

**LANE REGIONAL AIR POLLUTION AUTHORITY**  
1010 Main Street, Springfield, Oregon 97477  
(541) 726-2514

**AIR CONTAMINANT DISCHARGE PERMIT**

Issued in accordance with provisions of Title 34, Lane Regional Air Pollution Authority's Rules and Regulations, and based on the land use compatibility findings included in the permit record.

Issued To:

Mid-Valley Gravel Company  
705 Clemens Mill Road  
Philomath, Oregon 97370

Land Use Compatibility Statement:

Not Applicable

Mailing Address:

P.O. Box 1089  
Philomath, Oregon 97370

Fee Basis:

Portable Rock Crusher,  
<300,000 tons per year  
Table A, Part II, 42(c)

Permit Number: 205169

Permit Type: Minimal

SIC: 1442 Sand and Gravel Plants

Date Issued: April 16, 1999

Expiration Date: April 15, 2004

Permitted Sources:

Portable Rock Crusher and  
Ancillary Equipment

Issued

By: \_\_\_\_\_  
Barbara J. Cole, Director

Date: \_\_\_\_\_

Permitted Activities

1. Until this permit expires or is revoked, the permittee is herewith allowed to discharge air contaminants only in accordance with the permit application and the requirements, limitations, and conditions contained in this permit. This specific listing of requirements, limitations, and conditions does not relieve the permittee from complying with all other rules of Lane Regional Air Pollution Authority (LRAPA).

Emission Unit Description

2. The emission unit regulated by this permit is a portable rock crushing operation and associated ancillary equipment. The particulate matter (PM) emissions from the rock crushing operation shall be controlled by the use of water.

Emission Limits and Standards

3. The maximum allowable emissions of PM for the rock crushing operation, as a function of the maximum design rate of 150 tons per hour for the rock crusher, is 51 pounds per hour. [LRAPA 32-045(A)]
4. The permittee shall not operate the rock crushing operation such that visible air contaminants emitted equal or exceed an opacity of 20% for a period or periods aggregating more than three (3) minutes in any one (1) hour. [LRAPA 32-010 (1) (b) & (3)]
5. The water spray for dust control shall be operated at all times the crushing system is in operation. To assure that control equipment shall be at full efficiency and effectiveness so that the emissions of air contaminants are kept at the lowest practicable level, the owner/operator shall perform routine maintenance as recommended by the equipment manufacturer. [LRAPA 33-060 (3) (A) (5)]

Monitoring and Record-keeping Requirements

6. The production rate for the rock crushing operation shall not exceed 150 tons of product per hour or 100,000 tons of product per calendar year. The owner/operator shall keep daily production records and records of the number of hours of operation. These records shall be used to calculate hourly and yearly emissions.
7. A record of the following data shall be maintained for a period of two (2) years at the plant site and shall be available for inspection by authorized representatives of LRAPA: [LRAPA 34-070(5)]
  - a. Hours of operation and material throughput.

- b. Description of any maintenance to air contaminant control systems (recorded on occurrence).

Notification and Reporting Requirements

8. Written notice of intent to relocate to any other site must be submitted to LRAPA by the permittee five (5) working days prior to the proposed relocation date.

Unless otherwise specified in a particular permit condition, notifications required by this permit shall be reported to the following office:

Lane Regional Air Pollution Authority  
1010 Main Street  
Springfield, Oregon 97477  
(541) 726-2514

Fee Schedule

9. In accordance with adopted regulations, the permittee will be invoiced once every five (5) years for the Renewal Fee. [LRAPA 34-150]

SM/bp

**GENERAL PERMIT CONDITIONS**

General Conditions and Disclaimers

- G1. A copy of the permit application and this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request.
- G2. The permittee shall allow the Director or his/her authorized representatives access to the plant site and pertinent records at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant discharge records and otherwise conducting necessary functions related to this permit in accordance with ORS 468.095. [LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

Performance Standards and Emission Limits

- G4. The permittee shall not cause or permit the emissions of any particulate matter which is greater than 250 microns in size if such particulate matter does or will deposit upon the real property of another person. [LRAPA 32-055]
- G5. The permittee shall not discharge from any source whatsoever such quantities of air contamination which cause injury, detriment, public nuisance or annoyance to any persons or to the public or which cause injury or damage to business or property; such determination to be made by the authority. [LRAPA 32-090(1)]
- G6. The permittee shall not cause or permit emission of water vapor if the water vapor causes or tends to cause detriment to the health, safety or welfare of any person or causes, or tends to cause damage to property or business. [LRAPA 32-090(2)]
- G7. The permittee shall not willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminants emitted, conceals emissions of air contaminants which would otherwise violate LRAPA rules. [LRAPA 33-030(1)]
- G8. The permittee shall not cause or permit the installation or use of any device or use of any means designed to mask the emissions of an air contaminant which causes or tends to cause detriment to health, safety or welfare of any person. [LRAPA 33-030(2)]
- G9. The permittee shall not allow any materials to be handled, transported, or stored; or a building, its appurtenances or road(s) to be used, constructed, altered, repaired, or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from being airborne. [LRAPA 48-015(2)]

G10. The permittee shall not cause or permit the emissions of odorous matter in such a manner as to cause a public nuisance. [LRAPA 50-020]

Excess Emissions: General Policy

G11. Emissions of air contaminants in excess of applicable standards or permit conditions are considered unauthorized and are subject to enforcement action, pursuant to LRAPA 36-010 and 36-030. These rules apply to any permittee operating a source which emits air contaminants in violation of any applicable air quality rule or permit condition resulting from the breakdown of air pollution control equipment or operating equipment, process upset, startup, shutdown, or scheduled maintenance. [LRAPA 32-001(1)]

Excess Emissions: Notification and Record-keeping

G12. The permittee must immediately (i.e., as soon as possible, but in no case more than one (1) hour after the beginning of the excess emissions period) notify LRAPA by telephone or in person of all cases of excess emissions due to upset or breakdown. [LRAPA 36-020(1)] Notification shall include:

- c) the source name;
- d) the nature of the emissions problem;
- e) the name of the person making the report;
- f) the name and telephone number of the contact person for further information;
- g) the date and time of the onset of the upset condition;
- h) whether or not the incident was planned;
- i) the equipment involved in the upset or breakdown;
- j) the estimated type and quantity of excess emissions;
- k) the estimated time of return to normal operations;
- l) the efforts made to minimize emissions; and
- m) a description of remedial actions to be taken.

Notification shall be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. - 5 p.m., M-F) is (541) 726-2514. During nonbusiness hours, weekends, or holidays, the permittee shall immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.

Follow-up reporting, if required by LRAPA, shall contain all information required by Condition G15.

G13. In the event of an on-going period of excess emissions due to upset or breakdown, the permittee shall cease the operation of the equipment or facility no later than forty-eight (48) hours after the beginning of the excess emission period, if the condition causing the emissions is not corrected within that time. The permittee need not cease operation if it can obtain Authority approval of procedures that will be used to

minimize excess emissions until such time as the condition causing the excess emissions is corrected and brought under control. [LRAPA 36-020(3)]

- G14. Any excess emissions which could endanger public health or safety shall immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
- G15. The permittee shall keep an upset log of all planned and unplanned excess emissions. [LRAPA 36-025(3) and 36-030(1)] The upset log shall include the following:
- a) the date and time each event was reported to the Authority;
  - b) whether the process handling equipment and the air pollution control equipment were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
  - c) whether repairs or corrections were made in an expeditious manner when the permittee knew or should have known that emission limits were being or were likely to be exceeded;
  - d) whether the event was one in a recurring pattern of incidents which indicate inadequate design, operation, or maintenance; and
  - e) the final resolution of the cause of the excess emissions.
- G16. Upset logs shall be kept by the permittee for two (2) calendar years. [LRAPA 36-025(4)]

Excess Emissions: Scheduled Maintenance

- G17. Where it is anticipated that shutdown, by-pass, or operation at reduced efficiency of production equipment or air pollution control equipment for necessary scheduled maintenance may result in excess emissions, the permittee must obtain prior Authority approval of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance shall be submitted and received by the Authority in writing at least seventy-two (72) hours prior to the event. [LRAPA 36-015(1)] The application shall include the following:
- a) the reasons explaining the need for maintenance, including why it would be impractical to shut down the source operation during the period, and why the by-pass or reduced efficiency could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
  - b) identification of the specific production or emission control equipment or system to be maintained;
  - c) the nature of the air contaminants likely to be emitted during the maintenance period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and
  - d) identification of specific procedures to be followed which will minimize excess emissions.

- G18. No scheduled maintenance which is likely to result in excess emissions shall occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced "Stage I Red" woodstove advisory period, in areas determined by the Authority as PM<sub>10</sub> Nonattainment Areas. [LRAPA 36-015(4)]
- G19. In cases where the Authority has not received notification of scheduled maintenance that is likely to cause excess emissions within the required seventy-two (72) hours prior to the event, or where such approval has not been waived pursuant to LRAPA 36-025(2), the permittee shall immediately notify the Authority by telephone of the situation, and shall be subject to the requirements of Conditions G12 and G13. [LRAPA 36-015(5)]

#### Air Pollution Emergencies

- G20. The permittee shall, upon declaration of an air pollution episode, take all actions specified in Tables 1, 2, and 3 of LRAPA's Title 51 (see Attachment A) and shall particularly put into effect the Authority-approved preplanned abatement strategy for such condition, if applicable. [LRAPA 51-015]

#### Notification of Construction/Modification

- G21. The permittee shall notify LRAPA in writing and obtain approval in accordance with LRAPA 34-035 before:
- a) constructing or installing any new source of air contaminant emissions, including air pollution control equipment; or
  - b) modifying or altering an existing source that may significantly affect the emissions of air contaminants, or
  - c) making any physical change which increases emissions; or
  - d) changing the method of operation, the process, or the fuel use, or increasing the normal hours of operation to levels above those contained in the permit application and reflected in this permit and which result in increased emissions.

#### Notification of Name Change

- G22. The permittee shall notify LRAPA in writing using an LRAPA "Annual Information Update Form" within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon.

Applicable administrative fees must be submitted with an application for the name change.

#### Permit Renewal

- G23. Application for renewal of this permit must be submitted not less than 60 days prior to the permit expiration date. A Filing Fee, an

Application Processing Fee, and an Annual Compliance Determination Fee must be submitted with the application for the permit renewal. [LRAPA 34-035]

- G24. The procedure for issuance of a permit shall apply to renewal of a permit. If a completed application for a renewal of a permit is filed with the Authority in a timely manner, prior to the expiration date of the permit, the permit shall not be deemed to expire until final action has been taken on the renewal application to issue or deny a permit. [LRAPA 34-130(16)]

Termination Conditions

- G25. This permit shall be automatically terminated: [LRAPA 34-140(2)]
- a) within sixty (60) days after sale or exchange of the activity or facility which requires a permit;
  - b) upon change of nature of the activities, operations, emissions, or discharges from those of record in the last application;
  - c) within one (1) year after a plant closure lasting continuously for one (1) or more years;
  - d) upon issuance of a new, renewal, or modified permit for the same operation; or
  - e) upon written request of the permittee.
- G26. In the event that it becomes necessary to suspend or terminate this permit due to non-compliance with the terms of the permit, unapproved changes in operation, false information submitted in the application or any other cause, the Authority shall notify the permittee by registered or certified mail of its intent to suspend or revoke the permit. Such notification shall include the reasons for the suspension or revocation. The suspension or revocation shall become effective twenty (20) days from the date of mailing of such notices unless, within that time, the permittee requests a hearing. Such a request for hearing shall be made in writing and shall state the grounds for such a request. [LRAPA 34-140(3)]
- G27. Termination of this permit resulting from continuous plant closure shall subject the source to review as a new non-permitted source upon application to operate the facility. [LRAPA 34-140(4)]
- G28. If the Authority finds that there is a serious danger to the public health or safety or that irreparable damage to a resource will occur, it may suspend or terminate this permit, effective immediately. Notice of such suspension or termination must state the reasons for such action and advise that the permittee may request a hearing. Such a request for a hearing shall be made in writing within ninety (90) days of the date of the suspension and shall state the grounds for the request. [LRAPA 34-140 (5)]
- G29. Any hearing requested shall be conducted pursuant to the rules of the Authority. [LRAPA 34-140(6)]

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Expiration Date: April 15, 2004

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