

**LANE REGIONAL AIR PROTECTION AGENCY
OREGON TITLE V OPERATING PERMIT**

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

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:

Johnson Crushers International
86470 Franklin Blvd
Eugene, OR 97405

INFORMATION RELIED UPON:

Application Number: 53442
Received: 11/07/2008

PLANT SITE LOCATION:

86470 Franklin Blvd
Eugene, OR 97405

LAND USE COMPATIBILITY STATEMENT:

Issued by: Lane County
Dated: March 23, 2007

ISSUED BY THE LANE REGIONAL AIR PROTECTION AGENCY



Merlyn L. Hough, Director

April 7, 2009
Date

Nature of Business: Rock Crushing Equipment Manufacturing

SIC: 3531

NAICS:333120

RESPONSIBLE OFFICIAL

Title: President

FACILITY CONTACT PERSON

Name: Randall E. Jones
Title: Safety & Environmental Manager
Phone: 541-736-1400 x525

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LIST OF ABBREVIATIONS THAT MAY BE USED IN THIS PERMIT

ACDP	Air Contaminant Discharge Permit	MACT	Maximum Achievable Control Technology
Act	Federal Clean Air Act	NA	Not applicable
ASTM	American Society of Testing and Materials	NESHAP	National Emission Standards for Hazardous Air Pollutants
Btu	British thermal unit	NO _x	Nitrogen oxides
CFR	Code of Federal Regulations	O ₂	Oxygen
CO	Carbon Monoxide	OAR	Oregon Administrative Rules
CPMS	Continuous parameter monitoring system	ODEQ	Oregon Department of Environmental Quality
DEQ	Department of Environmental Quality	ORS	Oregon Revised Statutes
dscf	Dry standard cubic feet	O&M	Operation and maintenance
EF	Emission factor	Pb	Lead
EPA	US Environmental Protection Agency	PCD	Pollution Control Device
EU	Emissions Unit	PM	Particulate matter
FCAA	Federal Clean Air Act	PM ₁₀	Particulate matter less than 10 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
HAP	Hazardous Air Pollutant as defined by LRAPA's Title 12	psia	pounds per square inch, actual
HCFC	Halogenated Chloro-Fluoro-Carbons	SERP	Source emissions reduction plan
ID	Identification number or label	SO ₂	Sulfur dioxide
I&M	Inspection and maintenance	ST	Source test
LRAPA	Lane Regional Air Protection Agency	VE	Visible emissions
		VMT	Vehicle miles traveled
		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 such time as 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, 7, 8, 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
Paint Booth Operations	PBO	Paint Booth Filters	PBF
Particulate Collection Systems	Exh	Three (3) Baghouses	BH-Bay3 BH-Bay4 BH-GenVen
Road Dust	RD	None	NA
Weld Processes	WD	None	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 >250µ	no fallout	NA	NA	8
40 CFR Part 68	9	Risk management	Risk management plan	NA	NA	9

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 week 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 2 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.

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.

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] This condition is enforceable only by LRAPA.
8. **Monitoring Requirement:** The permittee must maintain a log of each 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 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 Unit Paint Both Operations (EU-PBO) Requirements

Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirement	Monitoring Conditions
40 CFR 63.3890(b)(1)	10	VOC/HAP	2.6 lb HAP/gal solids	Reporting, Recordkeeping	11, 12, and 13
32-010-1.B	14	Visible Emissions	20% opacity, 3 min. in 60 min.	Visual Surveys, Reporting, Recordkeeping	15.a
32-015-2	15	PM	0.1 gr/dscf	Visual Surveys, Reporting, Recordkeeping	15.a

10. **Applicable Requirement:** The permittee shall limit combined organic HAP emissions to the atmosphere to no more than 2.6 lb/gal (0.31 kg/liter) of coating solids used during each 12-month compliance period. [40 CFR 63.3890(b)(1)]
- 10.a. **Options for Meeting Emission Limitations:** The permittee shall include all coatings (as defined in 40 CFR 63.3981), thinners and/or other additives, and cleaning materials used when determining whether the organic HAP emission rate is equal to or less than the applicable emission limit in Condition 10. To make this determination the permittee shall use at least one (1) of the options listed in Conditions 10.a.i and 10.a.ii. The permittee may apply any of the compliance options to an individual coating operation, or to multiple coating operations as a group, or to the entire affected source. The permittee may use different coating operations, or at different times on the same coating operation. The permittee may employ different compliance options when different coatings are applied to the same part, or when the same coating is applied to different parts. However, the permittee shall not use different compliance options at the same time on the same coating operation. If the permittee switches between compliance options for any coating operation or group of coating operations, the permittee shall document this switch as

required by 40 CFR 63.3930(c), and shall report it in the next semiannual compliance report required by 40 CFR 63.3920. [40 CFR 63.3891]

- 10.a.i. Compliant Material Option: Demonstrate that the organic HAP content of each coating used in the coating operation(s) is less than or equal to the applicable emission limit in Condition 10, and that each thinner and/or other additive, and cleaning material used contains no organic HAP. The permittee shall meet all the requirements of Subsections 63.3940, 63.3941, and 63.3942 to demonstrate compliance with the applicable emission limit using this option. [40 CFR 63.3891(a)]
- 10.a.ii. Emission Rate Without Add-on Controls Option: Demonstrate that, based on the coatings, thinners, and/or other additives, and cleaning materials used in the coating operation(s), the organic HAP emission rate for the coating operation(s) is less than or equal to the applicable limit in Condition 10, calculated as a 12-month emission rate and determined on a monthly basis. The permittee shall meet all the requirements of 63.3940, 63.3941, and 63.3942 to demonstrate compliance with the emission limit using this option. [40 CFR 63.3891(b)]
- 10.a.iii. The permittee shall be in compliance with the applicable emission limitation in Condition 10 at all times. [40 CFR 63.3900(a)(1)]

11. **Semiannual Compliance Reports**: The permittee shall submit semiannual compliance reports for each affected source according to the requirements of 40 CFR 63.3920(a)(1) through (7). [40 CFR 63.3920(a)]

- 11.a. If the organic HAP emission rate for any 12-month compliance period exceeded the applicable emission limit in Condition 10, this is a deviation from the emission limitation for that compliance period and must be reported as specified in § 63.3910(c)(6) and 63.3920(a)(6). [40 CFR 63.3952(b)]
- 11.b. As part of each semi-annual compliance report required by § 63.3920, the permittee shall identify the coating operation(s) for which the permittee used the emission rate without add-on controls option. If there were no deviations from the emission limitations, the permittee shall submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the reporting period because the organic HAP emission rate for each compliance period was less than or equal to the applicable limit in Condition 10, determined according to Condition 13. [40 CFR 63.3952(c)]

12. **Recordkeeping**: The permittee shall collect and keep records of the data and information specified in 40 CFR 63.3930(a), (b), (c)(1) through (3), (d), (e), (f), (g) (h), and (j). [40 CFR 63.3930]

- 12.a. The records shall be in a form suitable and readily available for expeditious review, according to §63.10(b)(1). Where appropriate, the records may be maintained as electronic spreadsheets or as a database. [40 CFR 63.3931(a)]
- 12.b. As specified in § 63.10(b)(1), the permittee shall keep each record for five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report or record. [40 CFR 63.3931(b)]
- 12.c. The permittee shall keep each record on-site for at least two (2) years after the date of each occurrence, measurement, maintenance, corrective action, report or record according to §63.10(b)(1). The permittee may keep the records off-site for the remaining 3 years.

13. **Monitoring and Recordkeeping Requirement(s)**: The permittee shall perform the calculations in §63.3951(a) through (g) on a monthly basis using data from the previous 12 months of operation. [40 CFR 63.3952(a)]

Emissions Units Exhaust, Weld Process, and Paint Booth Operations Particulate (EU-Exh, EU-WD, and EU-PBO Particulate) Requirements

Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirement	Monitoring Conditions
32-010-1.B	14	Visible Emissions	20% opacity, 3 min. in 60 min.	Visual Surveys, Reporting, Recordkeeping	15.a
32-015-2	15	PM	0.1 gr/dscf	Visual Surveys, Reporting, Recordkeeping	15.a

14. **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]
- 14.a. **Monitoring Requirement:** At least once each week 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)]
- 14.a.i. For fugitive emission sources including but not limited to roads and baghouse dust containers, immediately take corrective action to minimize the fugitive emissions, including but not limited to those actions identified in Condition 4 and those additional measures identified in the facility O & M plan required by Condition 19; or
- 14.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
- 14.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.
- 14.c. **Reporting:** The records required by Condition 14.b shall be attached to the semi-annual reports submitted in accordance with Condition 32.
15. **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].
- 15.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 14.a. through 14.c.

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. The plant site emissions must not exceed the following limits for any 12 consecutive calendar month period: [LRAPA 42-0040 through 42-0043]

Pollutant	Plant Site Emission Limit (tons/yr)	Unassigned Emissions (tons/yr)	Emission Reduction Credit (tons/yr)
PM	24	0	0
PM ₁₀	14	0	0
SO ₂	NA	0	0
NO _x	NA	0	0
CO	NA	0	0
VOC	39	0	0

18. Monitoring Requirement: By the 15th day of each month the permittee must determine compliance with the Plant Site Emission Limits established in Condition 17 of this permit by conducting monitoring and calculations for each 12-month period in accordance with the following procedures, test methods, and frequencies: [OAR 340-218-0050(3)]

18.a. For VOC containing materials, the permittee must calculate emissions using the following formula, process parameters, and emission factors:

$$E = \sum (RM \times D \times VOC \times EF \times K)$$

where:

- E = Pollutant emissions in lbs/month and tons/yr.
- ∑ = Symbol representing “summation of”
- RM = Raw Material usage in gallons per month and gallons per year;
- D = Density of each Raw Material used in pounds per gallon as obtained from the Material Safety Data Sheet (MSDS) or Certified Product Data Sheet (CPDS);
- VOC = VOC content of Raw Material by weight fraction as obtained from the MSDS or CPDS;
- EF_{eu} = Emission factor. Unless the MSDS or CPDS states otherwise, an emission factor of 1.0 will be assumed for all raw material containing VOC and HAP; and
- K = Conversion constant: 1 ton/2,000 lbs for annual emissions calculations.

18.b. For PM containing materials and emission units the permittee must calculate emissions using the following formula, process parameters, and emission factors:

$$E = P_{eu} \times EF_{eu} \times K$$

where:

- E = Pollutant emissions in tons/yr.
- P_{eu} = Process parameter identified in the table below;
- EF_{eu} = Emission factor identified for each emissions unit and pollutant in the table below;
- K = Conversion constant: 1 ton/2,000 lbs for annual emissions calculations.

Emission Source Description	Throughput Type [Units]	Emission Factors (lb/throughput unit)				
		PM10	SO2	NOX	CO	VOC
EU-Exh	Material Collected from each Baghouse [lbs]	0.053	NA	NA	NA	NA
EU-PBO	Paint Booth Particulate – Constant [lbs PM10/month]	110	NA	NA	NA	NA
EU-WD	Welding Wire by type [1000 lbs]	15.1	NA	NA	NA	NA
aggregate insignificant emissions (PM from EU-RD)	Constant Time (fugitives) [year]	2000	NA	NA	NA	NA

18.c. The emissions factors listed in Condition 18.b are not enforceable limits unless otherwise specified in this permit. Compliance with PSELs must only be determined by the calculations contained in this Condition.

GENERAL MONITORING AND RECORDKEEPING REQUIREMENTS

General Monitoring Requirements:

- 19. 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]
- 20. The permittee must not knowingly render inaccurate any required monitoring device or method. [OAR 340-218-0050(3)(a)(E)]
- 21. 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 340-218-0050(3)(a)(F)]
- 22. 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)]

HAP Monitoring Requirements:

- 23. The permittee shall monitor HAP emissions by calculating a 12-month total for each HAP and combination of HAPs by the 15th working day of each month. The 12-month rolling total shall be determined by summing the total HAP emissions from the previous 12 months. The HAP emission estimates shall be included in each annual report as per Condition 32.b.vii.

Monthly HAP emissions shall be calculated using the following method.

$$HAP\ Emissions = \frac{(\%HAP\ by\ weight)}{(100)} \times \frac{(Density\ lb)}{(gal)} \times \frac{(Gal\ Consumed)}{(month)} \times \frac{(1\ ton)}{(2000\ lbs)}$$

The density and HAP content of each material used shall be obtained from the MSDS or Certified Product Data Sheet. Where a range of HAP contents is listed in the MSDS, the highest value in the range shall be used for this calculation.

General Recordkeeping Requirements

24. The permittee must maintain the following general records of testing and monitoring required by this permit: [OAR 340-218-0050(3)(b)(A)]
 - 24.a. the date, place as defined in the permit, and time of sampling or measurements;
 - 24.b. the date(s) analyses were performed;
 - 24.c. the company or entity that performed the analyses;
 - 24.d. the analytical techniques or methods used;
 - 24.e. the results of such analyses;
 - 24.f. the operating conditions as existing at the time of sampling or measurement; and
 - 24.g. the records of quality assurance for continuous monitoring systems (including but not limited to quality control activities, audits, calibration drift checks).

25. 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)]

26. 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)]

27. 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

28. Excess Emissions Reporting The permittee must report all excess emissions as follows: [LRAPA Title 36]
- 28.a. Immediately (within 1 hour of the event) notify LRAPA of an excess emission event by phone, e-mail, or facsimile; and
 - 28.b. Within 15 days of the excess emissions event, submit a written report that contains the following information: [LRAPA 36-025]
 - 28.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;
 - 28.b.ii. The date and time the owner or operator notified LRAPA of the event;
 - 28.b.iii. The equipment involved;
 - 28.b.iv. Whether the event occurred during planned startup, planned shutdown, scheduled maintenance, or as a result of a breakdown, malfunction, or emergency;
 - 28.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;
 - 28.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);
 - 28.b.vii. The final resolution of the cause of the excess emissions; and
 - 28.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.
 - 28.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.
 - 28.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.
 - 28.e. The permittee must notify LRAPA of planned startup/shutdown or scheduled maintenance events.
 - 28.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)]
29. 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 28.
30. All required reports must be certified by a responsible official consistent with OAR 340-218-0040(5); [OAR 340-218-0050(3)(c)(D)]

31. 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
1010 Main Street
Springfield, OR 97477

Air Operating Permits
US Environmental Protection
Agency
Mail Stop OAQ-108
1200 Sixth Avenue
Seattle, WA 98101

Semi-annual and Annual Reports

32. 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)]
- 32.a. The first semi-annual report is due on July 30 and must include the semi-annual compliance certification, OAR 340-218-0080.
- 32.a.i. Each semi-annual report shall also include the NESHAP information required by Condition 11.
- 32.b. The annual report is due on February 15 and must consist of the following:
- 32.b.i. the emission fee report; [OAR 340-220-0100]
- 32.b.ii. a summary of the excess emissions upset log; [LRAPA 36-025]
- 32.b.iii. the second semi-annual compliance certification; and [OAR 340-218-0080]
- 32.b.iv. the annual certification that the risk management plan is being properly implemented; LRAPA Title 44. [OAR 340-218-0080(7)]
- 32.b.v. the second semi-annual report shall also include the NESHAP information required by Condition 11
- 32.b.vi. document any new VOC/HAP-containing raw materials used by the facility and provide updated or new MSDS or Certified Product Data Sheet as necessary.
- 32.b.vii. the HAP emission estimates required by Condition 23.
33. 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)]
- 33.a. The identification of each term or condition of the permit that is the basis of the certification;
- 33.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;
- 33.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 33.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
- 33.d. Such other facts as LRAPA may require to determine the compliance status of the source.
34. 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)]

GENERAL CONDITIONS

G1. General Provision

Terms not otherwise defined in the permit shall 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 the 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 shall comply with all conditions of the federal operating 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 shall be supplemental to, and shall 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 shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.

G4. 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]

G5. Certification [OAR 340-214-0110, 340-218-0040(5), 340-218-0050(3)(d), and 340-218-0080(2)]

Any document submitted to LRAPA or EPA pursuant to this permit shall contain certification by a responsible official of truth, accuracy and completeness. All certifications shall 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 shall promptly, upon discovery, report to LRAPA a material error or omission in these records, reports, plans, or other documents.

G6. Open Burning [LRAPA Title 47]

The permittee is prohibited from conducting open burning, except as may be allowed by LRAPA "Open Burning".

- G7. Asbestos [40 CFR Part 61, Subpart M (federally enforceable), OAR 340-248-0200 through 340-248-0280, and LRAPA 43-015 (LRAPA-only enforceable)]

The permittee shall comply with OAR 340-248-0200 through 340-248-0280, LRAPA 43-015, and 40 CFR Part 61, Subpart M when conducting any renovation or demolition activities at the facility.

- G8. Stratospheric Ozone and Climate Protection [40 CFR 82 Subpart F, LRAPA 32-080]

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

- G9. Permit Shield [OAR 340-218-0110]

- a. Compliance with the conditions of the permit shall be 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 shall alter or affect 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.

- G10. Inspection and Entry [OAR 340-218-0080(3)]

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow Lane Regional Air Protection Agency (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 a LRAPA 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 LRAPA rules, sample or monitor, at reasonable times, substances or parameters, for the purposes of assuring compliance with the permit or applicable requirements.

G11. Fee Payment [OAR 340-220-0010, and 340-220-0030 through 340-220-0190]

The permittee shall pay an annual base fee and an annual emission fee for particulates, sulfur dioxide, nitrogen oxides and volatile organic compounds. *The permittee shall submit payment to Lane Regional Air Protection Agency, 1010 Main Street, Springfield, OR 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 shall be submitted in writing to LRAPA. Payment shall be made regardless of the dispute. User-based fees shall be charged for specific activities (e.g., computer modeling review, ambient monitoring review, etc.) requested by the permittee.

G12. Off-Permit Changes to the Source [OAR 340-218-0140(2)]

- a. The permittee shall 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), shall be submitted to LRAPA and the EPA.
- c. The permittee shall 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 G9 shall not extend to off-permit changes.

G13. Section 502(b)(10) Changes to the Source [OAR 340-218-0140(3)]

- a. The permittee shall 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 shall be submitted to LRAPA and the EPA in accordance with OAR 340-218-0140(3)(b).
- c. The permit shield of Condition G9 shall not extend to Section 502(b)(10) changes.

G14. Administrative Amendment [OAR 340-218-0150]

Administrative Amendments to this permit shall be requested and granted in accordance with OAR 340-218-0150. The permittee shall 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.

G15. Minor Permit Modification [OAR 340-218-0170]

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

G16. Significant Permit Modification [OAR 340-218-0180]

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

G17. Staying Permit Conditions [OAR 340-218-0050(6)(e)]

Notwithstanding Conditions G14 and G15, 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.

G18. Construction/Operation Modification [OAR 340-218-0190]

No permittee shall construct or make modifications required to be reviewed under OAR 340-218-0190, the construction/operation modification rules, without receiving a Notice of Approval in accordance with OAR 340-218-0190. The permittee should allow 60 days for LRAPA review of applications for a construction/operation modification if public notice is not required, or 180 days if public notice is required.

G19. New Source Review Modification [LRAPA Title 38]

No permittee shall construct or make modifications required to be reviewed under New Source Review (LRAPA 38-001) without receiving an Air Contaminant Discharge Permit (ACDP) (LRAPA 34-010). The permittee should allow 180 days for LRAPA review of an ACDP application for New Source Review.

G20. Need to Halt or Reduce Activity Not a Defense [OAR 340-218-0050(6)(b)]

The need to halt or reduce activity shall not be a defense. It shall 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.

G21. Duty to Provide Information [OAR 340-218-0050(6)(e) and LRAPA 34-015]

The permittee shall 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 shall 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.

G22. Reopening for Cause [OAR 340-218-0050(6)(c) and 340-218-020]

- a. The permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by LRAPA.
- b. A permit shall 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 shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists.

G23. 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.

G24. Permit Renewal and Expiration [OAR 340-218-0040(1)(a)(D) and 340-218-0130]

- a. This permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted as described below.
- b. Applications for renewal shall 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 shall provide no less than six (6) months for the owner or operator to prepare an application. Provided the permittee submits a timely and complete renewal application, this permit shall remain in effect until final action has been taken on the renewal application to issue or deny the permit.

G25. 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).

G26. Property Rights [OAR 340-200-0020(9)(c) and 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.

G27. Permit Availability [LRAPA 34-015 and 340-218-0120(2)]

The permittee shall have available at the facility at all times a copy of the LRAPA Title V Operating Permit and shall 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