State of Oregon
Department of Environmental Quality Memorandum

Date: March 6, 2018

To: Environmental Quality Commission

From: Richard Whitman, Director

Subject: Agenda item L2, Action item: Update LRAPA's air quality rules to address federal regulations
March 21-22, 2018, EQC meeting

Why this is important

ORS 468A.135(3) and OAR 340-200-0010(3) require that the commission review and approve all air quality standards adopted by regional authorities before any such standards are enforced.

Background

The proposed rules would update LRAPA rules to reflect new and amended federal standards. This would advance LRAPA's work to protect Lane County residents from toxic and other regulated pollutants by updating LRAPA rules to be consistent with state and federal rules.

Toxics of concern
LRAPA proposes adopting the new residual risk and technology standards for aerospace manufacturing and rework, amino and phenolic resin manufacturing, electric arc furnaces steelmaking facilities, flexible polyurethane foam production, generic maximum achievable control technology, offsite waste and recovery, pesticide active ingredient production, phosphate fertilizer production, phosphoric acid manufacturing, polyether polyols production, polymer and resin production, primary aluminum reduction, and secondary aluminum production. This would give LRAPA the federal authority to work with Lane County sources.

Sources that may endanger public health and welfare
LRAPA proposes adopting the new federal standards for crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after Sep. 18, 2015; greenhouse gas emissions from electric generating units; kraft pulp mills constructed, reconstructed, or modified after May 23, 2013; and wool fiberglass manufacturing. This would give LRAPA the federal authority to work with Lane County sources.

Revised federal standards
LRAPA proposes adopting revised federal standards by reference.

DEQ recommendation and EQC motion	DEQ recommends that the Oregon Environmental Quality Commission review and approve the proposed LRAPA air quality standards as seen in attachment B of this report.
Attachments	A. LRAPA staff report: Notice of rulemaking and supporting materials B. Proposed rules – redline/strikethrough C. Proposed rules – no markup D. Table of New and Amended NESHAPS/NSPSs proposed for adoption

Report prepared by Max Hueftle
LRAPA Permit Section Manager

Lane Regional Air Protection Agency
March 22-23, 2018
Rulemaking – Staff Report
Environmental Quality Commission meeting

Update LRAPA's air quality rules to address federal regulations

Overview

Short summary

LRAPA proposes to adopt new and amended federal air quality regulations. This includes adopting:

- New federal standards for kraft pulp mills, crude oil and natural gas facilities, greenhouse gas emissions for electric generating units, and wool fiberglass manufacturing.
- Newly amended federal standards

Brief history

The federal Clean Air Act requires the U.S. Environmental Protection Agency to establish National Emission Standards for Hazardous Air Pollutants, known as NESHAPs, for both major and area sources of hazardous air pollutants. EPA finished establishing major source standards in 2004. EPA began establishing area source standards in 2006 and concluded in 2011. EPA may adopt additional NESHAPs in the future for new source categories or source categories it may have missed.

The Clean Air Act also requires EPA to develop New Source Performance Standards (NSPSs) for categories of sources that cause or significantly contribute to air pollution that may endanger public health or welfare. Such regulations apply to each new source within a category without regard to source location or existing air quality. When EPA establishes New Source Performance Standards for a category of sources, it may also establish emission guidelines for existing sources in the same category. States must develop rules and a state plan to implement Emission Guidelines or request delegation of the federal plan. State plans, called Section 111(d) plans, are subject to EPA review and approval. DEQ adopted a federal plan for commercial and industrial solid waste incinerators, but LRAPA does not need to do the same since there are no affected sources in Lane County and because LRAPA has authority to implement the DEQ rules adopted in Oregon Administrative Rules (OARs).

EPA performs a residual risk analysis for major source NESHAPs and periodic technology reviews for New Source Performance Standards and NESHAPs. These reviews are ongoing and in some cases result in EPA updating the standards. EPA also revises NESHAPs to address errors, implementation issues and lawsuits.

Regulated parties

This rulemaking regulates facilities subject to new and modified NESHAPs and New Source Performance Standards outlined below.

Outline

LRAPA proposes to:

1. Adopt new rules to incorporate the following federal changes by reference:

    a. Kraft pulp mills for which construction, reconstruction, or modification commenced after May 23, 2013,
    b. Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after Sep. 18, 2015, and
    c. Greenhouse gas emissions for electric generating units.

2. Adopt new rules to incorporate by reference the new federal area source NESHAPs for wool fiberglass manufacturing.

3. Update and amend existing rules to incorporate the following federal changes by reference; these updates are accomplished in the rules by updating the version of the Code of Federal Regulations in the definitions of that term in LRAPA titles 44 and 46:

    a. Amended federal area source NESHAP for:

        - Electric arc furnaces steelmaking facilities (residual risk and technology review)
        - Polyvinyl chloride and copolymers production

    b. Amended federal major source NESHAPs for:

        - Aerospace manufacturing and rework (residual risk and technology review)
        - Amino and phenolic resin manufacturing (residual risk and technology review)
        - Brick and structural clay products manufacturing
        - Clay ceramics manufacturing
        - Electric utility steam generating units
        - Ferroalloys production: ferromanganese and silicomanganese
        - Flexible polyurethane foam production (residual risk and technology review)

- Generic maximum achievable control technology (residual risk and technology review)
- Industrial, commercial, and industrial boilers and process heaters
- Marine tank loading operations
- Mineral wool production
- Offsite waste and recovery (residual risk and technology review)
- Pesticide active ingredient production (residual risk and technology review)
- Petroleum refineries
- Petroleum refineries – catalytic cracking, catalytic reforming and sulfur recovery
- Phosphate fertilizer production (residual risk and technology review)
- Phosphoric acid manufacturing (residual risk and technology review)
- Polyether polyols production (residual risk and technology review)
- Polymer and resin production (residual risk and technology review)
- Portland cement manufacturing
- Primary aluminum reduction (residual risk and technology review)
- Secondary lead smelting

c. Amended federal major and area source NESHAPs for:
   - Chromium electroplating and anodizing (residual risk and technology review)
   - Industrial, Commercial, and Institutional Boilers – area sources
   - Secondary aluminum production (residual risk and technology review)
   - Wool fiberglass manufacturing

d. Amended federal New Source Performance Standards for:
   - Crude oil and natural gas production, transmission and distribution
   - Electric utility steam generating units
   - Nitric acid plants
   - Onshore natural gas processing
   - Petroleum refineries
   - Phosphate fertilizer plants
   - Polymer manufacturing
   - Portland cement plants
   - Rubber tire manufacturing
   - Stationary gas turbines
   - Synthetic organic chemical manufacturing

Statement of need

What need would the proposed rule address?

LRAPA either does not have rules to implement the following federal standards and emission guidelines:

a. Toxics of concern. EPA developed standards to regulate the amount of hazardous air pollutants certain activities can produce.
b. Sources that may endanger public health and welfare. EPA identified certain source categories that cause or significantly contribute to air pollution and may endanger public health or welfare. EPA developed standards to regulate the amount of emissions these source categories can produce.
c. Revised federal standards. EPA revised several standards since the Boards' previous adoption of federal standards. Not adopting the most recent version of federal standards impacts Lane County businesses, because they may be subject to two different standards, the revised federal standards and the outdated state standards. Not adopting the most recent version of the federal standards also impacts the public and the environment, because LRAPA cannot enforce federal standards not yet adopted by EQC and/or the Board.
d. LRAPA is not directly adopting an updated state plan adopted by the state nor is LRAPA creating a local plan since there are no affected sources in Lane County and because LRAPA is covered by DEQ's related rulemaking. At their July 12, 2017 meeting, the EQC adopted an updated existing rule and the state plan to implement federal changes to the emission guidelines for commercial and industrial solid waste incineration units.

How would the proposed rule address the need?

The proposed rules would update LRAPA rules to reflect new and amended federal standards. This would advance LRAPA's work to protect Lane County citizens from toxic and other regulated pollutants by updating LRAPA rules to be consistent with state and federal rules.

a. Toxics of concern. LRAPA proposes adopting the new residual risk and technology standards for aerospace manufacturing and rework, amino and phenolic resin manufacturing, electric arc furnaces steelmaking facilities, flexible polyurethane foam production, generic maximum achievable control technology, offsite waste and recovery, pesticide active ingredient production, phosphate fertilizer production, phosphoric acid manufacturing, polyether polyols production, polymer and resin production, primary aluminum reduction, and secondary aluminum production. This would give LRAPA the federal authority to work with their sources to provide the necessary federal authority to operate.

b. Sources that may endanger public health and welfare. LRAPA proposes adopting the new federal standards for crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after Sep. 18, 2015; greenhouse gas emissions from electric generating units; kraft pulp mills constructed, reconstructed, or modified after May 23, 2013; and wool fiberglass manufacturing. This would give LRAPA the federal authority to work with their sources to provide the necessary federal authority to operate.

a. Revised federal standards. LRAPA proposes adopting revised federal standards by reference.

How will LRAPA know the rule addressed the need?

Upon Board adoption, LRAPA would submit the rules to EPA to update LRAPA's New Source Performance Standard and NESHAP delegation.

LRAPA will know the goals of this rulemaking have been addressed when EPA reviews and approves the delegation request.

Request for other options

During the public comment period, LRAPA requests public comment on whether to consider other options for achieving the rule's substantive goals while reducing negative economic impact of the rules on business.

Rules affected, authorities, supporting documents

Lead division	Program or activity
Operations	Permitting

LRAPA title action

Amend	44-015 Definitions
Amend	44-040 Early Reductions Applicability
Amend	44-130 Emission Limitations for New and Reconstructed Major Sources
Amend	44-140 Emissions Limitations for Existing Sources
Amend	44-150 Federal Standards Adopted by Reference
Amend	44-180 GDF Definitions
Amend	44-200 GDF Exceptions
Amend	44-210 GDF Affected Equipment or Processes
Amend	44-230 GDF Work Practices and Submerged Fill Requirements
Amend	44-250 GDF Testing and Monitoring Requirements
Amend	44-260 GDF Notifications
Amend	44-270 GDF Recordkeeping Requirements
Amend	44-290 GDF Federal NESHAP Subpart A Applicability
Amend	46-510 Definitions
Amend	46-525 Applicability
Amend	46-530 General Provisions
Amend	46-535 Federal Regulations Adopted by Reference
Amend	46-805 More Restrictive Regulations
Amend	46-900 Municipal Solid Waste Landfills

Statutory authority

ORS 468A.135 and 468A.150

Other authority

OAR 340-200-0010(3)

Statute implemented

ORS 468A.135 and 468A.150

Documents relied on for rulemaking ORS 183.335(2)(b)(C)

Document title	Document location
Code of Federal Regulations	http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR
Federal Register	http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR
Oregon Administrative Rules	http://www.oregon.gov/deq/Regulations/Pages/Administrative-Rules.aspx
Oregon Revised Statutes	http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx
LRAPA Rules and Regulations	http://www.lrapa.org/205/Rules-Regulations

Fee Analysis

This rulemaking does not involve fees.

Statement of fiscal and economic impact ORS 183.335 (2)(b)(E)

Fiscal and Economic Impact
EPA evaluates the impacts of new federal standards when promulgated and lists them in the regulation's preamble. The fiscal and economic impacts of the new federal standards included in this rulemaking have already occurred.

The list of proposed new and amended National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards includes links to the federal rules and EPA's evaluation of fiscal and economic impacts in their preambles. The list is available in Attachment C: Table of New and Amended NESHAPs/NSPSs Proposed for Board Adoption.

Statement of Cost of Compliance

Impacts on Public

The proposed rules would not affect the public because the fiscal and economic impacts of the new and amended federal standards and emission guidelines included in this rulemaking have already occurred.

Impact on other government entities other than LRAPA

The proposed rules would not affect other government entities other than LRAPA because the fiscal and economic impacts of the new and amended federal standards and emission guidelines included in this rulemaking have already occurred.

Impact on LRAPA ORS 183.335

Implementing the federal rules requires LRAPA to provide technical assistance, amend permits, perform inspections and issue formal enforcement actions against violators. Revenue from permit fees would fund this work using existing staff.

Impact on Large businesses - businesses with more than 50 employees

The proposed rules would not impact large businesses because the fiscal and economic impacts of the new and amended federal standards and emission guidelines included in this rulemaking have already occurred.

Impact on Small businesses – businesses with 50 or fewer employees ORS 183.336

The proposed rules would not impact small businesses because the fiscal and economic impacts of the new and amended federal standards and emission guidelines included in this rulemaking have already occurred.

a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.	Estimated number of small business subject to new federal standards: crude oil and natural gas facilities (0); electric generating units (0); kraft pulp mills (0); and wool fiberglass manufacturing (0). Estimated number of small business subject to the amended federal standards and emission guidelines: aerospace manufacturing and rework (0); amino and phenolic resin manufacturing (0); brick and structural clay products manufacturing (0); chromium electroplating and anodizing (10); clay ceramics manufacturing (0); crude oil and natural gas production, transmission and distribution (0); electric arc furnaces steelmaking facilities (0); electric utility steam generating units (0); flexible polyurethane foam production (0); generic maximum achievable control technology (0); marine tank loading operations (0); nitric acid plants (0); offsite waste and recovery (0); onshore natural gas processing (0); pesticide active ingredient production (0); petroleum refineries (0); phosphate fertilizer production (0); phosphoric acid manufacturing (0); polyether polyols production (0); polymer and resin production (0); polymer manufacturing (0); polyvinyl chloride and copolymers production (0); portland cement manufacturing (0); primary aluminum reduction (0); secondary aluminum production (0); rubber tire manufacturing (0); secondary lead smelting (0); stationary gas turbines (0); and synthetic organic chemical manufacturing (0).
b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.	Adoption of new and amended federal standards and rules to implement emission guidelines do not add any new reporting, recordkeeping and other administrative activities other than those already required by the federal standards and emission guidelines.
c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.	Adoption of new and amended federal standards and rules to implement emission guidelines would not require small businesses to add any equipment, supplies, labor or administration because LRAPA rules would adopt the federal standards by reference.

d. Describe how LRAPA involved small businesses in developing this proposed rule.	LRAPA has a standing advisory committee that meets most months. However, the committee was not consulted in developing this proposed rule since it is relatively straightforward and does not involve fees.

Advisory committee

LRAPA has a standing advisory committee that meets most months. However, the committee was not consulted in developing this proposed rule since it is relatively straightforward and does not involve fees.

Housing cost

To comply with ORS 183.534, LRAPA determined the proposed rules could have a negative impact on the cost of development of a 6,000 square-foot parcel and the 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

The proposed rules would adopt the federal New Source Performance Standards and NESHAPs by reference.

What alternatives did LRAPA consider if any?

LRAPA considered:

- Not taking delegation for some or all federal standards. LRAPA rejected this alternative because it is important to have all requirements applying to a source in the permit to ensure that the source is in compliance.

- Making LRAPA- specific changes to some federal standards. LRAPA rejected this alternative because the federal rules address LRAPA's immediate concerns and consistency with the federal rules reduces cost and complexity for affected sources.

Land use

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

Land-use considerations

To determine whether the proposed rules involve programs or actions that are considered a *land-use action*, LRAPA considered the following state and/or DEQ program requirements:

- Statewide planning goals for specific references. Section III, subsection 2 of the DEQ State Agency Coordination Program document identifies the following statewide goal 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
19	Ocean Resources

- OAR 340-018-0030 for EQC rules on land-use coordination. Division 18 requires DEQ to determine whether proposed rules will significantly affect land use. If yes, how DEQ will:
  - Comply with statewide land-use goals, and
  - Ensure compatibility with acknowledged comprehensive plans, which DEQ most commonly achieves by requiring a Land Use Compatibility Statement.

- DEQ's mandate to protect public health and safety and the environment.

- Whether DEQ is the primary authority responsible for land-use programs or actions in the proposed rules.

- Present or future land uses identified in acknowledged comprehensive plans.

Determination

LRAPA will implement the proposed standards for major source categories through Oregon's Title V Operating Permit program and the standards for non-major source categories through LRAPA's Air Contaminant Discharge Program. These are existing programs that are considered land use programs in the DEQ State Agency Coordination Program.

DEQ's statewide goal compliance and local plan compatibility procedures adequately cover the proposed rules. LRAPA would implement these rules through the LRAPA Air Contaminant Discharge Program and Oregon Title V permitting programs. Current rules require cities and

counties to provide a Land Use Compatibility Statement before LRAPA issues these permits or approves a Notice of Construction.

Stakeholder and public involvement

Advisory committee

LRAPA has a standing advisory committee that meets most months. However, the committee was not consulted in developing this proposed rule since it is relatively straightforward and does not involve fees.

LRAPA prior involvement

LRAPA shares general rulemaking information with Board through the monthly Director's Report and information items on the Board agenda. LRAPA did not present additional information specific to this proposed rule revision beyond the periodic rule report.

Public notice

LRAPA provided notice of the Notice of Proposed Rulemaking with Hearing as follows:

On December 1 and December 8, 2017, LRAPA submitted notice (or DEQ submitted the notice on LRAPA's behalf):

- Secretary of State for publication in the Oregon Bulletin to be published in the December 1, 2017 edition;
- The LRAPA Web page notice: http://www.lrapa.org/calendar.aspx?CID=22 ;
- 128 notifications sent through the website posting Notify Me® subscriptions;
- 427 interested parties on the Agency Rulemaking List on December 8, 2017;
- Sent notice to EPA
- LRAPA provided legal notices in the following newspaper:

Register Guard (Eugene) Publication date – December 1, 2017

Public hearing

LRAPA held one public hearing in Springfield at a regularly-scheduled Board meeting. LRAPA did not receive any comments and there were no attendees at the hearing other than staff and the Board. The table(s) below explains how the public was able to participate in the hearing(s).

Presiding Officers' Record
Hearing 1

	Hearing 1	Hearing 2	Hearing 3
Date	1/11/2018		
Time	12:30 PM		
Address line 1	1010 Main St.		
City	Springfield		
Presiding officer	Jeannine Parisi, Board Chair		
Staff presenter	Max Hueftle, Environmental Engineer, Operations		
Conference number	(541) 736-1056		
Conference extention	302		

No one attended the hearing in-person.

The presiding officer convened the hearing and was prepared to summarize procedures for the hearing and explained that LRAPA was recording the hearing. The presiding officer was prepared to ask people who wanted to present verbal comments to sign the registration list. The presiding officer was prepared to advise all attending parties interested in receiving future information about the rulemaking to sign up for LRAPA email notices.

As Oregon Administrative Rule 137-001-0030 requires, the presiding officer was prepared to summarize the content of the rulemaking notice.

LRAPA was prepared to add all names and affiliations of hearing participants who presented testimony to the commenter section of this staff report. LRAPA was prepared to add all written and oral comments presented at the hearing to the summary of comments and agency responses to this staff report.

There were no written or oral comments submitted to LRAPA.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 44

HAZARDOUS AIR POLLUTANT PROGRAM

General Provisions for Stationary Sources

Section 44-010 Policy and Purpose

The Lane Regional Air Protection Agency (LRAPA) finds that certain air contaminants for which there are no ambient air quality standards may cause or contribute to an identifiable and significant increase in mortality or to an increase in serious irreversible or incapacitating reversible illness or to irreversible ecological damage, and are therefore considered to be hazardous air pollutants. It shall be the policy of LRAPA that no person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration determined by LRAPA to be injurious to public health or the environment. The purpose of this title is to establish emissions limitations on sources of these air contaminants. In order to reduce the release of these hazardous air pollutants and protect public health and the environment, it is the intent of LRAPA to adopt by rule within this title the source category-specific requirements that are promulgated by the EPA. Furthermore, it is hereby declared the policy of LRAPA that the standards contained in this title are considered minimum standards, and as technology advances, protection of public health and the environment warrants, more stringent standards may be adopted and applied.

Section 44-015 Definitions

The definitions in title 12, OAR 340-218-0030, and this section apply to this title. If the same term is defined in this section and title 12 or 340-218-0030, the definition in this section applies to this title.

(1) "Affected source" is as defined in 40 C.F.R. 63.2.

(2) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.

(3) "Area Source" means any stationary source which has the potential to emit hazardous air pollutants but is not a major source of hazardous air pollutants.

(4) "C.F.R." means the July 1, 2017 Code of Federal Regulations ~~and,~~ unless otherwise ~~expressly~~ identified, ~~refers to the July 1, 2015 edition~~.

(5) "Construct a major Source" means to fabricate, erect, or install at any greenfield site a stationary source or group of stationary sources which is located within a contiguous area and under common control and which emits or has the potential to emit 10 tons per year of any HAPs or 25 tons per year of any combination of HAP~~,~~; or to fabricate, erect, or install at any developed site a new process or production unit which in and of itself emits or has

the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, unless the process or production unit satisfies criteria (a) through (f) of this ~~paragraph~~definition:

(a) All HAP emitted by the process or production unit that would otherwise be controlled under the requirements of 40 C.F.R. part 63, Subpart B will be controlled by emission control equipment which was previously installed at the same site as the process or production unit;

(b) LRAPA has determined within a period of 5 years prior to the fabrication, erection, or installation of the process or production unit that the existing emission control equipment represented the best available control technology (BACT), lowest achievable emission rate (LAER) under 40 C.F.R. part 51 or 52, toxics-best available control technology (T-BACT) or MACT based on State air toxic rules for the category of pollutants which includes those HAP to be emitted by the process or production unit; or LRAPA determines that the control of HAP emissions provided by the existing equipment will be equivalent to that level of control currently achieved by other well-controlled similar sources (i.e., equivalent to the level of control that would be provided by a current BACT, LAER, T-BACT, or State air toxic rule MACT determination).

(c) LRAPA determines that the percent control efficiency for emission of HAP from all sources to be controlled by the existing control equipment will be equivalent to the percent control efficiency provided by the control equipment prior to the inclusion of the new process or production unit;

(d) LRAPA has provided notice and an opportunity for public comment concerning its determination that criteria in paragraphs (a), (b), and (c) apply and concerning the continued adequacy of any prior LAER, BACT, T-BACT, or State air toxic rule MACT determination;

(e) If any commenter has asserted that a prior LAER, BACT, T-BACT, or State air toxic rule MACT determination is no longer adequate, LRAPA has determined that the level of control required by that prior determination remains adequate; and

(f) Any emission limitations, work practice requirements, or other terms and conditions upon which the above determinations by LRAPA are predicated will be construed by LRAPA as applicable requirements under section 504(a) of the FCAA and either have been incorporated into any existing Title V permit for the affected facility or will be incorporated into such permit upon issuance.

(6) "Emissions Limitation" and "Emissions Standard" mean a requirement adopted by the DEQ or LRAPA, or proposed or promulgated by the Administrator of the EPA, which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications~~,~~ or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

(7) "Equipment leaks" means leaks from pumps, compressors, pressure relief devices, sampling connection systems, open ended valves or lines, valves, connectors, agitators, accumulator vessels, and instrumentation systems in hazardous air pollutant service.

(8) "Existing Source" means any source, the construction of which commenced prior to proposal of an applicable standard under sections 112 or 129 of the FCAA.

(9) "Facility" means all or part of any public or private building, structure, installation, equipment, or vehicle or vessel, including, but not limited to, ships.

(10) "Hazardous Air Pollutant" (HAP) means an air pollutant listed by the EPA ~~pursuant to~~under section 112(b) of the FCAA or determined by the Board to cause, or reasonably be anticipated to cause, adverse effects to human health or the environment.

(11) "Major Source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. The EPA may establish a lesser quantity, or in the case of radionuclides different criteria, for a major source on the basis of the potency of the air pollutant, persistence, potential for bioaccumulation, other characteristics of the air pollutant, or other relevant factors.

(12) "Maximum Achievable Control Technology (MACT)" means an emission standard applicable to major sources of hazardous air pollutants that requires the maximum degree of reduction in emissions deemed achievable for either new or existing sources.

(13) "New Source" means a stationary source, the construction of which is commenced after proposal of a federal MACT or January 3, 1993 of this title, whichever is earlier.

(14) "Potential to Emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the EPA. This section does not alter or affect the use of this section for any other purposes under the FCAA, or the term "capacity factor" as used in Title IV of the FCAA or the regulations promulgated ~~there~~under it. Secondary emissions shall not be considered in determining the potential to emit of a source.

(15) "Reconstruct a Major Source" means the replacement of components at an existing process or production unit that in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever: the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and it is technically and economically feasible for the reconstructed major source to meet the applicable maximum achievable control technology emission limitation for new sources established under 40 C.F.R. part 63 subpart B.

(16) "Regulated Air Pollutant" as used in this title means:

(a) Any pollutant listed under OAR 340-200-0400 or section 44-160; or

(b) Any pollutant that is subject to a standard promulgated ~~pursuant to~~under Section 129 of the FCAA.

(17) "Section 112(n)" means that subsection of the FCAA that includes requirements for the EPA to conduct studies on the hazards to public health prior to developing emissions standards for specified categories of hazardous air pollutant emission sources.

(18) "Section 112(r)" means that subsection of the FCAA that includes requirements for the EPA promulgate regulations for the prevention, detection and correction of accidental releases.

(19) "Solid Waste Incineration Unit" as used in this title shall have the same meaning as given in Section 129(g) of the FCAA.

(20) "Stationary Source":

(a) As used in title 44 means any building, structure, facility, or installation which emits or may emit any regulated air pollutant;

Section 44-020 List of Hazardous Air Pollutants

For purposes of this title LRAPA adopts by reference the pollutants, including groups of substances and mixtures, listed in **Section 112(b) of FCAA**, as Hazardous Air Pollutants (Table 1 of section 44-020).

Section 44-030 Amending the List of Hazardous Air Pollutants

(1) Any person may file a petition with LRAPA to amend the HAP List. The petition must include at least the following information:

(a) Name and chemical abstract service number of the substance;

(b) Quantity of the substance used and released in Lane County;

(c) Sources or source categories emitting the substance;

(d) Potential adverse effects of the substance on public health and the environment;

(e) Potential exposure pathways; and

(f) Uncertainties in the data provided.

(2) LRAPA shall present this information, or other information that LRAPA may develop, to the Board, consistent with subsection (1), for presentation to the Board which will consider it along with the best available scientific information developed by the EPA, the Oregon Health Division, other states, other scientific organizations, or by any person.

(3) The Board shall amend the HAP list if:

(a) It finds there is a scientifically defensible need to add a substance not on the EPA list to protect the public health or environment;

(b) A chemical is added to the list by the EPA;

(c) A substance is deleted from the list by the EPA and the Board finds that the substance can be deleted without causing harm to public health or the environment; or

(d) A substance has previously been added to the list by the Board but not by the EPA, and the Board finds that the substance can be deleted without causing harm to public health or the environment.

COMPLIANCE EXTENSIONS FOR EARLY REDUCTIONS

Section 44-040 Applicability

The requirements of 40 C.F.R. part 63 subpart D apply to an owner or operator of an existing source who wishes to obtain a compliance extension and an alternative emission limit from a standard issued under **Section 112(d) of the FCAA**. Any owner or operator of a facility who elects to comply with a compliance extension and alternative emission limit issued under this section must complete a permit application as prescribed in 40 C.F.R. 63.77.

Section 44-130 Emissions Limitation for New and Reconstructed Major Sources

(1) Federal MACT. Any person who proposes to construct a major source of HAP after an applicable emissions standard has been proposed by the EPA pursuant to **Section 112(d)**, **Section 112(n)**, or **Section 129 of the FCAA** shall comply with the requirements and emission standard for new sources when promulgated by EPA.

(2) State MACT. Any person who proposes to construct or reconstruct a major source of hazardous air pollutants before MACT requirements applicable to that source have been proposed by the EPA and after the effective date of the program shall comply with new and reconstructed source MACT requirements of **40 C.F.R. part 63, subpart B**.

(3) Compliance schedule. The owner or operator of a new or reconstructed source must on and after the date of start-up, be in compliance with all applicable requirements specified in the Federal or State MACT.

EMISSION STANDARDS

Section 44-140 Emissions Limitation for Existing Sources

(1) Federal MACT. Existing major and area sources shall comply with the applicable emissions standards for existing sources promulgated by the EPA pursuant to **Section 112(d)**, **section 112(n)**, or **Section 129 of the FCAA** and adopted by section within this title.

(2) State MACT. If the EPA fails to meet its schedule for promulgating a MACT standard for a source category, LRAPA must approve HAP emissions limitations for existing major sources within that category on a case-by-case basis, in accordance with the requirements of **40 C.F.R. part 63, subpart B**.

(a) The owner or operator of each existing major source within that category will file permit applications in accordance with OAR 340-218-0040 and 40 C.F.R. part 63, subpart B.

(b) If, after a permit has been issued, the EPA promulgates a MACT standard applicable to a source, which is more stringent than the one established pursuant to this section, LRAPA shall revise the permit upon the next renewal to reflect the standard promulgated by the EPA. The source shall be given a reasonable time to comply, but no longer than 8 (eight) years after the standard is promulgated.

(c) LRAPA shall not establish a case-by-case MACT:

(A) For existing solid waste incineration units where an emissions standard will be established for these units by the EPA pursuant to **Section 111 of the FCAA**. These sources are subject to applicable emissions standards under title 46.

(B) For existing major HAP sources where an emissions standard or alternative control strategy will be established by the EPA pursuant to **Section 112(n) of the FCAA**.

(3) Compliance schedule

(a) The owner or operator of the source shall comply with the emission limitation:

(A) Within the time frame established in the applicable Federal MACT standard, but in no case later than 3 (three) years from the date of federal promulgation of the applicable MACT requirements; or

(B) Within the time frame established by LRAPA where a State- determined MACT has been established or a case-by-case determination has been made.

(b) The owner or operator of the source may apply for, and LRAPA may grant, a compliance extension of up to 1 (one) year if such additional period is necessary for the installation of controls.

(c) Notwithstanding the requirements of this section, no existing source that has installed Best Available Control Technology or been required to meet Lowest Achievable Emission Rate prior to the promulgation of a federal MACT applicable to that emissions unit shall be required to comply with such MACT standard until 5 (five) years after the date on which such installation or reduction has been achieved, as determined by LRAPA.

Section 44-150, Emission Standards:
Federal Regulations Adopted by Reference

(1) Except as provided in subsection (2) and (3), **40 C.F.R. Part 61, Subparts A, C through F, J, L, N through P, V, Y, BB, and FF** and **40 C.F.R. Part 63, Subparts A, F through J, L, through O, Q through U, W through Y, AA through EE, GG through ~~MM, OO through~~ YY, CCC through EEE, GGG through JJJ, LLL through RRR, TTT through VVV, XXX, AAAA, CCCC through KKKK, MMMM through YYYY, AAAAA through NNNNN, PPPPP, through ~~TTTTT~~UUUUU, WWWWW, YYYYY, ZZZZZ, BBBBBB, DDDDDD through ~~HHHHHHH~~FFFFFF, LLLLLL through TTTTTT, VVVVVV through EEEEEEE, and HHHHHHH** are adopted by reference and incorporated herein, and **40 C.F.R. Part 63, Subparts ZZZZ and JJJJJJ** are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit.

(2) Where "Administrator" or "EPA" appears in **40 C.F.R. part 61** or **63**, "LRAPA" shall be substituted, except in any section of **40 C.F.R. part 61** or **63** for which a federal rule or delegation specifically indicates that authority will not be delegated.

(3) 40 C.F.R. Part 63 Subpart M - Dry Cleaning Facilities using Perchloroethylene: The exemptions in 40 C.F.R. 63.320(d) and (e) do not apply.

(4) **40 C.F.R. Part 61** Subparts adopted by this section are titled as follows:

(a) Subpart A-General Provisions;

(b) Subpart C-Beryllium;

(c) Subpart D-Beryllium Rocket Motor Firing;

(d) Subpart E-Mercury;

(e) Subpart F-Vinyl Chloride;

(f) Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene;

(g) Subpart L-Benzene Emissions from Coke By-Product Recovery Plants;

(h) Subpart N-Inorganic Arsenic Emissions from Glass Manufacturing Plants;

(i) Subpart O-Inorganic Arsenic Emissions from Primary Copper Smelters;

(j) Subpart P-Inorganic Arsenic Emissions from Arsenic Trioxide and Metal Arsenic Facilities;

(k) Subpart V-Equipment Leaks (Fugitive Emission Sources);

(l) Subpart Y-Benzene Emissions from Benzene Storage Vessels;

(m) Subpart BB – Benzene Emissions from Benzene Transfer Stations; and

(n) Subpart FF-Benzene Waste Operations.

(5) **40 C.F.R. Part 63** Subparts adopted by this section are titled as follows:

(a) Subpart A-General Provisions;

(b) Subpart F-SOCMI;

(c) Subpart G-SOCMI-Process Vents, Storage Vessels, Transfer Operations, and Wastewater;

(d) Subpart H-SOCMI-Equipment Leaks;

(e) Subpart I-Certain Processes Subject to the Negotiated Regulation for Equipment Leaks;

(f) Subpart J - Polyvinyl Chloride and Copolymers Production (federally vacated)

(g) Subpart L-Coke Oven Batteries;

(h) Subpart M-Perchloroethylene Air Emission Standards for Dry Cleaning Facilities;

(i) Subpart N- Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks;

(j) Subpart O-Ethylene Oxide Emissions Standards for Sterilization Facilities;

(k) Subpart Q-Industrial Process Cooling Towers;

(l) Subpart R-Gasoline Distribution (Bulk Gasoline Terminals and Pipeline Breakout Stations);

(m) Subpart S-Pulp and Paper Industry;

(n) Subpart T-Halogenated Solvent Cleaning;

(o) Subpart U-Group I Polymers and Resins;

(p) Subpart W-Epoxy Resins and Non-Nylon Polyamides Production;

(q) Subpart X-Secondary Lead Smelting;

(r) Subpart Y-Marine Tank Vessel Loading Operations;

(s) Subpart AA-Phosphoric Acid Manufacturing Plants;

(t) Subpart BB-Phosphate Fertilizer Production Plants;

(u) Subpart CC-Petroleum Refineries;

(v) Subpart DD-Off-Site Waste and Recovery Operations;

(w) Subpart EE-Magnetic Tape Manufacturing Operations;

(x) Subpart GG-Aerospace Manufacturing and Rework Facilities;

(y) Subpart HH-Oil and Natural Gas Production Facilities;

(z) Subpart II-Shipbuilding and Ship Repair (Surface Coating);

(aa) Subpart JJ-Wood Furniture Manufacturing Operations;

(bb) Subpart KK-Printing and Publishing Industry;

(cc) Subpart LL-Primary Aluminum Reduction Plants;

(dd) Subpart MM-Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-Chemical Pulp Mills;

~~(dd)~~(ee) Subpart NN – Area Sources: Wool Fiberglass Manufacturing

~~(ee)~~(ff) Subpart OO-Tanks-Level 1;

~~(ff)~~(gg) Subpart PP-Containers;

~~(gg)~~(hh) Subpart QQ-Surface Impoundments;

~~(hh)~~(ii) Subpart RR-Individual Drain Systems;

~~(ii)~~(jj) Subpart SS-Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process;

~~(jj)~~(kk) Subpart TT-Equipment Leaks-Control Level 1;

~~(kk)~~(ll) Subpart UU-Equipment Leaks-Control Level 2;

~~(ll)~~(mm) Subpart VV-Oil-Water Separators and Organic-Water Separators;

~~(ll)~~(nn) Subpart WW-Storage Vessels (Tanks)- Control Level 2;

~~(nn)~~(oo) Subpart XX - Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations;

~~(oo)~~(pp) Subpart YY-Generic Maximum Achievable Control Technology Standards;

~~(pp)~~(qq) Subpart CCC-Steel Pickling-HCI Process Facilities and Hydrochloric Acid Regeneration Plants;

~~(qq)~~(rr) Subpart DDD-Mineral Wool Production;

~~(rr)~~(ss) Subpart EEE-Hazardous Waste Combustors;

~~(ss)~~(tt) Subpart GGG-Pharmaceuticals Production;

~~(tt)~~(uu) Subpart HHH-Natural Gas Transmission and Storage Facilities;

~~(uu)~~(vv) Subpart III-Flexible Polyurethane Foam Production;

~~(vv)~~(ww) Subpart JJJ-Group IV Polymers and Resins;

~~(ww)~~(xx) Subpart LLL-Portland Cement Manufacturing Facilities;

~~(xx)~~(yy) Subpart MMM-Pesticide Active Ingredient Production;

~~(yy)~~(zz) Subpart NNN-Wool Fiberglass Manufacturing;

~~(zz)~~(aaa) Subpart OOO-Manufacture of Amino/Phenolic Resins;

~~(aaa)~~(bbb) Subpart PPP-Polyether Polyols Production;

~~(bbb)~~(ccc) Subpart QQQ - Primary Copper Smelting;

~~(ccc)~~(ddd) Subpart RRR-Secondary Aluminum Production

~~(ddd)~~(eee) Subpart TTT-Primary Lead Smelting;

~~(eee)~~(fff) Subpart UUU - Petroleum Refineries -- Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units;

~~(fff)~~(ggg) Subpart VVV-Publicly Owned Treatment Works;

~~(ggg)~~(hhh) Subpart XXX-Ferro Alloys, Ferromanganese, and Silicomanganese Production;

~~(hhh)~~(iii) Subpart AAAA - Municipal Solid Waste Landfills;

~~(iii)~~(jjj) Subpart CCCC-Manufacturing of Nutritional Yeast;

~~(jjj)~~(kkk) Subpart DDDD - Plywood and Composite Wood Products;

~~(kkk)~~(lll) Subpart EEEE - Organic Liquids Distribution (non-gasoline);

~~(lll)~~(mmm) Subpart FFFF - Miscellaneous Organic Chemical Manufacturing;

~~(mmm)~~(nnn) Subpart GGGG-Solvent Extraction for Vegetable Oil Production;

~~(nnn)~~(ooo) Subpart HHHH - Wet Formed Fiberglass Mat Production;

~~(ooo)~~(ppp) Subpart IIII - Surface Coating of Automobiles and Light-Duty Trucks;

~~(ppp)~~(qqq) Subpart JJJJ - Paper and Other Web Coating;

~~(qqq)~~(rrr) Subpart KKKK - Surface Coating of Metal Cans;

~~(rrr)~~(sss) Subpart MMMM - Surface Coating of Miscellaneous Metal Parts and Products;

~~(sss)~~(ttt) Subpart NNNN - Surface Coating of Large Appliances;

~~(ttt)~~(uuu) Subpart OOOO - Printing, Coating, and Dyeing of Fabrics and Other Textiles;

~~(uuu)~~(vvv) Subpart PPPP - Surface Coating of Plastic Parts and Products;

~~(vvv)~~(www) Subpart QQQQ - Surface Coating of Wood Building Products;

~~(www)~~(xxx) Subpart RRRR - Surface Coating of Metal Furniture;

~~(xxx)~~(yyy) Subpart SSSS - Surface Coating of Metal Coil;

~~(yyy)~~(zzz) Subpart TTTT - Leather Finishing Operations;

~~(zzz)~~(aaaa) Subpart UUUU - Cellulose Production Manufacturing;

~~(aaaa)~~(bbbb) Subpart VVVV - Boat Manufacturing;

~~(bbbb)~~(cccc) Subpart WWWW - Reinforced Plastics Composites Production;

~~(cccc)~~(dddd) Subpart XXXX - Rubber Tire Manufacturing;

~~(dddd)~~(eeee) Subpart YYYY - Stationary Combustion Turbines;

~~(eeee)~~(ffff) Subpart ZZZZ - Reciprocating Internal Combustion Engines (adopted only for sources required to have a Title V or ACDP permit);

~~(ffff)~~(gggg) Subpart AAAAA - Lime Manufacturing;

~~(gggg)~~(hhhh) Subpart BBBBB - Semiconductor Manufacturing;

~~(hhhh)~~(iiii) Subpart CCCCC - Coke Ovens: Pushing, Quenching & Battery Stacks;

~~(iiii)~~(jjjj) Subpart DDDDD - Industrial, Commercial, and Institutional Boilers and Process Heaters

~~(jjjj)~~(kkkk) Subpart EEEEE - Iron and Steel Foundries;

~~(kkkk)~~(llll) Subpart FFFFF - Integrated Iron and Steel Manufacturing Facilities;

~~(llll)~~(mmmm) Subpart GGGGG - Site Remediation;

~~(mmmm)~~(nnnn) Subpart HHHHH – Misc. Coating Manufacturing;

~~(nnnn)~~(oooo) Subpart IIIII - Mercury Cell Chlor-Alkali Plants;

~~(oooo)~~(pppp) Subpart JJJJJ - Brick and Structural Clay Products Manufacturing;

~~(pppp)~~(qqqq) Subpart KKKKK - Clay Ceramics Manufacturing;

~~(qqqq)~~(rrrr) Subpart LLLLL - Asphalt Processing & Asphalt Roofing Manufacturing;

~~(rrrr)~~(ssss) Subpart MMMMM - Flexible Polyurethane Foam Fabrication Operations;

~~(ssss)~~(tttt) Subpart NNNNN - Hydrochloric Acid Production;

~~(tttt)~~(uuuu) Subpart PPPPP - Engine Tests Cells/Stands;

~~(uuuu)~~(vvvv) Subpart QQQQQ - Friction Materials Manufacturing Facilities;

~~(vvvv)~~(wwww) Subpart RRRRR - Taconite Iron Ore Processing;

~~(wwww)~~(xxxx) Subpart SSSSS - Refractory Products Manufacturing;

(yyyy) Subpart TTTTT - Primary Magnesium Refining;

~~(xxxx)~~(zzzz) UUUUU – Coal- and Oil-Fired Electric Utility Steam Generating Units

~~(yyyy)~~(aaaaa) Subpart WWWWW - Area Sources: Hospital Ethylene Oxide Sterilization;

~~(zzzz)~~(bbbbb) Subpart YYYYY - Area Sources: Electric Arc Furnace Steelmaking Facilities;

~~(aaaaa)~~(ccccc) Subpart ZZZZZ - Area Sources: Iron and Steel Foundries;

~~(bbbbb)~~(ddddd) Subpart BBBBBB- Area Sources: Gasoline Distribution Bulk Plant and Pipeline Facilities;

~~(ccccc)~~(eeeee) Subpart DDDDDD- Area Sources: Polyvinyl Chloride and Copolymers Production;

~~(ddddd)~~(fffff) Subpart EEEEEE - Area Sources: Primary Copper Smelting;

~~(eeeee)~~(ggggg) Subpart FFFFFF - Area Sources: Secondary Copper Smelting;

~~(fffff)~~(hhhhh) Subpart GGGGGG - Area Sources: Primary Nonferrous Metals - Zinc, Cadmium, and Beryllium;

~~(ggggg)~~(iiiii) Subpart HHHHHH -- Area Sources: Paint Stripping and Miscellaneous Surface Coating Operations;

~~(hhhhh)~~(jjjjj) Subpart JJJJJJ – Area Sources: Industrial, Commercial, and Institutional Boilers (adopted only for sources required to have a Title V or ACDP permit);

~~(iiiii)~~(kkkkk) Subpart LLLLLL - Area Sources: Acrylic and Modacrylic Fibers Production;

~~(jjjjj)~~(lllll) Subpart MMMMMM - Area Sources: Carbon Black Production;

~~(kkkkk)~~(mmmmm) Subpart NNNNNN - Area Sources: Chemical Manufacturing: Chromium Compounds;

~~(lllll)~~(nnnnn) Subpart OOOOOO - Area Sources: Flexible Polyurethane Foam Production;

~~(mmmmm)~~(ooooo) Subpart PPPPPP - Area Sources: Lead Acid Battery Manufacturing;

~~(nnnnn)~~(ppppp) Subpart QQQQQQ - Area Sources: Wood Preserving;

~~(ooooo)~~(qqqqq) Subpart RRRRRR - Area Sources: Clay Ceramics Manufacturing;

~~(ppppp)~~(rrrrr) Subpart SSSSSS - Area Sources: Glass Manufacturing;

~~(qqqqq)~~(sssss) Subpart TTTTTT - Area Sources: Secondary Nonferrous Metals Processing;

~~(rrrrr)~~(ttttt) Subpart VVVVVV – Area Sources: Chemical Manufacturing;

~~(sssss)~~(uuuuu) Subpart WWWWWW - Area Sources: Plating and Polishing Operations;

~~(ttttt)~~(vvvvv) Subpart XXXXXX - Area Sources: Nine Metal Fabrication and Finishing Source Categories;

~~(ttttttu)~~(wwwww) Subpart YYYYYY - Area Sources: Ferroalloys Production Facilities;

~~(vvvvv)~~(xxxxx) Subpart ZZZZZZ - Area Sources - Aluminum, Copper, and Other Nonferrous Foundries;

~~(wwwwww)~~(yyyyy) Subpart AAAAAAA - Area Sources: Asphalt Processing and Asphalt Roof Manufacturing;

~~(xxxxx)~~(zzzzz) Subpart BBBBBBB - Area Sources: Chemical Preparations Industry;

~~(yyyyy)~~(aaaaaa) Subpart CCCCCCC - Area Sources: Paints and Allied Products Manufacturing;

~~(zzzzz)~~(bbbbbb) Subpart DDDDDDD - Area Sources: Prepared Feeds Manufacturing;

~~(aaaaaa)~~(cccccc) Subpart EEEEEEE - Area Sources: Gold Mine Ore Processing and Production;

~~(bbbbbb)~~(dddddd) Subpart HHHHHHH - Polyvinyl Chloride and Copolymers Production.

(Section 37-150 Original Adoption 06/11/02, includes updated provisions of 43-020 through 43-035 which were deleted from title 43 by 06/11/02 rulemaking; Amended 1/12/2010, Amended 04/25/2011, Amended 11/12/2015)

EMISSION STANDARDS FOR GASOLINE DISPENSING FACILITIES

Section 44-170 Purpose

The sections 44-180 through 44-290 establish emission limitations and management practices for hazardous air pollutants (HAP) and volatile organic compounds (VOCs) emitted from the loading of gasoline storage tanks and dispensing of fuel at gasoline dispensing facilities (GDFs). Sections 44-180 through 44-290 also establish requirements to demonstrate compliance with the emission limitations and management practices.

Section 44-180 Definitions

The definitions in title 12 and this section apply to sections 44-170 through 44-290. If the same term is defined in this section and title 12, the definition in this section applies.

(1) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.

(2) "Aviation Gasoline" means a type of gasoline suitable for use as a fuel in an aviation gas spark-ignition internal combustion engine.

(3) "Dual Point Vapor Balance System" means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

(4) "Gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 psi) or greater, which is used as a fuel for internal combustion engines.

(5) "Gasoline Cargo Tank" means a delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load.

(6) "Gasoline Dispensing Facility" (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline fueled engines and equipment.

(7) "Monthly Throughput" means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

(8) "Motor Vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway.

(9) "Nonroad engine" means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title [Note: for the context of the terms “section” and “title” as used in this definition, please refer to the definition of “nonroad engine” in 40 C.F.R. Part 63 Subpart CCCCCC].

(10) "Nonroad vehicle" means a vehicle that is powered by a nonroad engine, and that is not a motor vehicle or a vehicle used solely for competition.

(11) "Submerged Filling" as used in this title, means the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in section 44-230 from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

(12) "Topping off" means, in the absence of equipment malfunction, continuing to fill a gasoline tank after the nozzle has clicked off.

(13) "Vapor Balance System" means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

(14) "Vapor Tight" means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by monitoring to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

(15) "Vapor-tight gasoline cargo tank" means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in 40 C.F.R. 63.11092(f).

Section 44-190 Affected Sources

(1) The affected source to which the emission standards apply is each GDF. The affected source includes each gasoline cargo tank during the unloading of gasoline to a GDF and also includes each storage tank.

(2) Gasoline storage tanks with a capacity of less than 250 gallons must comply with the work practices in subparagraph 44-230(1)(a) through 44-230(1)(e), but are not required to comply with the submerged fill requirements in section 44-230 and vapor balance requirements in section 44-240.

(3) The owner or operator of a GDF that has any gasoline storage tanks with a capacity of 250 gallons or more must comply with the work practices requirements and the submerged fill requirements in section 44-230.

(4) The owner or operator of a GDF whose total volume of gasoline that is loaded into all gasoline storage tanks greater than 250 gallon capacity must comply with the vapor balance requirements in section 44-240 if either:

(a) the annual throughput is 480,000 gallons or more in any 12 consecutive months; or

(b) the monthly throughput is 100,000 gallons or more, as calculated on a rolling 30 day basis.

(5) Each GDF must, upon request by LRAPA, demonstrate that their annual and average monthly gasoline throughput is below any applicable thresholds.

(6) The owner or operator of a GDF must comply with the requirements of 44-240(4) for any gasoline storage tank equipped vapor balance system.

(7) The owner or operator of a GDF that installs a new tank with a capacity of 10,000 gallons or more after the effective date of this section shall be equipped with a vapor balance system that meets the requirements in section 44-240.

(8) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDFs at separate locations within the area source, each GDF is treated as a separate affected source.

(9) If the affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.

(10) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to subsection 44-230(1).

(11) For any affected source subject to the provisions of 44-170 through 44-290 and another federal rule, the owner or operator may elect to comply only with the more stringent provisions of the applicable rules. The owner or operator of an affected source must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. The owner or operator of an affected source must identify the affected source and provisions with which the owner or operator of an affected source will comply in the Notification of Compliance Status required under 44-260. The owner or operator of an affected source also must demonstrate in the Notification of Compliance Status that each provision with which the owner or operator of an affected source will comply is at least as stringent as the otherwise applicable requirements in 44-170 through 44-290. The owner or operator of an affected source is responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, the owner or operator of an affected source is violating 44-170 through 44-290. Compliance with this rule is the owner's or operator's responsibility and the Notification of Compliance Status does not alter or affect that responsibility.

Section 44-200 Exceptions

(1) *Agricultural Operations.* The emission standards in sections 44-210 through 44-290 do not apply to GDF used **exclusively** for agricultural operations as defined in ORS 468A.020. Agricultural operations are however required to comply with the applicable requirements in 40 C.F.R. part 63 subpart CCCCCC – National Hazardous Air Pollutant Emission Standards (NESHAP) for Gasoline Dispensing Facilities.

(2) *Aviation Gasoline.* The provisions of this section do not apply to the loading of aviation gasoline in storage tanks at airports, and aviation gasoline is not included in paragraphs 44-190(4)(a) and 44-190(4)(b).

(3) The owner or operator of an affected source, as defined in section 44-190, is not required to obtain a Title V Operating Permit, as a result of being subject to sections 44-210 through 44-290. However, the owner or operator must still apply for and obtain an LRAPA Title V Operating Permit if meeting one or more of the applicability criteria found in OAR 340-218-0020.

Section 44-210 Affected Equipment or Processes

(1) The emission sources to which this section applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in section 44-190. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this section with the exception of topping off.

(2) *New GDF*. For purposes of this section, a GDF is a new GDF if the owner or operator commenced construction of the GDF after November 9, 2006 and meets the applicability criteria in section 44-190 upon startup of the GDF.

(3) *Reconstructed GDF*. A GDF is a reconstructed GDF if meeting the criteria for reconstruction as defined in 40 C.F.R. 63.2.

(4) *Existing GDF*. A GDF is an existing GDF if it is not new or reconstructed.

Section 44-220 Compliance Dates

(1) For a new or reconstructed affected source, the owner or operator must comply with the standards in sections 44-230 and 44-240, as applicable, no later than January 10, 2008 or upon startup, whichever is later, except as follows:

(a) The owner or operator of a new or reconstructed GDF must comply with 44-230(1)(b) and (c) no later than July 1, 2009 or upon startup, whichever is later.

(b) For tanks located at a GDF with average monthly throughput of less than 10,000 gallons of gasoline, the owner or operator must comply with the standards in 44-230(3) no later than Dec. 13, 2009.

(2) The owner or operator of an existing GDF must comply with paragraphs 44-230(1)(a) through 44-230(1)(e) no later than the effective date of this section or upon startup, whichever is later.

(3) For an existing affected source, the owner or operator must comply with the standards in section 44-230 and 44-240, as applicable, by no later than January 10, 2011.

(4) The owner or operator of an existing affected source that becomes subject to the control requirements in this section because of an increase in the monthly throughput, as specified in section 44-190, must comply with the applicable standards in this section no later than January 10, 2011 or within 2 years after the affected source becomes subject to the additional control requirements in this section, whichever is later.

(5) The initial compliance demonstration test required under 44-250(2)(a) and (b) must be conducted as specified in paragraphs (5)(a) and (b).

(a) For a new or reconstructed affected source, the owner or operator must conduct the initial compliance test upon installation of the complete vapor balance system.

(b) For an existing affected source, the owner or operator must conduct the initial compliance test as specified in subparagraph (5)(b)(A) or (B).

(A) For vapor balance systems installed on or before Dec. 15, 2009 at a GDF whose average monthly throughput is 100,000 gallons of gasoline or more, the owner or operator must test no later than 180 days after the applicable compliance date specified in subsection (2) or (3).

(B) For vapor balance systems installed after Dec. 15, 2009, the owner or operator must test upon installation of a complete vapor balance system or a new gasoline storage tank.

(C) For a GDF whose average monthly throughput is less than or equal to 100,000 gallons of gasoline, the owner or operator is only required to test upon installation of a complete vapor balance system or a new gasoline storage tank.

(6) If the GDF is subject to the control requirements in 44-178 through 44-290 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in 44-180, the owner or operator of the GDF must comply with the standards in 44-178 through 44-290 as specified in paragraphs (6)(a) and (b).

(a) If the GDF is an existing facility, the owner or operator of the GDF must comply by Jan. 24, 2014.

(b) If the GDF is a new or reconstructed facility, the owner or operator of the GDF must comply by the dates specified in subparagraphs (5)(b)(A) and (B).

(A) If startup of the GDF is after Dec. 15, 2009, but before January 24, 2011, the owner or operator of the GDF must comply no later than Jan. 24, 2011.

(B) If startup of the GDF is after Jan. 24, 2011, the owner or operator of the GDF must comply upon startup of the GDF.

Section 44-225 General Duties to Minimize Emissions

Each owner or operator of an affected source must comply with the requirements of subsections (1) and (2).

(1) The owner or operator of an affected source must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA and the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(2) The owner or operator of an affected source must keep applicable records and submit reports as specified in 44-270(4) and 44-280(2).

Section 44-230 Work Practice and Submerged Fill Requirements

(1) The owner or operator of a GDF must take reasonable precautions to prevent gasoline vapor releases to the atmosphere. Reasonable precautions include, but are not limited to, the following:

(a) Minimize gasoline spills;

(b) Do not top off or overfill vehicle tanks. If a person can confirm that a vehicle tank is not full after the nozzle clicks off, such as by checking the vehicle's fuel tank gauge, the person may continue to dispense fuel using best judgment and caution to prevent a spill;

(c) Post a sign at the GDF instructing a person filling up a motor vehicle to not top off vehicle tanks;

(d) Clean up spills as expeditiously as practicable;

(e) Cover all gasoline storage tank fill-pipes with a gasketed seal and all gasoline containers when not in use;

(f) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(g) Ensure that cargo tanks unloading at the GDF comply with paragraphs (1)(a), (1)(d) and (1)(e).

(2) Any cargo tank unloading at a GDF equipped with a functional vapor balance system must connect to the vapor balance system whenever gasoline is being loaded.

(3) The owner or operator of cargo tank or GDF must only load gasoline into storage tanks at the facility by utilizing submerged filling as specified in paragraph (3)(a), (3)(b) or (3)(c). The applicable distances in paragraphs (3)(a) and (3)(b) must be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank.

(a) Submerged fill pipes installed on or before November 9, 2006, must extend to no less than 12 inches from the bottom of the storage tank.

(b) Submerged fill pipes installed after November 9, 2006, must extend to no less than 6 inches from the bottom of the storage tank.

(c) Submerged fill pipes not meeting the specifications of subsection (3)(a) or (3)(b) are allowed if the owner or operator of a GDF can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by LRAPA and the EPA Administrator during the course of a site visit.

(4) The GDF owner or operator must submit the applicable notifications as required in section 44-260.

(5) The GDF owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

(6) The GDF owner or operator must comply with the requirements of this section by the applicable dates specified in section 44-220.

(7) Portable gasoline containers that meet the requirements of 40 C.F.R. part 59 subpart F are considered acceptable for compliance with paragraph (1)(e).

Section 44-240 Vapor Balance Requirements

(1) Except as provided in subsection (2), the owner or operator of a GDF must meet the requirements in either (1)(a) or (1)(b) for all affected gasoline storage tanks.

(a) Each management practice in Table 4 of section 44-240 that applies to the GDF.

(b) If, prior to January 10, 2008, the owner or operator operates a vapor balance system on all affected tanks at the GDF that meets either requirement listed in subparagraphs (1)(b)(A) or (1)(b)(B), the owner or operator of a GDF will be deemed in compliance with this subsection.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 4 of section 44-240.

(2) Gasoline storage tanks equipped with floating roofs or the equivalent are not required to comply with the control requirements in subsection (1).

(3) Cargo tanks unloading at a GDF must comply with the work practice requirements of subsection 44-230(1) and management practices in Table 5 of section 44-240.

(4) The owner or operator of a GDF subject to subsection (1) or having a gasoline storage tank equipped with a vapor balance system, must comply with the following requirements on and after the applicable compliance date in section 44-220:

(a) When loading a gasoline storage tank equipped with a vapor balance system, connect and ensure the proper operation of the vapor balance system whenever gasoline is being loaded.

(b) Maintain all equipment associated with the vapor balance system to be vapor tight and in good working order.

(c) Have the vapor balance equipment inspected on at least an annual basis to discover potential or actual equipment failures.

(d) Replace, repair or modify any worn or ineffective component or design element within 24 hours of discovery to ensure the vapor-tight integrity and efficiency of the vapor balance system. If repair parts must be ordered, either a written or verbal order for those parts must be initiated within 2 working days of detecting such a leak. Such repair parts must be installed within 5 working days after receipt.

(5) The owner or operator of a GDF subject to subsection (1) must also comply with the following requirements:

(a) The applicable testing requirements in section 44-250.

(b) The applicable notification requirements in section 44-260.

(c) The applicable recordkeeping and reporting requirements in sections 44-270 and 44-280.

(d) The owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

Section 44-250 Testing and Monitoring Requirements

(1) For all testing required by this section, submit notification to LRAPA at least ten (10) days prior to testing.

(2) If required to install a vapor balance system subject to the requirements of section 44-240, the owner or operator must comply with the testing requirements in paragraphs 44-250(2)(a) and 44-250(2)(b) at the time of installation of a vapor balance system or a new gasoline storage tank. Further, each owner or operator of a GDF with monthly throughput of 100,000 gallons of gasoline or more must also test every 3 years after installation.

(a) The owner or operator must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 4 of 44-240, for pressure/vacuum vent valves installed on gasoline storage tanks using test method identified in subparagraphs (a)(A) or (a)(B):

(A) PV (pressure/vacuum test valve) Vent Cap Testing in accordance with CARB TP–201.1E,–Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see 40 C.F.R. 63.14).

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 C.F.R. 63.7(f).

(b) The owner or operator must demonstrate compliance with the static pressure performance requirement, specified in item 1(h) of Table 4 of 44-240, for the vapor balance system by conducting a static pressure test on the gasoline storage tanks using test methods identified in subparagraph (b)(A) or (b)(B):

(A) Pressure Decay Testing in accordance with CARB TP–201.3,–Determination of 2 inches of WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities.

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 C.F.R. 63.7(f).

(C) Bay Area Air Quality Management District Source Test Procedure ST-30 — Static Pressure Integrity Test — Underground Storage Tanks, adopted Nov. 30, 1983, and amended Dec. 21, 1994 (incorporated by reference, see 40 C.F.R. 63.14).

(3) Each owner or operator of a GDF, choosing, under the provisions of 40 C.F.R. 63.6(g), to use a vapor balance system other than that described in Table 4 of 44-240, must demonstrate to the EPA the equivalency of their vapor balance system to that described in Table 4 of 44-240 using the procedures specified in paragraphs (3)(a) through (c).

(a) The owner or operator must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction in accordance with CARB TP–201.1 Vapor Recovery Test Procedure,—Volumetric Efficiency for Phase I Vapor Recovery Systems, incorporated by reference, see 40 C.F.R. 63.14.

(b) The owner or operator must, during the initial performance test required in paragraph (3)(a), determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 4 of 44-240 and for the static pressure performance requirement in item 1(h) of Table 4 of 44-240.

(c) The owner or operator must also comply with the testing requirements specified in subsection (2).

(4) Conduct of performance tests. Performance tests must be conducted under such conditions as LRAPA or the EPA Administrator specifies to the owner or operator of a GDF based on representative performance, i.e., performance based on normal operating conditions, of the affected source. Upon request by LRAPA or the EPA Administrator, the owner or operator of a GDF must make available such records as may be necessary to determine the conditions of performance tests.

(5) Owners and operators of gasoline cargo tanks subject to the provisions of Table 4 of 44-240 must conduct annual certification testing according to the vapor tightness testing requirements found in 40 C.F.R. 63.11092(f).

Section 44-260 Notifications

(1) Each owner or operator of a GDF subject to the submerged fill requirements in subsection 44-230(2) or the vapor balance requirements in section 44-240 must comply with subsections (2) through (6).

(2) The owner or operator of a GDF must submit an Initial Notification that the owner or operator is subject to the GDF NESHAP by May 9, 2008, or at the time the owner or operator becomes subject to the submerged fill requirements in subsection 44-230(2) or the vapor balance requirements in section 44-240, unless the owner or operator meets the requirements in subsection 44-260(4). The Initial Notification must contain the information specified in subsections (2)(A) through (C) of this section. The notification must be submitted to the EPA's Region 10 Office and LRAPA as specified in 40 C.F.R. 63.13.

(a) The name and address of the owner and the operator.

(b) The physical address of the GDF.

(c) The volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks during the previous twelve months.

(d) A statement that the notification is being submitted in response to the GDF NESHAP and identifying the requirements in subsections 44-230(1) through (3) and section 44-240 that apply to the owner or operator of a GDF.

(3) The owner or operator of a GDF must submit a Notification of Compliance Status to the EPA's Region 10 Office and LRAPA as specified in 40 C.F.R. 63.13, by the compliance date specified in section 44-220 unless the owner or operator meets the requirements in subsection (4). The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of sections 44-170 through 44-290. If the facility is in compliance with the requirements of sections 44-170 through 44-290 at the time the Initial Notification required in subsection (2) is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required in subsection (2).

(4) If, prior to January 10, 2008 the owner or operator satisfies the requirements in (4)(a) or (4)(b), the owner or operator is not required to submit an Initial Notification or a Notification of Compliance Status specified in subsections (2) and 44-260(3).

(a) The owner or operator is not subject to the vapor requirements in section 44-240, and is operating in compliance with an enforceable federal, state or local rule or permit that requires submerged fill as specified in subsection 44-230(2).

(b) The owner or operator is subject to the vapor requirements in Section 44-240, and meets the requirements in paragraphs (b)(A) and (b)(B).

(A) The owner or operator operates a vapor balance system at the GDF that meets the requirements of either sub-subparagraphs (4)(b)(A)(i) or (ii):

(i) Achieves emissions reduction of at least 90 percent.

(ii) Operates using management practices at least as stringent as those in Table 4.

(B) The owner or operator is operating in compliance with an enforceable federal, state, or local rule or permit that requires submerged fill as specified in subsection 44-230(2), and requires the operation of a vapor balance system as specified in subsection 44-260(4)(b)(A).

(5) The owner or operator must submit a Notification of Performance Test as specified in 40 C.F.R. 63.9(e), prior to initiating testing required by subsections 44-250(2) and 44-250(3) as applicable.

(6) The owner or operator must submit additional notifications specified in 40 C.F.R. 63.9, as applicable.

Section 44-270 Recordkeeping Requirements

(1) Each owner or operator must keep the following records:

(a) Records of all tests performed in accordance with subsections 44-250(2) and 44-250(3).

(b) Records related to the operation and maintenance of vapor balance equipment required in section 44-240. Any vapor balance component defect must be logged and tracked by the GDF owner or operator using forms provided by LRAPA or a reasonable facsimile.

(c) Records of total monthly and annual throughput in gallons as defined.

(d) Records of permanent changes made at the GDF and to vapor balance equipment which may affect emissions.

(2) Records required under section (1) must be kept for a period of 5 years and must be available within 24 hours of a request by LRAPA and the EPA Administrator.

(3) Each owner or operator of a gasoline cargo tank subject to the management practices in Table 5 of section 44-240 must keep records documenting vapor tightness testing for a period of 5 years. Documentation must include each of the items specified in 40 C.F.R. 63.11094(b)(2)(i) through (viii). Records of vapor tightness testing must be retained as specified in either subsection (3)(a) or (b).

(a) The owner or operator of a gasoline cargo tank must keep all vapor tightness testing records with the cargo tank.

(b) As an alternative to keeping all records with the cargo tank, the owner or operator of a gasoline cargo tank may comply with the requirements of paragraphs (3)(a)(A) and (B).

(A) The owner or operator of a gasoline cargo tank may keep records of only the most recent vapor tightness test with the cargo tank and keep records for the previous 4 years at their office or another central location.

(B) Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (e.g., via e-mail or facsimile) to

LRAPA and the EPA Administrator during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying signatures.

(4) Each owner or operator of a GDF must keep records as specified in subsections (4)(a) and (b).

(a) Records of the occurrence and duration of each malfunction of operation, i.e., process equipment, or the air pollution control and monitoring equipment.

(b) Records of actions taken during periods of malfunction to minimize emissions in accordance with 44-225(2), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

Section 44-280 Reporting Requirements

(1) Each owner or operator subject to 44-240 must report to the LRAPA and the EPA Administrator the results of all tests required in 44-250. Test results must be submitted within 30 days of the completion of the performance testing.

(2) Annual report. Each owner or operator of a GDF that has monthly throughput of 10,000 gallons of gasoline or more must report, by February 15 of each year, the following information, as applicable.

(a) The total throughput volume of gasoline, in gallons, for each calendar month.

(b) A summary of changes made at the facility on vapor recovery equipment which may affect emissions.

(c) List of all major maintenance performed on pollution control devices.

(d) The number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded.

(e) A description of actions taken by the owner or operator of a GDF during a malfunction to minimize emissions in accordance with 44-225(2), including actions taken to correct a malfunction.

Section 44-290 Federal NESHAP Subpart A Applicability

Table 3 to 40 C.F.R. part 63 subpart CCCCCC shows which parts of the General Provisions apply to the owner or operator.

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
75070	Acetaldehyde
60355	Acetamide
75058	Acetonitrile
98862	Acetophenone
53963	2-Acetylaminofluorene
107028	Acrolein
79061	Acrylamide
79107	Acrylic acid
107131	Acrylonitrile
8107051	Allyl chloride
92671	4-Aminobiphenyl
62533	Aniline
90040	o-Anisidine
1332214	Asbestos
71432	Benzene (including benzene from gasoline)
92875	Benzidine
98077	Benzotrichloride
100447	Benzyl chloride
92524	Biphenyl
117817	Bis(2-ethylhexyl) phthalate (DEHP)
542881	Bis(chloromethyl)ether
75252	Bromoform
106900	1,3-Butadiene
156627	Calcium cyanamide
133062	Captan
63252	Carbaryl
75150	Carbon disulfide
56235	Carbon tetrachloride
463581	Carbon sulfide
120809	Catechol
133904	Chloramben
57749	Chlordane
7782505	Chlorine

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
97118	Chloroacetic acid
532274	2-Chloroacetophenone
108907	Chlorobenzene
510156	Chlorobenzilate
67663	Chloroform
107302	Chloromethyl methyl ether
126998	Chloroprene
19773	Cresols/Cresylic acid (isomers and mixture)
95487	o-Cresol
108394	m-Cresol
106445	p-Cresol
98828	Cumene
94757	2,4-D, salts and esters
3547044	DDE
334883	Diazomethane
132649	Dibenzofurans
96128	1,2-Dibromo-3-chloropropane
84742	Dibutylphthalate
106467	1,4-Dicholorobenzene(p)
91941	3,3-Dichlorobenzidene
111444	Dichloroethyl ether [Bis(2-chloroethyl)ether]
542756	1,3-Dichloropropene
62737	Dichlorvos
111422	Diethanolamine
121697	N,N-Diethyl aniline (N,N-Dimethylaniline)
64675	Diethyl sulfate
119904	3,3-Dimethyloxybenzidine
60117	Dimethyl aminoazobenzene
119937	3,3-Dimethyl benzidine
79447	Dimethyl carbamoyl chloride
68122	Dimethyl formamide
57147	1,1-Dimethyl hydrazine
131113	Dimethyl phthalate

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
77781	Dimethyl sulfate
534521	4,6-Dinitro-o-cresol, and salts
51285	2,4-Dinitrotoluene
121142	2,4-Dinitrotoluene
123911	1,4-Dioxane (1,4-Diethyleneoxide)
122667	1,2-Diphenylhydrazine
106898	Epichlorohydrin (1-Chloro-2,3-epoxypropane)
106887	1,2-Epoxybutane
140885	Ethyl acrylate
100414	Ethyl benzene
51796	Ethyl carbamate (Urethane)
75003	Ethyl chloride (Chlorethane)
106934	Ethylene dibromide (Dibromoethane)
107062	Ethylene dichloride (1,2-Dichloroethane)
107211	Ethylene glycol
151564	Ethylene imine (Aziridine)
75218	Ethylene oxide
96457	Ethylene thiourea
75343	Ethylidene dichloride (1,1,-Dichloroethane)
50000	Formaldehyde
76448	Heptachlor
118741	Hexachlorobenzene
87683	Hexachlorobutadiene
77474	Hexachlorocyclopentadiene
67721	Hexachloroethane
822060	Hexamethylene-1,6-diisocyanate
680319	Hexamethylphosphoramide
110543	Hexane
302012	Hydrazine
7647010	Hydrochloric acid
7664393	Hydrogen fluoride (Hydrofluoric acid)
123319	Hydroquinone
78591	Isophorone

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
58899	Lindane (all isomers)
108316	Maleic anhydride
67561	Methanol
72435	Methoxychlor
74839	Methyl bromide (Bromomethane)
74873	Methyl chloride (Chloromethane)
71556	Methyl chloroform (1,1,1-Trichloroethane)
60344	Methyl hydrazine
74884	Methyl iodide (Iodomethane)
108101	Methyl isobutyl ketone (Hexone)
624839	Methyl isocyanate
80626	Methyl methacrylate
1634044	Methyl tert butyl ether
101144	4.4-Methylene bis(2-Chloroaniline)
75092	Methylene chloride (Dichloromethane)
101688	Methylene diphenyl diiocyanate (MDI)
101779	4,4-Methylenedianiline
91203	Naphthalene
98953	Nitrobenzene
92933	4-Nitrobiphenyl
100027	4-Nitrophenol
79469	2-Nitropropane
684935	N-Nitroso-N-methylurea
62759	N-Nitrosodimethylamine
59892	N-Nitrosomorpholine
56382	Parathion
82688	Pentachloronitrobenzene (Quintobenzene)
87865	Pentachlorophenol
108952	Phenol
106503	p-Phenylenediamine
75445	Phosgene
7803512	Phosphine
7723140	Phosphorus

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
85449	Phthalic anhydride
1336363	Polychlorinated biphenyls (Aroclors)
1120714	1,3-Propane sultone
57578	beta-Propriolactone
123386	Propionaldehyde
114261	Propoxur (Baygon)
78875	Propylene dichloride (1,2-Dichloropropane)
75569	Propylene oxide
75558	1,2-Propylenimine (2-Methyl aziridine)
91225	Quinoline
106514	Quinone
100425	Styrene
96093	Styrene oxide
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin
79345	1,1,2,2-Tetrachloroethane
127184	Tetrachloroethylene (Perchloroethylene)
7550450	Titanium tetrachloride
108883	Toluene
95807	2,4-Toluene diamine
584849	2,4-Toluene diisocyanate
95534	o-Toluidine
8001352	Toxaphene (chlorinated camphene)
120821	1,2,4-Trichlorobenzene
79005	1,1,2-Trichloroethane
79016	Trichloroethylene
95954	2,4,5-Trichlorophenol
88062	2,4,6-Trichlorophenol
121448	Triethylamine
1582098	Trifluralin
540841	2,2,4-Trimethylpentane
108054	Vinyl acetate
593602	Vinyl bromide
75014	Vinyl chloride

TABLE 1
(LRAPA 44-020)
LIST OF HAZARDOUS AIR POLLUTANTS

CAS NUMBER	CHEMICAL NAME
75354	Vinylidene chloride (1,1-Dichloroethylene)
1330207	Xylenes (isomers and mixture)
95476	o-Xylenes
108383	m-Xylenes
106423	p-Xylenes
0	Antimony Compounds
0	Arsenic Compounds (inorganic including arsine)
0	Beryllium Compounds
0	Cadmium Compounds
0	Chromium Compounds
0	Cobalt Compounds
0	Coke Oven Emissions
0	Cyanide Compounds[1]
0	Glycol ethers[2]
0	Lead Compounds
0	Manganese Compounds
0	Mercury Compounds
0	Fine mineral fibers[3]
0	Nickel Compounds
0	Polycyclic Organic Matter[4]
0	Radionuclides (including radon)[5]
0	Selenium Compounds

NOTE: For all listings above which contain the word "compounds" and for glycol ethers, the following applies: Unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

*1 X=CN where X = H= or any other group where a formal dissociation may occur. For example KCN or $Ca(CN)_2$
*2 Includes mono- and di-ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH_2CH_2)n-OR= where: n = 1,2, or 3; R - alkyl or aryl groups; R= - R,H, or groups which, when removed, yield glycol ethers with the structure: R-$(OCH_2CH)_n$-OH. Polymers are excluded from the glycol category.
*3 Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) of average diameter 1 micrometer or less.
*4 Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100°C.
*5 A type of atom which spontaneously undergoes radioactive decay.
(Table 1 original adoption 06/11/02)

[Table 2: RESERVED]

[Table 33 RESERVED]

TITLE 44 – TABLE 4
(LRAPA 44-240)
MANAGEMENT PRACTICES FOR GASOLINE DISPENSING FACILITIES SUBJECT TO STAGE I VAPOR CONTROLS

If owning or operating	The owner or operator must
1. An existing GDF	Install and operate a vapor balance system on gasoline storage tanks that meets the design criteria in paragraphs (a) through (h). (a) All vapor connections and lines on the storage tank must be equipped with closures that seal upon disconnect. (b) The vapor line from the gasoline storage tank to the gasoline cargo tank must be vapor-tight, as defined in section 44-180. (c) The vapor balance system must be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer. (d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, must be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations. (e) If a gauge well separate from the fill tube is used, it must be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in section 44-240(2). (f) Liquid fill connections for all systems must be equipped with vapor-tight caps. (g) Pressure/vacuum (PV) vent valves must be installed on the storage tank vent pipes. The pressure specifications for PV vent valves must be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, must not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water. (h) The vapor balance system must be capable of meeting the static pressure performance requirement of the following equation: $Pf = 2e^{-500.887/v}$ Where: Pf = Minimum allowable final pressure, inches of water. v = Total ullage affected by the test, gallons. e = Dimensionless constant equal to approximately 2.718. 2 = The initial pressure, inches water.
2. For a new or reconstructed GDF with monthly throughput of 100,000 gallons of gasoline or more, or a new storage tank(s) at an existing GDF with monthly throughput of 100,000 gallons of gasoline or more	Install and operate a dual-point vapor balance system, as defined in section 44-180, on each affected gasoline storage tank and comply with the design criteria in item 1 of this Table.

TITLE 44 – TABLE 5
(LRAPA 44-240)
MANAGEMENT PRACTICES FOR GASOLINE CARGO TANKS UNLOADING AT GASOLINE DISPENSING FACILITIES EQUIPPED WITH STAGE I VAPOR CONTROLS

If owning or operating	The owner or operator must
A gasoline cargo tank	Not unload gasoline into a storage tank at a GDF with stage I vapor controls unless the following conditions are met: i. All hoses in the vapor balance system are properly connected, ii. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect, iii. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight, iv. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and v. All hatches on the tank truck are closed and securely fastened. vi. The filling of storage tanks at GDF must be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 must be carried on the cargo tank.

(Table 4 Original Adoption 01/12/2010)

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 46

NEW SOURCE PERFORMANCE STANDARDS

The existing title 46 was rescinded in its entirety on November 10, 1994, and this new title 46 was adopted in its place. Subsequent updates and modifications were adopted on October 14, 2008 and November 12, 2015. These sections are the same as DEQ's Standards of Performance for New Stationary Sources contained in OAR 340 division 238.

Section 46-505 Statement of Purpose

The U. S. Environmental Protection Agency has adopted in **Title 40, Code of Federal Regulations, Part 60**, Standards of Performance for certain new stationary sources. It is the intent of LRAPA title 46 to specify requirements and procedures necessary for LRAPA to implement and enforce the aforementioned Federal Regulations.

Section 46-510 Definitions

The definitions in title 12 and this section apply to this title. If the same term is defined in this section and title 12, the definition in this section applies to this title.

(1) "Administrator" means the Administrator of the EPA or authorized representative.

(2) "Affected facility" means, with reference to a stationary source, any apparatus to which a standard is applicable.

(3) "Capital Expenditure" means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

(4) "C.F.R." means the July 1, 2017 edition of the Code of Federal Regulations ~~and,~~ unless otherwise ~~expressly~~ identified~~, refers to the July 1, 2015 edition~~.

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

(6) "Commenced"~~ means~~, with respect to the definition of "new source" in section 111(a)(2) of the FCAA, means that an owner or operator has undertaken a continuous program of

construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

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

(8) "Existing Facility" means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in 40 C.F.R. Part 60, and the construction or modification of which commenced before the date of proposal by EPA of that standard; or any apparatus which could be altered in such a way as to be of that type.

(9) "Fixed Capital Cost" means the capital needed to provide all the depreciable components.

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

(11) "Modification"

(a) Except as provided in paragraph (b), means any physical change in, or change in the method of operation of, an existing facility that increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or that results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted;

(b) As used in section 46-900 means an action that results in an increase in the design capacity of a landfill.

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

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

(14) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(a) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and

(b) It is technologically and economically feasible to meet the applicable standards set forth in 40 C.F.R. Part 60.

(15) "Reference Method" means any method of sampling and analyzing for an air pollutant as specified in 40 C.F.R. Part 60.

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

(17) "Standard" means a standard of performance proposed or promulgated under 40 C.F.R. Part 60.

(18) "State Plan" means a plan developed for the control of a designated pollutant provided under 40 C.F.R. Part 60.

Section 46-515 Statement of Policy

It is the policy of the Board to consider the performance standards for new stationary sources contained in this title to be minimum standards; and as technology advances, conditions warrant, and LRAPA rules require or permit, additional rules may be adopted.

Section 46-520 Delegation

(1) The EQC authorizes LRAPA to implement and enforce, within its boundaries, the provisions of OAR 340 division 238.

(2) The EQC may authorize LRAPA to implement and enforce its own provisions upon a finding that such provisions are at least as strict as a corresponding provision in OAR 340 division 238. LRAPA may implement and enforce provisions authorized by the EQC in place of any or all of OAR 340 division 238 upon receipt of delegation from EPA. Delegation may be withdrawn for cause by the EQC.

Section 46-525 Applicability

This title applies to stationary sources subject to **40 C.F.R. part 60** as adopted under section 46-535.

Section 46-530 General Provisions

(1) Except as provided in subsection (2), 40 C.F.R., Part 60, Subpart A is by this reference adopted and incorporated herein.

(2) Where "Administrator" or "EPA" appears in 40 C.F.R. Part 60, **Subpart A**, "LRAPA" is substituted, except in any section of 40 C.F.R. Part 60 for which a federal rule or delegation specifically indicates that authority will not be delegated to the state or regional authority.

PERFORMANCE STANDARDS

Section 46435 Federal Regulations Adopted by Reference

(1) Except as provided in subsection (2), 40 C.F.R., Part 60, Subparts A, D through EE, GG, HH, KK through NN, PP through XX, BBB, DDD, FFF through LLL, NNN, ~~PPP~~ through WWW, AAAA, CCCC, EEEE, KKKK, LLLL, ~~and~~ OOOO, and TTTT are by this reference adopted and incorporated herein, 40 C.F.R. Part 60 Subpart OOO is by this reference adopted and incorporated herein for major sources only, 40 C.F.R. Part 60 Subpart IIII and JJJJ ~~is~~ are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit and excluding the requirements for engine manufacturers~~, and 40 CFR Part 60 Subpart JJJJ is by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit and excluding the requirements for engine manufacturers~~.

(2) Where "Administrator" or "EPA" appears in **40 C.F.R. Part 60**, "LRAPA" shall be substituted, except in any section of **40 C.F.R. Part 60** for which a federal rule or delegation specifically indicates that authority will not be delegated to the state or regional authority.

(3) 40 C.F.R. Part 60 Subparts adopted by this section are titled as follows:

(a) Subpart A -- General Provisions;

(b) Subpart D -- Fossil-fuel-fired steam generators for which construction is commenced after August 17, 1971;

(c) Subpart Da -- Electric utility steam generating units for which construction is commenced after September 18, 1978;

(d) Subpart Db -- Industrial-commercial-institutional steam generating units;

(e) Subpart Dc -- Small industrial-commercial-institutional steam generating units;

(f) Subpart E – Incinerators;

(g) Subpart Ea – Municipal waste combustors for which construction is commenced after December 20, 1989 and on or before September 20, 1994;

(h) Subpart Eb -- Municipal waste combustors for which construction is commenced after September 20, 1994;

(i) Subpart Ec -- Hospital/Medical/Infectious waste incinerators that commenced construction after June 20, 1996, or for which modification is commenced after March 16, 1998;

(j) Subpart F -- Portland cement plants;

(k) Subpart G -- Nitric acid plants;

(l) Subpart Ga – Nitric acid plants for which construction, reconstruction, or modification commenced after October 14, 2011;

(m) Subpart H -- Sulfuric acid plants;

(n) Subpart I -- Hot mix asphalt facilities;

(o) Subpart J -- Petroleum refineries;

(p) Subpart K -- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and before May 19, 1978;

(q) Subpart Ka -- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978, and before July 23, 1984;

(r) Subpart Kb -- Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984;

(s) Subpart L -- Secondary lead smelters;

(t) Subpart M -- Secondary brass and bronze production plants;

(u) Subpart N -- Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;

(v) Subpart Na -- Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;

(w) Subpart O -- Sewage treatment plants;

(x) Subpart P -- Primary copper smelters;

(y) Subpart Q -- Primary Zinc smelters;

(z) Subpart R -- Primary lead smelters;

(aa) Subpart S -- Primary aluminum reduction plants;

(bb) Subpart T -- Phosphate fertilizer industry: wet-process phosphoric acid plants;

(cc) Subpart U -- Phosphate fertilizer industry: superphosphoric acid plants;

(dd) Subpart V -- Phosphate fertilizer industry: diammonium phosphate plants;

(ee) Subpart W -- Phosphate fertilizer industry: triple superphosphate plants;

(ff) Subpart X -- Phosphate fertilizer industry: granular triple superphosphate storage facilities;

(gg) Subpart Y -- Coal preparation plants;

(hh) Subpart Z -- Ferroalloy production facilities;

(ii) Subpart AA -- Steel plants: electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;

(jj) Subpart AAa -- Steel plants: electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;

(~~kk~~) Subpart BB -- Kraft pulp mills;

(ll) Subpart BBa – Kraft pulp mills affected for which construction, or modification commences after May 23, 2013.

(~~ll~~mm) Subpart CC -- Glass manufacturing plants;

(~~mm~~nn) Subpart DD -- Grain elevators;

(~~nn~~oo) Subpart EE -- Surface coating of metal furniture;

(~~oo~~pp) Subpart GG -- Stationary gas turbines;

(~~pp~~qq) Subpart HH -- Lime manufacturing plants;

(~~qq~~rr) Subpart KK -- Lead-acid battery manufacturing plants;

(~~rr~~ss) Subpart LL -- Metallic mineral processing plants;

(~~ss~~tt) Subpart MM -- Automobile and light-duty truck surface coating operations;

(~~tt~~uu) Subpart NN -- Phosphate rock plants;

(~~uu~~vv) Subpart PP -- Ammonium sulfate manufacture;

(~~vv~~ww) Subpart QQ -- Graphic arts industry: publication rotogravure printing;

(~~ww~~xx) Subpart RR -- Pressure sensitive tape and label surface coating operations;

(~~xx~~yy) Subpart SS -- Industrial surface coating: large appliances;

(~~yy~~zz) Subpart TT -- Metal coil surface coating;

(~~zz~~aaa) Subpart UU -- Asphalt processing and asphalt roofing manufacture;

(~~aaa~~bbb) Subpart VV -- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

(~~bbb~~ccc) Subpart VVa -- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

(~~ccc~~ddd) Subpart WW -- Beverage can surface coating industry;

(~~ddd~~eee) Subpart XX -- Bulk gasoline terminals;

(~~eee~~fff) Subpart BBB -- Rubber tire manufacturing industry;

(~~fff~~ggg) Subpart DDD -- Volatile organic compound (VOC) emissions for the polymer manufacture industry;

(~~ggg~~hhh) Subpart FFF -- Flexible vinyl and urethane coating and printing;

(~~hhh~~iii) Subpart GGG -- Equipment leaks of VOC in petroleum refineries;

(~~iii~~jjj) Subpart GGGa-- Equipment leaks of VOC in petroleum refineries;

(~~jjj~~iii) Subpart HHH -- Synthetic fiber production facilities;

(~~kkk~~lll) Subpart III -- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;

(~~lll~~mmm) Subpart JJJ -- Petroleum dry cleaners;

(~~mmm~~nnn) Subpart KKK -- Equipment leaks of VOC from onshore natural gas processing plants;

(~~nnn~~ooo) Subpart LLL -- Onshore natural gas processing; SO2 emissions;

(~~ooo~~ppp) Subpart NNN -- Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations;

(~~ppp~~qqq) Subpart OOO -- Nonmetallic mineral processing plants (adopted by reference for major sources only);

(~~qqq~~rrr) Subpart PPP -- Wool fiberglass insulation manufacturing plants;

(~~rrr~~sss) Subpart QQQ -- VOC emissions from petroleum refinery wastewater systems;

(~~sss~~ttt) Subpart RRR -- Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes;

(~~ttt~~uuu) Subpart SSS -- Magnetic tape coating facilities;

(~~uuu~~vvv) Subpart TTT -- Industrial surface coating: surface coating of plastic parts for business machines;

(~~vvv~~www) Subpart UUU -- Calciners and dryers in mineral industries;

(~~www~~xxx) Subpart VVV -- Polymeric coating of supporting substrates facilities;

(~~xxx~~yyy) Subpart WWW -- Municipal solid waste landfills, as clarified by section 46-900;

(~~yyy~~zzz) Subpart AAAA -- Small municipal waste combustion units;

(~~zzz~~aaaa) Subpart CCCC -- Commercial and industrial solid waste incineration units;

(~~aaaa~~bbbb) Subpart EEEE-- Other solid waste incineration units;

(~~bbbb~~cccc) Subpart IIII -- Stationary compression ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 C.F.R. 60.4201 through 60.4203, 60.4210, 60.4215, and 60.4216);

(~~cccc~~dddd) Subpart JJJJ -- Stationary spark ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 C.F.R. 60.4231 through 60.4232, 60.4238 through 60.4242, and 60.4247);

(~~dddd~~eeee) Subpart KKKK -- Stationary combustion turbines;

(~~eeee~~ffff) Subpart LLLL -- Sewage sludge incineration units; ~~and~~

(gggg) Subpart OOOO ~~—~~-- Crude oil and natural gas production, transmission and distribution~~.~~;

(hhhh) Subpart OOOOa -- Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015; and

(iiii) Subpart TTTT -- Greenhouse gas emissions for electric generating units.

Section 46-800 Compliance

Compliance with standards set forth in LRAPA section 46-535 shall be determined by performance tests and monitoring methods as set forth in the Federal Regulation adopted by reference in section 46-530.

Section 46-805 More Restrictive Regulations

If at any time there is a conflict between LRAPA or Department rules and the Federal Regulations (**40 C.F.R. part 60**), both shall apply.

Section 46-900 Municipal Solid Waste Landfills

(1) Applicability. The following small and large municipal solid waste landfills must comply with **40 C.F.R. Part 60, Subpart WWW**:

(a) Landfills constructed after 5/30/91;

(b) Existing landfills with modifications after 5/30/91;

(c) Landfills that closed after 11/08/87 with modifications after 5/30/91.

(2) Permitting requirements. Landfills subject to **40 C.F.R. Part 60, Subpart WWW** must comply with Oregon Title V Operating Permit Program Requirements as specified in OAR 340 divisions 218 and 220:

(a) Existing large landfills with modifications after 5/30/91 must submit a complete Federal Operating Permit application by 3/12/97;

(b) Existing large landfills with modifications after 3/12/97 must submit a complete Federal Operating Permit application the earliest of one year from the date EPA approves the 111(d) State Plan for this section, or within one year of the modification;

(c) New large landfills, which includes newly constructed large landfills after 3/12/96 and existing small landfills that become large landfills after 3/12/96 must submit a complete Federal Operating Permit application within one year of becoming subject to this requirement;

(d) New and modified existing small landfills that are major sources as defined in title 12 must submit a complete Federal Operating Permit application within one year of becoming a major source.

(3) Reporting requirements. Landfills subject to **40 C.F.R. Part 60, Subpart WWW** must comply with the following:

(a) Large landfills listed in paragraph (1)(a) through (c) of this section must:

(A) Submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of the effective date of this section; and

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

(b) Small landfills listed in subsection (1)(a) through (c) of this section must submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of the effective date of this section;

(c) Landfills subject to this section after the effective date of this section must submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of becoming subject to this section.

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 44

HAZARDOUS AIR POLLUTANT PROGRAM

General Provisions for Stationary Sources

Section 44-010 Policy and Purpose

The Lane Regional Air Protection Agency (LRAPA) finds that certain air contaminants for which there are no ambient air quality standards may cause or contribute to an identifiable and significant increase in mortality or to an increase in serious irreversible or incapacitating reversible illness or to irreversible ecological damage, and are therefore considered to be hazardous air pollutants. It shall be the policy of LRAPA that no person may cause, allow, or permit emissions into the ambient air of any hazardous substance in such quantity, concentration, or duration determined by LRAPA to be injurious to public health or the environment. The purpose of this title is to establish emissions limitations on sources of these air contaminants. In order to reduce the release of these hazardous air pollutants and protect public health and the environment, it is the intent of LRAPA to adopt by rule within this title the source category-specific requirements that are promulgated by the EPA. Furthermore, it is hereby declared the policy of LRAPA that the standards contained in this title are considered minimum standards, and as technology advances, protection of public health and the environment warrants, more stringent standards may be adopted and applied.

Section 44-015 Definitions

The definitions in title 12, OAR 340-218-0030, and this section apply to this title. If the same term is defined in this section and title 12 or 340-218-0030, the definition in this section applies to this title.

(1) "Affected source" is as defined in 40 C.F.R. 63.2.

(2) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.

(3) "Area Source" means any stationary source which has the potential to emit hazardous air pollutants but is not a major source of hazardous air pollutants.

(4) "C.F.R." means the July 1, 2017 Code of Federal Regulations unless otherwise identified,.

(5) "Construct a major Source" means to fabricate, erect, or install at any greenfield site a stationary source or group of stationary sources which is located within a contiguous area and under common control and which emits or has the potential to emit 10 tons per year of any HAPs or 25 tons per year of any combination of HAP; or to fabricate, erect, or install at any developed site a new process or production unit which in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination

of HAP, unless the process or production unit satisfies criteria (a) through (f) of this definition:

(a) All HAP emitted by the process or production unit that would otherwise be controlled under the requirements of 40 C.F.R. part 63, Subpart B will be controlled by emission control equipment which was previously installed at the same site as the process or production unit;

(b) LRAPA has determined within a period of 5 years prior to the fabrication, erection, or installation of the process or production unit that the existing emission control equipment represented the best available control technology (BACT), lowest achievable emission rate (LAER) under 40 C.F.R. part 51 or 52, toxics-best available control technology (T-BACT) or MACT based on State air toxic rules for the category of pollutants which includes those HAP to be emitted by the process or production unit; or LRAPA determines that the control of HAP emissions provided by the existing equipment will be equivalent to that level of control currently achieved by other well-controlled similar sources (i.e., equivalent to the level of control that would be provided by a current BACT, LAER, T-BACT, or State air toxic rule MACT determination).

(c) LRAPA determines that the percent control efficiency for emission of HAP from all sources to be controlled by the existing control equipment will be equivalent to the percent control efficiency provided by the control equipment prior to the inclusion of the new process or production unit;

(d) LRAPA has provided notice and an opportunity for public comment concerning its determination that criteria in paragraphs (a), (b), and (c) apply and concerning the continued adequacy of any prior LAER, BACT, T-BACT, or State air toxic rule MACT determination;

(e) If any commenter has asserted that a prior LAER, BACT, T-BACT, or State air toxic rule MACT determination is no longer adequate, LRAPA has determined that the level of control required by that prior determination remains adequate; and

(f) Any emission limitations, work practice requirements, or other terms and conditions upon which the above determinations by LRAPA are predicated will be construed by LRAPA as applicable requirements under section 504(a) of the FCAA and either have been incorporated into any existing Title V permit for the affected facility or will be incorporated into such permit upon issuance.

(6) "Emissions Limitation" and "Emissions Standard" mean a requirement adopted by the DEQ or LRAPA, or proposed or promulgated by the Administrator of the EPA, which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

(7) "Equipment leaks" means leaks from pumps, compressors, pressure relief devices, sampling connection systems, open ended valves or lines, valves, connectors, agitators, accumulator vessels, and instrumentation systems in hazardous air pollutant service.

(8) "Existing Source" means any source, the construction of which commenced prior to proposal of an applicable standard under sections 112 or 129 of the FCAA.

(9) "Facility" means all or part of any public or private building, structure, installation, equipment, or vehicle or vessel, including, but not limited to, ships.

(10) "Hazardous Air Pollutant" (HAP) means an air pollutant listed by the EPA under section 112(b) of the FCAA or determined by the Board to cause, or reasonably be anticipated to cause, adverse effects to human health or the environment.

(11) "Major Source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. The EPA may establish a lesser quantity, or in the case of radionuclides different criteria, for a major source on the basis of the potency of the air pollutant, persistence, potential for bioaccumulation, other characteristics of the air pollutant, or other relevant factors.

(12) "Maximum Achievable Control Technology (MACT)" means an emission standard applicable to major sources of hazardous air pollutants that requires the maximum degree of reduction in emissions deemed achievable for either new or existing sources.

(13) "New Source" means a stationary source, the construction of which is commenced after proposal of a federal MACT or January 3, 1993 of this title, whichever is earlier.

(14) "Potential to Emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the EPA. This section does not alter or affect the use of this section for any other purposes under the FCAA, or the term "capacity factor" as used in Title IV of the FCAA or the regulations promulgated under it. Secondary emissions shall not be considered in determining the potential to emit of a source.

(15) "Reconstruct a Major Source" means the replacement of components at an existing process or production unit that in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever: the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and it is technically and economically feasible for the reconstructed major source to meet the applicable maximum achievable control technology emission limitation for new sources established under 40 C.F.R. part 63 subpart B.

(16) "Regulated Air Pollutant" as used in this title means:

(a) Any pollutant listed under OAR 340-200-0400 or section 44-160; or

(b) Any pollutant that is subject to a standard promulgated under Section 129 of the FCAA.

(17) "Section 112(n)" means that subsection of the FCAA that includes requirements for the EPA to conduct studies on the hazards to public health prior to developing emissions standards for specified categories of hazardous air pollutant emission sources.

(18) "Section 112(r)" means that subsection of the FCAA that includes requirements for the EPA promulgate regulations for the prevention, detection and correction of accidental releases.

(19) "Solid Waste Incineration Unit" as used in this title shall have the same meaning as given in Section 129(g) of the FCAA.

(20) "Stationary Source":

(a) As used in title 44 means any building, structure, facility, or installation which emits or may emit any regulated air pollutant;

Section 44-020 List of Hazardous Air Pollutants

For purposes of this title LRAPA adopts by reference the pollutants, including groups of substances and mixtures, listed in **Section 112(b) of FCAA**, as Hazardous Air Pollutants (Table 1 of section 44-020).

Section 44-030 Amending the List of Hazardous Air Pollutants

(1) Any person may file a petition with LRAPA to amend the HAP List. The petition must include at least the following information:

(a) Name and chemical abstract service number of the substance;

(b) Quantity of the substance used and released in Lane County;

(c) Sources or source categories emitting the substance;

(d) Potential adverse effects of the substance on public health and the environment;

(e) Potential exposure pathways; and

(f) Uncertainties in the data provided.

(2) LRAPA shall present this information, or other information that LRAPA may develop, to the Board, consistent with subsection (1), for presentation to the Board which will consider it along with the best available scientific information developed by the EPA, the Oregon Health Division, other states, other scientific organizations, or by any person.

(3) The Board shall amend the HAP list if:

(a) It finds there is a scientifically defensible need to add a substance not on the EPA list to protect the public health or environment;

(b) A chemical is added to the list by the EPA;

(c) A substance is deleted from the list by the EPA and the Board finds that the substance can be deleted without causing harm to public health or the environment; or

(d) A substance has previously been added to the list by the Board but not by the EPA, and the Board finds that the substance can be deleted without causing harm to public health or the environment.

COMPLIANCE EXTENSIONS FOR EARLY REDUCTIONS

Section 44-040 Applicability

The requirements of 40 C.F.R. part 63 subpart D apply to an owner or operator of an existing source who wishes to obtain a compliance extension and an alternative emission limit from a standard issued under **Section 112(d) of the FCAA**. Any owner or operator of a facility who elects to comply with a compliance extension and alternative emission limit issued under this section must complete a permit application as prescribed in 40 C.F.R. 63.77.

Section 44-130 Emissions Limitation for New and Reconstructed Major Sources

(1) Federal MACT. Any person who proposes to construct a major source of HAP after an applicable emissions standard has been proposed by the EPA pursuant to **Section 112(d)**, **Section 112(n)**, or **Section 129 of the FCAA** shall comply with the requirements and emission standard for new sources when promulgated by EPA.

(2) State MACT. Any person who proposes to construct or reconstruct a major source of hazardous air pollutants before MACT requirements applicable to that source have been proposed by the EPA and after the effective date of the program shall comply with new and reconstructed source MACT requirements of **40 C.F.R. part 63, subpart B**.

(3) Compliance schedule. The owner or operator of a new or reconstructed source must on and after the date of start-up, be in compliance with all applicable requirements specified in the Federal or State MACT.

EMISSION STANDARDS

Section 44-140 Emissions Limitation for Existing Sources

(1) Federal MACT. Existing major and area sources shall comply with the applicable emissions standards for existing sources promulgated by the EPA pursuant to **Section 112(d)**, **section 112(n)**, or **Section 129 of the FCAA** and adopted by section within this title.

(2) State MACT. If the EPA fails to meet its schedule for promulgating a MACT standard for a source category, LRAPA must approve HAP emissions limitations for existing major sources within that category on a case-by-case basis, in accordance with the requirements of **40 C.F.R. part 63, subpart B**.

(a) The owner or operator of each existing major source within that category will file permit applications in accordance with OAR 340-218-0040 and 40 C.F.R. part 63, subpart B.

(b) If, after a permit has been issued, the EPA promulgates a MACT standard applicable to a source, which is more stringent than the one established pursuant to this section, LRAPA shall revise the permit upon the next renewal to reflect the standard promulgated by the EPA. The source shall be given a reasonable time to comply, but no longer than 8 (eight) years after the standard is promulgated.

(c) LRAPA shall not establish a case-by-case MACT:

(A) For existing solid waste incineration units where an emissions standard will be established for these units by the EPA pursuant to **Section 111 of the FCAA**. These sources are subject to applicable emissions standards under title 46.

(B) For existing major HAP sources where an emissions standard or alternative control strategy will be established by the EPA pursuant to **Section 112(n) of the FCAA**.

(3) Compliance schedule

(a) The owner or operator of the source shall comply with the emission limitation:

(A) Within the time frame established in the applicable Federal MACT standard, but in no case later than 3 (three) years from the date of federal promulgation of the applicable MACT requirements; or

(B) Within the time frame established by LRAPA where a State- determined MACT has been established or a case-by-case determination has been made.

(b) The owner or operator of the source may apply for, and LRAPA may grant, a compliance extension of up to 1 (one) year if such additional period is necessary for the installation of controls.

(c) Notwithstanding the requirements of this section, no existing source that has installed Best Available Control Technology or been required to meet Lowest Achievable Emission Rate prior to the promulgation of a federal MACT applicable to that emissions unit shall be required to comply with such MACT standard until 5 (five) years after the date on which such installation or reduction has been achieved, as determined by LRAPA.

Section 44-150, Emission Standards:
Federal Regulations Adopted by Reference

(1) Except as provided in subsection (2) and (3), **40 C.F.R. Part 61, Subparts A, C through F, J, L, N through P, V, Y, BB, and FF** and **40 C.F.R. Part 63, Subparts A, F through J, L, through O, Q through U, W through Y, AA through EE, GG through YY, CCC through EEE, GGG through JJJ, LLL through RRR, TTT through VVV**, **XXX, AAAA, CCCC through KKKK, MMMM through YYYY, AAAAA through NNNNN, PPPPP, through UUUUU, WWWWW, YYYYY, ZZZZZ, BBBBBB, DDDDDD through FFFFFF, LLLLLL through TTTTTT, VVVVVV through EEEEEEE, and HHHHHHH** are adopted by reference and incorporated herein, and **40 C.F.R. Part 63, Subparts ZZZZ and JJJJJJ** are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit.

(2) Where "Administrator" or "EPA" appears in **40 C.F.R. part 61** or **63**, "LRAPA" shall be substituted, except in any section of **40 C.F.R. part 61** or **63** for which a federal rule or delegation specifically indicates that authority will not be delegated.

(3) 40 C.F.R. Part 63 Subpart M - Dry Cleaning Facilities using Perchloroethylene: The exemptions in 40 C.F.R. 63.320(d) and (e) do not apply.

(4) **40 C.F.R. Part 61** Subparts adopted by this section are titled as follows:

(a) Subpart A-General Provisions;

(b) Subpart C-Beryllium;

(c) Subpart D-Beryllium Rocket Motor Firing;

(d) Subpart E-Mercury;

(e) Subpart F-Vinyl Chloride;

(f) Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene;

(g) Subpart L-Benzene Emissions from Coke By-Product Recovery Plants;

(h) Subpart N-Inorganic Arsenic Emissions from Glass Manufacturing Plants;

(i) Subpart O-Inorganic Arsenic Emissions from Primary Copper Smelters;

(j) Subpart P-Inorganic Arsenic Emissions from Arsenic Trioxide and Metal Arsenic Facilities;

(k) Subpart V-Equipment Leaks (Fugitive Emission Sources);

(l) Subpart Y-Benzene Emissions from Benzene Storage Vessels;

(m) Subpart BB – Benzene Emissions from Benzene Transfer Stations; and

(n) Subpart FF-Benzene Waste Operations.

(5) **40 C.F.R. Part 63** Subparts adopted by this section are titled as follows:

(a) Subpart A-General Provisions;

(b) Subpart F-SOCMI;

(c) Subpart G-SOCMI-Process Vents, Storage Vessels, Transfer Operations, and Wastewater;

(d) Subpart H-SOCMI-Equipment Leaks;

(e) Subpart I-Certain Processes Subject to the Negotiated Regulation for Equipment Leaks;

(f) Subpart J - Polyvinyl Chloride and Copolymers Production (federally vacated)

(g) Subpart L-Coke Oven Batteries;

(h) Subpart M-Perchloroethylene Air Emission Standards for Dry Cleaning Facilities;

(i) Subpart N- Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks;

(j) Subpart O-Ethylene Oxide Emissions Standards for Sterilization Facilities;

(k) Subpart Q-Industrial Process Cooling Towers;

(l) Subpart R-Gasoline Distribution (Bulk Gasoline Terminals and Pipeline Breakout Stations);

(m) Subpart S-Pulp and Paper Industry;

(n) Subpart T-Halogenated Solvent Cleaning;

(o) Subpart U-Group I Polymers and Resins;

(p) Subpart W-Epoxy Resins and Non-Nylon Polyamides Production;

(q) Subpart X-Secondary Lead Smelting;

(r) Subpart Y-Marine Tank Vessel Loading Operations;

(s) Subpart AA-Phosphoric Acid Manufacturing Plants;

(t) Subpart BB-Phosphate Fertilizer Production Plants;

(u) Subpart CC-Petroleum Refineries;

(v) Subpart DD-Off-Site Waste and Recovery Operations;

(w) Subpart EE-Magnetic Tape Manufacturing Operations;

(x) Subpart GG-Aerospace Manufacturing and Rework Facilities;

(y) Subpart HH-Oil and Natural Gas Production Facilities;

(z) Subpart II-Shipbuilding and Ship Repair (Surface Coating);

(aa) Subpart JJ-Wood Furniture Manufacturing Operations;

(bb) Subpart KK-Printing and Publishing Industry;

(cc) Subpart LL-Primary Aluminum Reduction Plants;

(dd) Subpart MM-Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-Chemical Pulp Mills;

(ee) Subpart NN – Area Sources: Wool Fiberglass Manufacturing

(ff) Subpart OO-Tanks-Level 1;

(gg) Subpart PP-Containers;

(hh) Subpart QQ-Surface Impoundments;

(ii) Subpart RR-Individual Drain Systems;

(jj) Subpart SS-Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process;

(kk) Subpart TT-Equipment Leaks-Control Level 1;

(ll) Subpart UU-Equipment Leaks-Control Level 2;

(mm) Subpart VV-Oil-Water Separators and Organic-Water Separators;

(nn) Subpart WW-Storage Vessels (Tanks)- Control Level 2;

(oo) Subpart XX - Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations;

(pp) Subpart YY-Generic Maximum Achievable Control Technology Standards;

(qq) Subpart CCC-Steel Pickling-HCI Process Facilities and Hydrochloric Acid Regeneration Plants;

(rr) Subpart DDD-Mineral Wool Production;

(ss) Subpart EEE-Hazardous Waste Combustors;

(tt) Subpart GGG-Pharmaceuticals Production;

(uu) Subpart HHH-Natural Gas Transmission and Storage Facilities;

(vv) Subpart III-Flexible Polyurethane Foam Production;

(ww) Subpart JJJ-Group IV Polymers and Resins;

(xx) Subpart LLL-Portland Cement Manufacturing Facilities;

(yy) Subpart MMM-Pesticide Active Ingredient Production;

(zz) Subpart NNN-Wool Fiberglass Manufacturing;

(aaa) Subpart OOO-Manufacture of Amino/Phenolic Resins;

(bbb) Subpart PPP-Polyether Polyols Production;

(ccc) Subpart QQQ - Primary Copper Smelting;

(ddd) Subpart RRR-Secondary Aluminum Production

(eee) Subpart TTT-Primary Lead Smelting;

(fff) Subpart UUU - Petroleum Refineries -- Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units;

(ggg) Subpart VVV-Publicly Owned Treatment Works;

(hhh) Subpart XXX-Ferro Alloys, Ferromanganese, and Silicomanganese Production;

(iii) Subpart AAAA - Municipal Solid Waste Landfills;

(jjj) Subpart CCCC-Manufacturing of Nutritional Yeast;

(kkk) Subpart DDDD - Plywood and Composite Wood Products;

(lll) Subpart EEEE - Organic Liquids Distribution (non-gasoline);

(mmm) Subpart FFFF - Miscellaneous Organic Chemical Manufacturing;

(nnn) Subpart GGGG-Solvent Extraction for Vegetable Oil Production;

(ooo) Subpart HHHH - Wet Formed Fiberglass Mat Production;

(ppp) Subpart IIII - Surface Coating of Automobiles and Light-Duty Trucks;

(qqq) Subpart JJJJ - Paper and Other Web Coating;

(rrr) Subpart KKKK - Surface Coating of Metal Cans;

(sss) Subpart MMMM - Surface Coating of Miscellaneous Metal Parts and Products;

(ttt) Subpart NNNN - Surface Coating of Large Appliances;

(uuu) Subpart OOOO - Printing, Coating, and Dyeing of Fabrics and Other Textiles;

(vvv) Subpart PPPP - Surface Coating of Plastic Parts and Products;

(www) Subpart QQQQ - Surface Coating of Wood Building Products;

(xxx) Subpart RRRR - Surface Coating of Metal Furniture;

(yyy) Subpart SSSS - Surface Coating of Metal Coil;

(zzz) Subpart TTTT - Leather Finishing Operations;

(aaaa) Subpart UUUU - Cellulose Production Manufacturing;

(bbbb) Subpart VVVV - Boat Manufacturing;

(cccc) Subpart WWWW - Reinforced Plastics Composites Production;

(dddd) Subpart XXXX - Rubber Tire Manufacturing;

(eeee) Subpart YYYY - Stationary Combustion Turbines;

(ffff) Subpart ZZZZ - Reciprocating Internal Combustion Engines (adopted only for sources required to have a Title V or ACDP permit);

(gggg) Subpart AAAAA - Lime Manufacturing;

(hhhh) Subpart BBBBB - Semiconductor Manufacturing;

(iiii) Subpart CCCCC - Coke Ovens: Pushing, Quenching & Battery Stacks;

(jjjj) Subpart DDDDD - Industrial, Commercial, and Institutional Boilers and Process Heaters

(kkkk) Subpart EEEEE - Iron and Steel Foundries;

(llll) Subpart FFFFF - Integrated Iron and Steel Manufacturing Facilities;

(mmmm) Subpart GGGGG - Site Remediation;

(nnnn) Subpart HHHHH – Misc. Coating Manufacturing;

(oooo) Subpart IIIII - Mercury Cell Chlor-Alkali Plants;

(pppp) Subpart JJJJJ - Brick and Structural Clay Products Manufacturing;

(qqqq) Subpart KKKKK - Clay Ceramics Manufacturing;

(rrrr) Subpart LLLLL - Asphalt Processing & Asphalt Roofing Manufacturing;

(ssss) Subpart MMMMM - Flexible Polyurethane Foam Fabrication Operations;

(tttt) Subpart NNNNN - Hydrochloric Acid Production;

(uuuu) Subpart PPPPP - Engine Tests Cells/Stands;

(vvvv) Subpart QQQQQ - Friction Materials Manufacturing Facilities;

(wwww) Subpart RRRRR - Taconite Iron Ore Processing;

(xxxx) Subpart SSSSS - Refractory Products Manufacturing;

(yyyy) Subpart TTTTT - Primary Magnesium Refining;

(zzzz) UUUUU – Coal- and Oil-Fired Electric Utility Steam Generating Units

(aaaaa) Subpart WWWWW - Area Sources: Hospital Ethylene Oxide Sterilization;

(bbbbb) Subpart YYYYY - Area Sources: Electric Arc Furnace Steelmaking Facilities;

(ccccc) Subpart ZZZZZ - Area Sources: Iron and Steel Foundries;

(ddddd) Subpart BBBBBB- Area Sources: Gasoline Distribution Bulk Plant and Pipeline Facilities;

(eeeee) Subpart DDDDDD- Area Sources: Polyvinyl Chloride and Copolymers Production;

(fffff) Subpart EEEEEE - Area Sources: Primary Copper Smelting;

(ggggg) Subpart FFFFFF - Area Sources: Secondary Copper Smelting;

(hhhhh) Subpart GGGGGG - Area Sources: Primary Nonferrous Metals - Zinc, Cadmium, and Beryllium;

(iiiii) Subpart HHHHHH -- Area Sources: Paint Stripping and Miscellaneous Surface Coating Operations;

(jjjjj) Subpart JJJJJJ – Area Sources: Industrial, Commercial, and Institutional Boilers (adopted only for sources required to have a Title V or ACDP permit);

(kkkkk) Subpart LLLLLL - Area Sources: Acrylic and Modacrylic Fibers Production;

(lllll) Subpart MMMMMM - Area Sources: Carbon Black Production;

(mmmmm) Subpart NNNNNN - Area Sources: Chemical Manufacturing: Chromium Compounds;

(nnnnn) Subpart OOOOOO - Area Sources: Flexible Polyurethane Foam Production;

(ooooo) Subpart PPPPPP - Area Sources: Lead Acid Battery Manufacturing;

(ppppp) Subpart QQQQQQ - Area Sources: Wood Preserving;

(qqqqq) Subpart RRRRRR - Area Sources: Clay Ceramics Manufacturing;

(rrrrr) Subpart SSSSSS - Area Sources: Glass Manufacturing;

(sssss) Subpart TTTTTT - Area Sources: Secondary Nonferrous Metals Processing;

(ttttt) Subpart VVVVVV – Area Sources: Chemical Manufacturing;

(uuuuu) Subpart WWWWWW - Area Sources: Plating and Polishing Operations;

(vvvvv) Subpart XXXXXX - Area Sources: Nine Metal Fabrication and Finishing Source Categories;

(wwwww) Subpart YYYYYY - Area Sources: Ferroalloys Production Facilities;

(xxxxx) Subpart ZZZZZZ - Area Sources - Aluminum, Copper, and Other Nonferrous Foundries;

(yyyyy) Subpart AAAAAAA - Area Sources: Asphalt Processing and Asphalt Roof Manufacturing;

(zzzzz) Subpart BBBBBBB - Area Sources: Chemical Preparations Industry;

(aaaaaa) Subpart CCCCCCC - Area Sources: Paints and Allied Products Manufacturing;

(bbbbbb) Subpart DDDDDDD - Area Sources: Prepared Feeds Manufacturing;

(cccccc) Subpart EEEEEEE - Area Sources: Gold Mine Ore Processing and Production;

(dddddd) Subpart HHHHHHH - Polyvinyl Chloride and Copolymers Production.

(Section 37-150 Original Adoption 06/11/02, includes updated provisions of 43-020 through 43-035 which were deleted from title 43 by 06/11/02 rulemaking; Amended 1/12/2010, Amended 04/25/2011, Amended 11/12/2015)

EMISSION STANDARDS FOR GASOLINE DISPENSING FACILITIES

Section 44-170 Purpose

The sections 44-180 through 44-290 establish emission limitations and management practices for hazardous air pollutants (HAP) and volatile organic compounds (VOCs) emitted from the loading of gasoline storage tanks and dispensing of fuel at gasoline dispensing facilities (GDFs). Sections 44-180 through 44-290 also establish requirements to demonstrate compliance with the emission limitations and management practices.

Section 44-180 Definitions

The definitions in title 12 and this section apply to sections 44-170 through 44-290. If the same term is defined in this section and title 12, the definition in this section applies.

(1) "Annual throughput" means the amount of gasoline transferred into a gasoline dispensing facility during 12 consecutive months.

(2) "Aviation Gasoline" means a type of gasoline suitable for use as a fuel in an aviation gas spark-ignition internal combustion engine.

(3) "Dual Point Vapor Balance System" means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

(4) "Gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 psi) or greater, which is used as a fuel for internal combustion engines.

(5) "Gasoline Cargo Tank" means a delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load.

(6) "Gasoline Dispensing Facility" (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline fueled engines and equipment.

(7) "Monthly Throughput" means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

(8) "Motor Vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway.

(9) "Nonroad engine" means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title [Note: for the context of the terms “section” and “title” as used in this definition, please refer to the definition of “nonroad engine” in 40 C.F.R. Part 63 Subpart CCCCCC].

(10) "Nonroad vehicle" means a vehicle that is powered by a nonroad engine, and that is not a motor vehicle or a vehicle used solely for competition.

(11) "Submerged Filling" as used in this title, means the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in section 44-230 from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

(12) "Topping off" means, in the absence of equipment malfunction, continuing to fill a gasoline tank after the nozzle has clicked off.

(13) "Vapor Balance System" means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

(14) "Vapor Tight" means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by monitoring to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

(15) "Vapor-tight gasoline cargo tank" means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in 40 C.F.R. 63.11092(f).

Section 44-190 Affected Sources

(1) The affected source to which the emission standards apply is each GDF. The affected source includes each gasoline cargo tank during the unloading of gasoline to a GDF and also includes each storage tank.

(2) Gasoline storage tanks with a capacity of less than 250 gallons must comply with the work practices in subparagraph 44-230(1)(a) through 44-230(1)(e), but are not required to comply with the submerged fill requirements in section 44-230 and vapor balance requirements in section 44-240.

(3) The owner or operator of a GDF that has any gasoline storage tanks with a capacity of 250 gallons or more must comply with the work practices requirements and the submerged fill requirements in section 44-230.

(4) The owner or operator of a GDF whose total volume of gasoline that is loaded into all gasoline storage tanks greater than 250 gallon capacity must comply with the vapor balance requirements in section 44-240 if either:

(a) the annual throughput is 480,000 gallons or more in any 12 consecutive months; or

(b) the monthly throughput is 100,000 gallons or more, as calculated on a rolling 30 day basis.

(5) Each GDF must, upon request by LRAPA, demonstrate that their annual and average monthly gasoline throughput is below any applicable thresholds.

(6) The owner or operator of a GDF must comply with the requirements of 44-240(4) for any gasoline storage tank equipped vapor balance system.

(7) The owner or operator of a GDF that installs a new tank with a capacity of 10,000 gallons or more after the effective date of this section shall be equipped with a vapor balance system that meets the requirements in section 44-240.

(8) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDFs at separate locations within the area source, each GDF is treated as a separate affected source.

(9) If the affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.

(10) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to subsection 44-230(1).

(11) For any affected source subject to the provisions of 44-170 through 44-290 and another federal rule, the owner or operator may elect to comply only with the more stringent provisions of the applicable rules. The owner or operator of an affected source must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. The owner or operator of an affected source must identify the affected source and provisions with which the owner or operator of an affected source will comply in the Notification of Compliance Status required under 44-260. The owner or operator of an affected source also must demonstrate in the Notification of Compliance Status that each provision with which the owner or operator of an affected source will comply is at least as stringent as the otherwise applicable requirements in 44-170 through 44-290. The owner or operator of an affected source is responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, the owner or operator of an affected source is violating 44-170 through 44-290. Compliance with this rule is the owner's or operator's responsibility and the Notification of Compliance Status does not alter or affect that responsibility.

Section 44-200 Exceptions

(1) *Agricultural Operations.* The emission standards in sections 44-210 through 44-290 do not apply to GDF used **exclusively** for agricultural operations as defined in ORS 468A.020. Agricultural operations are however required to comply with the applicable requirements in 40 C.F.R. part 63 subpart CCCCCC – National Hazardous Air Pollutant Emission Standards (NESHAP) for Gasoline Dispensing Facilities.

(2) *Aviation Gasoline.* The provisions of this section do not apply to the loading of aviation gasoline in storage tanks at airports, and aviation gasoline is not included in paragraphs 44-190(4)(a) and 44-190(4)(b).

(3) The owner or operator of an affected source, as defined in section 44-190, is not required to obtain a Title V Operating Permit, as a result of being subject to sections 44-210 through 44-290. However, the owner or operator must still apply for and obtain an LRAPA Title V Operating Permit if meeting one or more of the applicability criteria found in OAR 340-218-0020.

Section 44-210 Affected Equipment or Processes

(1) The emission sources to which this section applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in section 44-190. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this section with the exception of topping off.

(2) *New GDF*. For purposes of this section, a GDF is a new GDF if the owner or operator commenced construction of the GDF after November 9, 2006 and meets the applicability criteria in section 44-190 upon startup of the GDF.

(3) *Reconstructed GDF*. A GDF is a reconstructed GDF if meeting the criteria for reconstruction as defined in 40 C.F.R. 63.2.

(4) *Existing GDF*. A GDF is an existing GDF if it is not new or reconstructed.

Section 44-220 Compliance Dates

(1) For a new or reconstructed affected source, the owner or operator must comply with the standards in sections 44-230 and 44-240, as applicable, no later than January 10, 2008 or upon startup, whichever is later, except as follows:

(a) The owner or operator of a new or reconstructed GDF must comply with 44-230(1)(b) and (c) no later than July 1, 2009 or upon startup, whichever is later.

(b) For tanks located at a GDF with average monthly throughput of less than 10,000 gallons of gasoline, the owner or operator must comply with the standards in 44-230(3) no later than Dec. 13, 2009.

(2) The owner or operator of an existing GDF must comply with paragraphs 44-230(1)(a) through 44-230(1)(e) no later than the effective date of this section or upon startup, whichever is later.

(3) For an existing affected source, the owner or operator must comply with the standards in section 44-230 and 44-240, as applicable, by no later than January 10, 2011.

(4) The owner or operator of an existing affected source that becomes subject to the control requirements in this section because of an increase in the monthly throughput, as specified in section 44-190, must comply with the applicable standards in this section no later than

January 10, 2011 or within 2 years after the affected source becomes subject to the additional control requirements in this section, whichever is later.

(5) The initial compliance demonstration test required under 44-250(2)(a) and (b) must be conducted as specified in paragraphs (5)(a) and (b).

(a) For a new or reconstructed affected source, the owner or operator must conduct the initial compliance test upon installation of the complete vapor balance system.

(b) For an existing affected source, the owner or operator must conduct the initial compliance test as specified in subparagraph (5)(b)(A) or (B).

(A) For vapor balance systems installed on or before Dec. 15, 2009 at a GDF whose average monthly throughput is 100,000 gallons of gasoline or more, the owner or operator must test no later than 180 days after the applicable compliance date specified in subsection (2) or (3).

(B) For vapor balance systems installed after Dec. 15, 2009, the owner or operator must test upon installation of a complete vapor balance system or a new gasoline storage tank.

(C) For a GDF whose average monthly throughput is less than or equal to 100,000 gallons of gasoline, the owner or operator is only required to test upon installation of a complete vapor balance system or a new gasoline storage tank.

(6) If the GDF is subject to the control requirements in 44-178 through 44-290 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in 44-180, the owner or operator of the GDF must comply with the standards in 44-178 through 44-290 as specified in paragraphs (6)(a) and (b).

(a) If the GDF is an existing facility, the owner or operator of the GDF must comply by Jan. 24, 2014.

(b) If the GDF is a new or reconstructed facility, the owner or operator of the GDF must comply by the dates specified in subparagraphs (5)(b)(A) and (B).

(A) If startup of the GDF is after Dec. 15, 2009, but before January 24, 2011, the owner or operator of the GDF must comply no later than Jan. 24, 2011.

(B) If startup of the GDF is after Jan. 24, 2011, the owner or operator of the GDF must comply upon startup of the GDF.

Section 44-225 General Duties to Minimize Emissions

Each owner or operator of an affected source must comply with the requirements of subsections (1) and (2).

(1) The owner or operator of an affected source must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring

equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA and the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(2) The owner or operator of an affected source must keep applicable records and submit reports as specified in 44-270(4) and 44-280(2).

Section 44-230 Work Practice and Submerged Fill Requirements

(1) The owner or operator of a GDF must take reasonable precautions to prevent gasoline vapor releases to the atmosphere. Reasonable precautions include, but are not limited to, the following:

(a) Minimize gasoline spills;

(b) Do not top off or overfill vehicle tanks. If a person can confirm that a vehicle tank is not full after the nozzle clicks off, such as by checking the vehicle's fuel tank gauge, the person may continue to dispense fuel using best judgment and caution to prevent a spill;

(c) Post a sign at the GDF instructing a person filling up a motor vehicle to not top off vehicle tanks;

(d) Clean up spills as expeditiously as practicable;

(e) Cover all gasoline storage tank fill-pipes with a gasketed seal and all gasoline containers when not in use;

(f) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(g) Ensure that cargo tanks unloading at the GDF comply with paragraphs (1)(a), (1)(d) and (1)(e).

(2) Any cargo tank unloading at a GDF equipped with a functional vapor balance system must connect to the vapor balance system whenever gasoline is being loaded.

(3) The owner or operator of cargo tank or GDF must only load gasoline into storage tanks at the facility by utilizing submerged filling as specified in paragraph (3)(a), (3)(b) or (3)(c). The applicable distances in paragraphs (3)(a) and (3)(b) must be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank.

(a) Submerged fill pipes installed on or before November 9, 2006, must extend to no less than 12 inches from the bottom of the storage tank.

(b) Submerged fill pipes installed after November 9, 2006, must extend to no less than 6 inches from the bottom of the storage tank.

(c) Submerged fill pipes not meeting the specifications of subsection (3)(a) or (3)(b) are allowed if the owner or operator of a GDF can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by LRAPA and the EPA Administrator during the course of a site visit.

(4) The GDF owner or operator must submit the applicable notifications as required in section 44-260.

(5) The GDF owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

(6) The GDF owner or operator must comply with the requirements of this section by the applicable dates specified in section 44-220.

(7) Portable gasoline containers that meet the requirements of 40 C.F.R. part 59 subpart F are considered acceptable for compliance with paragraph (1)(e).

Section 44-240 Vapor Balance Requirements

(1) Except as provided in subsection (2), the owner or operator of a GDF must meet the requirements in either (1)(a) or (1)(b) for all affected gasoline storage tanks.

(a) Each management practice in Table 4 of section 44-240 that applies to the GDF.

(b) If, prior to January 10, 2008, the owner or operator operates a vapor balance system on all affected tanks at the GDF that meets either requirement listed in subparagraphs (1)(b)(A) or (1)(b)(B), the owner or operator of a GDF will be deemed in compliance with this subsection.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 4 of section 44-240.

(2) Gasoline storage tanks equipped with floating roofs or the equivalent are not required to comply with the control requirements in subsection (1).

(3) Cargo tanks unloading at a GDF must comply with the work practice requirements of subsection 44-230(1) and management practices in Table 5 of section 44-240.

(4) The owner or operator of a GDF subject to subsection (1) or having a gasoline storage tank equipped with a vapor balance system, must comply with the following requirements on and after the applicable compliance date in section 44-220:

(a) When loading a gasoline storage tank equipped with a vapor balance system, connect and ensure the proper operation of the vapor balance system whenever gasoline is being loaded.

(b) Maintain all equipment associated with the vapor balance system to be vapor tight and in good working order.

(c) Have the vapor balance equipment inspected on at least an annual basis to discover potential or actual equipment failures.

(d) Replace, repair or modify any worn or ineffective component or design element within 24 hours of discovery to ensure the vapor-tight integrity and efficiency of the vapor balance system. If repair parts must be ordered, either a written or verbal order for those parts must be initiated within 2 working days of detecting such a leak. Such repair parts must be installed within 5 working days after receipt.

(5) The owner or operator of a GDF subject to subsection (1) must also comply with the following requirements:

(a) The applicable testing requirements in section 44-250.

(b) The applicable notification requirements in section 44-260.

(c) The applicable recordkeeping and reporting requirements in sections 44-270 and 44-280.

(d) The owner or operator must have records available within 24 hours of a request by the LRAPA or the EPA Administrator to document gasoline throughput.

Section 44-250 Testing and Monitoring Requirements

(1) For all testing required by this section, submit notification to LRAPA at least ten (10) days prior to testing.

(2) If required to install a vapor balance system subject to the requirements of section 44-240, the owner or operator must comply with the testing requirements in paragraphs 44-250(2)(a) and 44-250(2)(b) at the time of installation of a vapor balance system or a new gasoline storage tank. Further, each owner or operator of a GDF with monthly throughput of 100,000 gallons of gasoline or more must also test every 3 years after installation.

(a) The owner or operator must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 4 of 44-240, for pressure/vacuum vent valves installed on gasoline storage tanks using test method identified in subparagraphs (a)(A) or (a)(B):

(A) PV (pressure/vacuum test valve) Vent Cap Testing in accordance with CARB TP–201.1E,–Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see 40 C.F.R. 63.14).

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 C.F.R. 63.7(f).

(b) The owner or operator must demonstrate compliance with the static pressure performance requirement, specified in item 1(h) of Table 4 of 44-240, for the vapor balance system by conducting a static pressure test on the gasoline storage tanks using test methods identified in subparagraph (b)(A) or (b)(B):

(A) Pressure Decay Testing in accordance with CARB TP–201.3,– Determination of 2 inches of WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities.

(B) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40 C.F.R. 63.7(f).

(C) Bay Area Air Quality Management District Source Test Procedure ST-30 — Static Pressure Integrity Test — Underground Storage Tanks, adopted Nov. 30, 1983, and amended Dec. 21, 1994 (incorporated by reference, see 40 C.F.R. 63.14).

(3) Each owner or operator of a GDF, choosing, under the provisions of 40 C.F.R. 63.6(g), to use a vapor balance system other than that described in Table 4 of 44-240, must demonstrate to the EPA the equivalency of their vapor balance system to that described in Table 4 of 44-240 using the procedures specified in paragraphs (3)(a) through (c).

(a) The owner or operator must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction in accordance with CARB TP–201.1 Vapor Recovery Test Procedure,—Volumetric Efficiency for Phase I Vapor Recovery Systems, incorporated by reference, see 40 C.F.R. 63.14.

(b) The owner or operator must, during the initial performance test required in paragraph (3)(a), determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 4 of 44-240 and for the static pressure performance requirement in item 1(h) of Table 4 of 44-240.

(c) The owner or operator must also comply with the testing requirements specified in subsection (2).

(4) Conduct of performance tests. Performance tests must be conducted under such conditions as LRAPA or the EPA Administrator specifies to the owner or operator of a GDF based on

representative performance, i.e., performance based on normal operating conditions, of the affected source. Upon request by LRAPA or the EPA Administrator, the owner or operator of a GDF must make available such records as may be necessary to determine the conditions of performance tests.

(5) Owners and operators of gasoline cargo tanks subject to the provisions of Table 4 of 44-240 must conduct annual certification testing according to the vapor tightness testing requirements found in 40 C.F.R. 63.11092(f).

Section 44-260 Notifications

(1) Each owner or operator of a GDF subject to the submerged fill requirements in subsection 44-230(2) or the vapor balance requirements in section 44-240 must comply with subsections (2) through (6).

(2) The owner or operator of a GDF must submit an Initial Notification that the owner or operator is subject to the GDF NESHAP by May 9, 2008, or at the time the owner or operator becomes subject to the submerged fill requirements in subsection 44-230(2) or the vapor balance requirements in section 44-240, unless the owner or operator meets the requirements in subsection 44-260(4). The Initial Notification must contain the information specified in subsections (2)(A) through (C) of this section. The notification must be submitted to the EPA's Region 10 Office and LRAPA as specified in 40 C.F.R. 63.13.

(a) The name and address of the owner and the operator.

(b) The physical address of the GDF.

(c) The volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks during the previous twelve months.

(d) A statement that the notification is being submitted in response to the GDF NESHAP and identifying the requirements in subsections 44-230(1) through (3) and section 44-240 that apply to the owner or operator of a GDF.

(3) The owner or operator of a GDF must submit a Notification of Compliance Status to the EPA's Region 10 Office and LRAPA as specified in 40 C.F.R. 63.13, by the compliance date specified in section 44-220 unless the owner or operator meets the requirements in subsection (4). The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of sections 44-170 through 44-290. If the facility is in compliance with the requirements of sections 44-170 through 44-290 at the time the Initial Notification required in subsection (2) is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required in subsection (2).

(4) If, prior to January 10, 2008 the owner or operator satisfies the requirements in (4)(a) or (4)(b), the owner or operator is not required to submit an Initial Notification or a Notification of Compliance Status specified in subsections (2) and 44-260(3).

(a) The owner or operator is not subject to the vapor requirements in section 44-240, and is operating in compliance with an enforceable federal, state or local rule or permit that requires submerged fill as specified in subsection 44-230(2).

(b) The owner or operator is subject to the vapor requirements in Section 44-240, and meets the requirements in paragraphs (b)(A) and (b)(B).

(A) The owner or operator operates a vapor balance system at the GDF that meets the requirements of either sub-subparagraphs (4)(b)(A)(i) or (ii):

(i) Achieves emissions reduction of at least 90 percent.

(ii) Operates using management practices at least as stringent as those in Table 4.

(B) The owner or operator is operating in compliance with an enforceable federal, state, or local rule or permit that requires submerged fill as specified in subsection 44-230(2), and requires the operation of a vapor balance system as specified in subsection 44-260(4)(b)(A).

(5) The owner or operator must submit a Notification of Performance Test as specified in 40 C.F.R. 63.9(e), prior to initiating testing required by subsections 44-250(2) and 44-250(3) as applicable.

(6) The owner or operator must submit additional notifications specified in 40 C.F.R. 63.9, as applicable.

Section 44-270 Recordkeeping Requirements

(1) Each owner or operator must keep the following records:

(a) Records of all tests performed in accordance with subsections 44-250(2) and 44-250(3).

(b) Records related to the operation and maintenance of vapor balance equipment required in section 44-240. Any vapor balance component defect must be logged and tracked by the GDF owner or operator using forms provided by LRAPA or a reasonable facsimile.

(c) Records of total monthly and annual throughput in gallons as defined.

(d) Records of permanent changes made at the GDF and to vapor balance equipment which may affect emissions.

(2) Records required under section (1) must be kept for a period of 5 years and must be available within 24 hours of a request by LRAPA and the EPA Administrator.

(3) Each owner or operator of a gasoline cargo tank subject to the management practices in Table 5 of section 44-240 must keep records documenting vapor tightness testing for a

period of 5 years. Documentation must include each of the items specified in 40 C.F.R.63.11094(b)(2)(i) through (viii). Records of vapor tightness testing must be retained as specified in either subsection (3)(a) or (b).

(a) The owner or operator of a gasoline cargo tank must keep all vapor tightness testing records with the cargo tank.

(b) As an alternative to keeping all records with the cargo tank, the owner or operator of a gasoline cargo tank may comply with the requirements of paragraphs (3)(a)(A) and (B).

(A) The owner or operator of a gasoline cargo tank may keep records of only the most recent vapor tightness test with the cargo tank and keep records for the previous 4 years at their office or another central location.

(B) Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (e.g., via e-mail or facsimile) to LRAPA and the EPA Administrator during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying signatures.

(4) Each owner or operator of a GDF must keep records as specified in subsections (4)(a) and (b).

(a) Records of the occurrence and duration of each malfunction of operation, i.e., process equipment, or the air pollution control and monitoring equipment.

(b) Records of actions taken during periods of malfunction to minimize emissions in accordance with 44-225(2), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

Section 44-280 Reporting Requirements

(1) Each owner or operator subject to 44-240 must report to the LRAPA and the EPA Administrator the results of all tests required in 44-250. Test results must be submitted within 30 days of the completion of the performance testing.

(2) Annual report. Each owner or operator of a GDF that has monthly throughput of 10,000 gallons of gasoline or more must report, by February 15 of each year, the following information, as applicable.

(a) The total throughput volume of gasoline, in gallons, for each calendar month.

(b) A summary of changes made at the facility on vapor recovery equipment which may affect emissions.

(c) List of all major maintenance performed on pollution control devices.

(d) The number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded.

(e) A description of actions taken by the owner or operator of a GDF during a malfunction to minimize emissions in accordance with 44-225(2), including actions taken to correct a malfunction.

Section 44-290 Federal NESHAP Subpart A Applicability

Table 3 to 40 C.F.R. part 63 subpart CCCCCC shows which parts of the General Provisions apply to the owner or operator.

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
75070	Acetaldehyde
60355	Acetamide
75058	Acetonitrile
98862	Acetophenone
53963	2-Acetylaminofluorene
107028	Acrolein
79061	Acrylamide
79107	Acrylic acid
107131	Acrylonitrile
8107051	Allyl chloride
92671	4-Aminobiphenyl
62533	Aniline
90040	o-Anisidine
1332214	Asbestos
71432	Benzene (including benzene from gasoline)
92875	Benzidine
98077	Benzotrichloride
100447	Benzyl chloride
92524	Biphenyl
117817	Bis(2-ethylhexyl) phthalate (DEHP)
542881	Bis(chloromethyl)ether
75252	Bromoform

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
106900	1,3-Butadiene
156627	Calcium cyanamide
133062	Captan
63252	Carbaryl
75150	Carbon disulfide
56235	Carbon tetrachloride
463581	Carbon sulfide
120809	Catechol
133904	Chloramben
57749	Chlordane
7782505	Chlorine
97118	Chloroacetic acid
532274	2-Chloroacetophenone
108907	Chlorobenzene
510156	Chlorobenzilate
67663	Chloroform
107302	Chloromethyl methyl ether
126998	Chloroprene
19773	Cresols/Cresylic acid (isomers and mixture)
95487	o-Cresol
108394	m-Cresol
106445	p-Cresol
98828	Cumene
94757	2,4-D, salts and esters
3547044	DDE
334883	Diazomethane
132649	Dibenzofurans
96128	1,2-Dibromo-3-chloropropane
84742	Dibutylphthalate
106467	1,4-Dicholorobenzene(p)
91941	3,3-Dichlorobenzidene
111444	Dichloroethyl ether [Bis(2-chloroethyl)ether]

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
542756	1,3-Dichloropropene
62737	Dichlorvos
111422	Diethanolamine
121697	N,N-Diethyl aniline (N,N-Dimethylaniline)
64675	Diethyl sulfate
119904	3,3-Dimethyloxybenzidine
60117	Dimethyl aminoazobenzene
119937	3,3-Dimethyl benzidine
79447	Dimethyl carbamoyl chloride
68122	Dimethyl formamide
57147	1,1-Dimethyl hydrazine
131113	Dimethyl phthalate
77781	Dimethyl sulfate
534521	4,6-Dinitro-o-cresol, and salts
51285	2,4-Dinitrotoluene
121142	2,4-Dinitrotoluene
123911	1,4-Dioxane (1,4-Diethyleneoxide)
122667	1,2-Diphenylhydrazine
106898	Epichlorohydrin (1-Chloro-2,3-epoxypropane)
106887	1,2-Epoxybutane
140885	Ethyl acrylate
100414	Ethyl benzene
51796	Ethyl carbamate (Urethane)
75003	Ethyl chloride (Chlorethane)
106934	Ethylene dibromide (Dibromoethane)
107062	Ethylene dichloride (1,2-Dichloroethane)
107211	Ethylene glycol
151564	Ethylene imine (Aziridine)
75218	Ethylene oxide
96457	Ethylene thiourea
75343	Ethylidene dichloride (1,1,-Dichloroethane)
50000	Formaldehyde

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
76448	Heptachlor
118741	Hexachlorobenzene
87683	Hexachlorobutadiene
77474	Hexachlorocyclopentadiene
67721	Hexachloroethane
822060	Hexamethylene-1,6-diisocyanate
680319	Hexamethylphosphoramide
110543	Hexane
302012	Hydrazine
7647010	Hydrochloric acid
7664393	Hydrogen fluoride (Hydrofluoric acid)
123319	Hydroquinone
78591	Isophorone
58899	Lindane (all isomers)
108316	Maleic anhydride
67561	Methanol
72435	Methoxychlor
74839	Methyl bromide (Bromomethane)
74873	Methyl chloride (Chloromethane)
71556	Methyl chloroform (1,1,1-Trichloroethane)
60344	Methyl hydrazine
74884	Methyl iodide (Iodomethane)
108101	Methyl isobutyl ketone (Hexone)
624839	Methyl isocyanate
80626	Methyl methacrylate
1634044	Methyl tert butyl ether
101144	4.4-Methylene bis(2-Chloroaniline)
75092	Methylene chloride (Dichloromethane)
101688	Methylene diphenyl diiocyanate (MDI)
101779	4,4-Methylenedianiline
91203	Naphthalene
98953	Nitrobenzene

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
92933	4-Nitrobiphenyl
100027	4-Nitrophenol
79469	2-Nitropropane
684935	N-Nitroso-N-methylurea
62759	N-Nitrosodimethylamine
59892	N-Nitrosomorpholine
56382	Parathion
82688	Pentachloronitrobenzene (Quintobenzene)
87865	Pentachlorophenol
108952	Phenol
106503	p-Phenylenediamine
75445	Phosgene
7803512	Phosphine
7723140	Phosphorus
85449	Phthalic anhydride
1336363	Polychlorinated biphenyls (Aroclors)
1120714	1,3-Propane sultone
57578	beta-Propriolactone
123386	Propionaldehyde
114261	Propoxur (Baygon)
78875	Propylene dichloride (1,2-Dichloropropane)
75569	Propylene oxide
75558	1,2-Propylenimine (2-Methyl aziridine)
91225	Quinoline
106514	Quinone
100425	Styrene
96093	Styrene oxide
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin
79345	1,1,2,2-Tetrachloroethane
127184	Tetrachloroethylene (Perchloroethylene)
7550450	Titanium tetrachloride
108883	Toluene

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
95807	2,4-Toluene diamine
584849	2,4-Toluene diisocyanate
95534	o-Toluidine
8001352	Toxaphene (chlorinated camphene)
120821	1,2,4-Trichlorobenzene
79005	1,1,2-Trichloroethane
79016	Trichloroethylene
95954	2,4,5-Trichlorophenol
88062	2,4,6-Trichlorophenol
121448	Triethylamine
1582098	Trifluralin
540841	2,2,4-Trimethylpentane
108054	Vinyl acetate
593602	Vinyl bromide
75014	Vinyl chloride
75354	Vinylidene chloride (1,1-Dichloroethylene)
1330207	Xylenes (isomers and mixture)
95476	o-Xylenes
108383	m-Xylenes
106423	p-Xylenes
0	Antimony Compounds
0	Arsenic Compounds (inorganic including arsine)
0	Beryllium Compounds
0	Cadmium Compounds
0	Chromium Compounds
0	Cobalt Compounds
0	Coke Oven Emissions
0	Cyanide Compounds[1]
0	Glycol ethers[2]
0	Lead Compounds
0	Manganese Compounds
0	Mercury Compounds

TABLE 1 (LRAPA 44-020) LIST OF HAZARDOUS AIR POLLUTANTS	
CAS NUMBER	**CHEMICAL NAME**
0	Fine mineral fibers[3]
0	Nickel Compounds
0	Polycyclic Organic Matter[4]
0	Radionuclides (including radon)[5]
0	Selenium Compounds

NOTE: For all listings above which contain the word "compounds" and for glycol ethers, the following applies: Unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

*1 X=CN where X = H= or any other group where a formal dissociation may occur. For example KCN or $Ca(CN)_2$
*2 Includes mono- and di-ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH_2CH_2)n-OR= where: n = 1,2, or 3; R - alkyl or aryl groups; R= - R,H, or groups which, when removed, yield glycol ethers with the structure: R-$(OCH_2CH)_n$-OH. Polymers are excluded from the glycol category.
*3 Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) of average diameter 1 micrometer or less.
*4 Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100°C.
*5 A type of atom which spontaneously undergoes radioactive decay.
(Table 1 original adoption 06/11/02)

[Table 2: RESERVED]

[Table 3: RESERVED]

TITLE 44 – TABLE 4
(LRAPA 44-240)
MANAGEMENT PRACTICES FOR GASOLINE DISPENSING FACILITIES SUBJECT TO STAGE I VAPOR CONTROLS

If owning or operating	The owner or operator must
1. An existing GDF	Install and operate a vapor balance system on gasoline storage tanks that meets the design criteria in paragraphs (a) through (h). (a) All vapor connections and lines on the storage tank must be equipped with closures that seal upon disconnect. (b) The vapor line from the gasoline storage tank to the gasoline cargo tank must be vapor-tight, as defined in section 44-180. (c) The vapor balance system must be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer. (d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, must be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations. (e) If a gauge well separate from the fill tube is used, it must be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in section 44-240(2). (f) Liquid fill connections for all systems must be equipped with vapor-tight caps. (g) Pressure/vacuum (PV) vent valves must be installed on the storage tank vent pipes. The pressure specifications for PV vent valves must be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, must not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water. (h) The vapor balance system must be capable of meeting the static pressure performance requirement of the following equation: $Pf = 2e^{-500.887/v}$ Where: Pf = Minimum allowable final pressure, inches of water. v = Total ullage affected by the test, gallons. e = Dimensionless constant equal to approximately 2.718. 2 = The initial pressure, inches water.
2. For a new or reconstructed GDF with monthly throughput of 100,000 gallons of gasoline or more, or a new storage tank(s) at an existing GDF with monthly throughput of 100,000 gallons of gasoline or more	Install and operate a dual-point vapor balance system, as defined in section 44-180, on each affected gasoline storage tank and comply with the design criteria in item 1 of this Table.

TITLE 44 – TABLE 5
(LRAPA 44-240)
MANAGEMENT PRACTICES FOR GASOLINE CARGO TANKS UNLOADING AT GASOLINE DISPENSING FACILITIES EQUIPPED WITH STAGE I VAPOR CONTROLS

If owning or operating	The owner or operator must
A gasoline cargo tank	Not unload gasoline into a storage tank at a GDF with stage I vapor controls unless the following conditions are met: i. All hoses in the vapor balance system are properly connected, ii. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect, iii. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight, iv. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and v. All hatches on the tank truck are closed and securely fastened. vi. The filling of storage tanks at GDF must be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 must be carried on the cargo tank.

(Table 4 Original Adoption 01/12/2010)

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 46

NEW SOURCE PERFORMANCE STANDARDS

The existing title 46 was rescinded in its entirety on November 10, 1994, and this new title 46 was adopted in its place. Subsequent updates and modifications were adopted on October 14, 2008 and November 12, 2015. These sections are the same as DEQ's Standards of Performance for New Stationary Sources contained in OAR 340 division 238.

Section 46-505 Statement of Purpose

The U. S. Environmental Protection Agency has adopted in **Title 40, Code of Federal Regulations, Part 60**, Standards of Performance for certain new stationary sources. It is the intent of LRAPA title 46 to specify requirements and procedures necessary for LRAPA to implement and enforce the aforementioned Federal Regulations.

Section 46-510 Definitions

The definitions in title 12 and this section apply to this title. If the same term is defined in this section and title 12, the definition in this section applies to this title.

(1) "Administrator" means the Administrator of the EPA or authorized representative.

(2) "Affected facility" means, with reference to a stationary source, any apparatus to which a standard is applicable.

(3) "Capital Expenditure" means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

(4) "C.F.R." means the July 1, 2017 edition of the Code of Federal Regulations unless otherwise identified.

(5) "Closed municipal solid waste landfill" (closed landfill) means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under 40 C.F.R. 60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

(6) "Commenced", with respect to the definition of "new source" in section 111(a)(2) of the FCAA, means that an owner or operator has undertaken a continuous program of construction

or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

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

(8) "Existing Facility" means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in 40 C.F.R. Part 60, and the construction or modification of which commenced before the date of proposal by EPA of that standard; or any apparatus which could be altered in such a way as to be of that type.

(9) "Fixed Capital Cost" means the capital needed to provide all the depreciable components.

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

(11) "Modification"

(a) Except as provided in paragraph (b), means any physical change in, or change in the method of operation of, an existing facility that increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or that results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted;

(b) As used in section 46-900 means an action that results in an increase in the design capacity of a landfill.

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

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

(14) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(a) The fixed capital cost of the new components exceeds 50 percent of the fixed capital

cost that would be required to construct a comparable entirely new facility; and

(b) It is technologically and economically feasible to meet the applicable standards set forth in 40 C.F.R. Part 60.

(15) "Reference Method" means any method of sampling and analyzing for an air pollutant as specified in 40 C.F.R. Part 60.

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

(17) "Standard" means a standard of performance proposed or promulgated under 40 C.F.R. Part 60.

(18) "State Plan" means a plan developed for the control of a designated pollutant provided under 40 C.F.R. Part 60.

Section 46-515 Statement of Policy

It is the policy of the Board to consider the performance standards for new stationary sources contained in this title to be minimum standards; and as technology advances, conditions warrant, and LRAPA rules require or permit, additional rules may be adopted.

Section 46-520 Delegation

(1) The EQC authorizes LRAPA to implement and enforce, within its boundaries, the provisions of OAR 340 division 238.

(2) The EQC may authorize LRAPA to implement and enforce its own provisions upon a finding that such provisions are at least as strict as a corresponding provision in OAR 340 division 238. LRAPA may implement and enforce provisions authorized by the EQC in place of any or all of OAR 340 division 238 upon receipt of delegation from EPA. Delegation may be withdrawn for cause by the EQC.

Section 46-525 Applicability

This title applies to stationary sources subject to **40 C.F.R. part 60** as adopted under section 46-535.

Section 46-530 General Provisions

(1) Except as provided in subsection (2), 40 C.F.R., Part 60, Subpart A is by this reference adopted and incorporated herein.

(2) Where "Administrator" or "EPA" appears in 40 C.F.R. Part 60, **Subpart A**, "LRAPA" is substituted, except in any section of 40 C.F.R. Part 60 for which a federal rule or delegation specifically indicates that authority will not be delegated to the state or regional authority.

PERFORMANCE STANDARDS

Section 46-535 Federal Regulations Adopted by Reference

(1) Except as provided in subsection (2), 40 C.F.R., Part 60, Subparts A, D through EE, GG, HH, KK through NN, PP through XX, BBB, DDD, FFF through LLL, NNN through WWW, AAAA, CCCC, EEEE, KKKK, LLLL, OOOO, and TTTT are by this reference adopted and incorporated herein, 40 C.F.R. Part 60 Subpart OOO is by this reference adopted and incorporated herein for major sources only, 40 C.F.R. Part 60 Subpart IIII and JJJJ are by this reference adopted and incorporated herein only for sources required to have a Title V or ACDP permit and excluding the requirements for engine manufacturers.

(2) Where "Administrator" or "EPA" appears in **40 C.F.R. Part 60**, "LRAPA" shall be substituted, except in any section of **40 C.F.R. Part 60** for which a federal rule or delegation specifically indicates that authority will not be delegated to the state or regional authority.

(3) 40 C.F.R. Part 60 Subparts adopted by this section are titled as follows:

(a) Subpart A -- General Provisions;

(b) Subpart D -- Fossil-fuel-fired steam generators for which construction is commenced after August 17, 1971;

(c) Subpart Da -- Electric utility steam generating units for which construction is commenced after September 18, 1978;

(d) Subpart Db -- Industrial-commercial-institutional steam generating units;

(e) Subpart Dc -- Small industrial-commercial-institutional steam generating units;

(f) Subpart E – Incinerators;

(g) Subpart Ea – Municipal waste combustors for which construction is commenced after December 20, 1989 and on or before September 20, 1994;

(h) Subpart Eb -- Municipal waste combustors for which construction is commenced after September 20, 1994;

(i) Subpart Ec -- Hospital/Medical/Infectious waste incinerators that commenced construction after June 20, 1996, or for which modification is commenced after March 16, 1998;

(j) Subpart F -- Portland cement plants;

(k) Subpart G -- Nitric acid plants;

(l) Subpart Ga – Nitric acid plants for which construction, reconstruction, or modification commenced after October 14, 2011;

(m) Subpart H -- Sulfuric acid plants;

(n) Subpart I -- Hot mix asphalt facilities;

(o) Subpart J -- Petroleum refineries;

(p) Subpart K -- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and before May 19, 1978;

(q) Subpart Ka -- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978, and before July 23, 1984;

(r) Subpart Kb -- Volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984;

(s) Subpart L -- Secondary lead smelters;

(t) Subpart M -- Secondary brass and bronze production plants;

(u) Subpart N -- Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;

(v) Subpart Na -- Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;

(w) Subpart O -- Sewage treatment plants;

(x) Subpart P -- Primary copper smelters;

(y) Subpart Q -- Primary Zinc smelters;

(z) Subpart R -- Primary lead smelters;

(aa) Subpart S -- Primary aluminum reduction plants;

(bb) Subpart T -- Phosphate fertilizer industry: wet-process phosphoric acid plants;

(cc) Subpart U -- Phosphate fertilizer industry: superphosphoric acid plants;

(dd) Subpart V -- Phosphate fertilizer industry: diammonium phosphate plants;

(ee) Subpart W -- Phosphate fertilizer industry: triple superphosphate plants;

(ff) Subpart X -- Phosphate fertilizer industry: granular triple superphosphate storage facilities;

(gg) Subpart Y -- Coal preparation plants;

(hh) Subpart Z -- Ferroalloy production facilities;

(ii) Subpart AA -- Steel plants: electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;

(jj) Subpart AAa -- Steel plants: electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;

(kk) Subpart BB -- Kraft pulp mills;

(ll) Subpart BBa – Kraft pulp mills affected for which construction, or modification commences after May 23, 2013.

(mm) Subpart CC -- Glass manufacturing plants;

(nn) Subpart DD -- Grain elevators;

(oo) Subpart EE -- Surface coating of metal furniture;

(pp) Subpart GG -- Stationary gas turbines;

(qq) Subpart HH -- Lime manufacturing plants;

(rr) Subpart KK -- Lead-acid battery manufacturing plants;

(ss) Subpart LL -- Metallic mineral processing plants;

(tt) Subpart MM -- Automobile and light-duty truck surface coating operations;

(uu) Subpart NN -- Phosphate rock plants;

(vv) Subpart PP -- Ammonium sulfate manufacture;

(ww) Subpart QQ -- Graphic arts industry: publication rotogravure printing;

(xx) Subpart RR -- Pressure sensitive tape and label surface coating operations;

(yy) Subpart SS -- Industrial surface coating: large appliances;

(zz) Subpart TT -- Metal coil surface coating;

(aaa) Subpart UU -- Asphalt processing and asphalt roofing manufacture;

(bbb) Subpart VV -- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

(ccc) Subpart VVa -- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;

(ddd) Subpart WW -- Beverage can surface coating industry;

(eee) Subpart XX -- Bulk gasoline terminals;

(fff) Subpart BBB -- Rubber tire manufacturing industry;

(ggg) Subpart DDD -- Volatile organic compound (VOC) emissions for the polymer manufacture industry;

(hhh) Subpart FFF -- Flexible vinyl and urethane coating and printing;

(iii) Subpart GGG -- Equipment leaks of VOC in petroleum refineries;

(jjj) Subpart GGGa-- Equipment leaks of VOC in petroleum refineries;

(kkk) Subpart HHH -- Synthetic fiber production facilities;

(lll) Subpart III -- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;

(mmm) Subpart JJJ -- Petroleum dry cleaners;

(nnn) Subpart KKK -- Equipment leaks of VOC from onshore natural gas processing plants;

(ooo) Subpart LLL -- Onshore natural gas processing; SO2 emissions;

(ppp) Subpart NNN -- Volatile organic compound (VOC) emissions from synthetic organic chemical manufacturing industry (SOCMI) distillation operations;

(qqq) Subpart OOO -- Nonmetallic mineral processing plants (adopted by reference for major sources only);

(rrr) Subpart PPP -- Wool fiberglass insulation manufacturing plants;

(sss) Subpart QQQ -- VOC emissions from petroleum refinery wastewater systems;

(ttt) Subpart RRR -- Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes;

(uuu) Subpart SSS -- Magnetic tape coating facilities;

(vvv) Subpart TTT -- Industrial surface coating: surface coating of plastic parts for business machines;

(www) Subpart UUU -- Calciners and dryers in mineral industries;

(xxx) Subpart VVV -- Polymeric coating of supporting substrates facilities;

(yyy) Subpart WWW -- Municipal solid waste landfills, as clarified by section 46-900;

(zzz) Subpart AAAA -- Small municipal waste combustion units;

(aaaa) Subpart CCCC -- Commercial and industrial solid waste incineration units;

(bbbb) Subpart EEEE-- Other solid waste incineration units;

(cccc) Subpart IIII -- Stationary compression ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 C.F.R. 60.4201 through 60.4203, 60.4210, 60.4215, and 60.4216);

(dddd) Subpart JJJJ -- Stationary spark ignition internal combustion engines (adopted only for sources required to have a Title V or ACDP permit), excluding the requirements for engine manufacturers (40 C.F.R. 60.4231 through 60.4232, 60.4238 through 60.4242, and 60.4247);

(eeee) Subpart KKKK -- Stationary combustion turbines;

(ffff) Subpart LLLL -- Sewage sludge incineration units;

(gggg) Subpart OOOO -- Crude oil and natural gas production, transmission and distribution;

(hhhh) Subpart OOOOa -- Crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015; and

(iiii) Subpart TTTT -- Greenhouse gas emissions for electric generating units.

Section 46-800 Compliance

Compliance with standards set forth in LRAPA section 46-535 shall be determined by performance tests and monitoring methods as set forth in the Federal Regulation adopted by reference in section 46-530.

Section 46-805 More Restrictive Regulations

If at any time there is a conflict between LRAPA or Department rules and the Federal Regulations (**40 C.F.R. part 60**), both shall apply.

Section 46-900 Municipal Solid Waste Landfills

(1) Applicability. The following small and large municipal solid waste landfills must comply with **40 C.F.R. Part 60, Subpart WWW**:

(a) Landfills constructed after 5/30/91;

(b) Existing landfills with modifications after 5/30/91;

(c) Landfills that closed after 11/08/87 with modifications after 5/30/91.

(2) Permitting requirements. Landfills subject to **40 C.F.R. Part 60, Subpart WWW** must comply with Oregon Title V Operating Permit Program Requirements as specified in OAR 340 divisions 218 and 220:

(a) Existing large landfills with modifications after 5/30/91 must submit a complete Federal Operating Permit application by 3/12/97;

(b) Existing large landfills with modifications after 3/12/97 must submit a complete Federal Operating Permit application the earliest of one year from the date EPA approves the 111(d) State Plan for this section, or within one year of the modification;

(c) New large landfills, which includes newly constructed large landfills after 3/12/96 and existing small landfills that become large landfills after 3/12/96 must submit a complete Federal Operating Permit application within one year of becoming subject to this requirement;

(d) New and modified existing small landfills that are major sources as defined in title 12 must submit a complete Federal Operating Permit application within one year of becoming a major source.

(3) Reporting requirements. Landfills subject to **40 C.F.R. Part 60, Subpart WWW** must comply with the following:

(a) Large landfills listed in paragraph (1)(a) through (c) of this section must:

(A) Submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of the effective date of this section; and

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

(b) Small landfills listed in subsection (1)(a) through (c) of this section must submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of the effective date of this section;

(c) Landfills subject to this section after the effective date of this section must submit an Initial Design Capacity Report and an Initial Nonmethane Organic Compound Report within 30 days of becoming subject to this section.

Attachment D – Table of New and Amended NESHAPs/NSPSs Proposed for Board Adoption

New and Amended NESHAPs/NSPSs Proposed for LRAPA Adoption – Through July 1, 2017 CFR							
Subpart	**Source Category**	**EPA Promulgated**		**Last EPA Revision Adopted by LRAPA (before 7/1/2015)***		**Subsequent EPA Revisions Proposed for LRAPA Adoption**	
	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
Part 60 – NSPS							
A	*General Provisions**	12/23/1971	36 FR 24877	4/30/2013	78 FR 25187	*4/4/2014**	*79 FR 18965*
						*2/19/2015**	*80 FR 8803*
						*2/24/2015**	*80 FR 9617*
						*3/16/2015**	*80 FR 13701*
						10/23/2015	80 FR 64648
						6/3/2016	81 FR 35895
						6/30/2016	81 FR 42442
D	Fossil-Fuel-Fired Steam Generators	6/14/1974	39 FR 20791	2/16/2012	74 FR 9447		
Da	*Electric Utility Steam Generating Units**	6/11/1979	44 FR 33613	4/24/2013	78 FR 24082	*11/19/2014**	*78 FR 24082*
						4/6/2016	81 FR 20180
Db	Industrial-Commercial-Institutional Steam Generating Units	12/16/1987	52 FR 47842	2/16/2012	77 FR 9459		
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	9/12/1990	55 FR 37683	2/16/2012	77 FR 9461		
E	Incinerators	12/23/1971	36 FR 24877	5/10/2006	71 FR 27335		
Ea	Municipal Waste Combustors Constructed After 12/20/89 and on or Before 9/20/94	2/11/1991	56 FR 5507	10/17/2000	65 FR 61753		
Eb	Municipal Waste Combustors Constructed After 9/20/94	12/19/1995	60 FR 65419	5/13/2006	71 FR 27335		
Ec	Hospital/Medical/Infectious Waste Incinerators Constructed After 6/20/96 or Modified After 3/16/98	9/15/1997	62 FR 48382	5/13/2013	78 FR 25187		
F	Portland Cement Plants	12/23/1971	36 FR 24877	2/12/2013	78 FR 10032	7/27/2015	81 FR 44776
G	Nitric Acid Plants	6/14/1974	39 FR 20794	8/14/2012	77 FR 48445		
Ga	*Nitric Acid Plants Constructed, Reconstructed, or Modified After October 14, 2011**	8/14/2012	77 FR 48445			*5/6/2014**	*79 FR 25681*
H	Sulfuric Acid Plants	12/23/1971	36 FR 24877	10/17/2000	65 FR 61753		
I	Hot Mix Asphalt Facilities	3/8/1974	39 FR 9314	2/14/1989	54 FR 6667		
J	Petroleum Refineries	3/8/1974	39 FR 9315	9/12/2012	77 FR 56463	12/1/2015	80 FR 75229
Ja	*Petroleum Refineries Constructed, Reconstructed, Modified After 5/14/07**	6/24/2008	73 FR 35867	9/12/2012	77 FR 56463	*12/19/2013**	*78 FR 76756*
						12/1/2015	80 FR 75230

*Rows in italics indicate revision to standard not included in previous delegation request for standards revised prior to July 1, 2015 CFR publication.

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	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
						07/13/2016	81 FR 45240
K	Storage Vessels for Petroleum Liquids Constructed, Reconstructed, Modified After 6/11/73 and Prior to 5/19/78	3/8/1974	39 FR 9317	10/17/2000	65 FR 61755		
Ka	Storage Vessels for Petroleum Liquids Constructed, Reconstructed, Modified After 5/18/78 and Prior to 7/23/84	4/4/1980	45 FR 23379	12/14/2000	65 FR 78275		
Kb	Volatile Organic Liquid Storage Vessels Constructed After 7/23/84	4/8/1987	52 FR 11429	10/15/2003	68 FR 59332		
L	Secondary Lead Smelters	3/8/1974	39 FR 9317	10/17/2000	65 FR 61756		
M	Secondary Brass and Bronze Production Plants	3/8/1974	39 FR 9318	10/17/2000	65 FR 61756		
N	Primary Emissions from Basic Oxygen Process Furnaces Constructed After 6/11/73	3/8/1974	39 FR 9318	10/17/2000	65 FR 61756		
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Furnaces Constructed After 1/20/83	1/2/86	51 FR 161	10/17/2000	65 FR 61756		
O	Sewage Treatment Plants	3/8/1974	39 FR 9319	10/17/2000	65 FR 61756		
P	Primary Copper Smelters	1/15/1976	41 FR 2338	10/17/2000	65 FR 61756		
Q	Primary Zinc Smelters	1/15/1976	41 FR 2340	2/14/1989	54 FR 6668		
R	Primary Lead Smelters	1/15/1976	41 FR 2340	2/14/1989	54 FR 6668		
S	Primary Aluminum Reduction Plants	7/25/1977	42 FR 37937	10/17/2000	65 FR 61757		
T	Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants	8/6/1975	40 FR 33154	10/17/2000	65 FR 61757	8/19/2015	80 FR 50432
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	8/6/1975	40 FR 33155	10/17/2000	65 FR 61757	8/19/2015	80 FR 50433
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	8/6/1975	40 FR 33155	10/17/2000	65 FR 61757	8/19/2015	80 FR 50434
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	8/6/1975	40 FR 33156	10/17/2000	65 FR 61757	8/19/2015	80 FR 50435
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	8/6/1975	40 FR 33156	10/17/2000	65 FR 61757	8/19/2015	80 FR 50435
Y	Coal Preparation Plants	1/15/1976	41 FR 2234	10/8/2009	74 FR 51977		
Z	Ferroalloy Production Facilities	5/4/1976	41 FR 18501	10/17/2000	65 FR 61758		
AA	Steel Plants: Electric Arc Furnaces Constructed After 10/21/74 and on or Before 8/17/83	9/23/1975	40 FR 43852	2/22/2005	70 FR 8530		
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After 8/7/83	10/31/1984	49 FR 43845	2/22/2005	70 FR 8532		

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	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
BB	Kraft Pulp Mills	2/23/1978	43 FR 7572	9/21/2006	71 FR 55127		
BBa	***Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commences After May 23, 2013****	***4/4/2014****	***79 FR 18966***				
CC	Glass Manufacturing Plants	10/7/1980	45 FR 66751	10/17/2000	65 FR 61759		
DD	Grain Elevators	8/3/1978	43 FR 34347	10/17/2000	65 FR 61759		
EE	Surface Coating of Metal Furniture	10/29/1982	47 FR 49287	10/17/2000	65 FR 61759		
GG	Stationary Gas Turbines	9/10/1979	44 FR 52798	2/24/2006	71 FR 9457	6/30/2016	81 FR 42542
HH	Lime Manufacturing Plants	4/26/1984	49 FR 18080	10/17/2000	65 FR 61760		
KK	Lead-Acid Battery Manufacturing Plants	4/16/1982	47 FR 16573	10/17/2000	65 FR 61760		
LL	Metallic Mineral Processing Plants	2/21/1984	49 FR 6464	10/17/2000	65 FR 61760		
MM	Automobile and Light-Duty Truck Surface Coating Operations	12/24/1980	45 FR 85415	10/17/2000	65 FR 61760		
NN	Phosphate Rock Plants	4/16/1982	47 FR 16589	10/17/2000	65 FR 61760		
PP	Ammonium Sulfate Manufacture	11/12/1980	45 FR 74850	10/17/2000	65 FR 61760		
QQ	Graphic Arts Industry: Publication Rotogravure Printing	11/8/1982	47 FR 50649	10/17/2000	65 FR 61761		
RR	Pressure Sensitive Tape and Label Surface Coating Operations	10/08/1983	48 FR 48375	11/10/94	65 FR 61761		
SS	Industrial Surface Coating: Large Appliances	10/27/1982	47 FR 47785	10/17/2000	65 FR 61761		
TT	Metal Coil Surface Coating	11/1/1982	47 FR 49612	10/17/2000	65 FR 61761		
UU	Asphalt Processing and Asphalt Roofing Manufacture	8/6/1982	47 FR 34143	10/17/2000	65 FR 61762		
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	10/18/1983	48 FR 48335	6/2/2008	73 FR 31375		
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	11/16/2007	72 FR 64883	6/2/2008	73 FR 31375		
WW	Beverage Can Surface Coating Industry	11/1/1982	48 FR 38737	10/17/2000	65 FR 61763		
XX	Bulk Gasoline Terminals	8/18/1983	48 FR 37590	12/19/2003	68 FR 70965		
BBB	Rubber Tire Manufacturing Industry	9/15/1987	52 FR 34874	10/17/2000	65 FR 61764	6/30/2016	81 FR 42542
DDD	VOC Emissions from the Polymer Manufacture Industry	12/11/1990	55 FR 51035	12/14/2000	65 FR 78278	6/30/2016	81 FR 42542
FFF	Flexible Vinyl and Urethane Coating and Printing	6/29/1984	49 FR 26892	10/17/2000	65 FR 61768		
GGG	Equipment Leaks of VOC in Petroleum Refineries	5/30/1984	49 FR 22606	6/2/2008	73 FR 31376		

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	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
GGGa	Equipment Leaks of VOC in Petroleum Refineries	11/16/2007	72 FR 64896	6/2/2008	73 FR 31376		
HHH	Synthetic Fiber Production Facilities	4/5/1984	49 FR 13651	10/17/2000	65 FR 61768		
III	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	6/29/1990	55 FR 26922	12/14/2000	65 FR 78278	6/30/2016	81 FR 42542
JJJ	Petroleum Dry Cleaners	9/21/1984	49 FR 37331	10/17/2000	65 FR 61773		
KKK	Equipment Leaks of VOC from Onshore Natural Gas Processing Plants	6/24/1985	50 FR 26124	8/16/2012	77 FR 49542		
LLL	Onshore Natural Gas Processing; SO_2 Emissions	10/1/1985	50 FR 40160	8/16/2012	77 FR 49542	6/30/2016	81 FR 42542
NNN	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations	6/29/1990	55 FR 26942	12/14/2000	65 FR 78279	6/30/2016	81 FR 42542
OOO	Nonmetallic Mineral Processing Plants	8/1/1985	51 FR 31337	4/28/2009	74 FR 19309		
PPP	Wool Fiberglass Insulation Manufacturing Plants	2/25/1985	50 FR 7699	10/17/2000	65 FR 61778		
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	11/23/1988	53 FR 47623	10/17/2000	65 FR 61778		
RRR	VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations	8/31/1993	58 FR 45962	12/14/2000	65 FR 78279		
SSS	Magnetic Tape Coating Facilities	10/3/1988	53 FR 38914	2/12/1999	64 FR 7467		
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	1/29/1988	53 FR 2676	10/17/2000	65 FR 61778		
UUU	Calciners and Dryers in Mineral Industries	9/28/1992	57 FR 44503	10/17/2000	65 FR 61778		
VVV	Polymetric Coating of Supporting Substrates Facilities	9/11/1989	54 FR 37551				
WWW	Municipal Solid Waste Landfills built after May, 1991	3/12/1996	61 FR 9919	9/21/2006	71 FR 55127		
AAAA	Small Waste Combustion Units	12/6/2000	65 FR 76355				
CCCC	Commercial and Industrial Solid Waste Incineration Units	12/1/2000	65 FR 75350	2/7/2013	78 FR 9178	6/23/2016	81 FR 40970
EEEE	Other Solid Waste Incineration Units	12/16/2005	70 FR 74892	11/24/2006	71 FR 67806		
IIII	Stationary Compression Ignition Internal Combustion Engines	7/11/2006	71 FR 39172	1/30/2013	78 FR 6695		
JJJJ	Stationary Spark Ignition Internal Combustion Engines[1]	1/18/2008	73 FR 3591	1/30/2013	78 FR 6696		
KKKK	Stationary Combustion Turbines	7/6/2006	71 FR 38497	3/20/2009	74 FR 11861	6/30/2016	81 FR 42542
LLLL	Sewage Sludge Incineration Units	3/21/2011	76 FR 15404				

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Subpart	**Source Category**	**EPA Promulgated**		**Last EPA Revision Adopted by LRAPA (before 7/1/2015)***		**Subsequent EPA Revisions Proposed for LRAPA Adoption**	
	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
OOOO	*Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after Aug. 23, 2011 and on or before Sep. 18, 2015**	9/12/2012	77 FR 49542			*9/23/2013**	*78 FR 58435*
						*12/31/2014**	*79 FR 79036*
						8/12/2015	80 FR 48268
						6/3/2016	81 FR 35896
						6/30/2016	81 FR 42542
OOOOa	**Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015**	**6/3/2016**	**81 FR 35898**				
TTTT	**Greenhouse Gas Emissions for Electric Generating Units**	**10/23/2015**	**80 FR 64648**				
PART 61 - NESHAP							
A	*General Provisions**	4/6/1973	38 FR 8826	4/30/2013	78 FR 25201	*4/21/2015**	*80 FR 22115*
						8/30/2016	81 FR 59825
B	Radon Emissions from Underground Storage Tanks	12/15/1989	54 FR 51694				
C	Beryllium	4/6/1973	38 FR 8826	11/7/1985	50 FR 46294		
D	Beryllium Rocket Motor Firing	4/6/1973	38 FR 8826	11/7/1985	50 FR 46294		
E	Mercury	4/6/1973	38 FR 8826	9/23/1988	53 FR 36972		
F	Vinyl Chloride	10/21/1976	41 FR 46564	12/23/1992	57 FR 60999		
I	Radionuclide Emissions from Federal Facilities Other than Nuclear Regulatory Commission Licensee and Not Covered by Subpart H	12/15/1989	54 FR 51697	12/30/1996	61 FR 68981		
J	Equipment Leaks (Fugitive Emission Sources) of Benzene	6/6/1984	49 FR 23513	12/14/2000	65 FR 78280		
L	Benzene Emissions from Coke By-Product Recovery Plants	9/14/1989	54 FR 38073	2/12/1999	64 FR 7467		
N	Inorganic Arsenic Emissions from Glass Manufacturing Plants	8/4/1986	51 FR 28025	2/12/1999	64 FR 7467		
O	Inorganic Arsenic Emissions from Primary Copper Smelters	8/4/1986	51 FR 28029	5/31/1990	55 FR 22027		
P	Inorganic Arsenic Emissions from Arsenic Trioxide and Metal Arsenic Facilities	8/4/1986	51 FR 28033	10/3/1986	51 FR 35355		
V	Equipment Leaks (Fugitive Emission Sources)	6/6/1984	49 FR 23513	12/14/2000	65 FR 78280		
Y	Benzene Emissions from Benzene Storage Vessels	9/14/1989	54 FR 38077	12/14/2000	65 FR 78283		
FF	Benzene Waste Operations	3/7/1990	55 FR 8346	12/4/2003	68 FR 67935		

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	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
PART 63 - NESHAP							
A	*General Provisions**	3/16/1994	59 FR 12430	6/20/2013	78 FR 37145	*3/27/2014**	*79 FR 17363*
						*6/30/2015**	*80 FR 37390*
						8/19/2015	80 FR 50436
						9/18/2015	80 FR 56738
						10/15/2015	80 FR 62414
						10/26/2015	80 FR 65520
						12/1/2015	80 FR 75236
						12/4/2015	80 FR 75817
						8/30/2016	81 FR 59825
						1/18/2017	82 FR 5407
F	Synthetic Organic Chemical Manufacturing Industry (SOCMI)	4/22/1994	59 FR 19454	12/21/2006	71 FR 76614		
G	SOCMI - Process Vents, Storage Vessels, Transfer Operations, and Wastewater	4/22/1994	59 FR 19468	12/22/2008	73 FR 78213		
H	SOCMI - Equipment Leaks	4/22/1994	59 FR 19568	12/22/2008	73 FR 78213		
I	Certain Processes Subject to the Negotiated Regulations for Equipment Leaks	4/22/1994	59 FR 19587	6/23/2003	68 FR 37345		
J	Polyvinyl Chloride and Copolymers Production	7/10/2002	67 FR 45892				
L	Coke Oven Batteries	10/27/1993	58 FR 57911	4/20/2006	70 FR 20456		
M	Perchloroethylene Dry Cleaning	9/22/1993	58 FR 49376	7/11/2008	73 FR 39874		
N	*Hard and Decorative Chromium Electroplating and Chromium Anodizing**	1/25/1995	60 FR 4963	9/19/2012	77 FR 58242	*4/21/2015**	*80 FR 22116*
O	Ethylene Oxide Sterilization	12/6/1994	59 FR 62589	12/19/2005	70 FR 75345		
Q	Industrial Process Cooling Towers	9/8/1994	59 FR 46350	4/7/2006	71 FR 17738		
R	Gasoline Distribution Facilities	12/14/1994	59 FR 64318	12/22/2008	73 FR 78213		
S	Pulp and Paper Industry	4/15/1998	63 FR 18616	9/11/2012	77 FR 55710		
T	Halogenated Solvent Cleaning	12/2/1994	59 FR 61805	5/3/2007	72 FR 25157		
U	Group I Polymers and Resins	9/5/1996	61 FR 46924	12/22/2008	73 FR 78213		

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W	Epoxy Resins Production and Non-Nylon Polyamides Production	3/8/1995	60 FR 12676	4/20/2006	70 FR 20457		
X	*Secondary Lead Smelting**	6/23/1995	60 FR 32594	6/23/1995	60 FR 32594	*1/5/2012**	*77 FR 580*
						*1/13/2014**	79 FR 371
Y	Marine Tank Loading Operations	9/15/1995	60 FR 48399	4/20/2006	70 FR 20457	12/1/2015	80 FR 75237
AA	Phosphoric Acid Manufacturing	6/10/1999	64 FR 31376	4/20/2006	70 FR 20457	8/19/2015	80 FR 50436
BB	Phosphate Fertilizer Production	6/10/1999	64 FR 31382	4/20/2006	70 FR 20457	8/19/2015	80 FR 50450
CC	Petroleum Refineries	8/18/1995	60 FR 43260	6/20/2013	78 FR 37145	12/1/2015	80 FR 75237
						7/13/2016	81 FR 45241
DD	*Off-Site Waste and Recovery**	7/1/1996	61 FR 34158	4/20/2006	70 FR 20457	*3/18/2015**	*80 FR 14271*
EE	Magnetic Tape Manufacturing	12/15/1994	59 FR 64596	6/23/2003	68 FR 37352		
GG	Aerospace Manufacturing and Rework	9/1/1995	60 FR 45956	4/20/2006	70 FR 20457	12/7/2015	80 FR 76179
HH	Oil and Natural Gas Production	6/17/1999	64 FR 32628	8/16/2012	77 FR 49568		
II	Shipbuilding and Ship Repair (Surface Coating)	12/15/1995	60 FR 64336	11/21/2011	76 FR 72069		
JJ	Wood Furniture Manufacturing	12/7/1995	60 FR 62936	6/23/2003	68 FR 37353		
KK	Printing and Publishing	5/30/1996	61 FR 27140	5/24/2006	71 FR 29799		
LL	Primary Aluminum Reduction	10/7/1997	62 FR 52407	4/20/2006	70 FR 20458	10/15/2015	80 FR 62414
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills	1/12/2001	66 FR 3193	4/20/2006	70 FR 20458		
NN	**Area Sources: Wool Fiberglass Manufacturing**	**7/29/2015**	**80 FR 45325**				
OO	Tanks - Level 1	7/1/1996	61 FR 34184	6/23/2003	68 FR 37354		
PP	Containers	7/1/1996	61 FR 34186	6/23/2003	68 FR 37355		
QQ	Surface Impoundments	7/1/1996	61 FR 34190	6/23/2003	68 FR 37355		
RR	Individual Drain Systems	7/1/1996	61 FR 34193	6/23/2003	68 FR 37355		
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	6/29/1999	64 FR 34866	4/20/2006	70 FR 20458		
TT	Equipment Leaks - Control Level 1	6/29/1999	64 FR 34886	7/12/2002	67 FR 46278		
UU	Equipment Leaks - Control Level 2	6/29/1999	64 FR 34899	7/12/2002	67 FR 46279		

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	New EPA Standards in Bold	**Date**	**FR Citation**	**Date**	**FR Citation**	**Date**	**FR Citation**
VV	Oil-Water Separators and Organic-Water Separators	7/1/1996	61 FR 34195	6/23/2003	68 FR 37355		
WW	Storage Vessels (Tanks) - Control Level 2	6/29/1999	64 FR 34918	7/12/2002	67 FR 46279		
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations	7/12/2002	67 FR 46271	4/13/2005	70 FR 19271		
YY	*Generic MACT**	6/29/1999	64 FR 34921	6/29/2007	72 FR 125	*10/8/2014**	79 FR 60922
CCC	Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants	6/22/1999	64 FR 33218	4/20/2006	70 FR 20459		
DDD	Mineral Wool Production	6/1/1999	64 FR 29503	12/1/2011	76 FR 74708	7/29/2015	80 FR 45329
EEE	Hazardous Waste Combustors	6/19/1998	63 FR 33820	10/28/2008	73 FR 64094		
GGG	Pharmaceuticals Production	9/21/1998	63 FR 50326	12/22/2008	73 FR 78214		
HHH	Natural Gas Transmission and Storage Facilities	6/17/1999	64 FR 32647	8/16/2012	77 FR 49584		
III	*Flexible Polyurethane Foam Production**	10/7/1998	63 FR 53996	6/23/2003	68 FR 37357	*8/15/2014**	*79 FR 48086*
JJJ	*Group IV Polymers and Resins**	9/12/1996	61 FR 48229	12/22/2008	73 FR 78214	*3/27/2014**	79 FR 17363
LLL	Portland Cement Manufacturing	6/14/1999	64 FR 31925	2/12/2013	78 FR 10036	7/27/2015	80 FR 44778
						9/11/2015	80 FR 54279
						6/23/17	82 FR 28562
MMM	*Pesticide Active Ingredient Production**	6/23/1999	64 FR 33589	4/20/2006	70 CFR 20460	*3/27/2014**	79 FR 17371
NNN	Wool Fiberglass Manufacturing	6/14/1999	64 FR 31708	4/20/2006	70 CFR 20460	7/29/2015	80 FR 45280
						7/6/17	Not Yet Published
OOO	*Manufacture of Amino/Phenolic Resins**	1/20/2000	65 FR 3290	4/20/2006	70 CFR 20460	*10/8/2014**	*79 FR 60929*
PPP	*Polyether Polyols Production**	6/1/1999	64 FR 29439	4/20/2006	70 FR 20461	*3/27/2015**	*79 FR 17376*
QQQ	Primary Copper	6/12/2002	67 FR 40491	4/20/2006	71 FR 20461		
RRR	Secondary Aluminum Production	3/23/2000	65 FR 15689	4/20/2006	71 FR 20461	9/18/2015	80 FR 56738
						6/13/2016	81 FR 38087
TTT	Primary Lead Smelting	6/4/1999	64 FR 30204	11/15/2011	76 FR 70852		
UUU	Petroleum Refineries-Catalytic Cracking, Catalytic Reforming & Sulfur Recovery	4/11/2002	67 FR 17773	4/20/2006	71 FR 20462	12/1/2015	80 FR 75273
						7/13/2016	81 FR 45243

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VVV	Publicly Owned Treatment Works	10/26/1999	64 FR 57579	12/22/2008	73 FR 78215		
XXX	*Ferroalloys Production: Ferromanganese and Silicomanganese**	5/20/1999	64 FR 27458	4/20/2006	71 FR 20462	*6/30/2015**	*80 FR 37390*
						1/18/2017	82 FR 5408
AAAA	Municipal Solid Waste Landfills	1/16/2003	68 FR 2238	4/20/2006	71 FR 20462		
CCCC	Manufacturing Nutritional Yeast	5/21/2001	66 FR 27884	4/20/2006	71 FR 20462		
DDDD	Plywood and Composite Wood Products	7/30/2004	69 FR 46011	10/29/2007	72 FR 61062		
EEEE	Organic Liquids Distribution (non-gasoline)	2/3/2004	69 FR 5063	12/22/2008	73 FR 78215		
FFFF	Misc. Organic Chemical Production and Processes (MON)	11/10/2003	68 FR 63888	12/22/2008	73 FR 78216		
GGGG	Solvent Extraction for Vegetable Oil Production	4/12/2001	66 FR 19011	4/20/2006	71 FR 20463		
HHHH	Wet Formed Fiberglass Mat Production	4/11/2002	67 FR 17835	4/20/2006	71 FR 20464		
IIII	Auto and Light Duty Trucks (Surface Coating	4/26/2004	69 FR 22623	4/24/2007	72 FR 20233		
JJJJ	Paper & Other Web (Surface Coating)	12/4/2002	67 FR 72341	5/24/2006	71 FR 29805		
KKKK	Metal Can (Surface Coating)	11/23/2003	68 FR 64446	4/20/2006	71 FR 20465		
MMMM	Misc. Metal Parts and Products (Surface Coating)	1/2/2004	69 FR 157	12/22/2006	71 FR 76927		
NNNN	Large Appliances (Surface Coating)	7/23/2002	67 FR 48262	4/20/2006	71 FR 20465		
OOOO	Fabric Printing, Coating and Drying	5/29/2003	68 FR 32189	5/24/2006	71 FR 29805		
PPPP	Plastic Parts (Surface Coating)	4/19/2004	69 FR 20990	4/24/2007	72 FR 20237		
QQQQ	Wood Building Products (Surface Coating)	5/28/2003	68 FR 31760	4/20/2006	71 FR 20465		
RRRR	Metal Furniture (Surface Coating)	5/23/2003	68 FR 28619	4/20/2006	71 FR 20466		
SSSS	Metal Coil	6/10/2002	67 FR 39812	3/17/2003	68 FR 12592		
TTTT	Leather Finishing Operations	2/27/2002	67 FR 9162	2/7/2005	70 FR 6360		
UUUU	Cellulose Production Manufacturing	6/11/2002	67 FR 40055	12/22/2008	73 FR 78213		
VVVV	Boat Manufacturing	8/22/2001	66 FR 44232	10/3/2001	66 FR 50504		
WWWW	Reinforced Plastics Composites Production	4/21/2003	68 FR 19402	4/20/2006	71 FR 20466		
XXXX	Tire Manufacturing	7/9/2002	67 FR 45598	4/20/2006	71 FR 20466		
YYYY	Combustion Turbines	3/5/2004	69 FR 10537	4/20/2006	71 FR 20467		

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ZZZZ	Stationary Reciprocating Internal Combustion Engines	6/15/2004	69 FR 33506	3/6/2013	78 FR 14457		
AAAAA	Lime Manufacturing	1/5/2004	69 FR 416	4/20/2006	71 FR 20467		
BBBBB	Semiconductor Manufacturing	5/22/2003	68 FR 27925	7/22/2008	73 FR 42532		
CCCCC	Coke Oven: Pushing, Quenching & Battery Stacks	4/14/2003	68 FR 18025	4/20/2006	71 FR 20467		
DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	3/21/11	76 FR 15664	1/31/2013	78 FR 7162	11/20/2015	80 FR 72807
EEEEE	Iron and Steel Foundries	4/22/2004	69 FR 21923	2/7/2008	73 FR 7218		
FFFFF	Integrated Iron & Steel	5/20/2003	68 FR 27663	7/13/2006	71 FR 39585		
GGGGG	Site Remediation	10/8/2003	68 FR 58190	12/22/2008	73 FR 78216		
HHHHH	Misc. Coating Manufacturing	12/11/2003	68 FR 69185	12/22/2008	73 FR 78217		
IIIII	Mercury Cell Chlor-Alkali Plants	12/19/2003	68 FR 70928	4/20/2006	71 FR 20469		
JJJJJ	Brick and Structural Clay Products Manufacturing	5/16/2003	68 FR 26722	6/23/2006	71 FR 36014	10/26/2015	80 FR 65520
KKKKK	Clay Ceramics Manufacturing	5/16/2003	68 FR 26738	6/23/2006	71 FR 36014	12/4/2015	80 FR 65543
LLLLL	Asphalt Processing & Asphalt Roofing Manufacturing	4/29/2003	68 FR 22991	4/20/2006	71 FR 20649		
MMMMM	Flexible Polyurethane Foam Fabrication Operations	4/14/2003	68 FR 18070	4/20/2006	71 FR 20470		
NNNNN	Hydrochloric Acid Production	4/17/2003	68 FR 19090	4/20/2006	71 FR 20470		
PPPPP	Engine Test Cells/Stands	5/27/2003	68 FR 28785	4/20/2006	71 FR 20470		
QQQQQ	Friction Products Manufacturing	10/18/2002	67 FR 64507	4/20/2006	71 FR 20470		
RRRRR	Taconite Iron Ore Processing	10/30/2003	68 FR 61888	4/20/2006	71 FR 20470		
SSSSS	Refractories Products Manufacturing	4/16/2003	68 FR 18747	4/20/2006	71 FR 20471		
TTTTT	Primary Magnesium Refining	10/10/2003	68 FR 58620	4/20/2006	71 FR 20471		
UUUUU	*Coal- and Oil-Fired Electric Utility Steam Generating Units**	2/16/2012	77 FR 9464	2/16/2012	77 FR 9464	*4/24/2013**	*78 FR 24084*
						*11/19/2014**	*79 FR 58799*
						*11/19/2014**	*79 FR 68788*
						*3/24/2015**	*80 FR 15514*
						4/6/2016	80 FR 20180

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						3/29/2017	82 FR 16739
WWWWW	Area Sources: Hospital Ethylene Oxide Sterilizers	12/28/2007	72 FR 73623				
YYYYY	*Area Sources: Electric Arc Furnace Steelmaking Facilities**	12/28/2007	72 FR 74111	2/26/2009	74 FR 8756	*6/24/2015**	80 FR 5940
ZZZZZ	Area Sources: Iron and Steel Foundries	1/20/2008	73 FR 252				
BBBBBB	Area Sources: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	1/10/2008	73 FR 1934	1/24/2011	76 FR 4176		
DDDDDD	*Area Sources: Polyvinyl Chloride and Copolymers Production**	1/23/2007	72 FR 2943	4/17/2012	77 FR 22904	*2/4/2015**	*80 FR 5940*
EEEEEE	Area Sources: Primary Copper Smelting	1/23/2007	72 FR 2944	7/3/2007	72 FR 36367		
FFFFFF	Area Sources: Secondary Copper Smelting	1/23/2007	72 FR 2952	7/3/2007	72 FR 36367		
JJJJJJ	Area Sources: Industrial, Commercial, and Institutional Boilers	3/21/11	76 FR 15591	2/1/2013	78 FR 7506	9/14/2016	81 FR 63125
LLLLLL	Area Sources: Acrylic and Modacrylic Fibers Production	7/16/2007	72 FR 38899	3/26/2008	73 FR 15928		
MMMMMM	Area Sources: Carbon Black Production	7/16/2007	72 FR 38904	3/26/2008	73 FR 15928		
NNNNNN	Area Sources: Chemical Manufacturing: Chromium Compounds	7/16/2007	72 FR 38905	3/26/2008	73 FR 15928		
OOOOOO	Area Sources: Flexible Polyurethane Production and Fabrication	7/16/2007	72 FR 38910	3/26/2008	73 FR 15928		
PPPPPP	Area Sources: Lead Acid Battery Manufacturing	7/16/2007	72 FR 38913	3/26/2008	73 FR 15929		
QQQQQQ	Area Sources: Wood Preserving	7/16/2007	72 FR 38915	3/26/2008	73 FR 15929		
RRRRRR	Area Sources: Clay Ceramics Manufacturing	12/26/2007	72 FR 73197				
SSSSSS	Area Sources: Glass Manufacturing	12/26/2007	72 FR 73201				
TTTTTT	Area Sources: Secondary Nonferrous Metals Processing	12/26/2007	72 FR 73207				
VVVVVV	Area Sources: Chemical Manufacturing	10/29/2009	74 FR 56041	12/21/2012	77 FR 75756		
WWWWWW	Area Sources: Plating and Polishing Operations	7/1/2008	73 FR 37741	9/19/2011	76 FR 57919		
XXXXXX	Area Sources: Nine Metal Fabrication and Finishing	7/23/2008	73 FR 43000				
YYYYYY	Area Sources: Ferroalloys Production	12/23/2008	73 FR 78644				
ZZZZZZ	Area Sources: Aluminum, Copper, and Other Nonferrous Foundries	6/25/2009	74 FR 30393	9/10/2009	74 FR 46495		
AAAAAAA	Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing	12/2/2009	74 FR 63260	3/18/2010	75 FR 12989		
BBBBBBB	Area Sources: Chemical Preparations	12/30/2009	74 FR 69208				

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CCCCCCC	Area Sources: Paints and Allied Products Manufacturing	12/3/2009	74 FR 63525	6/3/2010	75 FR 31320		
DDDDDDD	Area Sources: Prepared Feeds Manufacturing	1/5/2010	75 FR 546	12/23/2011	76 FR 80265		
EEEEEEE	Area Sources: Gold Mine Ore Processing and Production	2/17/2011	76 FR 9480				
HHHHHHH	Polyvinyl Chloride and Copolymers Production	4/17/2012	77 FR 22907				

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