

LANE REGIONAL AIR PROTECTION AGENCY

1010 Main Street
Springfield, OR 97477
Telephone (541) 736-1056

TITLE V OPERATING PERMIT

Issued in accordance with the provisions of ORS 468A.040
and based on the land use compatibility findings included in the permit record.

ISSUED TO:

United States Bakeries
dba as Franz Family Bakeries
Springfield Division
2000 Nugget Way
Springfield, Oregon 97403

INFORMATION RELIED UPON:

Application Number: 208922 - 50577
Received: 01/06/2006


PLANT SITE LOCATION:

2000 Nugget Way
Springfield, OR 97405
44° 2' 15.648" N, 123° 1' 56.46" W

LAND USE COMPATIBILITY STATEMENT:

Issued by: City of Springfield
Dated: February 28, 2005

ISSUED BY THE LANE REGIONAL AIR PROTECTION AGENCY



Merlyn L. Hough, Director

Date

Nature of Business: Commercial Bakery

SIC: 2051 NAICS: 31182

RESPONSIBLE OFFICIAL

Title: General Manager

FACILITY CONTACT PERSON

Name: Clyde Carson
Title: Sanitation Manager
Phone: (541) 485-8211

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LIST OF ABBREVIATIONS THAT MAY BE USED IN THIS PERMIT

ACDP	Air Contaminant Discharge Permit	NA	not applicable
Act	Federal Clean Air Act	NESHAP	National Emission Standards for Hazardous Air Pollutants
ASTM	American Society of Testing and Materials	NO _x	nitrogen oxides
Btu	British thermal unit	O ₂	oxygen
CFR	Code of Federal Regulations	OAR	Oregon Administrative Rules
CO	carbon monoxide	ODEQ	Oregon Department of Environmental Quality
CPMS	continuous parameter monitoring system	ORS	Oregon Revised Statutes
DEQ	Department of Environmental Quality	O&M	operation and maintenance
dscf	dry standard cubic feet	Pb	lead
EF	emission factor	PCD	pollution control device
EPA	Environmental Protection Agency	PM	particulate matter
EU	emissions unit	PM ₁₀	particulate matter less than 10 microns in size
FCAA	Federal Clean Air Act	PM _{2.5}	particulate matter less than 2.5 microns in size
FSA	fuel sampling and analysis	ppm	parts per million
gr/dscf	grain per dry standard cubic feet (1 pound = 7000 grains)	PSEL	Plant Site Emission Limit
GHG	greenhouse gas	psia	pounds per square inch, actual
HAP	hazardous air pollutant as defined by LRAPA Title 12	SERP	Source Emissions Reduction Plan
HCFC	halogenated chloro-fluoro-carbon	SO ₂	sulfur dioxide
ID	identification number or label	ST	source test
I&M	inspection and maintenance	VE	visible emissions
LRAPA	Lane Regional Air Protection Agency	VMT	vehicle miles traveled
MACT	Maximum Achievable Control Technology	VOC	volatile organic compounds

Modified EPA Method 9: As used in this permit “Modified EPA Method 9” is defined as follows:

Opacity must be measured in accordance with EPA Method 9. For all standards, the minimum observation period must be six minutes, though longer periods may be required by a specific rule or permit condition. Aggregate times (e.g., 3 minutes in any one hour) consist of the total duration of all readings during the observation period that are equal to or greater than the opacity percentage in the standard, whether or not the readings are consecutive. Each EPA Method 9 reading represents 15 seconds of time. [See also the definition of “Opacity” in LRAPA’s Title 12]

PERMITTED ACTIVITIES

1. Until this permit expires or is modified or revoked, the permittee is allowed to discharge air contaminants from those processes and activities directly related to or associated with air contaminant source(s) in accordance with the requirements, limitations, and conditions of this permit. [OAR 340-218-0010 and 340-218-0120(2)]
2. All conditions in this permit are federally enforceable, meaning that they are enforceable by LRAPA, EPA, and citizens under the Clean Air Act, except as specified below:
 - 2.a. Conditions 6, 8, 31, 36.b.v, G5, and G9 (LRAPA Title 43) are only enforceable by LRAPA. [OAR 340-218-0060]

EMISSIONS UNIT (EU) AND POLLUTION CONTROL DEVICE (PCD) IDENTIFICATION

3. The emissions units regulated by this permit are the following [OAR 340-218-0040(3)]:

Emission Unit Description	EU ID	Pollution Control Device Description	PCD ID
Bulk Flour Silos	1	Dust Collectors	1
7.5 MMBtu/hr Thermal Oil System, natural gas fired	2	None	NA
12 MMBtu/hr Bread Oven, Process Line 1	3	None	NA
6.1 MMBtu/hr Bun Oven, Process Line 2	4	None	NA
Gasoline Dispensing Facility (GDF), 10,000 gallon AST	5	(submerged fill)	NA
Aggregate Insignificant Activities (VOC from combustion and gasoline dispensing fugitives)	AI	(submerged fill)	NA

EMISSION LIMITS AND STANDARDS, TESTING, MONITORING, AND RECORDKEEPING REQUIREMENTS

The following tables and conditions contain the applicable requirements along with the testing, monitoring, and recordkeeping requirements for the emissions units to which those requirements apply.

Facility-wide Requirements

Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Averaging Time	Testing Condition	Monitoring Condition
48-015-2	4	Fugitive emissions	minimize	NA	NA	5
49-010-1	6	Nuisance	no nuisance	NA	NA	8
32-055	7	PM >250µm	no fallout	NA	NA	8
40 CFR Part 68	9	Risk management	Risk management plan	NA	NA	9

Fugitive Emissions

4. **Applicable Requirement:** The permittee must not allow or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions must include, but not be limited to the following: [LRAPA 48-015-2]
- 4.a. use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
 - 4.b. application of asphalt¹, oil, water, or other suitable chemicals on unpaved roads, materials stockpiles, and other surfaces which can create airborne dusts;
 - 4.c. full or partial enclosure of materials stockpiles in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;
 - 4.d. installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
 - 4.e. adequate containment during sandblasting or other similar operations; and
 - 4.f. covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne.
5. **Monitoring Requirement:** At least once each month for a minimum period of 30 minutes, the permittee must visually survey the plant using EPA Method 22 for any sources of visible emissions. For the purpose of this survey, visible emissions requiring action are considered to be any visible emissions that leave the general location on the plant site of the source from which the visible emissions originate. The person conducting the EPA Method 22 does not have to be EPA Method 9 certified. If the permittee determines that a modified Method 9 is required, that test must be conducted by a certified visible emission reader. However, the individual conducting the EPA Method 22 should be familiar with the procedures of EPA Method 9, including using the proper location to observe visible emissions. If sources of visible emissions are identified, the permittee must: [OAR 340-218-0050(3)(a)]
- 5.a. immediately take corrective action to minimize the fugitive emissions, including but not limited to those actions identified in condition 4; or
 - 5.b. conduct a Modified EPA Method 9 (see page 3 of the permit) test within 24 hours;
 - 5.c. **Recordkeeping:** The permittee must maintain records of the fugitive emissions surveys, corrective actions (if necessary), and/or the results of any modified EPA Method 9 tests.

Nuisance Conditions

6. **Applicable Requirement:** The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by LRAPA personnel. [LRAPA 49-010-1] This condition is enforceable only by LRAPA.
7. **Applicable Requirement:** The permittee must not cause or permit the emission of any particulate matter larger than 250 microns in size at sufficient duration or quantity, as to create an observable deposition upon the real property of another person. LRAPA will verify that the deposition exists and will notify the permittee that the deposition must be controlled. [LRAPA 32-055]
8. **Monitoring Requirement:** The permittee must maintain a log of each air quality related nuisance complaint received by the permittee during the operation of the facility. Documentation must include date of contact, time of observed nuisance condition, description of nuisance condition, location of receptor, status of plant

¹ Although specified in the rules, LRAPA discourages the use of asphalt and oil as dust suppressants because of the negative environmental impact on other media.

operation during the observed period, and time of response to complainant. A plant representative must immediately investigate the condition following the receipt of the nuisance complaint and a plant representative must provide a response to the complainant within 24 hours, if possible but no later than 5 business days. This condition is only enforceable by LRAPA. [OAR 340-218-0050(3)(a)]

Accidental Release Prevention

9. Applicable Requirement: Should this stationary source become subject to the accidental release prevention regulations in 40 CFR Part 68, then the permittee must submit a risk management plan (RMP) by the date specified in 40 CFR 68.10 and comply with the plan and all other applicable Part 68 requirements. [40 CFR Part 68]

Emissions Units Exhaust and Bakery Process Particulate Requirements (EU-1, 2, 3, and 4)

Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirement	Monitoring Conditions
32-010-1.B	10	Visible Emissions	20% opacity, 3 min. in 60 min.	Visual Surveys, Reporting, Recordkeeping	10.a
32-015-2	11	PM	0.1 gr/dscf	Visual Surveys, Reporting, Recordkeeping	11.a

10. Applicable Requirement: The permittee shall not cause, suffer, allow, or permit the emission of any air contaminant, excluding uncombined water, into the atmosphere from any air contaminant source for a period or periods aggregating more than three (3) minutes in any one (1) hour which is equal to or greater than 20 percent opacity. [LRAPA 32-010-1.B]
- 10.a. Monitoring Requirement: At least once each month for a minimum period of 30 minutes, the permittee must visually survey the plant using EPA Method 22 for any sources of visible emissions. For the purpose of this survey, visible emissions requiring action are considered to be any visible emissions that leave the general location on the plant site of the source from which the visible emissions originate. The person conducting the EPA Method 22 does not have to be EPA Method 9 certified. If the permittee determines that a modified Method 9 is required, that test must be conducted by a certified visible emission reader. However, the individual conducting the EPA Method 22 should be familiar with the procedures of EPA Method 9, including using the proper location to observe visible emissions. If sources of visible emissions are identified, the permittee must: [OAR 340-218-0050(3)(a)]
- 10.a.i. For fugitive emission sources including but not limited to roads and silo dust collectors, immediately take corrective action to minimize the fugitive emissions, including but not limited to those actions identified in Condition 4 that are applicable and those additional measures identified in the facility I & M plan required by Condition 24; or
- 10.a.ii. For sources emitting materials from a discrete vent or stack (e.g., paint booth exhaust stacks), either immediately take corrective action to eliminate visible emissions or conduct a modified EPA Method 9 test within 24 hours, or both
- 10.b. Recordkeeping: The permittee shall maintain records of the visible emissions surveys, corrective actions (if necessary), and/or the results of any modified EPA Method 9 tests.
- 10.c. Reporting: The records required by Condition 10.b shall be attached to the semi-annual reports submitted in accordance with Condition 36.
11. Applicable Requirement: Emissions of particulate matter shall not exceed 0.1 grains per dry standard cubic foot for any air contaminant source installed, constructed or modified after June 1, 1970 [LRAPA 32-015-2].

- 11.a. Monitoring, Testing, Recordkeeping, Reporting: The permittee shall monitor, record, and report determinations made for point sources (e.g. baghouse exhaust stacks) in accordance with Condition 10.a. through 10.c.
12. Applicable Requirement: The permittee must equip each flour silo with a dust collector that is maintained according to the manufacturer' instructions. Until repair, loading into any flour silo shall cease if visible emissions are observed. [LRAPA 32-007-1A and Air Contaminant Discharge Permit, 9/3/2010, Condition 11]

Emissions Unit Gasoline Dispensing Work Practices and Housekeeping Requirements (EU-5) [Air Contaminant Discharge Permit, 9/3/2010, Conditions 8, 9 and 10]

13. Applicable Requirement: The permittee shall take all reasonable precautions to prevent gasoline vapor releases to the atmosphere from the EU-5 Gasoline Dispensing Facility (GDF) including the above ground storage tank (AST). Precautions taken shall include, but shall not be limited, to the following: [LRAPA 44-230-1]
- 13.a. Minimize gasoline spills;
 - 13.b. Do not top off or overfill vehicle tanks;
 - 13.c. Post a sign on the GDF instructing a person filling up a motor vehicle to not top off or overfill vehicle tanks;
 - 13.d. Clean up spills as expeditiously as practicable;
 - 13.e. Cover all gasoline storage fill pipes with a gasketed seal and all gasoline containers when not in use;
 - 13.f. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators;
 - 13.g. Ensure cargo tanks unloading to the gasoline AST also comply with items 13.a, 13.d, and 13.e.
14. Applicable Requirement: The gasoline AST must be equipped with a submerged fill pipe that extends to no less than 6 inches from the tank bottom. [LRAPA 44-220-3-B].
15. Applicable Requirement: The permittee must ensure that all operators of cargo tanks only load gasoline into the AST submerged fill pipe described in Condition 14. [LRAPA 44-220-3].

Insignificant Activities Requirements

16. LRAPA acknowledges that insignificant emissions units (IEUs) identified by rule as either categorically insignificant activities or aggregate insignificant emissions as defined in LRAPA Title 12 exist at facilities required to obtain an Oregon Title V Operating Permit. IEUs must comply with all applicable requirements. In general, the requirements that could apply to IEUs are incorporated as follows:
- 16.a. 32-010-1.B (20% opacity)
 - 16.b. 32-015-2 (0.1 gr/dscf for non-fugitive, non-fuel burning equipment)
 - 16.c. 32-045 (process weight limit for non-fugitive, non-fuel burning process equipment)

Unless otherwise specified in this permit or an applicable requirement, LRAPA is not requiring any testing, monitoring, recordkeeping, or reporting for the applicable emissions limits and standards that apply to IEUs. However, if testing were performed for compliance purposes, the permittee would be required to use the test methods identified in the definitions of "opacity" and "particulate matter" in LRAPA Title 12 and perform the testing in accordance with the Department's *Source Sampling Manual*.

PLANT SITE EMISSION LIMITS

17. Plant site emissions shall not exceed the following annual limits. The annual plant site emission limits apply to any 13 consecutive 4-week period for VOC and to any consecutive 12 calendar months for other pollutants: [LRAPA 42-0040 through 42-0043, federally enforceable under previous LRAPA 34-060 and Air Contaminant Discharge Permit, 9/3/2010, Condition 4]

Pollutant	Plant Site Emission Limit (tons/yr)
PM	24 tons per year
PM ₁₀	14 tons per year
PM _{2.5}	9 tons per year
SO ₂	NA
NO _x	39 tons per year
CO	99 tons per year
VOC	137 tons per year

18. The permittee shall perform calculations to monitor compliance with the PSELs other than VOC by the 14th working day of each month. Emissions for each 12 month rolling period, shall not exceed the emission limits allowed by the permit. , [LRAPA 42-0080 and OAR 340-218-0050(3)]
19. The permittee must demonstrate compliance with the VOC PSEL in Condition 17 by calculating emission factors for each bakery product type made. These emission factor(s) shall be multiplied by the production of each corresponding product type(s) in tons. The equations to be used are: [LRAPA 42-0080 and OAR 340-218-0050(3)]

$$E_{i \text{ VOC EFi}} = 0.95Y_i + 0.195t_i - 0.51S - 0.86t_s + 1.9$$

and:

$$E_i = E_{i \text{ VOC EFi}} \times P_i$$

where:

- $E_{i \text{ VOC EFi}}$ = Emission factor in pounds of VOC per ton of product type
- Y_i = initial baker's percent of yeast
- t_i = total yeast action time in hours
- S = final (spike) baker's percent
- t_s = spiking time in hours
- P_i = amount of dough per product type produced in tons
- E_i = VOC emissions per product type in pounds

20. Within 14 working days of the end of each 4-week period the permittee must sum VOC emissions for that period and add the sum to the preceding 12 4-week periods amounts to obtain the 13 4-week total for compliance comparison to the VOC PSEL in this permit. The formula is: [LRAPA 42-0080 and OAR 340-218-0050(3)]

$$E = [\sum (E_i) (P_i) \times (1 \text{ ton}/2000 \text{ lb})] + AI$$

where:

- E = VOC ton, preceding 13 consecutive 4-week calendar year period
- AI = Aggregate Insignificant Activity VOC emissions for 52 week period (1 ton)

21. The permittee shall calculate the annual emissions, on a calendar year basis, for the emission units in the following table using the emission factors shown. These calculated calendar year emissions, when added to VOC emissions from Condition 20, shall not cause the PSELs of Condition 17 to be exceeded. [LRAPA 42-0080 and OAR 340-218-0050(3)]

Emission Unit	Pollutant	Throughput/yr	Emission Factor ^(a)	Emission Factor Verification Testing
Baking ovens and oil heater (Combustion)	PM	Natural gas (therms/yr)	0.00025 lb/therm	No
	PM ₁₀		0.00025 lb/therm	
	PM _{2.5}		0.00025 lb/therm	
	CO		0.0084 lb/therm	
	NO _x		0.01 lb/therm	
	GHG (CO ₂ e)		0.0053 metric ton/therm	
Flour Silos	PM/PM ₁₀ / PM _{2.5}	2.8 tpy	1	No

(a) The emission factors listed are not enforceable limits unless otherwise specified in this permit.

Recordkeeping [LRAPA 35-0160(1) and OAR 340-218-0050(3)(b)(A)]

22. The permittee shall maintain records of the information listed in the following table. These records shall be used in the emission calculations and compliance demonstrations required by Conditions 17, 18, 19, 20 and 21, and be made available for inspection upon request.

Emission Unit/Process	Parameter/Item	Measurement Technique	Measurement Frequency
Bread making - Fermentation (EU-3 and 4)	For each type of product (ex., bread, bun and roll) baked: 1. Quantity of dough produced (tons) 2. Initial baker's percent of yeast (Y _i) 3. Total yeast action time in hours (t _i) 4. Final (spike) baker's percent of yeast (S) 5. Spiking time in hours (t _s)	Ingredient Amounts; Recipe for Product type; Weight of Dough	Per Product Type Produced
Ovens (2) and Thermal Oil System (EU-2, 3 and 4)	Natural Gas use (therms)	Utility Bill Amount	Monthly
GDF (EU-5)	Gasoline use (gallons)	Purchased Amount	Each Delivery And Monthly

23. The permittee shall maintain records of the information listed in the above table (Condition 22) and the following items on site, and make all records available for inspection upon a request by an LRAPA representative: [LRAPA 35-0160(1) and OAR 218-0050(3)(b)(A)]

- 23.a. The permittee shall maintain records of all information and calculations used to demonstrate compliance with Condition 17;
- 23.b. The permittee shall maintain a log of complaints received and subsequent remedial action.

GENERAL MONITORING AND RECORDKEEPING REQUIREMENTS

General Monitoring Requirements:

- 24. The permittee shall submit and follow an LRAPA-approved Inspection and Maintenance (I&M) plan and schedule. The plan shall be updated as necessary and submitted for approval at least annually by the date it is originally established. [LRAPA 32-007]
- 25. The permittee must not knowingly render inaccurate any required monitoring device or method. [OAR 340-218-0050(3)(a)(E)]
- 26. Methods used to determine actual emissions for fee purposes must also be used for compliance determination and can be no less rigorous than the requirements of OAR 340-218-0080. [OAR 340-218-0050(3)(a)(F)]
- 27. Monitoring requirements must commence on the date of permit issuance unless otherwise specified in the permit or an applicable requirement. [OAR 340-218-0050(3)(a)(G)]

General Recordkeeping Requirements

- 28. Unless otherwise specified by permit condition, the permittee must make every effort to maintain 100 percent of the records required by the permit. If information is not obtained or recorded for legitimate reasons (e.g., the monitor or data acquisition system malfunctions due to a power outage), the missing record(s) will not be considered a permit deviation provided the amount of data lost does not exceed 10% of the averaging periods in a reporting period or 10% of the total operating hours in a reporting period, if no averaging time is specified. Upon discovering that a required record is missing, the permittee must document the reason for the missing record. In addition, any missing record that can be recovered from other available information will not be considered a missing record. [OAR 340-214-0110, 340-212-0160, and 340-218-0050(3)(b)]
- 29. Recordkeeping requirements must commence on the date of permit issuance unless otherwise specified in the permit or an applicable requirement. [OAR 340-218-0050(3)(b)(C)]
- 30. Unless otherwise specified, the permittee must retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings (or other original data) for continuous monitoring instrumentation, and copies of all reports required by the permit. All existing records required by the previous Air Contaminant Discharge Permit or Oregon Title V Operating Permit must also be retained for five (5) years from the date of the monitoring sample, measurement, report, or application. [OAR 340-218-0050(b)(B)]

REPORTING REQUIREMENTS

General Reporting Requirements

31. The permittee shall annually register and report its applicable greenhouse gas emissions as required by OAR Chapter 340, Division 215 for greenhouse gas. [OAR 340-215-0030(2)]
32. Excess Emissions Reporting The permittee must report all excess emissions as follows: [LRAPA Title 36]
 - 32.a. Immediately (within 1 hour of the event) notify LRAPA of an excess emission event by phone, e-mail, or facsimile; and
 - 32.b. Within 15 days of the excess emissions event, submit a written report that contains the following information: [LRAPA 36-025]
 - 32.b.i. The date and time of the beginning of the excess emissions event and the duration or best estimate of the time until return to normal operation;
 - 32.b.ii. The date and time the owner or operator notified LRAPA of the event;
 - 32.b.iii. The equipment involved;
 - 32.b.iv. Whether the event occurred during planned startup, planned shutdown, scheduled maintenance, or as a result of a breakdown, malfunction, or emergency;
 - 32.b.v. Steps taken to mitigate emissions and corrective action taken, including whether the approved procedures for a planned startup, shutdown, or maintenance activity were followed;
 - 32.b.vi. The magnitude and duration of each occurrence of excess emissions during the course of an event and the increase over normal rates or concentrations as determined by continuous monitoring or best estimate (supported by operating data and calculations);
 - 32.b.vii. The final resolution of the cause of the excess emissions; and
 - 32.b.viii. Where applicable, evidence supporting any claim that emissions in excess of technology-based limits were due to any emergency pursuant to LRAPA 36-040.
 - 32.c. In the event of any excess emissions which are of a nature that could endanger public health and occur during non-business hours, weekends, or holidays, the permittee must immediately notify LRAPA by calling the Oregon Accident Response System (OARs). The current number is 1-800-452-0311.
 - 32.d. If startups, shutdowns, or scheduled maintenance may result in excess emissions, the permittee must submit startup, shutdown, or scheduled maintenance procedures used to minimize excess emissions to LRAPA for prior authorization, as required in LRAPA 36-010 and 36-015. New or modified procedures must be received by LRAPA in writing at least 72 hours prior to the first occurrence of the excess emission event. The permittee must abide by the approved procedures and have a copy available at all times.
 - 32.e. The permittee must notify LRAPA of planned startup/shutdown or scheduled maintenance events.
 - 32.f. The permittee must continue to maintain a log of all excess emissions in accordance with LRAPA 36-025-3. However, the permittee is not required to submit the detailed log with the semi-annual and annual monitoring reports. The permittee is only required to submit a brief summary listing the date, time, and the affected emissions units for each excess emission that occurred during the reporting period. [OAR 340-218-0050(3)(c)]
33. Permit Deviations Reporting: The permittee must promptly report deviations from permit requirements that do not cause excess emissions, including those attributable to upset conditions, as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. "Prompt" means within 15 days of the deviation. Deviations that cause excess emissions, as specified in LRAPA Title 36 must be reported in accordance with Condition 32.

34. All required reports must be certified by a responsible official consistent with OAR 340-218-0040(5); [OAR 340-218-0050(3)(c)(D)]
35. Reporting requirements must commence on the date of permit issuance unless otherwise specified in the permit. [OAR 340-218-0050(3)(c)(E)]

Addresses of regulatory agencies are the following, unless otherwise instructed:

LRAPA	Air Operating Permits
1010 Main Street	US Environmental Protection
Springfield, OR 97477	Agency
	Mail Stop OAQ-108
	1200 Sixth Avenue
	Seattle, WA 98101

Semi-annual and Annual Reports [In lieu of Air Contaminant Discharge Permit Condition 18]

36. The permittee must submit three (3) copies of reports of any required monitoring at least every 6 months, completed on forms approved by LRAPA. Six month periods are January 1 to June 30, and July 1 to December 31. One copy of the report must be submitted to the EPA and two copies to LRAPA. All instances of deviations from permit requirements must be clearly identified in such reports: [OAR 340-218-0050(3)(c)(A) and 340-218-0080(6)(d)]
- 36.a. The first semi-annual report is due on July 30 and must include the semi-annual compliance certification. [OAR 340-218-0080].
- 36.b. The annual report is due on February 15 and must consist of the following:
- 36.b.i. the emission fee report; [OAR 340-220-0100]
 - 36.b.ii. a summary of the excess emissions upset log; [LRAPA 36-025]
 - 36.b.iii. the second semi-annual compliance certification; and [OAR 340-218-0080]
 - 36.b.iv. if applicable, the annual certification that the risk management plan is being properly implemented; LRAPA Title 44. [OAR 340-218-0080(7)]
 - 36.b.v. the annual report shall also include annual greenhouse gas (GHG) emissions in accordance with OAR 340 Division 215. [OAR 340-215-0010(2) and 340-215-0040]
37. The semi-annual compliance certification must include the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable): [OAR 340-218-0080(6)(c)]
- 37.a. The identification of each term or condition of the permit that is the basis of the certification;
 - 37.b. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means must include, at a minimum, the methods and means required under OAR 340-218-0050(3). *Note: Certification of compliance with the monitoring conditions in the permit is sufficient to meet this requirement, except when the permittee must certify compliance with new applicable requirements that are incorporated by reference. When certifying compliance with new applicable requirements that are incorporated by reference, the permittee must provide the information required by this condition.* If necessary, the owner or operator also must identify any other material information that must be included in the certification to comply with section 113(c)(2) of the FCAA, which prohibits knowingly making a false certification or omitting

- material information;
- 37.c. The status of compliance with terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification must be based on the method or means designated in condition 37.b of this rule. The certification must identify each deviation and take it into account in the compliance certification. The certification must also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance, as defined under OAR 340-200-0020, occurred; and
- 37.d. Such other facts as LRAPA may require to determine the compliance status of the source.
38. Notwithstanding any other provision contained in any applicable requirement, the owner or operator may use monitoring as required under OAR 340-218-0050(3) and incorporated into the permit, in addition to any specified compliance methods, for the purpose of submitting compliance certifications. [OAR 340-218-0080(6)(e)]

SL/cmw
6/15/2011

GENERAL CONDITIONS**G1. General Provision**

Terms not otherwise defined in this permit have the meaning assigned to such terms in the referenced regulation.

G2. Reference Materials

Where referenced in this permit, the versions of the following materials are effective as of the dates noted unless otherwise specified in this permit:

- a. *Source Sampling Manual*; January 23, 1992 - State Implementation Plan Volume 3, Appendix A4;
- b. *Continuous Monitoring Manual*; January 23, 1992 - State Implementation Plan Volume 3, Appendix A6; and
- c. All state and federal regulations as in effect on the date of issuance of this permit.

G3. Compliance [OAR 340-218-0040(3)(n)(C), 340-218-0050(6), and 340-218-0080(4)]

- a. The permittee must comply with all conditions of this permit. Any permit condition noncompliance constitutes a violation of the Federal Clean Air Act and/or state rules and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. Any noncompliance with a permit condition specifically designated as enforceable only by the state constitutes a violation of state rules only and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
- b. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of permit issuance is supplemental to, and does not sanction noncompliance with the applicable requirements on which it is based.
- c. For applicable requirements that will become effective during the permit term, the source must meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.

G4. Masking Emissions:

The permittee must not install or use any device or other means designed to mask the emission of an air contaminant that causes or is likely to cause detriment to health, safety, or welfare of any person or otherwise violate any other regulation or requirement. [LRAPA 49-040]

G5. Credible Evidence:

Notwithstanding any other provisions contained in any applicable requirement, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any such applicable requirements. [OAR 340-214-0120]

G6. Certification [LRAPA 34-015, 340-218-0040(5), 340-218-0050(3)(c)(D), and 340-218-0080(2)]

Any document submitted to LRAPA or EPA pursuant to this permit must contain certification by a responsible official of truth, accuracy and completeness. All certifications must state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and, complete. The permittee must promptly, upon discovery, report to LRAPA a material error or omission in these records, reports, plans, or other documents.

G7. Open Burning [LRAPA Title 47]

The permittee is prohibited from conducting open burning, except as may be allowed by LRAPA Title 47.

G8. Asbestos [40 CFR Part 61, Subpart M (federally enforceable) and LRAPA Title 43(LRAPA-only enforceable)]

The permittee must comply with LRAPA Title 43, and 40 CFR Part 61, Subpart M when conducting any renovation or demolition activities at the facility.

G9. Stratospheric Ozone and Climate Protection [40 CFR 82 Subpart F, OAR 340-260-0040]

The permittee must comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

G10. Permit Shield [OAR 340-218-0110]

- a. Compliance with the conditions of the permit is deemed compliance with any applicable requirements as of the date of permit issuance provided that:
 - i. such applicable requirements are included and are specifically identified in the permit, or
 - ii. LRAPA, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
- b. Nothing in this rule or in any federal operating permit alters or affects the following:
 - i. the provisions of ORS 468.115 (enforcement in cases of emergency) and ORS 468.035 (function of department);
 - ii. the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - iii. the applicable requirements of the national acid rain program, consistent with section 408(a) of the FCAA; or
 - iv. the ability of LRAPA to obtain information from a source pursuant to ORS 468.095 (investigatory authority, entry on premises, status of records).
- c. Sources are not shielded from applicable requirements that are enacted during the permit term, unless such applicable requirements are incorporated into the permit by administrative amendment, as provided in OAR 340-218-0150(1)(h), significant permit modification, or reopening for cause by LRAPA

G11. Inspection and Entry [OAR 340-218-0080(3)]

Upon presentation of credentials and other documents as may be required by law, the permittee must allow the LRAPA, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), to perform the following:

- a. enter upon the permittee's premises where an Oregon Title V Operating Permit program source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- b. have access to and copy, at reasonable times, any records that must be kept under conditions of the permit;
- c. inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

- d. as authorized by the FCAA or state rules, sample or monitor, at reasonable times, substances or parameters, for the purposes of assuring compliance with the permit or applicable requirements.

G12. Fee Payment [OAR 340-220-0010, and 340-220-0030 through 340-220-0190]

The permittee must pay an annual base fee and an annual emission fee for all regulated air pollutants except for carbon monoxide, any class I or class II substance subject to a standard promulgated under or established by Title VI of the Federal Clean Air Act, or any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under Section 112(r) of the Federal Clean Air Act. The permittee must submit payment to the LRAPA, 1010 Main Street, Springfield, Oregon 97477, within 30 days of the date LRAPA mails the fee invoice or August 1 of the year following the calendar year for which emission fees are paid, whichever is later. Disputes must be submitted in writing to LRAPA. Payment must be made regardless of the dispute. User-based fees will be charged for specific activities (e.g., computer modeling review, ambient monitoring review, etc.) requested by the permittee.

G13. Off-Permit Changes to the Source [OAR 340-218-0140(2)]

- a. The permittee must monitor for, and record, any off-permit change to the source that:
 - i. is not addressed or prohibited by the permit;
 - ii. is not a Title I modification;
 - iii. is not subject to any requirements under Title IV of the FCAA;
 - iv. meets all applicable requirements;
 - v. does not violate any existing permit term or condition; and
 - vi. may result in emissions of regulated air pollutants subject to an applicable requirement but not otherwise regulated under this permit or may result in insignificant changes as defined in OAR 340-200-0020.
- b. A contemporaneous notification, if required under OAR 340-218-0140(2)(b), must be submitted to LRAPA and the EPA.
- c. The permittee must keep a record describing off-permit changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those off-permit changes.
- d. The permit shield of Condition G10 does not extend to off-permit changes.

G14. Section 502(b)(10) Changes to the Source [OAR 340-218-0140(3)]

- a. The permittee must monitor for, and record, any Section 502(b)(10) change to the source, which is defined as a change that would contravene an express permit term but would not:
 - i. violate an applicable requirement;
 - ii. contravene a federally enforceable permit term or condition that is a monitoring, recordkeeping, reporting, or compliance certification requirement; or
 - iii. be a Title I modification.
- b. A minimum 7-day advance notification must be submitted to LRAPA and the EPA in accordance with OAR 340-218-0140(3)(b).
- c. The permit shield of Condition G10 does not extend to Section 502(b)(10) changes.

G15. Administrative Amendment [OAR 340-218-0150]

Administrative amendments to this permit must be requested and granted in accordance with OAR 340-218-0150. The permittee must promptly submit an application for the following types of administrative amendments upon becoming aware of the need for one, but no later than 60 days of such event:

- a. legal change of the registered name of the company with the Corporations Division of the State of Oregon, or
- b. sale or exchange of the activity or facility.

G16. Minor Permit Modification [OAR 340-218-0170]

The permittee must submit an application for a minor permit modification in accordance with OAR 340-218-0170.

G17. Significant Permit Modification [OAR 340-218-0180]

The permittee must submit an application for a significant permit modification in accordance with OAR 340-218-0180

G18. Staying Permit Conditions [OAR 340-218-0050(6)(c)]

Notwithstanding Conditions G16 and G17, the filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

G19. Construction/Operation Modification [OAR 340-218-0190]

The permittee must obtain approval from LRAPA prior to construction or modification of any stationary source or air pollution control equipment in accordance with LRAPA Title 34.

G20. New Source Review Modification [LRAPA 38-0010]

The permittee may not begin construction of a major source or a major modification of any stationary source without having received an air contaminant discharge permit (ACDP) from LRAPA and having satisfied the requirements of LRAPA Title 38.

G21. Need to Halt or Reduce Activity Not a Defense [OAR 340-218-0050(6)(b)]

The need to halt or reduce activity will not be a defense. It will not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

G22. Duty to Provide Information [OAR 340-218-0050(6)(e) and LRAPA 34-015]

The permittee must furnish to LRAPA, within a reasonable time, any information that LRAPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee must also furnish to LRAPA copies of records required to be retained by the permit or, for information claimed to be confidential, the permittee may furnish such records to LRAPA along with a claim of confidentiality.

G23. Reopening for Cause [OAR 340-218-0050(6)(c) and 340-218-0200]

- a. The permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by LRAPA.
- b. A permit must be reopened and revised under any of the circumstances listed in OAR 340-218-0200(1)(a).
- c. Proceedings to reopen and reissue a permit must follow the same procedures as apply to initial permit issuance and affect only those parts of the permit for which cause to reopen exists.

G24. Severability Clause [OAR 340-218-0050(5)]

Upon any administrative or judicial challenge, all the emission limits, specific and general conditions, monitoring, recordkeeping, and reporting requirements of this permit, except those being challenged, remain valid and must be complied with.

G25. Permit Renewal and Expiration [OAR 340-218-0040(1)(a)(D) and 340-218-0130]

- a. This permit expires at the end of its term, unless a timely and complete renewal application is submitted as described below. Permit expiration terminates the permittee's right to operate.
- b. Applications for renewal must be submitted at least 12 months before the expiration of this permit, unless LRAPA requests an earlier submittal. If more than 12 months is required to process a permit renewal application, LRAPA must provide no less than six (6) months for the owner or operator to prepare an application.
- c. Provided the permittee submits a timely and complete renewal application, this permit will remain in effect until final action has been taken on the renewal application to issue or deny the permit.

G26. Permit Transference [OAR 340-218-0150(1)(d)]

The permit is not transferable to any person except as provided in OAR 340-218-0150(1)(d).

G27. Property Rights [OAR 340-218-0050(6)(d)]

The 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, except as provided in OAR 340-218-0110.

G28. Permit Availability [OAR 340-218-0120(2)]

The permittee must have available at the facility at all times a copy of the LRAPA Title V Operating Permit and must provide a copy of the permit to LRAPA or an authorized representative upon request.

ALL INQUIRIES SHOULD BE DIRECTED TO:

Lane Regional Air Protection Agency
1010 Main Street
Springfield, OR 97477
(541) 736-1056