAAQS for fine particles (PM_{2.5}) EPA adopted.

Regulated parties

The proposed amendment of Oregon Administrative Rule 340-200-0040 to incorporate the latest NAAQS for PM 2.5 into the State of Oregon Clean Air Act Implementation Plan does not add or remove any parties regulated by DEQ. However, it does reflect meeting a more restrictive test.

Request for other options

DEQ must adopt the proposed rule amendments to allow DEQ's implementation of the NAAQS for this pollutant and to enable DEQ to request that EPA approve the proposed amendments as revisions to the Oregon SIP. The proposed rule amendments are necessary to update infrastructure elements of the Oregon SIP by incorporating the revised national standards for PM 2.5 in order to comply with the requirements of the Clean Air Act. Therefore, DEQ has not requested input for other options.

DEQ welcomes public comments on any aspect of this proposed rulemaking during the public comment period.

Crosswalk Submittal and Interstate Transport

Infrastructure SIP: Other documentation

Crosswalk: In addition to the rule amendments described above, DEQ is submitting what is referred to as a “crosswalk” for EQC approval and submittal to EPA (Attachment B). A separate crosswalk is provided for PM 2.5 with this rulemaking proposal, addressing the required infrastructure SIP elements of CAA Section 110(a)(2)(A) - 110(a)(2)(M). DEQ developed the crosswalk in collaboration with EPA Region 10. The crosswalk is included with this proposal for EQC approval and submittal to EPA as DEQ’s demonstration that the Oregon SIP meets the infrastructure requirements to implement, maintain and enforce the annual NAAQS for PM 2.5 as specified in Section 110 of the Clean Air Act. The crosswalk addresses the required infrastructure elements of Section 110(a)(1) and 110(a)(2). While the crosswalk is not considered part of the official record of Oregon’s SIP, it is proposed for submittal to EPA as a reference tool to demonstrate how applicable Oregon Administrative Rules and authorizing Oregon Revised Statutes correspond to and satisfy federal CAA Section 110(a)(1) and (a)(2) requirements for Infrastructure SIP submittals. DEQ has made an effort to include the relevant Oregon Administrative Rules and corresponding Oregon Revised Statutes in the crosswalks for ease of reference. However, it should be noted that the official record of Oregon Administrative Rules that constitute the federally-approved Oregon State Implementation Plan is listed in subpart MM of 40 C.F.R, part 52.

Interstate Transport: The interstate transport provision in the CAA, section 110(a)(2)(D)(i), (also called “the good neighbor” provision) requires each state to submit a SIP that prohibits emissions that will have certain adverse air quality effects in other states. This section of the SIP is due within three years of the EPA establishing a new or revised NAAQS. DEQ’s State Implementation Plan addresses the interstate transport of PM 2.5. **Note:** The interstate transport submittal also addresses Sulfur Dioxide (SO₂), Nitrogen Dioxide (NO₂) and Lead (Pb) SIP standards updated in 2013. (Attachment C).

Statement of need

What need would the proposed rule address?

States have a legal obligation under the Clean Air Act to amend their administrative rules to adopt new or revised NAAQS and incorporate these standards into their State Clean Air Act Implementation Plans. Amendments to Oregon Administrative Rule are needed to incorporate the annual NAAQS for fine particulate matter (PM 2.5) into the DEQ standard and to revise the definition of NAAQS to incorporate PM 2.5 into the Oregon SIP.

How would the proposed rule solve the problem?

The proposed rule amendments will incorporate the annual NAAQS for PM 2.5, as the CAA requires, as well as revise the Oregon Administrative Rule definition of NAAQS to incorporate PM 2.5 for clarification. If adopted, these proposed rule amendments will allow DEQ to submit the revised infrastructure SIP requirements to the U.S. Environmental Protection Agency for approval as revisions to the Oregon SIP.

How will DEQ know the problem has been solved?

Once EQC adopts them, DEQ will file the proposed rule amendments with the Secretary of State and submit them to EPA for approval as documentation of the updates made to the Oregon SIP. DEQ will know the problem has been solved when EPA approves the updated infrastructure elements of Oregon's SIP and those elements are published in the Federal Register.

Rules affected, authorities, supporting documents

Lead division

Environmental Solutions

Program or activity

Air Planning

Chapter 340 action

Amend

OAR 340-200-0020; OAR 340-202-0060(3); OAR 340-250-0030(22)

Statutory authority

ORS 468 and 468A

Statute implemented

ORS 468A

Documents relied on for rulemaking

Document title	Document location
Infrastructure and Interstate Transport SIPS (EPA)	http://www.epa.gov/airquality/urbanair/sipstat/us/reports/or_infrabypoll.html
Interstate Transport Technical Support Documents (EPA)	http://www.regulations.gov/#!documentDetail;D=EPA-R10-OAR-2011-0446-0012
2011 Oregon Title V Emissions Inventory (DEQ)	Document available upon request from DEQ Headquarters, 811 SW 6 th Ave. Portland, OR 97024
TRAACS database query for large businesses (DEQ)	Document available upon request from DEQ Headquarters, 811 SW 6 th Ave. Portland, OR 97024
2013 Oregon Annual Ambient Air Monitoring Network Plan (DEQ)	http://www.deq.state.or.us/aq/forms/2013AQMonNetPlan.pdf

Fee Analysis

This rulemaking does not involve fees.

Statement of fiscal and economic impact

[ORS 183.335 \(2\)\(b\)\(E\)](#)

Fiscal and Economic Impact

This proposal would have a fiscal impact on DEQ to the extent that resources are necessary to implement the new PM 2.5 NAAQS. DEQ's current budget includes resources to implement the NAAQS monitoring program as well as conduct planning, technical analysis and monitoring, rulemaking, and community outreach activities as needed if compliance problems with federal NAAQS occur in the future. States are routinely required to incorporate federal revisions to the NAAQS into their rules and subsequently revise their State Implementation Plans to address related infrastructure elements. The CAA requires EPA to revise the national standards for a criteria pollutant when new information is available to suggest a more protective standard is necessary to protect public health and welfare.

There may be a fiscal impact on new and modified industrial sources or other emissions source categories in Oregon if controls or strategies are needed to meet the more stringent standard. If such controls are needed DEQ will do an analysis of the fiscal and economic impacts at that time.

Statement of Cost of Compliance

Because the NAAQS are federal requirements under the CAA, DEQ is required to adopt and implement these standards in Oregon.

Documents relied on for fiscal and economic impact

None were necessary.

Advisory committee

DEQ did not appoint an advisory committee for the proposed permanent rule amendments. This rulemaking proposal is necessary to align Oregon Administrative Rules with federally revised NAAQS under the CAA. The proposed changes are required to demonstrate that Oregon DEQ has the appropriate rules, programs and agreements in place to implement the CAA. As such, there was no policy choice to be made which an advisory committee's input could help inform.

Housing cost

To comply with [ORS 183.534](#), DEQ determined the proposed rules would have no effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel.

Federal relationship

"It is the policy of this state that agencies shall seek to retain and promote the unique identity of Oregon by considering local conditions when an agency adopts policies and rules. However, since there are many federal laws and regulations that apply to activities that are also regulated by the state, it is also the policy of this state that agencies attempt to adopt rules that correspond with equivalent federal laws and rules" [ORS 183.332](#)

Relationship to federal requirements

This section complies with [OAR 340-011-0029](#) and [ORS 468A.327](#) to clearly identify the relationship between the proposed rules and applicable federal requirements.

The proposed rules would incorporate the federal regulation 40 C.F.R., Section 50.18, national primary ambient air quality standards for PM_{2.5} (particles with an aerodynamic diameter of less than or equal to a nominal 2.5 micrometers).

What alternatives did DEQ consider if any?

DEQ must adopt the proposed rule amendments to allow it to implement national ambient air quality standards for PM_{2.5} and to allow the agency to ask EPA to approve the proposed amendments as revisions to the Oregon State Implementation Plan. Because the proposed rule amendments are necessary to update infrastructure elements of the Oregon SIP to comply with CAA requirements, DEQ has not considered other options for this proposal.

Land use

“It is the Environmental Quality Commission's policy to coordinate the DEQ’s programs, rules and actions that affect land use with local acknowledged plans to the fullest degree possible.” [OAR 340-018-0010](#)

[OAR 340-018-0030](#) states EQC rules on land-use coordination. Division 18 requires DEQ to determine whether proposed rules will significantly affect land use.

Land-use considerations

To determine whether the proposed rules involve programs or actions that are considered a *land-use action*, DEQ considered:

Statewide planning goals for specific references. Section III, subsection 2 of the DEQ State Agency Coordination Program document identifies the following statewide goals relating to DEQ's authority:

Goal	Title
------	-------

- | | |
|----|---|
| 5 | Open Spaces, Scenic and Historic Areas, and Natural Resources |
| 6 | Air, Water and Land Resources Quality |
| 11 | Public Facilities and Services |
| 16 | Estuarial Resources |
| 9 | Ocean Resources |

Determination

DEQ determined that the proposed rules listed under the Chapter 340 Action section above **do not affect** existing rules, programs or activities considered land-use programs or actions in OAR 340-018-0030 or in the DEQ State Agency Coordination Program.

Stakeholder and public involvement

Advisory committee

DEQ did not convene an advisory committee. This rulemaking proposal makes necessary amendments to Oregon Administrative Rules which are part of the Oregon Clean Air Act State Implementation Plan. The proposed changes correspond with revisions to the NAAQS for PM 2.5 and are required by the Clean Air Act to provide DEQ the authority to implement the current NAAQS for these pollutants.

EQC prior involvement

DEQ shares general rulemaking information with EQC through the annual DEQ Rulemaking Plan review and monthly status report. DEQ did not present additional information specific to this proposed rule revision beyond the annual rulemaking plan and monthly rulemaking report.

Public notice

DEQ provided the Notice of Proposed Rulemaking with Hearing for this rulemaking. DEQ submitted the notice:

- To Secretary of State for publication in the *Oregon Bulletin* on June 15, 2015
- By email to EPA on June 15, 2015
- On June 15, 2015 By posting notice on DEQ's webpage:
<http://www.oregon.gov/deq/RulesandRegulations/Pages/2015/Rpm25standardupdate.aspx>
- Mailing approximately 6778 interested parties on the Agency Rulemaking List through GovDelivery on June 15, 2015
- By email to the following key legislators required under ORS 183.335:
 - State Sen. Chris Edwards, Chair, Senate Committee on Environment and Natural Resources
 - State Rep. Jessica Vega Pederson, Chair, House Committee on Energy and Environment
- To *The Oregonian* on June 15, 2015.
- By linking to the DEQ web page identified above in Facebook and Twitter postings on June 15, 2015

Public hearings

DEQ plans to hold one public hearing. The table below describes how to participate in the public hearing.

Before taking public comment and according to [Oregon Administrative Rule 137-001-0030](#), the staff presenter will summarize the content of the notice given under [Oregon Revised Statute 183.335](#) and respond to any questions about the rulemaking.

DEQ will add the names, addresses and affiliations of all hearing attendees to the interested parties list for this rule if provided on a registration form or the attendee list. DEQ will consider all written comments received at the hearing listed below before finalizing the proposed rules. All comments will be summarized and DEQ will respond to comments in the Environmental Quality Commission staff report.

Date	Thursday, July 16, 2015
Time	5 to 6 p.m.
Location	DEQ Headquarters
Address	811 SW 6 th Ave.
Room	Room EQC B
City	Portland, OR 97024
Presiding Officer	DEQ Staff
Staff Presenter	Nancy Cardwell

Close of public comment period

The comment period will close on Monday, July 20, 2015 at 4 p.m.

DEQ Offices

DEQ Headquarters Office
811 SW 6th Avenue
Portland 97204-1390

DEQ Northwest Region - Portland
2020 SW 4th Avenue, Suite 400
Portland, OR 97201

DEQ Northwest Region - Tillamook
Tillamook Office
2310 1st Street, Suite 4
Tillamook, OR 97141

DEQ Western Region - Salem
750 Front St NE, #120
Salem, OR 97301-1039

DEQ Western Region - Eugene
165 East 7th Avenue, Suite 100
Eugene, OR 97401

DEQ Eastern Region – Klamath Falls
317 South 7th Street, Suite 231
Klamath Falls, OR 97601

DEQ Western Region – Coos Bay
381 N Second Street
Coos Bay, OR 97420

DEQ Western Region - Medford
221 Stewart Avenue, Suite 201
Medford, OR 97501

DEQ Eastern Region – The Dalles
Columbia Gorge Community College
400 E Scenic Drive, Building 2
The Dalles, OR 97058

DEQ Eastern Region – La Grande
Regional Solutions Center
Eastern Oregon University
233 Badgley Hall, 1 University Blvd.
La Grande, OR 97850

DEQ Eastern Region - Bend
475 NE Bellevue, Suite 110
Bend, OR 97701

DEQ Eastern Region - Pendleton
700 SE Emigrant, #330
Pendleton, OR 97801

DEPARTMENT OF ENVIRONMENTAL QUALITY

Division 200

GENERAL AIR POLLUTION PROCEDURES AND DEFINITIONS

340-200-0040

State of Oregon Clean Air Act Implementation Plan

(1) This implementation plan, consisting of Volumes 2 and 3 of the State of Oregon Air Quality Control Program, contains control strategies, rules and standards prepared by DEQ and is adopted as the state implementation plan (SIP) of the State of Oregon pursuant to the federal Clean Air Act, 42 U.S.C.A 7401 to 7671q.

(2) Except as provided in section (3), the Commission will revise the SIP pursuant to the rulemaking procedures in division 11 of this chapter and any other requirements contained in the SIP and will direct DEQ to submit such revisions to the United States Environmental Protection Agency for approval. The Commission last adopted revisions to the State Implementation Plan on [April 16, 2015](#).

(3) Notwithstanding any other requirement contained in the SIP, DEQ may:

(a) Submit to the Environmental Protection Agency any permit condition implementing a rule that is part of the federally-approved SIP as a source-specific SIP revision after DEQ has complied with the public hearings provisions of 40 CFR 51.102 (July 1, 2002); and

(b) Approve the standards submitted by a regional authority if the regional authority adopts verbatim any standard that the Commission has adopted, and submit the standards to EPA for approval as a SIP revision.

NOTE: Revisions to the State of Oregon Clean Air Act Implementation Plan become federally enforceable upon approval by the United States Environmental Protection Agency. If any provision of the federally approved Implementation Plan conflicts with any provision adopted by the Commission, DEQ shall enforce the more stringent provision.

Stat. Auth.: ORS 468.020 & 468A

Stats. Implemented: ORS 468A

Hist.: DEQ 35, f. 2-3-72, ef. 2-15-72; DEQ 54, f. 6-21-73, ef. 7-1-73; DEQ 19-1979, f. & ef. 6-25-79; DEQ 21-1979, f. & ef. 7-2-79; DEQ 22-1980, f. & ef. 9-26-80; DEQ 11-1981, f. & ef. 3-26-81; DEQ 14-1982, f. & ef. 7-21-82; DEQ 21-1982, f. & ef. 10-27-82; DEQ 1-1983, f. & ef. 1-21-83; DEQ 6-1983, f. & ef. 4-18-83; DEQ 18-1984, f. & ef. 10-16-84; DEQ 25-1984, f. & ef. 11-27-84; DEQ 3-1985, f. & ef. 2-1-85; DEQ 12-1985, f. & ef. 9-30-85; DEQ 5-1986, f. & ef. 2-21-86; DEQ 10-1986, f. & ef. 5-9-86; DEQ 20-1986, f. & ef. 11-7-86; DEQ 21-1986, f. & ef. 11-

7-86; DEQ 4-1987, f. & ef. 3-2-87; DEQ 5-1987, f. & ef. 3-2-87; DEQ 8-1987, f. & ef. 4-23-87; DEQ 21-1987, f. & ef. 12-16-87; DEQ 31-1988, f. 12-20-88, cert. ef. 12-23-88; DEQ 2-1991, f. & cert. ef. 2-14-91; DEQ 19-1991, f. & cert. ef. 11-13-91; DEQ 20-1991, f. & cert. ef. 11-13-91; DEQ 21-1991, f. & cert. ef. 11-13-91; DEQ 22-1991, f. & cert. ef. 11-13-91; DEQ 23-1991, f. & cert. ef. 11-13-91; DEQ 24-1991, f. & cert. ef. 11-13-91; DEQ 25-1991, f. & cert. ef. 11-13-91; DEQ 1-1992, f. & cert. ef. 2-4-92; DEQ 3-1992, f. & cert. ef. 2-4-92; DEQ 7-1992, f. & cert. ef. 3-30-92; DEQ 19-1992, f. & cert. ef. 8-11-92; DEQ 20-1992, f. & cert. ef. 8-11-92; DEQ 25-1992, f. 10-30-92, cert. ef. 11-1-92; DEQ 26-1992, f. & cert. ef. 11-2-92; DEQ 27-1992, f. & cert. ef. 11-12-92; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 8-1993, f. & cert. ef. 5-11-93; DEQ 12-1993, f. & cert. ef. 9-24-93; DEQ 15-1993, f. & cert. ef. 11-4-93; DEQ 16-1993, f. & cert. ef. 11-4-93; DEQ 17-1993, f. & cert. ef. 11-4-93; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 1-1994, f. & cert. ef. 1-3-94; DEQ 5-1994, f. & cert. ef. 3-21-94; DEQ 14-1994, f. & cert. ef. 5-31-94; DEQ 15-1994, f. 6-8-94, cert. ef. 7-1-94; DEQ 25-1994, f. & cert. ef. 11-2-94; DEQ 9-1995, f. & cert. ef. 5-1-95; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 14-1995, f. & cert. ef. 5-25-95; DEQ 17-1995, f. & cert. ef. 7-12-95; DEQ 19-1995, f. & cert. ef. 9-1-95; DEQ 20-1995 (Temp), f. & cert. ef. 9-14-95; DEQ 8-1996(Temp), f. & cert. ef. 6-3-96; DEQ 15-1996, f. & cert. ef. 8-14-96; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 22-1996, f. & cert. ef. 10-22-96; DEQ 23-1996, f. & cert. ef. 11-4-96; DEQ 24-1996, f. & cert. ef. 11-26-96; DEQ 10-1998, f. & cert. ef. 6-22-98; DEQ 15-1998, f. & cert. ef. 9-23-98; DEQ 16-1998, f. & cert. ef. 9-23-98; DEQ 17-1998, f. & cert. ef. 9-23-98; DEQ 20-1998, f. & cert. ef. 10-12-98; DEQ 21-1998, f. & cert. ef. 10-12-98; DEQ 1-1999, f. & cert. ef. 1-25-99; DEQ 5-1999, f. & cert. ef. 3-25-99; DEQ 6-1999, f. & cert. ef. 5-21-99; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-020-0047; DEQ 15-1999, f. & cert. ef. 10-22-99; DEQ 2-2000, f. 2-17-00, cert. ef. 6-1-01; DEQ 6-2000, f. & cert. ef. 5-22-00; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 13-2000, f. & cert. ef. 7-28-00; DEQ 16-2000, f. & cert. ef. 10-25-00; DEQ 17-2000, f. & cert. ef. 10-25-00; DEQ 20-2000 f. & cert. ef. 12-15-00; DEQ 21-2000, f. & cert. ef. 12-15-00; DEQ 2-2001, f. & cert. ef. 2-5-01; DEQ 4-2001, f. & cert. ef. 3-27-01; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 15-2001, f. & cert. ef. 12-26-01; DEQ 16-2001, f. & cert. ef. 12-26-01; DEQ 17-2001, f. & cert. ef. 12-28-01; DEQ 4-2002, f. & cert. ef. 3-14-02; DEQ 5-2002, f. & cert. ef. 5-3-02; DEQ 11-2002, f. & cert. ef. 10-8-02; DEQ 5-2003, f. & cert. ef. 2-6-03; DEQ 14-2003, f. & cert. ef. 10-24-03; DEQ 19-2003, f. & cert. ef. 12-12-03; DEQ 1-2004, f. & cert. ef. 4-14-04; DEQ 10-2004, f. & cert. ef. 12-15-04; DEQ 1-2005, f. & cert. ef. 1-4-05; DEQ 2-2005, f. & cert. ef. 2-10-05; DEQ 4-2005, f. 5-13-05, cert. ef. 6-1-05; DEQ 7-2005, f. & cert. ef. 7-12-05; DEQ 9-2005, f. & cert. ef. 9-9-05; DEQ 2-2006, f. & cert. ef. 3-14-06; DEQ 4-2006, f. 3-29-06, cert. ef. 3-31-06; DEQ 3-2007, f. & cert. ef. 4-12-07; DEQ 4-2007, f. & cert. ef. 6-28-07; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 5-2008, f. & cert. ef. 3-20-08; DEQ 11-2008, f. & cert. ef. 8-29-08; DEQ 12-2008, f. & cert. ef. 9-17-08; DEQ 14-2008, f. & cert. ef. 11-10-08; DEQ 15-2008, f. & cert. ef. 12-31-08; DEQ 3-2009, f. & cert. ef. 6-30-09; DEQ 8-2009, f. & cert. ef. 12-16-09; DEQ 2-2010, f. & cert. ef. 3-5-10; DEQ 5-2010, f. & cert. ef. 5-21-10; DEQ 14-2010, f. & cert. ef. 12-10-10; DEQ 1-2011, f. & cert. ef. 2-24-11; DEQ 2-2011, f. 3-10-11, cert. ef. 3-15-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11; DEQ 18-2011, f. & cert. ef. 12-21-11; DEQ 1-2012, f. & cert. ef. 5-17-12; DEQ 7-2012, f. & cert. ef. 12-10-12; DEQ 10-2012, f. & cert. ef. 12-11-12; DEQ 4-2013, f. & cert. ef. 3-27-13; DEQ 11-2013, f. & cert. ef. 11-7-13; DEQ 12-2013, f. & cert. ef. 12-19-13; DEQ 1-2014, f. & cert. ef. 1-6-14; DEQ 4-2014, f. & cert. ef. 3-31-14; DEQ 5-2014, f. & cert. ef. 3-31-14; DEQ 6-2014, f. & cert. ef. 3-31-14; DEQ 7-2014, f. & cert. ef. 6-26-14

DIVISION 202

AMBIENT AIR QUALITY STANDARDS AND PSD INCREMENTS

340-202-0060

Suspended Particulate Matter

Concentrations of the fraction of suspended particulate that is equal to or less than ten microns in aerodynamic diameter in ambient air as measured by an approved method must not exceed:

(1) 150 micrograms of PM₁₀ per cubic meter of air as a 24-hour average concentration for any calendar day. This standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 micrograms per cubic meter as determined in accordance with **Appendix K of 40 CFR 50** is equal to or less than one at any site.

Concentrations of the fraction of suspended particulate that is equal to or less than 2.5 microns in aerodynamic diameter in ambient air as measured by an approved method must not exceed:

(2) 35 micrograms of PM_{2.5} per cubic meter of air as a 3-year average of annual 98th percentile 24-hour average values recorded at each monitoring site. This standard is attained when the 3-year average of annual 98th percentile 24-hour average concentrations is equal to or less than 35 micrograms per cubic meter as determined in accordance with **Appendix N of 40 CFR 50**.

(3) ~~15~~ 12 micrograms of PM_{2.5} per cubic meter of air as a 3-year average of the annual arithmetic mean. This standard is attained when the annual arithmetic mean concentration is equal to or less than ~~15~~ 12 micrograms per cubic meter as determined in accordance with **Appendix N of 40 CFR 50**.

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 468A.025

Hist.: DEQ 37, f. 2-15-72, ef. 3-1-72; DEQ 8-1988, f. & cert. ef. 5-19-88 (corrected 9-30-88); DEQ 24-1991, 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 340-031-0015; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 5-2010, f. & cert. ef. 5-21-10; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11

DIVISION 250

GENERAL CONFORMITY

340-250-0030

Definitions

(22) "National ambient air quality standards" or "NAAQS" means those standards established pursuant to Section 109 of the Act and include standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone, particulate matter (PM₁₀, [PM 2.5](#)), and sulfur dioxide (SO₂).

[**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 468.020 & ORS468A.035

Stats. Implemented: ORS 468A.035

Hist.: DEQ 9-1995, f. & cert. ef. 5-1-95; DEQ 17-1998, f. & cert. ef. 9-23-98; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-020-1510

Attachment B

Infrastructure State Improvement Plan Submittal for Purposes of Clean Air Act Sections 110(a)(1) and (a)(2) for the 2012 Particulate Matter_{2.5} National Ambient Air Quality Standard

May 12, 2015

Submitted by: Oregon Department of Environmental Quality

Date Submitted: June 9, 2015

Subject: CAA sections 110(a)(2), (a)(2)(A-M); SIP Infrastructure
Elements for the 2012 PM 2.5 NAAQS

Environmental Solutions Air Planning

811 SW 6th Avenue
Portland, OR 97204

Phone: 503-229-5696
800-452-4011

Fax: 503-229-6762

Contact: [Nancy Cardwell](#)

503-229-6610

www.oregon.gov/DEQ

DEQ is a leader in restoring,
maintaining and enhancing
the quality of Oregon's air,
land and water.



State of Oregon
Department of
Environmental
Quality

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
PM 2.5 Definition	Oregon's definition of particulate matter (PM) includes all PM captured by EPA test methods including PM _{2.5} . See OAR 340-200-0020(110) below.	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality General ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468A Air Quality ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. ORS 468A.035 General Comprehensive Plan. Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution. ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal ORS 468A.070 Measurement and Testing of Contamination Sources; Rules <u>Oregon Administrative Rules:</u> OAR 340-200-0020 General Air Quality Definitions (110) "Particulate matter" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by the test method specified in each applicable rule, or where not specified by rule, in the permit. (120) "PM_{2.5}": (a) When used in the context of direct PM_{2.5} emissions, means finely divided solid or liquid material, including condensable particulate, other than uncombined water, with an aerodynamic diameter less than or equal to a

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		nominal 2.5 micrometers, emitted to the ambient air as measured by the test method specified in each applicable rule or, where not specified by rule, in each individual permit (b) When used in the context of PM_{2.5} precursor emissions, means sulfur dioxide (SO₂) and nitrogen oxides (NO_x) emitted to the ambient air as measured by the test method specified in each applicable rule or, where not specified by rule, in each individual permit. (c) When used in the context of ambient concentration, means airborne finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured under 40 CFR Part 50, Appendix L, or an equivalent method designated under 40 CFR Part 53. OAR 340-200-0020 (Table 1) Significant Air Quality Impact. Establishes Significant Air Quality Impact Levels for criteria pollutants. OAR 340-250 General Conformity - 0030 General Conformity Definitions (22) "National ambient air quality standards" or "NAAQS" means those standards established pursuant to Section 109 of the Act and include standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone, particulate matter (PM₁₀), and sulfur dioxide (SO₂).
§110(a)(2)(A) Emission limits & other control measures	<i>include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
	<i>meet the applicable requirements of this Act.</i>	ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.010 Policy. Calls for joint responsibility for “a coordinated statewide program of air quality control and to allocate [responsibility] between the state and the units of local government” ORS 468A.015 Purpose of air pollution laws ORS 468A.020 Rules and Standards. Gives Environmental Quality Commission (EQC) authority to adopt rules and standards to perform function vested by law. ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules: EQC may establish... - (1) areas of state and prescribe air pollution & contamination levels - (3) air quality standards including emission standards - (4) emission treatment and control provisions ORS 468A.035 General Comprehensive Plan. Oregon Department of Environmental Quality (DEQ) shall develop a general comprehensive plan for the control or abatement of air pollution ORS 468A.040 Permits; Rules. Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State. ORS 468A.045 Activities Prohibited Without Permit; Limit on Activities with Permit ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and Reporting of Sources; Rules; Fees

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal ORS 468A.070 Measurement and Testing of Contamination Sources; Rules ORS 468A.085 Residential Open Burning of Vegetative Debris. Provides authority to regulate open burning of vegetative debris from residential yard cleanup based on air quality and meteorological conditions as determined by DEQ. ORS 468A.310 Federal operating permit program approval; rules; content of plan ORS 468A.315 Emission Fees for Major Sources; Base Fees; Basis of Fees; Rules ORS 468A.350 - .455 Motor Vehicle Pollution Control. Provides authority to implement emissions reductions programs related to motor vehicles. ORS 468A.460 -.520 Woodstove Emissions Control. Provides authority to control, reduce and prevent air pollution caused by solid fuel burning devices. ORS 468A.550 -.620 Field Burning and Propane Flaming. Provides authority to regulate field burning and propane flaming including permits, inspections and penalties. ORS 468A.625-.645 Chlorofluorocarbons and Halon Control ORS 468A.650-.660 Aerosol Spray Control ORS 468A.990 Penalties ORS 815 Vehicle Equipment Generally; Oregon Vehicle Code; General Provisions <u>Oregon Administrative Rules:</u>

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		OAR 340-200 General Air Pollution Procedures and Definitions, General - 0020 General Air Quality Definitions Defines “Criteria Pollutant” at (31) as nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, or lead. Also specifically defines NOx and SO2 as precursors to PM2.5 at (71), and NOx and VOCs as precursors to ozone at (71). Defines significant emissions rates, de minimis emission levels, and plant site emission rates for specific air pollutants and precursors. - 0020 TABLE 1: Significant Air Quality Impact OAR 340-202 Ambient Air Quality Standards and PSD Increments. Defines ambient air quality standards for all NAAQS. Specifies <u>PSD</u> increments & ceilings. - 0060 Suspended Particulate Matter - 0210 Ambient Air Increments, Table 1: Maximum Allowable Increase: - 0220 Ambient Air Ceilings OAR 340-204 Designation of Air Quality Areas. Designates air quality areas in Oregon: Air Quality Control Regions and nonattainment, maintenance, <u>PSD</u>, special control, motor vehicle inspection boundary and oxygenated gas control areas. OAR 340-216 Air Contaminant Discharge Permits. Federally-enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review programs. The SIP-approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate. OAR 340-222 Stationary Source Plant Site Emission Limits. Establishes criteria and method for regulating plant site emission limits of permit holders, to protect ambient air quality standards, PSD increments & visibility

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		OAR 340-224 New Source Review. Establishes permit program for major new and modified OAR 340-226 General Emission Standards. Requires highest and best practicable treatment and control, consideration of impact of selected control methods, typically achievable control technology. Includes operating & maintenance and grain loading requirements, and additional control requirements for stationary sources of air contaminants. - 0210 Particulate Emission Limitations for Sources Other Than Fuel Burning and Refuse Burning Equipment - 0400 Alternative Emission Controls (Bubbles) OAR 340-228 Requirements for Fuel Burning Equipment and Fuel Sulfur Content OAR 340-232 Emission Standards for VOC Point Sources OAR 340-234 Emission Standards for Wood Products Industries: Emission limitations - 0210(2) Particulate Matter - 0500-0530 Board Products Industries OAR 340-236 Emission Standards for Specific Industries: Emission Limits OAR 340-240 Rules For Areas With Unique Air Quality Needs. This division limits visible and particulate matter emissions and sets requirements for operation and maintenance plans for the Medford-Ashland, Grants Pass, La Grande & Lakeview areas. OAR 340-242 Rules Applicable to the Portland Area - 0010-0290 Employee Commute Options (ECO) Program. Requires larger employers to provide commute options to encourage employees to reduce auto trips to the work site. -300-0390 Voluntary Maximum Parking Ratio Program. Encourages property owners to voluntarily locate and design facilities that need less parking by

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		building in a more pedestrian, bicycle and transit friendly manner. Includes incentives (#0340) -0400-0440 Industrial Emission Management Program. Applies to VOC and NO_x sources and to new major sources and major modifications that emit CO in Portland Metro area. Includes Unused PSEL Donation Program and Industrial Growth Allowance (incentives) - 0500-0520 Gasoline Vapors from Gasoline Transfer and Dispensing Operations - 0600-0630 Motor Vehicle Refinishing - 0700-0750 Spray Paint OAR 340-250 General Conformity. Implements requirements under Section 176(c) of the Clean Air Act with respect to the conformity of general federal actions to the applicable implementation plan - 0020 Applicability - 0030 Definitions OAR 340-252 Transportation Conformity. Establishes policy, criteria, and procedures for demonstrating and assuring conformity of planning activities to an applicable implementation plan developed pursuant to section 110 and Part D of the CAA. OAR 340-256 Motor Vehicles. Air pollution control for mobile sources including motor vehicle inspection and maintenance program and fee schedule (fees: 340-256-0320). - 0010 Definitions - 0350 Light Duty Motor Vehicle Emission Control Test Method for Enhanced Program - 0410 Light Duty Motor Vehicle Emission Control Standards for Enhanced Program OAR 340-258 Motor Vehicle Fuel Specifications. Regulates motor vehicle fuel content standards, operating permits, recordkeeping & reporting persons or facilities who sells or otherwise markets gasoline for use in motor vehicles. OAR 340-262 Residential Woodheating. Regulates woodstove sales, certification, and removal. Establishes

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		a program for curtailing wood burning to be implemented as a control strategy. (Note: All particulate matter references are to PM10). OAR 340-266 Field Burning Rules (Willamette Valley). Applies to the open field burning, propane flaming, and stack and pile burning of all perennial and annual grass seed and cereal grain crops, and associated residue within the Willamette Valley. OAR 340-268 Emission Reduction Credits (ERC). Addresses creation and banking of Emission Reduction Credits.
a§110(a)(2)(B) Ambient air quality monitoring & data analysis system	<i>provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to (i) monitor, compile, and analyze data on ambient air quality, and (ii) upon request, make such data available to the Administrator;</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption. ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. ORS 468.035 (a-e, m) Functions of the Department. Authority to conduct & supervise inquiries and programs to assess and communicate air conditions and to obtain necessary resources (assistance, materials, supplies, etc.) to meet these responsibilities.

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal ORS 468A.070 Measurement and Testing of Contamination Sources; Rules. Authority to establish a measurement and testing program pursuant to rules adopted by the EQC. <u>Oregon Administrative Rules:</u> OAR 340-200 General Air Pollution Procedures and Definitions. Defines “Criteria Pollutant” at (31) as nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, or lead. Also specifically defines NOx and SO2 as precursors to PM2.5 at (71), and NOx and VOCs as precursors to ozone at (71). Defines significant emissions rates, de minimis emission levels, and plant site emission rates for specific air pollutants and precursors <u>DEQ Reports:</u> 2013 Oregon Annual Ambient Air Monitoring Network Plan. Submitted to Environmental Protection Agency, Region 10 in June of 2013. For more information, see: http://www.deq.state.or.us/aq/forms/2013AQMonNetPlan.pdf NOTE: A comprehensive air quality monitoring plan, intended to meet the requirements of 40 CFR part 58, was submitted by DEQ on December 27, 1979 (40 CFR 52.1970) and was approved by the EPA on March 4, 1981 (46 FR 15136). The air quality monitoring plan is updated every year to reflect the latest monitoring network, with the most recent submittal dated July 1, 2014 and approved by the EPA on October 30, 2014. The next update will be submitted to EPA in 2015. This plan includes, among other things, the locations for the nitrogen dioxide monitoring network. Oregon provides an annual air quality data report to the public on the DEQ website at: http://www.deq.state.or.us/aq/forms/annrpt.htm.

Attachment B: Infrastructure SIP Submittal

CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		Oregon sends real time air monitoring information for ozone, particulate matter, and carbon monoxide to EPA's AIRNow web page at http://www.airnow.gov and also provides the information on the ODEQ Air Quality Index (AQI) website at http://www.deq.state.or.us/aqi .
§110(a)(2)(C) Program to enforce control measures, regulate modification & construction of stationary sources and a permit program	<i>include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D of this subchapter;</i>	<i>Two elements identified in section 110(a)(2) include requirements that are not governed by the 3-year submission deadline of section 110(a)(1). The requirements pertain to part D, of title I of the CAA, which addresses plan requirements for nonattainment areas. Therefore, the following section 110(a)(2) elements are considered by EPA to be outside the scope of infrastructure SIP actions: (1) section 110(a)(2)(C) to the extent it refers to permit programs (known as "nonattainment new source review") required under part D; and (2) section 110(a)(2)(I) in its entirety. EPA does not expect infrastructure SIP submittals to include regulations or emission limits developed specifically for attaining the relevant standard. Those submittals are due at the time the nonattainment area planning requirements are due (18 months following designation).</i> <u>Oregon Revised Statutes:</u> ORS 183.415 Notice of right to hearing ORS 183.745 Civil penalty procedures; notice; hearing; judicial review; exemptions; recording; enforcement ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.035 (j, k) Functions of the Department -j Shall seek enforcement of state air quality pollution laws

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		-k Shall compel compliance with any rule, standard, order, permit or condition ORS 468.065 Issuance of Permits; Consent; Fees; Use. Provides authority and requirements to ODEQ for issuing permits, the content of those permits, fee schedules, and reporting. ORS 468.070 Denial, Modification, Suspension or Revocation of Permits. Provides authority to deny, modify, suspend or revoke a permit if ODEQ finds a material misrepresentation or false statement in the application; failure to comply with the permit; or violation of an applicable law, rule, standard or order. ODEQ may also modify a permit if it is necessary for the proper administration, implementation or enforcement of the provisions in applicable laws. ORS 468.090-.140 Enforcement. Provides DEQ with authority to investigate complaints, investigate and inspect sources for compliance, access records, commence enforcement procedures, and impose civil penalties. ORS 459A.590 Use, management, disposal and resource recovery; rules ORS 459A.595 Use for dust suppression or as herbicide ORS 468.920-.963 Environmental Crimes. Authorizes and provides categories related to criminal enforcement and associated fines. ORS 468.996-.997 Civil Penalties. Provides additional penalties for persons who intentionally or recklessly violate provisions of specific chapters of ORS, including 468 and 468A or any rule, standard, or order pursuant to ORS 468 and 468A “which results in or creates the imminent likelihood for an extreme hazard to the public health or which causes extensive damage to the environment.” ORS 468A Air Quality, Public Health and Safety, Air Pollution Control

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. ORS 468A.035 General Comprehensive Plan. Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution. ORS 468A.040 Permits; Rules. EQC may require permits for air contamination sources, etc. ORS 468A.045 Activities Prohibited Without Permit; Limit on Activities With Permit. Prohibits any person from discharging, emitting or allowing to be discharged or emitted any air contaminant for which a permit is required. Prohibits construction, installation, modification, operation, increase in emissions, etc. of any air contamination source for which a permit is required. ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and Reporting of Sources; Rules; Fees ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal. Provides authority to EQC (or DEQ) to establish notice requirements prior to construction of new sources, issue orders to prohibit the construction of a new source, and lays out an appeal process. ORS 468A.070 Measurement and Testing of Contamination Sources; Rules ORS 468A.310 Federal operating permit program approval; rules; content of plan ORS 468A.990 Penalties for air pollution offenses. Establishes that violations of any rule or standard or order issued by a regional authority relating to air

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		pollution is a Class A misdemeanor and that each day of violation of constitutes a separate offense. <u>Oregon Administrative Rules:</u> OAR 340-012 Enforcement Procedure and Civil Penalties. Establishes enforcement actions to encourage compliance with environmental regulations and to protect public health & the environment. OAR 340-202 Ambient Air Quality Standards and PSD Increments. Defines ambient air quality standards for all NAAQS. Specifies PSD increments & ceilings. - 0060 Suspended Particle Matter - 0120 Ambient Air Increments OAR 340-210 Stationary Source Notification Requirements. Establishes registration requirements for stationary air contaminant sources not subject to ADCP or title V permits and regulates construction & modification of these sources and air pollution control equipment. OAR 340-214 Stationary Source Reporting Requirements. Establishes reporting requirements for stationary sources, and requires recordkeeping on the nature, type and amount of emissions. - 0120 Enforcement of Reporting requirements - 0350 Enforcement action criteria for excess emissions OAR 340-216 Air Contaminant Discharge Permits (ACDP). Federally-enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review programs. The SIP-approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate. OAR 340-224 Major New Source Review. Regulates construction and modification of proposed major sources within nonattainment & maintenance areas and

Attachment B: Infrastructure SIP Submittal

CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		federal major sources and modifications within attainment & unclassified areas. NOTE: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747).
§110(a)(2)(D)(i)(I) Interstate transport as it relates to significant contribution to nonattainment and interference with maintenance	<i>contain adequate provisions (i) prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will</i> <i>(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any such national primary or secondary ambient air quality standard, or</i>	<u>CAA section 110(a)(2)(D)(i)(I) Interstate Transport as it relates to significant contribution to nonattainment and interference with maintenance:</u> The Oregon SIP infrastructure addressing the Interstate transport of PM 2.5 is attached. Note: The interstate transport report also addresses the interstate transport of Lead (Pb), Nitrogen Dioxide (NO₂), and Sulfur Dioxide (SO₂). The Department's 2013 updates to the SIP for Pb, NO₂, and SO₂ did not address interstate transport for these pollutants pending a US Supreme Court decision.
§110(a)(2)(D)(i)(II) Interstate transport as it relates to PSD and visibility	<i>(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C of this subchapter to prevent significant deterioration of air quality or to protect visibility,</i>	<i>Oregon's Administrative Rules are consistent with federal requirements per Appendix N of 40 CFR 50 pertaining to the notification of interstate pollution abatement.</i> <u>Oregon rules and statutes that specifically address CAA section 110(a)(2)(D)(i)(II) Interstate transport as it relates to PSD:</u> <u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468A Air Quality, Public Health and Safety, Air Pollution Control <u>Oregon Administrative Rules:</u>

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		OAR 340-200 General Air Pollution Definitions and Procedures. Defines general air pollution terms. - 0020 General Air Quality Definitions (6) “Affected States” Specifies neighboring states. OAR 340-202 Ambient Air Quality and PSD Increments. Defines ambient air quality standards for all NAAQS. Specifies PSD increments & ceilings. - 0210 Ambient Air Increments, Table 1 - 0220 Ambient Air Ceilings OAR 340-209 Public Participation. Specifies the requirements for notifying the public of certain permit actions and providing an opportunity for the public to participate in those permit actions. - 0060 Persons Required to be Notified. Includes state notification. OAR 340-216 Air Contaminant Discharge Permits (ACDP). Federally enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review (NSR) programs. The SIP-approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate. OAR 340-223 Regional Haze Rules: Establishes requirements for certain industrial sources that contribute to regional haze in Class I areas, for the purpose of implementing Best Available Retrofit Technology requirements. NOTE: On December 9, 2011, the Oregon Environmental Commission adopted revisions to regional haze. These amendments were submitted as a SIP revision to the EPA on December 14, 2010. On July 5, 2011, the EPA approved portions of the Oregon Regional Haze SIP including the requirements for best available retrofit technology (BART) (76 FR 38997). The EPA approved the remaining elements of the

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		Oregon Regional Haze SIP on August 22, 2012 (77 FR 50611). OAR 340-224 New Source Review. Regulates construction and modification of proposed major sources within nonattainment, maintenance and re-attainment areas and federal major sources and modifications within attainment, unclassified and sustainment areas. NOTE: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747). <u>Oregon rules and statutes that specifically address CAA section 110(a)(2)(D)(i)(II) Interstate transport as it relates to visibility:</u>
§110(a)(2)(D)(ii) Interstate and international pollution	<i>(ii) insuring compliance with the applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement);</i>	<u>Oregon Revised Statutes:</u> ORS 468.020 Rules and Standards Requires public hearing on any proposed rule or standard prior to adoption <u>Oregon Administrative Rules:</u> OAR 340-209 Public Participation: specifies the requirements for notifying the public of certain permit actions and providing an opportunity for the public to participate in those permit actions. - 0060 Persons Required to be Notified: includes state notification. NOTE: State regulations are consistent with Federal requirements in Appendix N of 40 CFR part 50 pertaining to the notification of interstate pollution abatement.
§110(a)(2)(E)(i) Adequate personnel,	<i>provide (i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose</i>	<u>Oregon Revised Statutes:</u> ORS 468.035 Functions of Department (d, h).

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
funding and authority to carry out plan	<i>local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof);</i>	Authority to employ personnel, purchase supplies, enter into contracts, and to receive, appropriate and expend federal and other funds for purposes of air pollution research and control ORS 468A.045 Functions of Director; Delegation. Power to hire, assign, reassign, and coordinate personnel of the department <u>Interagency Agreements:</u> Intergovernmental Agreement between DEQ and LRAPA: DEQ has entered into an intergovernmental agreement to delegate it's authority to implement the requirements of the Clean Air Act in Lane County, Oregon to the Lane Regional Air Protection Agency. For more information, please see the Intergovernmental Agreement between DEQ and LRAPA (DEQ Agreement # 006-14). DEQ's Performance and Partnership Agreement (PPA) with EPA. The Oregon Performance Partnership Agreement describes how ODEQ and EPA Region 10 will work together to protect Oregon's environment. The PPA is an agreement documenting the commitments of EPA and DEQ regarding implementation of federally-delegated environmental programs and is the result of a several month negotiation process. The PPA's Air Quality appendix contains program-specific work plans for the Oregon Air Quality program along with commitments for FTE and funding support. EPA Region 10 and ODEQ signed the current PPA on June 27, 2014 (runs from July 1, 2014 through June 30, 2016). Note: DEQ received CAA section 105 grants from EPA and DEQ matches those grants through the state's General Fund. DEQ's PPA with EPA contains more information.
§110(a)(2)(E) (ii) Comply with state boards	<i>(ii) requirements that the state comply with the requirements respecting state boards under section 128 of this title, and</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		- 035(c) Functions of Department Authority to advise, consult, and cooperate with other states, state and federal agencies, or political subdivisions on all air quality control matters. ORS 468A Air Quality, Public Health and Safety, Air Pollution Control <u>Formation and oversight of regional air quality control agencies:</u> ORS 468A.105 Formation of regional air quality control authorities ORS 468A.135 Function of authority; rules. ORS 468A.155 Rules authorizing regional permit programs. ORS 468A.165 Compliance with state standards required; hearing; notice <u>Oregon Administrative Rules:</u> OAR 340-200-0100: Purpose OAR 340-200-0110: Public Interest OAR 340-200-0120: Disclosure of Potential Conflicts of Interest Note: EPA approved OAR 340-200-0100 through OAR 340-200-0120 as meeting the requirements of CAA section 128 on January 22, 2003 (68 FR 2891).
§110(a)(2)(E) (iii) oversee local & regional gov/agencies	<i>(iii) necessary assurances that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
	adequate implementation of such plan provision;	ORS 468.035 (c) Functions of Department. Authority to advise, consult, and cooperate with other states, state and federal agencies, or political subdivisions on all air quality control matters. ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.010 Policy. Calls for joint responsibility for “a coordinated statewide program of air quality control and to allocate [responsibility] between the state and the units of local government” ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. ORS 468A.035 General Comprehensive Plan. Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution. ORS 468A.040 Permits; Rules. Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State. ORS 468A.050 Classification of Air Contamination Sources; Registration and Reporting; Registration and Reporting of Sources; Rules; Fees ORS 468A.070 Measurement and Testing of Contamination Sources; Rules ORS 468A.100-180 Regional Air Quality Control Authorities. Describes the establishment, role, and function of Regional Authorities. <u>Oregon Administrative Rules:</u> OAR 340-200 General Air Pollution Procedures and Definitions

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		-0010 Specifies that Lane Regional Air Protection Agency (LRAPA) has authority in Lane County -0020 defines a “Regional Agency”. -0040 describes inclusion of the regional agency’s actions into the SIP. OAR 340-204 Designation of Air Quality Areas. Includes Designation of Control Areas within Lane County. OAR 340-216 Air Contaminant Discharge Permits. Relating to ACDP includes authorities for LRAPA and inclusion in the SIP.
§110(a)(2)(F) Stationary source emissions monitoring and reporting system	<i>require, as may be prescribed by the Administrator</i> <i>(i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,</i> <i>(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and</i> <i>(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.035 (b, d) Functions of Department. Authority to conduct & supervise inquiries and programs to assess and communicate air conditions and to obtain necessary resources (assistance, materials, supplies, etc.) to meet these responsibilities. ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.025 (4) Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Commission shall adopt rules, require permit conditions for operation and maintenance of pollution control equipment, and require typically achievable control technology for new, modified and existing sources of air contaminants or precursors for stationary sources ORS 468A.070 Measurement and Testing of Contamination Sources; Rules

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		ORS 468A.310 Federal operating permit program approval; rules; content of plan ORS 468A.365 Certification of Motor Vehicle Pollution Control Systems and Inspection of Motor Vehicles; Rules. Designate methods and standards for testing systems and inspecting motor vehicles <u>Oregon Administrative Rules:</u> OAR 340-212 Stationary Source Testing and Monitoring. Requires facilities to monitor and report emissions, including requirements for monitoring methods and design, and Monitoring & Quality Improvement plans, etc. OAR 340-214 Stationary Source Reporting Requirements. Requires stationary sources to maintain written records to determine compliance with emission rules, limitations or control measures for any regulated air pollutant and provides requirements for reporting and recordkeeping. OAR 340-222 Stationary Source Plant Site Emission Limits - 0080 Plant Site Emission Limit Compliance: Specifies permittee must monitor and maintain records to demonstrate compliance. Specifies frequency and method of monitoring for PSELs. OAR 340-225 Air Quality Analysis Requirements OAR 340-234 Emission Standards for Wood Products Industries: Monitoring & Reporting - 0240-0250 Kraft Pulp Mills - 0340-0350 Neutral Sulfite Semi-Chemical Pulp Mills - 0420 Sulfite Pulp Mills - 0500-0530 Board Products Industries OAR 340-236 Emission Standards for Specific Industries: Emissions Monitoring & Reporting - 0140-0150 Aluminum Plants

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		- 0230 Laterite Ore Production of Ferronickel - 0320 Reduction of Animal Matter OAR 340-240 Rules For Areas With Unique Air Quality Needs - 0210-0220 Continuous Monitoring & Source Testing, Medford-Ashland & Grants Pass area - 0430 Source Testing: Lakeview area OAR 340-250 General Conformity. Implements requirements under Section 176(c) of the Clean Air Act with respect to the conformity of general federal actions to the applicable implementation plan Note: Oregon submits data to the National Emissions Inventory for the six criteria pollutants. EPA compiles the emissions data and provides it to the public at the following website: http://www.epa.gov/ttn/chief/eiinformation.html
§110(a)(2)(G) Authority to declare air pollution emergency and notify public	<i>provide for authority comparable to that in section 303 of this title and adequate contingency plans to implement such authority;</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.310 Federal operating permit program approval; rules; content of plan ORS 468.115 Enforcement in Cases of Emergency. Authorizes the DEQ Director, at the direction of the Governor, to enter a cease & desist order for polluting activities that present an imminent and substantial danger to public health <u>Oregon Administrative Rules:</u> OAR 340-206 Air Pollution Emergencies. Air pollution emergency episode procedures. Authorizes the DEQ Director to declare an air pollution alert or warning, or

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		to issue an advisory to notify the public. The Department shall notify the Governor when declaring an emergency. This section describes the existing emergency episode procedures in place. -0010 Air Pollution Emergencies -0030 Episode Stage Criteria for Air Pollution Emergencies OAR 340-214 Stationary Source Reporting Requirements -0300-0360 Requires reporting of emergencies and excess emissions and reporting requirements (adequate contingency plans to implement such authority).
§110(a)(2)(H) Future SIP revisions	<i>provide for revision of such plan</i> <i>(i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and</i> <i>(ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements, or to otherwise comply with any additional requirements established under this Act;</i>	<u>Oregon Revised Statutes:</u> ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468A.035 General Comprehensive Plan. Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution. ORS 468A.070 Measurement and Testing of Contamination Sources; Rules <u>Oregon Administrative Rules:</u> OAR 340-200 General Air Pollution Procedures and Definitions - 0040 State of Oregon Clean Air Act Implementation Plan. Provides for revisions to Oregon's SIP and submittal of revisions to the EPA - this includes standards submitted by a regional authority and adopted verbatim to DEQ rules.
§110(a)(2)(I) Nonattainment requirements	<i>in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);</i>	<i>Two elements identified in section 110(a)(2) include requirements that are not governed by the 3-year submission deadline of section 110(a)(1). The requirements pertain to part D, of title I of the CAA, which addresses plan requirements for nonattainment</i>

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		<i>areas. Therefore, the following section 110(a)(2) elements are considered by EPA to be outside the scope of infrastructure SIP actions and are not addressed in this SIP submittal: (1) section 110(a)(2)(C) to the extent it refers to permit programs (known as "nonattainment new source review") required under part D; and (2) section 110(a)(2)(I) in its entirety. EPA does not expect infrastructure SIP submittals to include regulations or emission limits developed specifically for attaining the relevant standard. Those submittals are due at the time the nonattainment area planning requirements are due (18 months following designation).</i>
§110(a)(2)(J) (section 121 consultation)	<i>meet the applicable requirements of section 121 (relating to consultation), ...</i>	<u>Oregon Revised Statutes:</u> ORS 183.335 Filing and taking effect of rules; filing of executive orders; copies; fees ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.035 (a, c, f-g) Functions of department -a. encourages voluntary cooperation with local govt. and others in restoring & preserving air quality -c. Shall advise, consult, and cooperate with state & federal agencies and political subdivisions in air quality control matters -f. Shall provide advisory technical consultation and services to local & state agencies ORS 468A.010 (1) b & c Policy Facilitates cooperation between state and local government in air quality control <u>Oregon Administrative Rules:</u> OAR 340-209 Public Participation. Provides for notification to, and participation by, the public in certain permit actions.

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		Note: On April 15, 2015, the Oregon Environmental Quality Commission adopted revisions updating the PSD program in Oregon.
§110(a)(2)(J) (section 127 public notification)	<i>meet the applicable requirements of... section 127 (relating to public notification)</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.035 (a, c, f-g) Functions of department -a. encourages voluntary cooperation with local govt. and others in restoring & preserving air quality -e. shall conduct and supervise air pollution control education programs ORS 468A Air Quality, Public Health and Safety, Air Pollution Control <u>Oregon Administrative Rules:</u> OAR 340-206 Air Pollution Emergencies. Provides for public notification for both emergency and non-emergency air quality conditions. OAR 340-209 Public Participation. Specifies the requirements for notifying the public of certain permit actions and providing an opportunity for the public to participate in those permit actions. -0060 Persons Required to be Notified: includes state notification OAR 340-216 Air Contaminant Discharge Permits OAR 340- 252 Transportation Conformity OAR 340-223 Regional Haze Rules

Attachment B: Infrastructure SIP Submittal

CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
§110(a)(2)(J) PSD & visibility protection	<i>meet the applicable requirements of ... part C (relating to prevention of significant deterioration of air quality and visibility protection);</i>	<i>The US EPA does not believe that the visibility element of 110(a)(2)(J) is triggered by a NAAQS revision. Therefore, the visibility protection element of 110(a)(2)(J) is not addressed within this crosswalk. For more information, please see 77 FR 6044.</i> <u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. <u>Oregon Administrative Rules:</u> OAR 340-202 Ambient Air Quality Standards and PSD Increments - 0200-0220 PSD Increments Specifies ambient air increments & ceilings. OAR 340-204 Designation of Air Quality Areas - 0050-0060 Designation & re-designation of PSD areas. OAR 340-216 Air Contaminant Discharge Permits (ACDP). Federally enforceable state operation permit program. This rule also serves as the administrative permit mechanism used to implement the major and minor new source review (NSR) programs. The SIP approved minor NSR program applies major source NSR-PSD requirements to any source with emissions over the significant emission rate.

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		OAR 340-224 New Source Review. Regulates construction and modification of proposed major sources within nonattainment, maintenance and re-attainment areas and federal major sources and modifications within attainment, unclassified and sustainment areas. OAR 340-225 Air Quality Analysis Requirements - 0050-0060 In PSD areas. Requirements for analysis and demonstrating compliance with standards and increments. - 0090 Requirements for Demonstrating a Net Air Quality Benefit Note: EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747).
§110(a)(2)(K) Air quality modeling/data	<i>provide for:</i> <i>(i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and</i> <i>(ii) the submission, upon request, of data related to such air quality modeling to the Administrator;</i>	<u>Oregon Revised Statutes:</u> ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.035 (b) Functions of department. May conduct studies, investigations, etc. to determine air quality. <u>Oregon Administrative Rules:</u> OAR 340-224-0250 Requirements for Sources in Nonattainment Areas OAR 340-225 Air Quality Analysis Requirements (includes modeling). - 0040 Air Quality Models Refers to modeled estimates of ambient concentrations. - 0045 Requirements for Analysis in Maintenance Areas - 0050 Requirements for Analysis in PSD Class II and Class III Areas - 0060 Requirements for Demonstrating Compliance with Standards and Increments in PSD

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		Class I Areas - 0070 Requirements for Demonstrating Compliance with AQRV Protection
§110(a)(2)(L) Major Stationary source permitting fees	<i>require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover</i> <i>(i) the reasonable costs of reviewing and acting upon any application for such a permit, and</i> <i>(ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V;</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption ORS 468.065 Issuance of Permits: Content; Fees; use. Commission may establish a schedule of fees for permits based upon cost of filing & investigating application, issuing or denying permit, carrying out Title V requirements and determining compliance. ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.040 Permits; Rules. Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State. <u>Oregon Administrative Rules:</u> OAR 340-216 Air contaminant Discharge Permits- Requires payment of permit fees. - 0020 (Table 2) ACDP Fee Schedule - 0090 (Table 1) Sources Subject to ADCP and Fees
§110(a)(2)(M) Consultation/ Participation by affected local entities	<i>provide for consultation and participation by local political subdivisions affected by the plan.</i>	<u>Oregon Revised Statutes:</u> ORS 468 Environmental Quality Generally; Public Health and Safety; General Administration ORS 468.020 Rules and Standards. Requires public hearing on any proposed rule or standard prior to adoption

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		ORS 468A Air Quality, Public Health and Safety, Air Pollution Control ORS 468A.025 Air Purity Standards; Air Quality Standards; Treatment and Control of Emissions; Rules. Requires controls necessary to achieve ambient air quality standards and prevent significant impairment of visibility. ORS 468.035 (a, c, f-g) Functions of department -a. encourages voluntary cooperation with local govt. and others in restoring & preserving AQ -c. Shall advise, consult, and cooperate with state & federal agencies and political subdivisions in AQ control matters -f. Shall provide advisory technical consultation and services to local & state agencies -g. Shall develop & conduct demonstration programs with local govt. ORS 468A.010 (1) b & c Policy. Calls for joint responsibility for “a coordinated statewide program of air quality control and to allocate [responsibility] between the state and the units of local government.” ORS 468A.035 General Comprehensive Plan. Requires DEQ to develop a general comprehensive plan for the control or abatement of air pollution. ORS 468A.040 Permits; Rules. Provides that the EQC may require permits for air contamination sources, type of air contaminant, or specific areas of the State. ORS 468A.055 Notice Prior to Construction of New Sources; Order Authorizing or Prohibiting Construction; Effect of No Order; Appeal ORS 468A.070 Measurement and Testing of Contamination Sources; Rules ORS 468A.100-180 Regional Air Quality Control Authorities. Describes the establishment, role, and function of Regional Authorities.

Attachment B: Infrastructure SIP Submittal
CAA section 110(a)(2)(A)-(M) Requirements Checklist

Section 110(a) Element	Summary of Element	How Addressed
		<u>Oregon Administrative Rules:</u> OAR 340-200 General Air Pollution Procedures and Definitions - 0010 Specifies that Lane Regional Air Protection Agency (LRAPA) has authority in Lane County. - 0020 defines a “Regional Agency”. - 0040 describes inclusion of the regional agency’s actions into the SIP. OAR 340-204 Designation of Air Quality Areas. Includes Designation of Control Areas within Lane County. OAR 340-216 Air Contaminant Discharge Permits. Relating to ACDP includes authorities for LRAPA and inclusion in the SIP.

Attachment C

Oregon State Implementation Plan Revision Addressing the
Interstate Transport of Nitrogen Dioxide, Sulfur Dioxide,
Lead and Fine Particulate Matter

Clean Air Act Section 110(a)(2)(D)

May 12, 2015

Air Quality Planning

811 SW 6th Avenue
Portland, OR 97204
Phone: 503-229-5696
800-452-4011
Fax: 503-229-6762
Contact: [Nancy Cardwell](#)
503-229-6610
www.oregon.gov/DEQ

DEQ is a leader in restoring,
maintaining and enhancing
the quality of Oregon's air,
land and water.



State of Oregon
Department of
Environmental
Quality

Table of Contents

Addressing Interstate Pollutant Impacts under the Clean Air Act.....	3
I. Introduction	4
II. Background.....	4
III. Air Quality Data and Attainment Status within the State and Surrounding States	5
IV. Nature of Pollutant Transport.....	25
V. Sources of Pollutant Emissions near the State Boundary and Expected Impacts in Neighboring States	27
VI. Conclusion.....	28

Contact:

Nancy Cardwell
Air Planning
(503) 229-6610

Addressing Interstate Pollutant Impacts under the Clean Air Act

Overview

Some amount of air pollution routinely moves across all state borders and across all regions of the country. This document addresses the effect of Oregon air emissions transporting to neighboring states. Based on the information summarized in the sections that follow, the Oregon Department of Environmental Quality concludes that air emissions of nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead (Pb), and fine particulate matter (PM 2.5) from Oregon sources do not significantly contribute to violations of National Ambient Air Quality Standards in other states, or interfere with other states' efforts to meet air quality standards, prevention of significant deterioration (PSD), or protect visibility. DEQ's conclusions are based on its understanding of air pollution problems in adjacent states, and the emission sources, meteorology (weather patterns), and topographic features (mountain ranges, etc.) that influence air quality problems in these states.

DEQ will collaborate with air agencies in Washington, Idaho, Nevada, California and other states whenever necessary to evaluate case-specific air quality problems that may involve regional movement of air pollution. DEQ's Clean Air Act section 110 infrastructure SIP provides the framework and legal mechanism for DEQ to act as needed to reduce any Oregon emissions found to significantly contribute to air quality problems in other states.

The map below (Figure 1) illustrates the significant distances and mountain ranges that in many areas separate Oregon from communities in Washington, California, Idaho, and Nevada and can help limit the long range transport of air pollution.

Figure 1: Map of Oregon and major mountain ranges



I. Introduction

The interstate transport provision in the CAA section 110(a)(2)(D)(i) (also called “the good neighbor” provision) requires each state to submit a State Implementation Plan (SIP) that prohibits emissions that will have certain adverse air quality effects in other states. This SIP submittal is due within three years after the Environmental Protection Agency adopts a new or revised NAAQS.

II. Background

EPA Promulgated NAAQS

- Nitrogen Dioxide (NO₂): EPA first set standards for NO₂ in 1971; setting both a primary standard (to protect health) and a secondary standard (to protect the public welfare) at 53 parts per billion (ppb), averaged annually. EPA reviewed the standards in 1985 and 1996, deciding to retain the standards at the conclusion of each review. In 2005, EPA began another review, resulting in the January 22, 2010, rulemaking to establish an additional primary NO₂ standard at 100 ppb, averaged over one hour (75 FR 6474).
- Sulfur Dioxide (SO₂): Primary standards for SO₂ were first set in 1971, at 0.14 parts per million (ppm) averaged over a 24-hour period, not to be exceeded more than once per year, and 0.030 ppm, annual arithmetic mean. EPA subsequently reviewed the primary standards and determined to retain them in 1996. More recently, on June 2, 2010, EPA adopted a revised primary SO₂ standard at 75 ppb, based on a three-year average of the annual 99th percentile of one-hour daily maximum concentrations (75 FR 35520).
- Lead (Pb): On October 15, 2008, the EPA revised the level of the primary and secondary Pb NAAQS from 1.5 micrograms per cubic meter (µg/m³) to 0.15 µg/m³.
- Fine Particulate Matter (PM 2.5): On December 14, 2012 EPA adopted a revised annual NAAQS for fine particulate matter (PM 2.5) from 15 µg/m³ to 12 µg/m³.

Section 110(a)(2)(D)(i) of the CAA identifies four distinct requirements related to the impacts of air pollutants transported across state lines. It requires that each SIP for a new or revised NAAQS contain adequate provisions prohibiting any source or other type of emissions activity within the state from emitting air pollutants that may:

1. Contribute significantly to nonattainment of the applicable NAAQS in any other state;
2. Interfere with maintenance of the applicable NAAQS in any other state;
3. Interfere with measures required to be included in the applicable implementation plan for any other state to prevent significant deterioration of air quality; and
4. Interfere with measures required to be included in the applicable implementation plan for any other state to protect visibility.

Section III below addresses elements 1 and 2 above, contributions to nonattainment of applicable NAAQS, and interference with maintenance of applicable NAAQS. Regarding element 3 above (prevention of significant deterioration), DEQ's air permitting rules for industrial sources require analysis for the PSD which ensures that air quality impacts from new or modified industrial sources will not cause or contribute to violations of a NAAQS in Oregon or neighboring states, or cause significant visibility impairment in federal Class-I areas. EPA most recently approved revisions to Oregon's PSD program on December 27, 2011 (76 FR 80747). Regarding element 4 above (visibility protection), Oregon's federally approved regional haze plan provides the mechanism for ensuring emission reductions necessary to achieve visibility improvement in Oregon and in neighboring states. EPA approved the first element of the Oregon Regional Haze Plan (SIP) including the requirements for best available retrofit technology (BART) (76 FR 38997) on July 5, 2011. EPA approved the remaining elements of the Oregon Regional Haze SIP on August 22, 2012 (77 FR 50611).

III. Air Quality Data and Attainment Status within Oregon and Surrounding States

- a. **Surrounding contiguous states:** Oregon is bordered by Washington to the north, the Pacific Ocean to the west, California and Nevada to the south, and Idaho to the east. The Snake River separates the state from part of Idaho. The Columbia River forms most of the state's northern border. There are six major sources in Oregon within 5 km of contiguous Washington State and one major source within 5 km of Idaho. The sources are listed in Tables 5 and 6 below (page 29).
- b. **Designation of all areas within the state and in each surrounding state (attainment, nonattainment, and unclassifiable), including maintenance areas in adjacent states:**
 - **Nitrogen Dioxide (NO₂):** On January 20, 2012 EPA designated all areas of the country as "unclassifiable/attainment" for the 2010 NO₂ NAAQS, including all areas within the states of Idaho, California, Nevada, and Washington. The available air quality data show that all monitored areas in the country meet the 2010 NO₂ NAAQS for 2008-2010. No state or tribe recommended an area be designated "nonattainment" during the federal designation process.
 - **Sulfur Dioxide (SO₂):** According to EPA, designations for the entire state of Oregon, Washington, Idaho, California, and Nevada will be addressed in a future action. See proposed Consent Decree, *Sierra Club v. McCarthy*, No. 3:13-CV-3953-SI (N.D. Cal.), issued March 2, 2014, 70 Fed. Reg. 31,325, June 2, 2014 found at:

<https://federalregister.gov/a/2014-12693>

<http://content.sierraclub.org/environmentallaw/sites/content.sierraclub.org/environmentallaw/files/SO2%20Consent%20Decree.pdf>

EPA's review of the monitored air quality data from 2009-2011 showed no violations of 2010 1-hr SO₂ standard in any of these states. According to the latest available 2013

Oregon Air Quality Data Summaries Report, the downward trend in SO₂ emissions continues with the highest 2012 and 2013 1-hr concentrations under 25 ppb.

- Lead (Pb): In 2008 EPA designated all areas in the states of Oregon, Idaho, Nevada, and Washington as “unclassifiable/attainment.” In California, Los Angeles County South Coast Air Basin is classified as “nonattainment.” The rest of the state is designated “unclassifiable/attainment.”
- Fine Particulate Matter (PM 2.5): Shoshone County in Idaho, and Imperial, Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare counties in California are designated in nonattainment of the 2012 annual PM_{2.5} standard. There are no nonattainment areas for the annual PM_{2.5} standard in Oregon, Washington, Idaho, or Nevada. There have been no annual PM_{2.5} NAAQS violations in SW Washington during the most recent three-year period (2012-2014). The monitoring network for NO₂ and SO₂ is presented in Figure 2. The monitoring network for PM_{2.5} and Pb is presented in Figure 3.

c. Monitoring networks for pollutants within the state and surrounding states:

Figure 2: Monitoring network that includes for NO₂, and SO₂, in Oregon

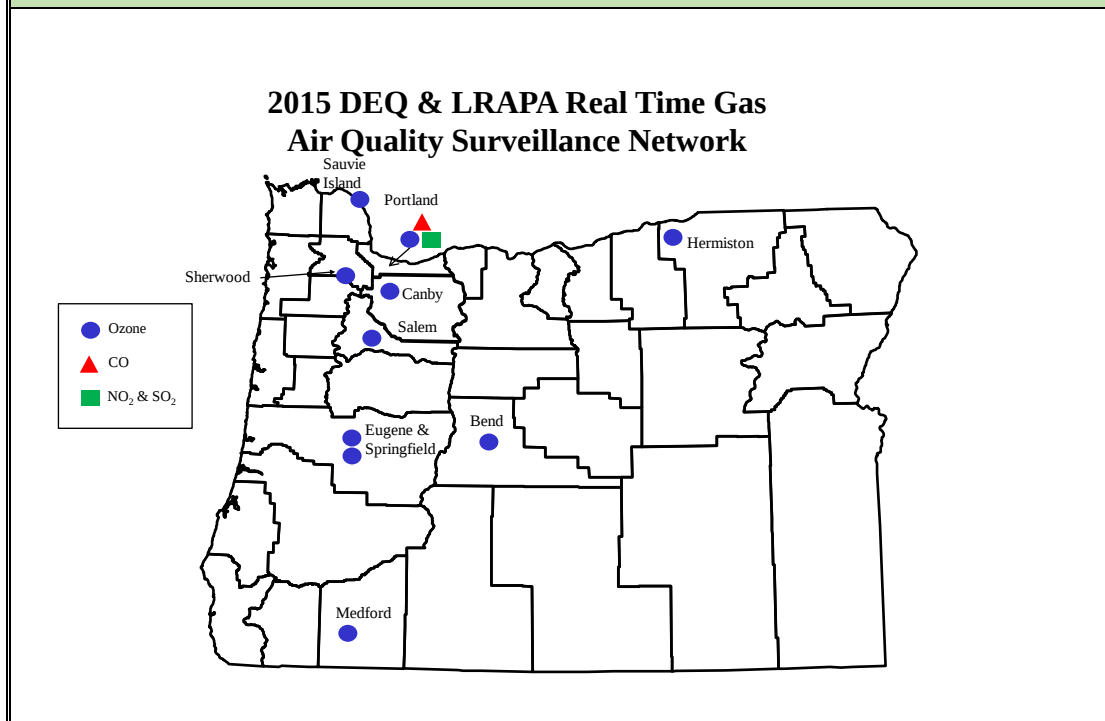


Figure 3: Monitoring network that includes PM 2.5 and Lead in Oregon

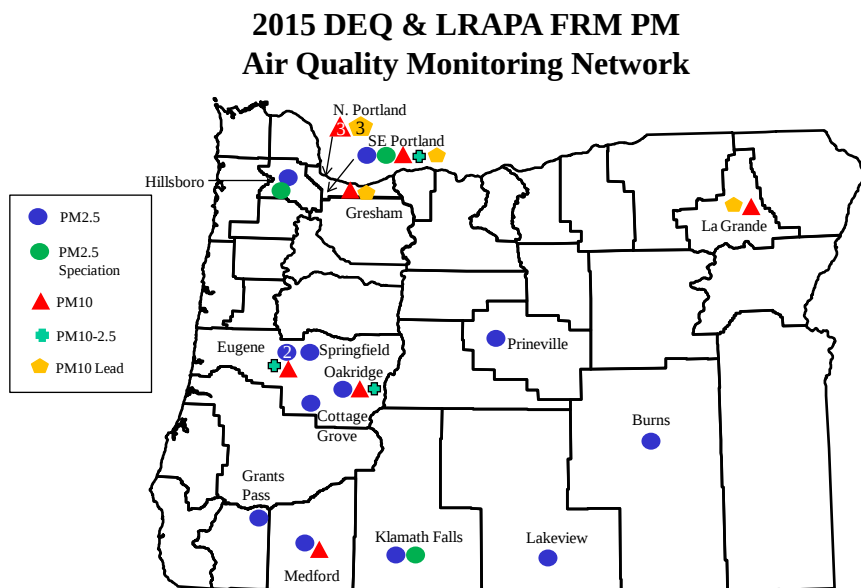


Figure 4: Monitoring networks for NO₂ in Washington, Idaho, California and Nevada

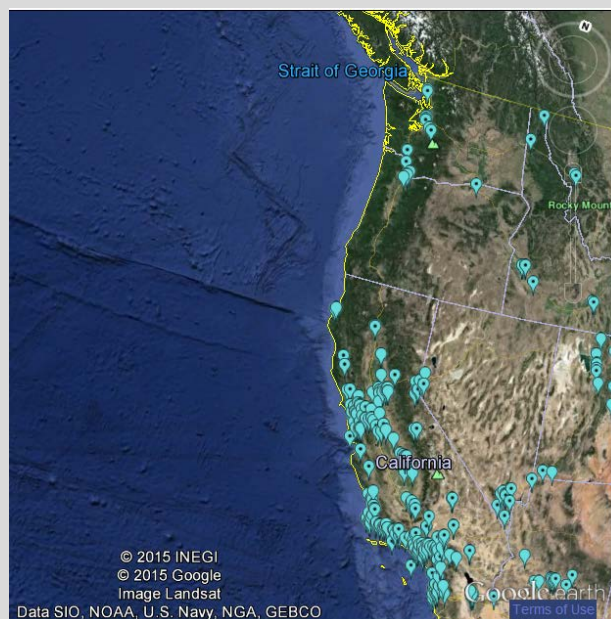


Figure 5: Monitoring networks for SO₂ in Washington, Idaho, California and Nevada

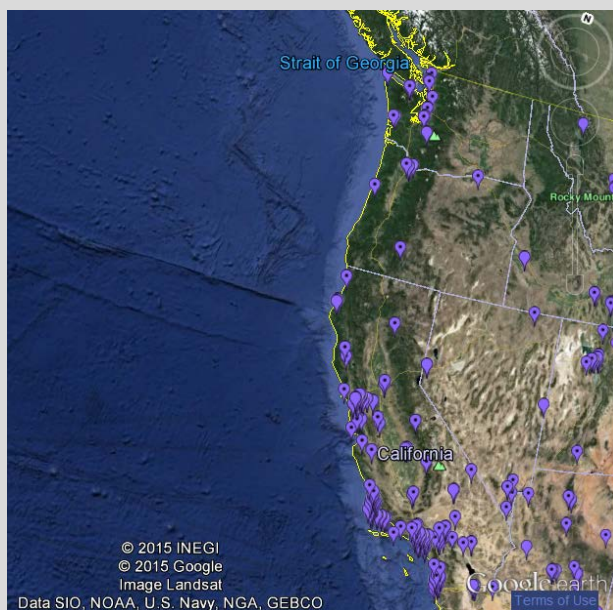


Figure 6: Monitoring networks for Pb in Washington, Idaho, California and Nevada

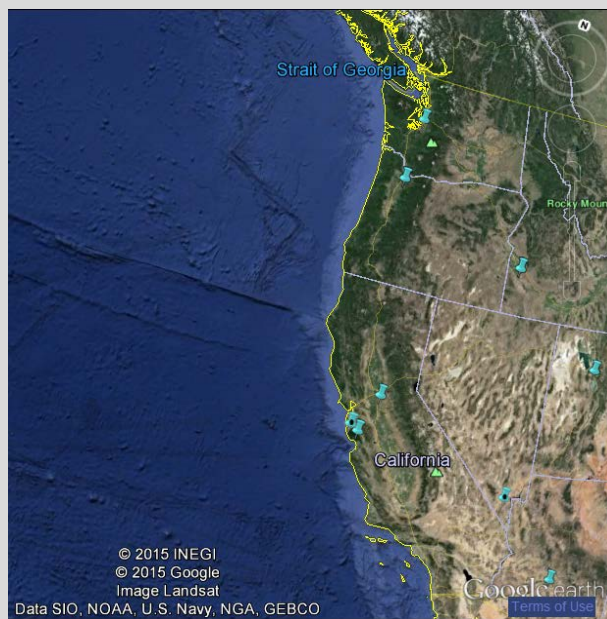
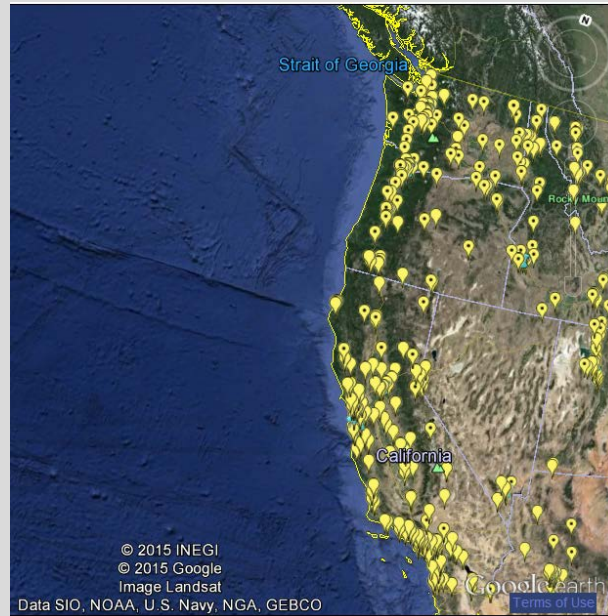


Figure 7: Monitoring networks for PM 2.5 in Washington, Idaho, California and Nevada



- d. Ambient data, including the ‘design value’ for pollutants of interest, at each monitoring site and trends over the last 5-10 years.

Nitrogen Dioxide (NO₂):

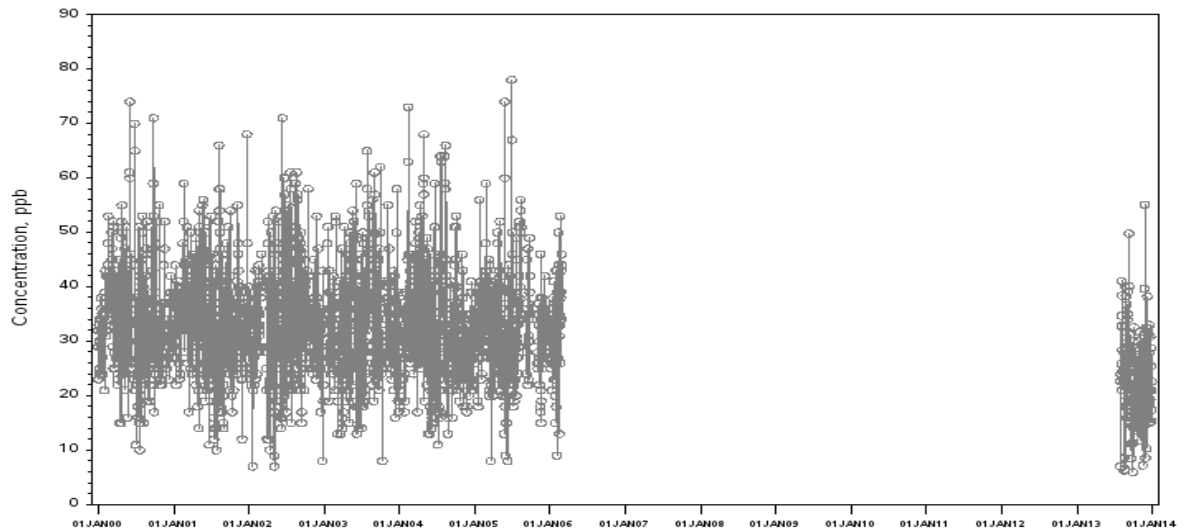
The level of the hourly NAAQS for NO₂ is 100 ppb based on the 98th percentile value from three consecutive years of data. The design values shown here are computed for the latest design value period using Federal Reference Method or equivalent data reported to EPA by States, Tribes, and local agencies. The 2011-2013 design values for NO₂ are presented in Table 1. Daily maximum 1-hr NO₂ 2000-2013 trends at monitoring stations in Oregon, Washington, California, Idaho, and Nevada are in Figures 8-11.

Table 1: County-Level Design Value Concentrations for NO ₂ 1-Hour NAAQS			
State	County	Site	2011-2013 1-hr Design Value (ppb)
California	Alameda	060010011	50
California	Butte	060070008	37
California	Contra Costa	060131004	40
California	Imperial	060250005	64
California	Kern	060296001	46
California	Kings	060311004	46
California	Los Angeles	060371701	64

Table 1: County-Level Design Value Concentrations for NO ₂ 1-Hour NAAQS			
State	County	Site	2011-2013 1-hr Design Value (ppb)
California	Marin	060410001	45
California	Monterey	060531003	35
California	Napa	060550003	39
California	Placer	060610006	50
California	Riverside	060655001	39
California	Sacramento	060670002	43
California	San Bernardino	060712002	62
California	San Diego	060732007	73
California	San Francisco	060750005	68
California	San Joaquin	060771002	53
California	San Luis Obispo	060798001	38
California	San Mateo	060811001	45
California	Santa Barbara	060831008	36
California	Santa Clara	060850005	51
California	Solano	060950004	42
California	Sutter	061010003	47
California	Tulare	061072002	52
California	Ventura	061112002	37
California	Yolo	061130004	34
Oregon	Multnomah	410510080	34
Nevada	Washoe	320310016	56

Figure 8: Trends - Concentrations for NO₂ 1-Hour NAAQS - Washington

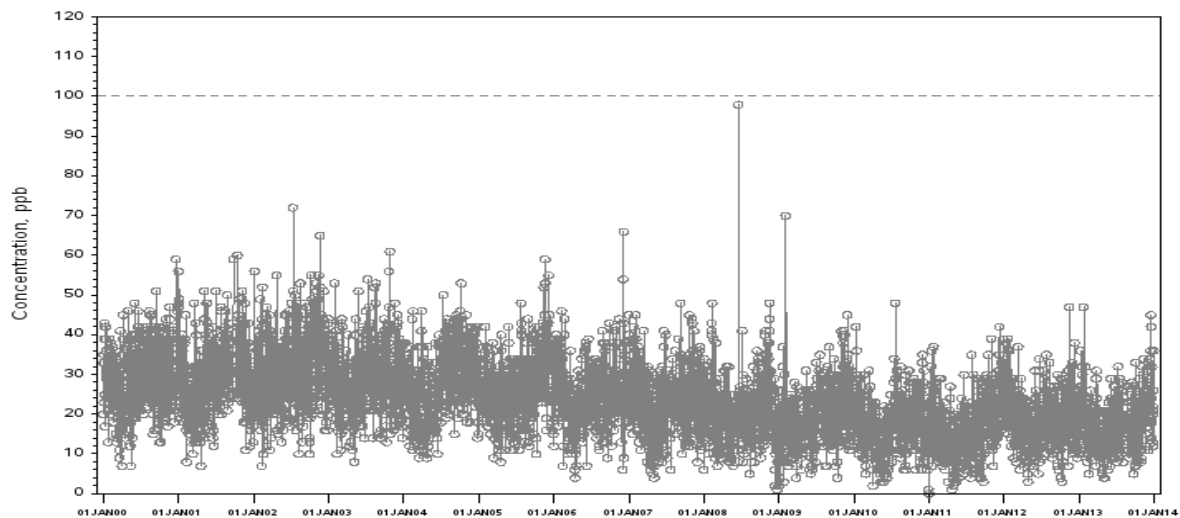
Daily Max 1-hour NO₂ Concentrations from 01/01/00 to 12/31/13
Parameter: Nitrogen dioxide (NO₂) (Applicable standard is 100 ppb)
CBSA: Seattle-Tacoma-Bellevue, WA
County: King
State: Washington
AQ5 Site ID: 53-033-0080, poc 1



Source: U.S. EPA AirData <<http://www.epa.gov/airdata>>
Generated: March 11, 2015

Figure 9: Trends - Concentrations for NO₂ 1-Hour NAAQS - California

Daily Max 1-hour NO₂ Concentrations from 01/01/00 to 12/31/13
Parameter: Nitrogen dioxide (NO₂) (Applicable standard is 100 ppb)
CBSA: Bakersfield, CA
County: Kern
State: California
AQ5 Site ID: 06-029-0007, poc 1



Source: U.S. EPA AirData <<http://www.epa.gov/airdata>>
Generated: March 11, 2015

Figure 10: Trends - Concentrations for NO₂ 1-Hour NAAQS - Idaho

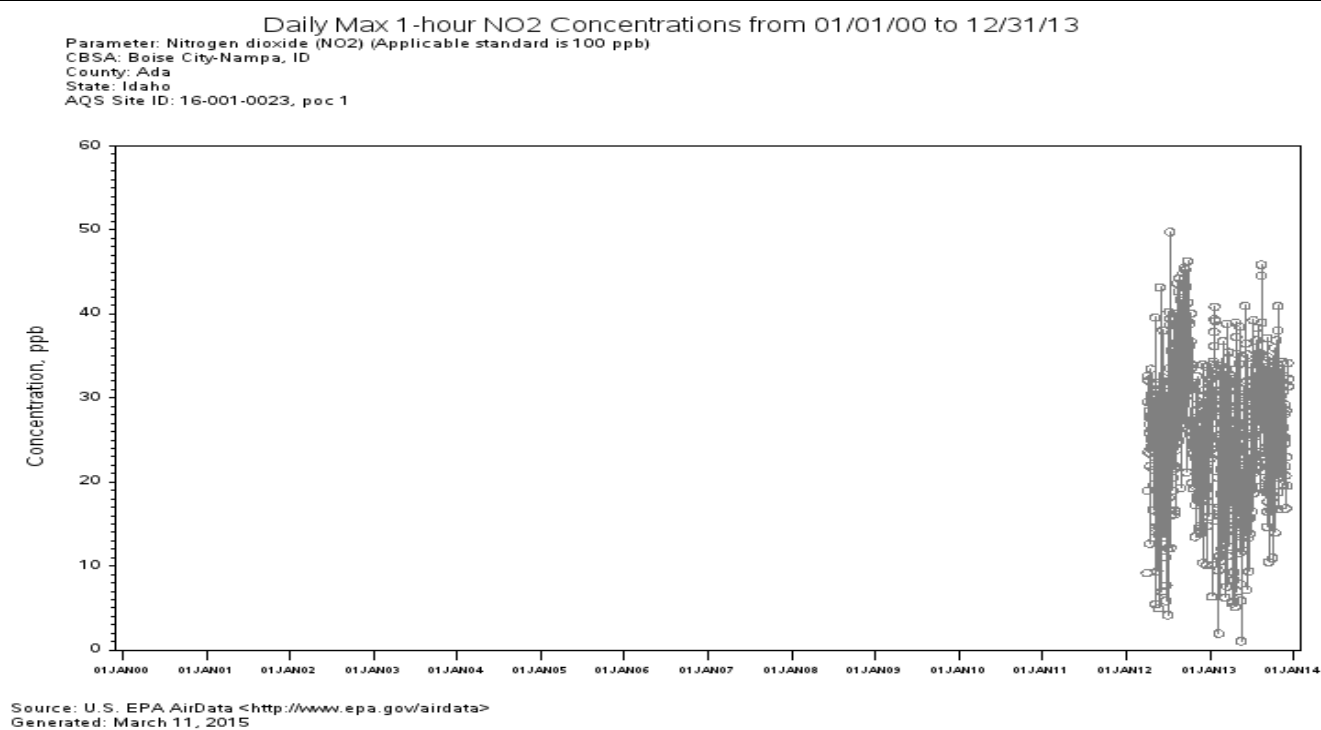
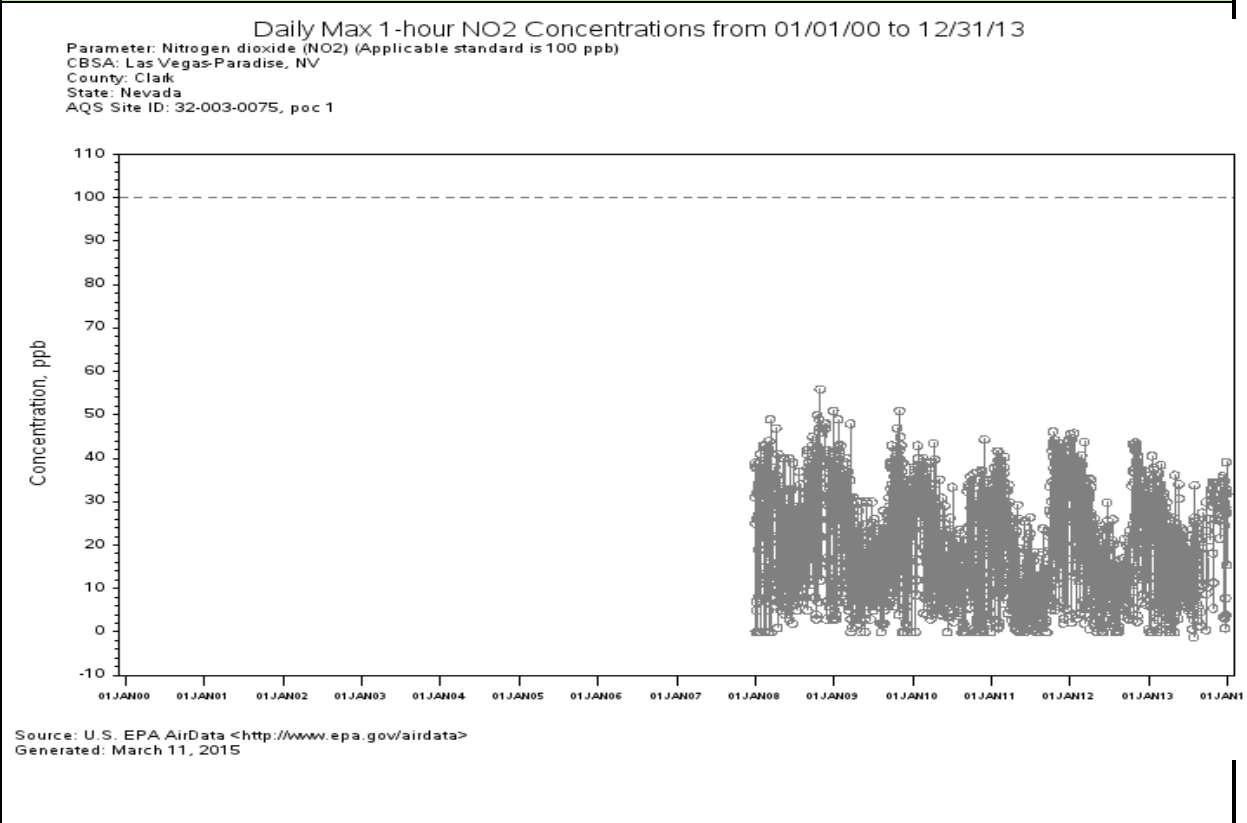


Figure 11: Trends – Concentrations for NO₂ 1-Hour NAAQS - Nevada



Sulfur Dioxide (SO₂)

The level of the 1-hour NAAQS for SO₂ is 75 ppb calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations. The 2011-2013 design values also calculated as the 3-year average of the annual distribution of daily maximum 1-hr average concentrations for SO₂ are presented in Table 2. Daily maximum 1-hr SO₂ 2000-2013 trends at monitoring stations in Oregon, Washington, California, Idaho, and Nevada are in Figures 12-16.

Table 2: County-Level Design Value Concentrations for SO₂ 1-Hour NAAQS

State	County	2011-2013 1-Hour Design Value (ppb)
CA	Alameda	15
CA	Contra Costa	14
CA	Riverside	3
CA	Sacramento	2
CA	San Bernardino	5
CA	San Diego	1
CA	San Luis Obispo	21
CA	Santa Barbara	36
CA	Santa Clara	13
CA	Solano	4
ID	Caribou	40
NV	Clark	8
NV	Washoe	6
OR	Multnomah	6
WA	Clallam	1

Figure 12: Trends – SO₂ 1-hour NAAQS concentrations – Umatilla County, Oregon

Sulfur Dioxide Trends

The figure below shows the SO₂ trends in comparison to the federal standard.

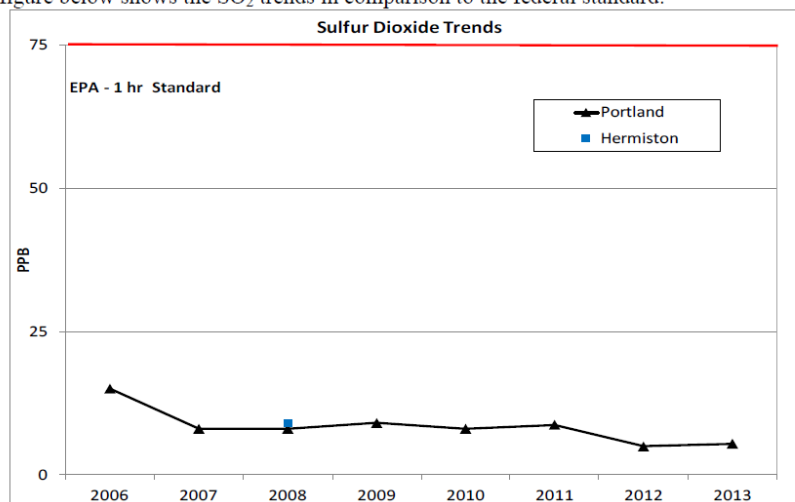


Figure 13: Trends – SO₂ 1-hour NAAQS concentrations - Washington

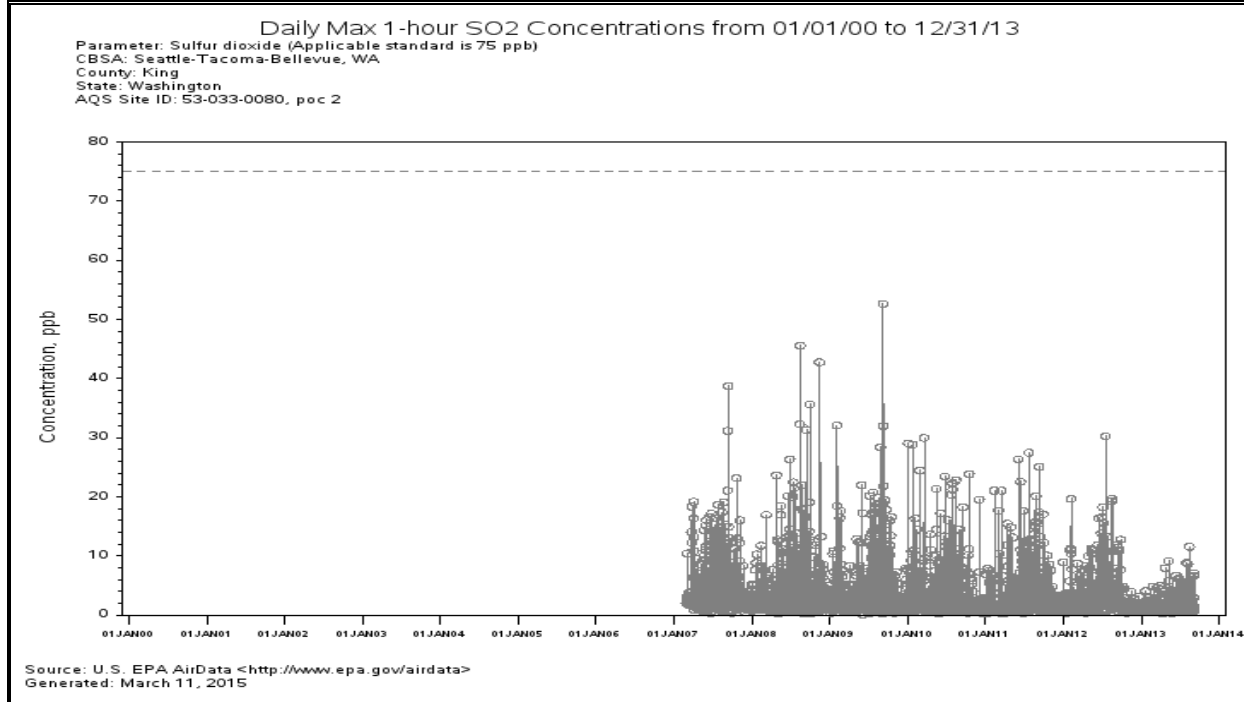


Figure 14: Trends – SO₂ 1-hour NAAQS concentrations - California

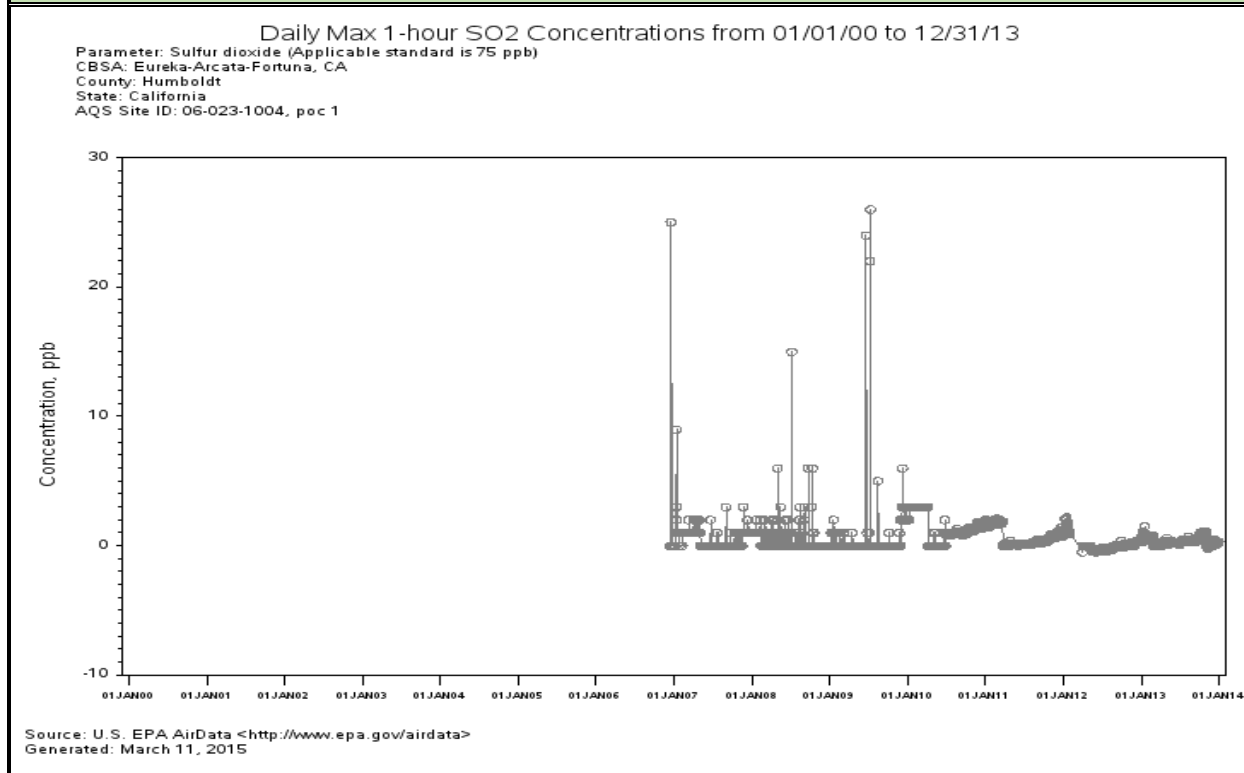
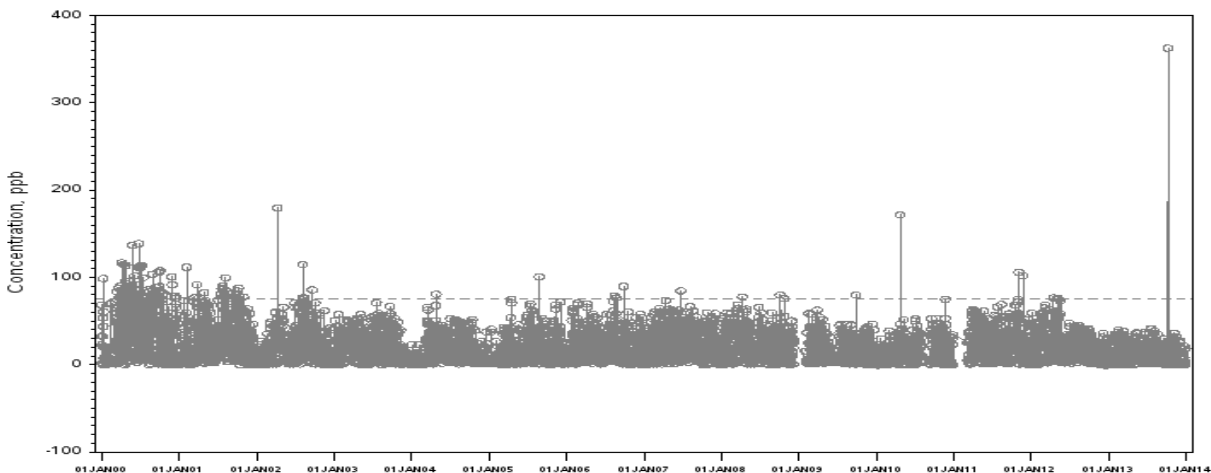


Figure 15: Trends – SO₂ 1-hour NAAQS concentrations - Idaho

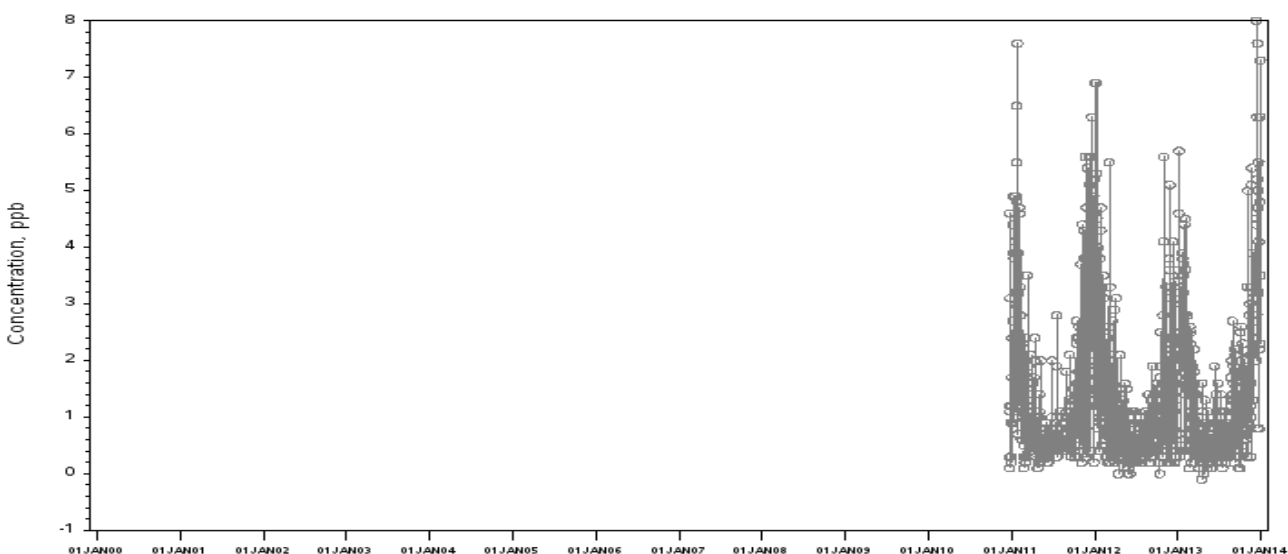
Daily Max 1-hour SO₂ Concentrations from 01/01/00 to 12/31/13
Parameter: Sulfur dioxide (Applicable standard is 75 ppb)
CBSA: Pocatello, ID
County: Bannock
State: Idaho
AQ5 Site ID: 16-005-0004, poc 2



Source: U.S. EPA AirData <<http://www.epa.gov/airdata>>
Generated: March 11, 2015

Figure 16: Trends – SO₂ 1-hour NAAQS concentrations - Nevada

Daily Max 1-hour SO₂ Concentrations from 01/01/00 to 12/31/13
Parameter: Sulfur dioxide (Applicable standard is 75 ppb)
CBSA: Reno-Sparks, NV
County: Washoe
State: Nevada
AQ5 Site ID: 32-031-0016, poc 1



Source: U.S. EPA AirData <<http://www.epa.gov/airdata>>
Generated: March 11, 2015

Lead (Pb):

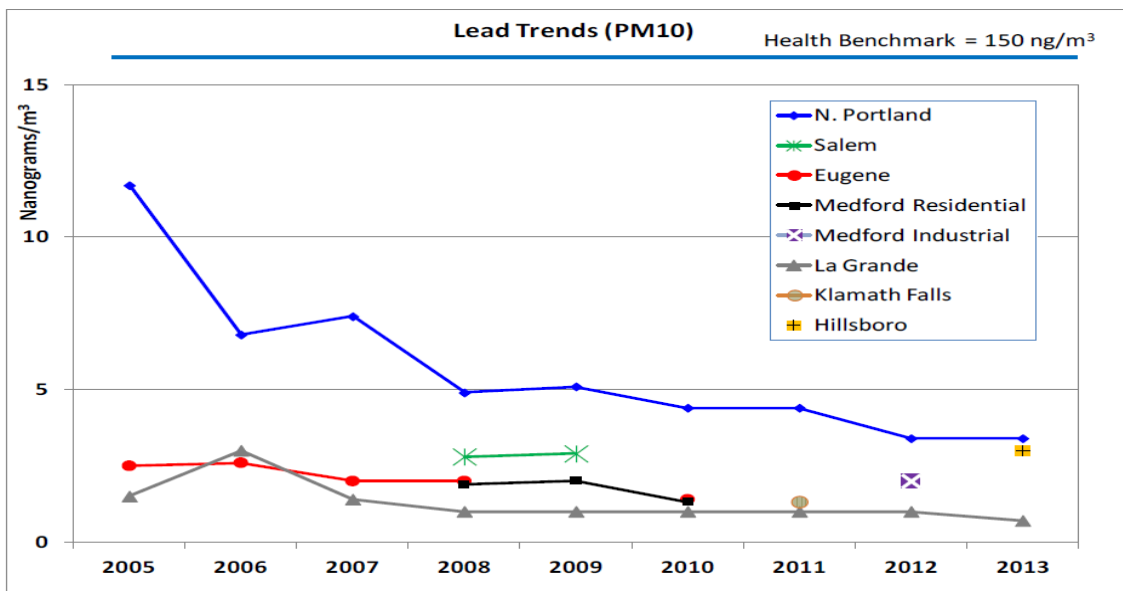
The level of the 2008 NAAQS for lead is 0.15 µg/m³ not to be exceeded in any 3-month period. The 2011-2013 available design values for Pb are presented in Table 3. Daily maximum 1-hr Pb 1990-2013 trends at monitoring stations in Oregon, California, and Idaho are in Figures 17-19.

Table 3. Site-Level Maximum Design Value Concentrations for 2008 Lead NAAQS, 2011-2013			
<u>State</u>	<u>County</u>	<u>AQS Site ID</u>	<u>2011-2013 Design Value (µg/m³)</u>
California	Imperial	060250005	0.03
California	Los Angeles	060371103	0.01
California	Los Angeles	060371403	0.11
California	Los Angeles	060371405	0.46
California	Los Angeles	060371406	0.07
California	Los Angeles	060371602	0.01
California	Riverside	060651003	0.01
California	Riverside	060658001	0.01
California	San Bernardino	060711004	0.01
California	San Diego	060731020	0.17
California	San Mateo	060812002	0.33
Oregon	Yamhill	410711702	0.05

The design values in bold in Table 3 exceed the 2008 Pb NAAQS. The monitoring site in California is 800 miles from the Oregon border. Given the great distances involved and the nature of lead transport, Oregon emissions are not expected to have any effect on lead levels measured in California.

Figure 17 below shows local 2005-2013 Pb trends in Oregon. Figures 18-20 show Pb trends in Idaho, California and Washington. According to EPA requirements, the lead emissions monitoring threshold is 0.50 tons per year (tpy). Air quality monitoring agencies are advised to use this threshold to determine if an air quality monitor is required to be placed near a facility emitting lead. There are no Pb trends for Nevada because Nevada did not conduct ambient monitoring for Pb. The figures show Pb trends in Oregon and its neighboring states are going down.

Figure 17: Annual Maximum 3-Month Average Pb - Oregon



Lead NAAQS is 0.15 mg/m³ which equals 150 ng/m³

Figure 18: Annual Maximum 3-Month Average Pb - Idaho

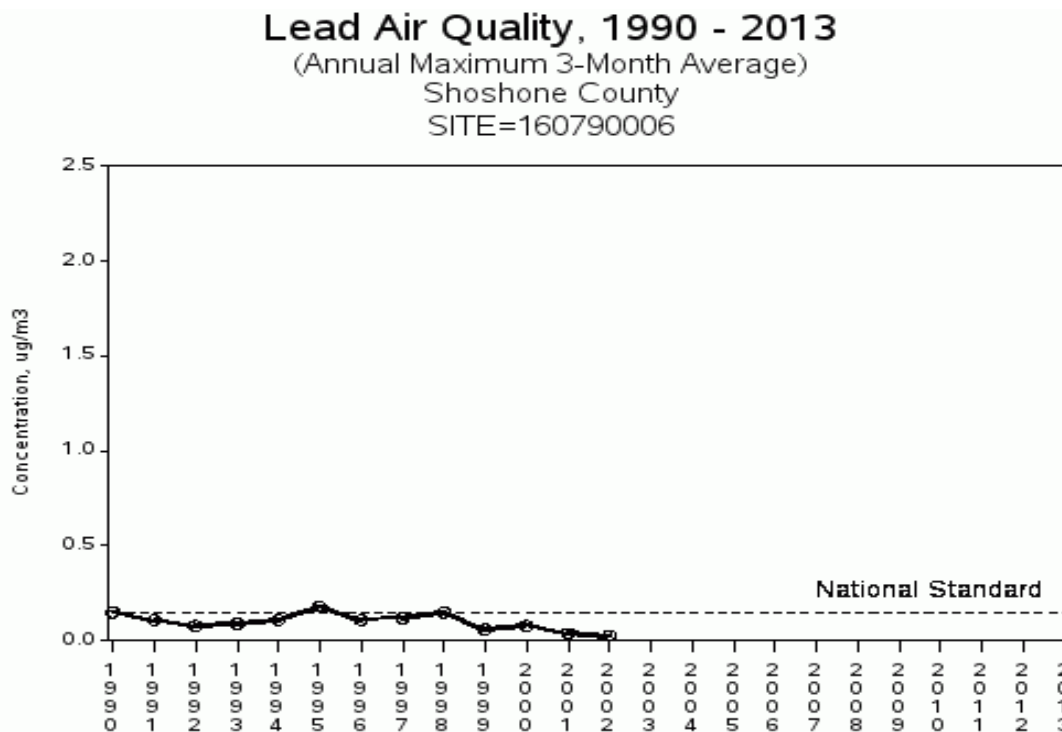


Figure 19: Annual Maximum 3-Month Average Pb - California

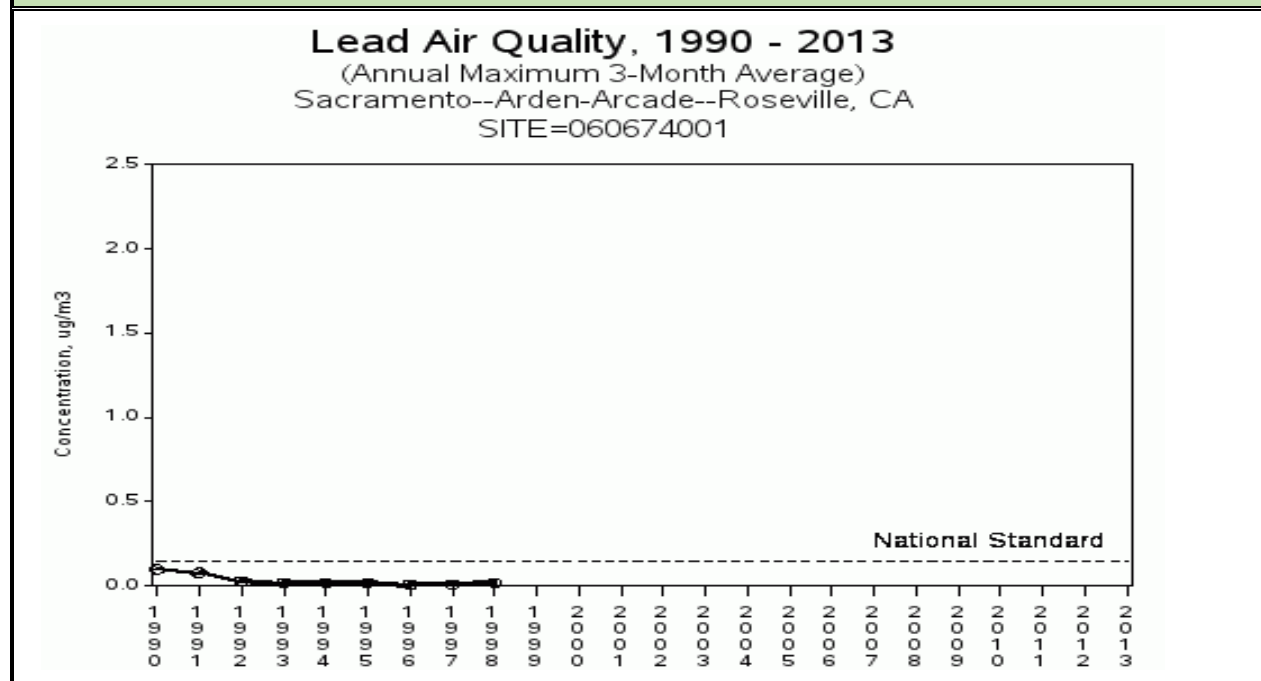
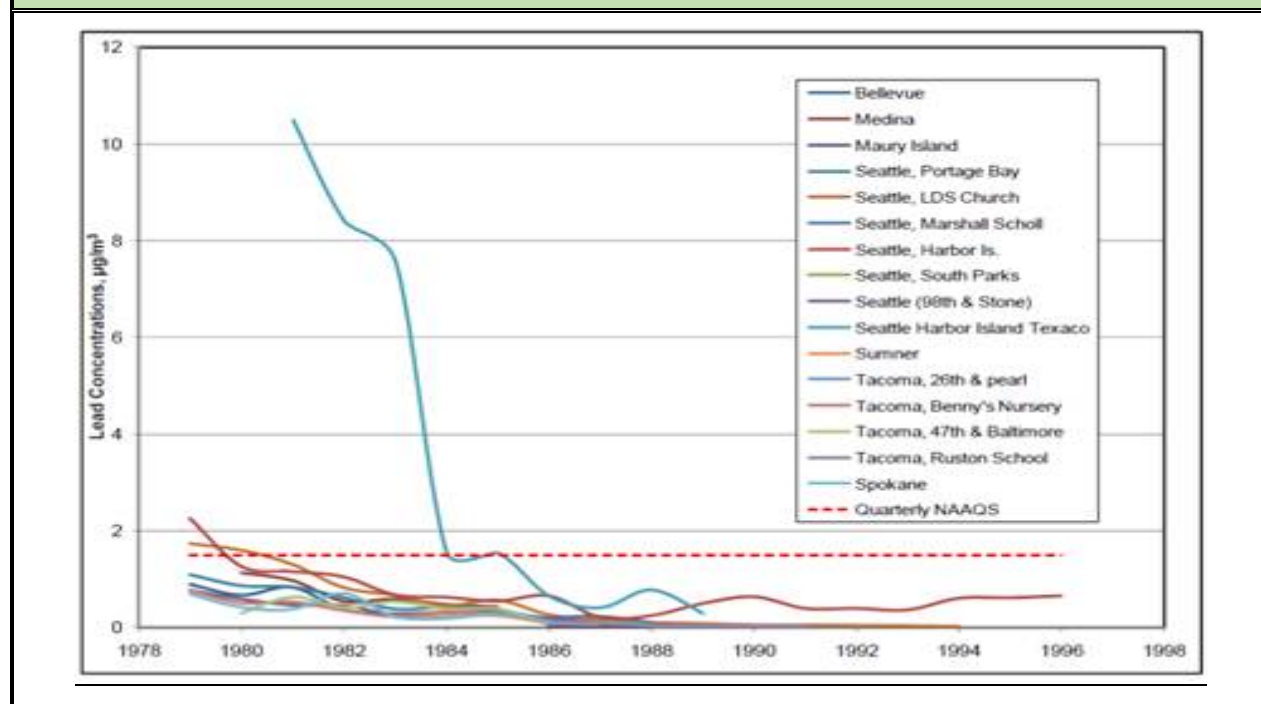


Figure 20: Quarterly Maximum Concentrations Pb – Washington



Fine Particulate Matter (PM 2.5):

The level of the 2012 NAAQS for PM 2.5 is 12 ug/m³ calculated as a 3-year average of the annual arithmetic mean. Table 4 presents the 2011-2013 design values for PM2.5. Figures 5-10 present annual PM2.5 2000-2013 trends at monitoring stations in Oregon, Washington, California, Idaho and Nevada.

Table 4 PM2.5 Site Listing, 2011-2013			
State	County	Site ID	2011-2013 Annual Design Value (µg/m³)
California	Alameda	060010007	7.6
California	Alameda	060010009	10.0
California	Butte	060070008	10.1
California	Calaveras	060090001	8.4
California	Colusa	060111002	7.1
California	Contra Costa	060130002	7.4
California	Fresno	060190011	15.4
California	Fresno	060192009	7.8
California	Fresno	060195001	16.4
California	Fresno	060195025	14.7
California	Humboldt	060231002	6.2
California	Imperial	60250005	14.3
California	Imperial	060250007	7.5
California	Imperial	060251003	7.4
California	Inyo	060271003	7.5
California	Kern	060290014	16.4
California	Kern	060290016	17.3
California	Kings	060311004	17.0
California	Lake	060333001	3.8
California	Los Angeles	060370002	11.2

Table 4 PM2.5 Site Listing, 2011-2013			
State	County	Site ID	2011-2013 Annual Design Value (µg/m3)
California	Los Angeles	060371002	12.8
California	Los Angeles	060371103	13.0
California	Los Angeles	060371201	10.2
California	Los Angeles	060371302	12.2
California	Los Angeles	060371602	12.0
California	Los Angeles	060374002	11.1
California	Los Angeles	060374004	11.0
California	Madera	060392010	18.1
California	Marin	060410001	9.5
California	Merced	060470003	13.3
California	Merced	060472510	11.1
California	Monterey	060531003	6.1
California	Nevada	060570005	4.6
California	Nevada	060571001	7.0
California	Orange	060590007	10.7
California	Orange	060592022	8.2
California	Placer	060610006	7.5
California	Plumas	060631006	10.2
California	Plumas	060631009	12.2
California	Plumas	060631010	12.8
California	Riverside	060650009	7.7
California	Riverside	060651003	11.5
California	Riverside	060652002	7.7
California	Riverside	060655001	6.4
California	Riverside	060658001	13.4

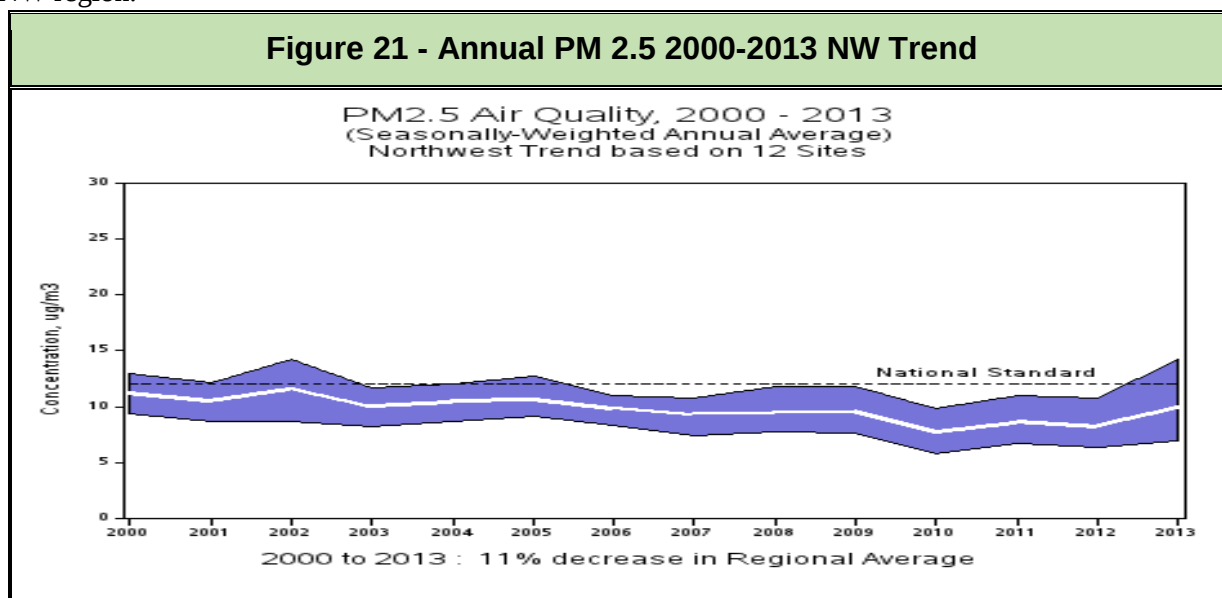
Table 4 PM2.5 Site Listing, 2011-2013			
State	County	Site ID	2011-2013 Annual Design Value (µg/m3)
California	Riverside	060658005	15.1
California	Sacramento	060670006	10.4
California	Sacramento	060670010	9.5
California	Sacramento	060674001	9.3
California	San Benito	060690002	5.5
California	San Bernardino	060710025	12.6
California	San Bernardino	060712002	12.6
California	San Bernardino	060718001	8.7
California	San Bernardino	060719004	11.8
California	San Diego	060730001	9.9
California	San Diego	060730003	10.6
California	San Diego	060731002	10.7
California	San Diego	060731010	10.8
California	San Diego	060731016	8.7
California	San Francisco	060750005	9.2
California	San Joaquin	060771002	13.8
California	San Joaquin	060772010	10.2
California	San Luis Obispo	060792004	8.7
California	San Luis Obispo	060792006	6.6
California	San Luis Obispo	060792007	11.3
California	San Luis Obispo	060798001	7.0
California	San Mateo	060811001	9.3
California	Santa Barbara	060830011	9.5
California	Santa Barbara	060831008	7.6
California	Santa Clara	060850002	8.0

Table 4 PM2.5 Site Listing, 2011-2013			
State	County	Site ID	2011-2013 Annual Design Value (µg/m3)
California	Santa Clara	060850005	10.3
California	Santa Cruz	060870007	6.3
California	Shasta	060890004	5.7
California	Shasta	060893004	6.2
California	Siskiyou	060932001	6.3
California	Solano	060950004	9.6
California	Sonoma	060970003	8.4
California	Stanislaus	060990005	13.6
California	Stanislaus	060990006	15.7
California	Sutter	061010003	7.7
California	Tehama	061030006	8.1
California	Tulare	061072002	16.6
California	Ventura	061110007	9.1
California	Ventura	061110009	8.1
California	Ventura	061112002	9.1
California	Ventura	061113001	9.0
California	Yolo	061131003	7.2
Idaho	Ada	160010010	9.1
Idaho	Bannock	160050020	7.7
Idaho	Benewah	160090010	9.9
Idaho	Canyon	160270002	10.8
Idaho	Franklin	160410001	8.0
Idaho	Lemhi	160590004	12.0
Idaho	Shoshone	160790017	12.8
Nevada	Clark	320030540	8.1

Table 4 PM2.5 Site Listing, 2011-2013			
State	County	Site ID	2011-2013 Annual Design Value (µg/m3)
Nevada	Clark	320030561	8.8
Nevada	Clark	320031019	4.6
Nevada	Washoe	320310016	7.6
Oregon	Crook	410130100	9.8
Oregon	Harney	410250003	9.5
Oregon	Jackson	410290133	10.9
Oregon	Josephine	410330114	8.8
Oregon	Klamath	410350004	11.6
Oregon	Lake	410370001	11.1
Oregon	Lane	410390060	7.0
Oregon	Lane	410391009	5.8
Oregon	Lane	410392013	9.1
Oregon	Lane	410399004	7.1
Oregon	Multnomah	410510080	8.1
Oregon	Umatilla	410590121	7.6
Oregon	Washington	410670004	8.2
Washington	King	530330057	10.1
Washington	King	530330080	6.1
Washington	King	530332004	7.1
Washington	Pierce	530530029	7.8
Washington	Snohomish	530610005	5.9
Washington	Snohomish	530610020	6.9
Washington	Snohomish	530611007	7.7
Washington	Spokane	530630021	8.0
Washington	Yakima	530770009	9.1

There are design values that exceed the annual PM 2.5 NAAQS in neighboring states at monitoring sites located hundreds of miles away from Oregon. Oregon's PM 2.5 emissions are unlikely to significantly contribute to those levels.

Figure 20 shows annual PM 2.5 2000-2013 NW trends at monitoring stations in Oregon, Washington, California, Idaho, and Nevada. The trend shows an 11% regional decrease in PM 2.5 emissions across the NW region.



Consultation with Neighboring States: In March 2015, DEQ contacted the air quality agencies in neighboring states via email - Adele Malone (Nevada), Mike Edwards (Idaho), Sylvia Vanderspek (California), and Paul Mairose (Washington) - regarding the potential transport of air emissions (NO₂, SO₂, Pb and PM_{2.5}) across state boundaries. They informed DEQ that emissions from Oregon do not appear to be impacting their states in a significant way. Specifically, other than wildfires, California is not aware of any Oregon air emissions that affect Northern California. Washington's recent interstate transport report indicates Oregon's emissions are not significantly affecting Washington. Idaho reported that since they do not have a lead, NO₂ or SO₂ non-attainment area, they do not believe Oregon is affecting Idaho. Due to the lack of any nonattainment or maintenance areas for the listed pollutants, Nevada concludes that emissions from Oregon are not currently affecting air quality in any significant way.

IV. Nature and Extent of Expected Pollutant Transport

NO₂ and SO₂ and Pb normally do not transport over long distances. As NO₂ and SO₂ can also react in the atmosphere to become nitrate and sulfate particulate, both NO₂ and SO₂ will most likely either disperse in the atmosphere or chemically react to form a secondary pollutant within a few miles of the source. Pb would most likely be deposited within a few miles of a source. Based on monitoring data and DEQ's discussion with other state air agencies, DEQ concludes that direct emissions of Pb, NO₂ and SO₂ do not

cause or contribute to exceedances of the NAAQS. Any impacts from those pollutants as well as PM_{2.5} are addressed through DEQ's PSD rules and through the Regional Haze program.

Nitrogen Dioxide: NO₂ is one of a group of highly reactive gasses known as "oxides of nitrogen," or "nitrogen oxides (NO_x)." Other nitrogen oxides include nitrous acid and nitric acid. EPA's NAAQS uses NO₂ as the indicator for the larger group of nitrogen oxides. NO₂ forms quickly from emissions from cars, trucks and buses, power plants and off-road equipment. In addition to contributing to the formation of ground-level ozone, and fine particle pollution, NO₂ is linked with a number of adverse effects on the respiratory system.

EPA first set standards for NO₂ in 1971, setting both a primary standard (to protect health) and a secondary standard (to protect the public welfare) at 0.053 parts per billion (ppb), averaged annually. EPA reviewed the standards twice since that time, but chose not to revise the annual standards at the conclusion of each review. In January 2010, EPA established an additional primary standard at 100 ppb, averaged over one hour. Concentrations of NO₂ emitted into the atmosphere will decrease during transport through three mechanisms: deposition, chemical transformation, and dispersion. Interstate transport of NO₂ is not a concern for Oregon due to the distances involved for large stationary sources and large concentrations of area source emissions in western Oregon.

Sulfur Dioxide: SO₂ is one of a group of highly reactive gasses known as "oxides of sulfur." Generally the largest sources of SO₂ emissions are from fossil fuel combustion at power plants (73%) and other industrial facilities (20%). Smaller sources of SO₂ emissions include industrial processes such as extracting metal from ore, and burning high sulfur containing fuels in locomotives, large ships, and non-road equipment. SO₂ is linked with a number of adverse effects on the respiratory system. The emission inventory for Oregon demonstrates a similar source distribution.

EPA first set standards for SO₂ in 1971. EPA set a 24-hour primary standard at 140 ppb and an annual average standard at 30 ppb (to protect health). EPA also set a 3-hour average secondary standard at 500 ppb (to protect the public welfare). In 1996, EPA reviewed the SO₂ NAAQS and chose not to revise the standards. In 2010, EPA revised the primary SO₂ NAAQS by establishing a new 1-hour standard at a level of 75 ppb. EPA revoked the two existing primary standards because they would not provide additional public health protection.

Concentrations of SO₂ emitted into the atmosphere decreases during transport through three mechanisms: deposition, chemical transformation, and dispersion. Interstate transport of SO₂ is not a concern for Oregon due to the distances involved for large stationary sources and large concentrations of area source emissions in western Oregon.

Lead: As noted in the EPA's October 14, 2011 Pb infrastructure guidance, the physical properties of Pb prevent emissions from experiencing the same travel or formation phenomena as fine particulate matter or ozone. More specifically, there is a sharp decrease in Pb concentrations, at least in the coarse fraction, as the distance from a Pb source increases. Accordingly, while it may be possible for a source in a state to emit Pb in a location and in quantities that may contribute significantly to nonattainment in, or interfere with maintenance by, any other state, EPA anticipates that this would be a rare situation (e.g., where large sources are in close proximity to state boundaries). EPA's experience with initial Pb designations suggests that sources that emit less than 0.5 tons per year or that are located more than two miles from a state border generally appear unlikely to contribute significantly to nonattainment in another state. All sources of Pb emissions in Oregon are below 0.5 tons per year and are located greater than two miles

from the state border. Therefore, it is unlikely that sources in Oregon will significantly contribute to nonattainment or interfere with maintenance of the 2008 Pb NAAQS in any other state.

Fine Particulate Matter: DEQ's consultation with air agencies in adjacent states suggests that high PM 2.5 levels in their respective communities are driven largely by local pollution sources during air stagnation events. Local air stagnation events would generally preclude interstate air pollution transport as a significant contributor to high PM 2.5 levels jeopardizing NAAQS compliance.

V. Sources of Pollutant Emissions Near the State Boundary and Expected Impacts in Neighboring States

This section addresses sources and emissions for pollutants (specifically major point or area source emissions and their proximity to the state boundary) and the likelihood that emissions from these sources would transport across the state boundary to contribute significantly to nonattainment or interfere with maintenance of any applicable NAAQS in any other state.

There are six Title V Oregon sources (major industrial sources that have a potential to emit a 100 tons per year of any criteria pollutant) in close proximity to the Washington border and one source in close proximity to the Idaho border.

Table 5: Closest Sources within 5 km of Washington Border

Source Name	City	2011 Actual Emissions (tpy)				Washington (km)
		NOX	PB	PM25	SO2	
Georgia-Pacific Consumer Products LP	CLATSKANIE	1,062.2	0.0	951.4	706.7	1
Owens-Brockway Glass Container Inc.	PORTLAND	406.5	0.0	47.6	119.0	4
Cascades Tissue Group-Oregon	SAINT HELENS	247.3	0.0	9.1	2.1	1
EVRAZ Inc, NA	PORTLAND	192.9	0.1	24.5	4.1	3
Portland General Electric Company Beaver Plant/Port Westward I Plant	CLATSKANIE	91.9	0.0	35.6	13.6	1
Portland General Electric Company Coyote Springs Plant	BOARDMAN	79.9	0.0	13.8	3.1	1

Table 6: Closest Sources within 5 km of Idaho Border but NOX emissions less than 100 tons

Source Name	City	2011 Actual Emissions (tpy)				Idaho (km)
		NOX	PB	PM25	SO2	
The Amalgamated Sugar Company LLC	NYSSA	1.0	0.0	0.0	1.0	1

Georgia-Pacific Consumer Products LP, Cascades Tissue Group-Oregon, Portland General Electric Company Beaver Plant/Port Westward I Plant, and Portland General Electric Company Coyote Springs Plant all went through PSD analysis, were issued PSD permits and thus demonstrated that their emissions do not cause or contribute to a violation of any applicable NAAQS.

Owens-Brockway Glass Containers and Evraz were evaluated as part of the competing sources inventory during both Port Westward and Troutdale Energy Center's PSD analyses and thus demonstrated that their emissions considered in conjunction with the emissions from other sources in the area do not cause or contribute to a violation of any applicable NAAQS.

A PSD permit applicant must conduct an air quality analysis of the ambient impacts associated with the construction and operation of a proposed new source or modification. The purpose of the air quality analysis is to demonstrate that new emissions from a proposed major stationary source or major modification, in conjunction with other applicable emissions from existing sources (including secondary emissions), will not cause or contribute to a violation of any applicable NAAQS.

Portland General Electric's coal-fired power plant is located in Boardman, Oregon, 14 km south of Washington's border. It is the only coal fired power plant in Oregon. In December 2010, the Environmental Quality Commission approved DEQ's proposed revisions to air pollution control rules for this plant. Based on the adopted rules, Boardman has a federally enforceable shutdown date of December 31, 2020. The rules also require PGE Boardman to use dry sorbent injection controls to meet federal regulations for sulfur dioxide control and a more stringent sulfur dioxide limit from 2018-2020. DEQ concluded that the proposed BART controls, when combined with the permanent closure of plant no later than December 31, 2020, meet federal requirements and provide a significant environmental and public health benefit.

Based on the analysis discussed above, it is reasonable to conclude that emissions from sources in Oregon do not significantly contribute to PM_{2.5} and NO₂ concentrations in any other state.

Regional Work with Western Regional Air Partnership (WRAP): In late 2010, WRAP initiated the *West-wide Jump-start Air Quality Modeling Study (WestJumpAQMS)*. The goal of the study was to develop the next generation of regional air quality modeling databases for ozone, PM_{2.5}, visibility and deposition planning in the western U.S and to provide information on the role of interstate and international transport to ozone and PM_{2.5} under current and potential future NAAQS. The study looked at PM_{2.5} annual source apportionment but did not look at the transport of lead, NO₂ or SO₂. DEQ reviewed Appendix E, *State Contributions to Modeled Annual PM 2.5 Concentrations in 2008 by Monitoring Site*, and the total annual PM_{2.5} modeled concentrations in all the counties in the state of Washington, California, Idaho, Nevada, and as far away as Wyoming. Clark and Skamania counties in Washington may be impacted by Oregon's PM_{2.5} emissions from Georgia Pacific Consumer Products located in Clatskanie. However, Washington does not have an annual PM_{2.5} nonattainment area and has not had any violations of the PM_{2.5} NAAQS in the past 3 years. Any potential impact does not result in Oregon's contribution to nonattainment or violations of annual PM_{2.5} standard in the state of Washington. The impacts by Oregon to other neighboring states were insignificant.

VI. Conclusion

In general air pollution from all sources transport across state boundaries. Based on the information described above (Oregon's emissions inventory, air monitoring data and consultation with neighboring state air agencies), DEQ finds no evidence to suggest that Oregon emission of NO₂, SO₂, Pb and PM_{2.5} significantly contribute to exceedances or violations of NAAQS, or cause adverse effects in the neighboring states. Additionally, Oregon's PSD program requires NAAQS and visibility analysis for any new or modified industrial sources.

In conclusion, Oregon's SIP complies with CAA Section 110(a)(2)(D)(i)(I). The current Oregon SIP contains adequate provisions prohibiting any source or other type of emissions activity within the State from emitting any air pollutant in amounts that will contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard.