

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 32

EMISSION STANDARDS

Section 32-001 Definitions

See Title 12, Definitions.

Section 32-005 Highest and Best Practicable Treatment and Control Required

1. As specified in 32-006 through 32-009 and subsections 2 through 6 of this section, the highest and best practicable treatment and control of air contaminant emissions shall in every case be provided so as to maintain overall air quality at the highest possible levels, and to maintain contaminant concentrations, visibility reduction, odors, soiling and other deleterious factors at the lowest possible levels. In the case of new sources of air contamination, particularly those located in areas with existing high-level air quality, the degree of treatment and control provided shall be such that degradation of existing air quality is minimized to the greatest extent possible.
2. A source shall be deemed to be in compliance with subsection 1 of this section if the source is in compliance with all other applicable emission standards and requirements contained in LRAPA Titles 32 through 51 and OAR Division 218, including but not limited to requirements applicable to:
 - A. specific pollutants in Title 32;
 - B. specific existing and new source categories in Title 33;
 - C. hazardous air pollutants in Title 44
 - D. control requirements and operational and maintenance requirements in sections 32-007 through 32-009; and
 - E. review of new major sources and major modifications in Title 38.
3. LRAPA may adopt additional rules as necessary to ensure that the highest and best practicable treatment and control is provided as specified in subsection 1 of this section. Such rules may include, but are not limited to, the following requirements:
 - A. Applicable to a source category, pollutant or geographic area of Lane County;
 - B. Necessary to protect public health and welfare for air contaminants that are not otherwise regulated by LRAPA; or

- C. Necessary to address the cumulative impact of sources on air quality.
4. LRAPA encourages the owner or operator of a source to further reduce emissions from the source beyond applicable control requirements where feasible.
 5. Nothing in sections 32-005 through 32-009 revokes or modifies any existing permit term or condition unless or until LRAPA revokes or modifies the term or condition by a permit revision. Adoption of 32-005 is not intended to withdraw authority for application of any existing policy for new sources of toxic and hazardous air pollutants to a federal operating permit program source until the effective date of the program.
 6. Compliance with a specific emission standard in these rules does not preclude the required compliance with any other applicable emission standard.

Section 32-006 Pollution Prevention

The owner or operator of a source is encouraged to take into account the overall impact of the control methods selected, considering risks to all environmental media and risks from all affected products and processes. The owner or operator of a source is encouraged, but not required, to utilize the following hierarchy in controlling air contaminant emissions:

1. Modify the process, raw materials or product to reduce the toxicity and/or quantity of air contaminants generated;
2. Capture and reuse air contaminants;
3. Treat to reduce the toxicity and/or quantity of air contaminants released; or
4. Otherwise control emissions of air contaminants.

Section 32-007 Operating and Maintenance Requirements

1. Operational, Maintenance and Work Practice Requirements:
 - A. Where LRAPA has determined that specific operational, maintenance, or work practice requirements are appropriate to ensure that the owner or operator of a source is operating and maintaining air pollution control equipment and emission reduction processes at the highest reasonable efficiency and effectiveness to minimize emissions, LRAPA shall establish such requirements by permit condition or Notice of Construction (NOC) approval.
 - B. Operational, maintenance and work practice requirements include, but are not limited to:
 - (1) Flow rates, temperatures and other physical or chemical parameters related to the operation of air pollution control equipment and emission reduction processes;
 - (2) Monitoring, record-keeping, testing and sampling requirements and schedules;

- (3) Maintenance requirements and schedules; or
- (4) Requirements that components of air pollution control equipment be functioning properly.

2. Emission Action Levels

- A. Where LRAPA has determined that specific operational, maintenance, or work practice requirements considered or required under subsection 1 of this section are not sufficient to ensure that the owner or operator of a source is operating and maintaining air pollution control equipment and emission reduction processes at the highest reasonable efficiency and effectiveness, LRAPA may establish, by permit or Notice of Construction (NOC) approval, specific emission action levels in addition to applicable emission standards. An emission action level shall be established at a level which ensures that air pollution control equipment or an emission reduction process is operated at the highest reasonable efficiency and effectiveness to minimize emissions.
 - B. If emissions from a source equal or exceed the applicable emission action level, the owner or operator of the source shall:
 - (1) Take corrective action as expeditiously as practical to reduce emissions to below the emission action level;
 - (2) Maintain records at the plant site for two (2) years which document the exceedance, the cause of the exceedance, and the corrective action taken;
 - (3) Make such records available for inspection by LRAPA during normal business hours; and
 - (4) Submit such records to LRAPA upon request.
 - C. LRAPA shall revise an emission action level if it finds that such level does not reflect the highest reasonable efficiency and effectiveness of air pollution control equipment and emission reduction processes.
 - D. An exceedance of an emission action level which is more stringent than an applicable emission standard shall not be a violation of such emission standard.
3. In determining the highest reasonable efficiency and effectiveness for purposes of this rule, LRAPA shall take into consideration operational variability and the capability of air pollution control equipment and emission reduction processes. If the performance of air pollution control equipment and emission reduction processes during start-up or shut-down differs from the performance under normal operating conditions, LRAPA shall determine the highest reasonable efficiency and effectiveness separately for these start-up and shut-down operating modes.

Section 32-008 Typically Achievable Control Technology (TACT)

1. Existing Sources. An existing emissions unit must meet TACT for existing sources if:

- A. The emissions unit, for the pollutants emitted, is not subject to emissions standards under Title 30, Title 32, Title 33, Title 38, Title 39 or Title 46 at the time TACT is required;
 - B. The source is required to have a permit;
 - C. The emissions unit has emissions of criteria pollutants equal to or greater than five (5) tons per year of particulate or ten (10) tons per year of any gaseous pollutant; and
 - D. LRAPA determines that air pollution control equipment and emission reduction processes in use for the emissions unit do not represent TACT and that further emission control is necessary to address documented nuisance conditions, address an increase in emissions, ensure that the source is in compliance with other applicable requirements, or to protect public health or welfare or the environment.
2. New and Modified Sources. A new or modified emissions unit must meet TACT for new or modified sources if:
- A. The new or modified emissions unit, for the pollutants to be emitted, is not subject to New Source Review requirements in Title 38, an applicable Standard of Performance for New Stationary Sources in Title 46, or any other standard applicable only to new or modified sources in Title 32, Title 33, or Title 39 at the time TACT is required;
 - B. The source is required to have a permit.
 - C. The emissions unit:
 - (1) If new, would have emissions of any criteria pollutant equal to or greater than 1 ton per year, or of PM₁₀ equal to or greater than 500 pounds per year in a PM₁₀ nonattainment area; or
 - (2) If modified, would have an increase in emissions from the permitted level for the emissions unit of any criteria pollutant equal to or greater than 1 ton per year, or of PM₁₀ equal to or greater than 500 pounds per year in a PM₁₀ nonattainment area; and
 - D. LRAPA determines that the proposed air pollution control equipment and emission reduction processes do not represent TACT.
3. Prior to making a TACT determination, LRAPA shall notify the owner or operator of a source of its intent to make such determination utilizing information known to LRAPA. The owner or operator of the source may supply LRAPA with additional information by a reasonable date set by LRAPA for use in making the TACT determination.
4. The owner or operator of a source subject to TACT shall submit compliance plans and specifications by a reasonable date established by LRAPA for approval by LRAPA. The owner or operator of the source shall demonstrate compliance in accordance with a method and compliance schedule approved by LRAPA.

Section 32-009 Additional Control Requirements for Stationary Sources of Air Contaminants

LRAPA shall establish control requirements in addition to otherwise applicable requirements by permit, if necessary, as specified in section 1 through 5 of this section.

1. Requirements shall be established to prevent violation of an Ambient Air Quality Standard caused or projected to be caused substantially by emissions from the source as determined by modeling, monitoring or a combination thereof. For existing sources, the violation of an Ambient Air Quality Standard shall be confirmed by monitoring conducted by LRAPA.
2. Requirements shall be established to prevent significant impairment of visibility in Class I areas caused or projected to be caused substantially by a source as determined by modeling, monitoring or a combination thereof. For existing sources, the visibility impairment shall be confirmed by monitoring conducted by LRAPA.
3. A requirement applicable to major source shall be established if it has been adopted by EPA but has not otherwise been adopted by the EQC or the LRAPA Board.
4. An additional control requirement shall be established if requested by the owner or operator of a source.
5. Additional controls may be required to achieve air contaminant reduction as part of a State Implementation Plan.

Section 32-010 Visible Air Contaminant Limitations

1. Except as provided in Subsection 2, air contaminant emissions from any air contaminant source must not equal or exceed 20% opacity for a period or periods aggregating more than three minutes in any one hour.
2. Existing Fuel Burning Equipment Utilizing Wood Wastes (any source installed, constructed or modified before June 1, 1970). Air contaminant emissions from any single source must not equal or exceed 40% opacity for a period or periods aggregating more than three minutes in any one hour.
3. Exception--Visible Air Contaminant Standards. Uncombined Water. Where the presence of uncombined water is the only reason for failure of any emission to meet the requirements of Section 32-010-1 or 2, such section shall not apply.
4. Veneer Dryers (moved to Title 33, section 33.060-2.A)
5. Opacity is determined in accordance with the procedures specified in the definition of "opacity" in LRAPA Title 12.

Section 32-015 Particulate Matter Weight Standards

Notwithstanding emission limits of Sections 32-020 and 32-030, particulate emissions shall not exceed:

1. 0.2 grain per standard dry cubic foot for any air contaminant source constructed or modified prior to June 1, 1970; or

2. 0.1 grain per standard dry cubic foot for any air contaminant source installed, constructed or modified after June 1, 1970.

Section 32-020 Particulate Matter Weight Standards - Existing Combustion Sources

The maximum allowable emission of particulate matter from any existing combustion source (sources installed, constructed or modified prior to June 1, 1970) shall not exceed 0.2 grain per cubic foot of exhaust gas, adjusted to 50 percent excess air or calculated to 12 percent carbon dioxide.

Section 32-030 Particulate Matter Weight Standards - New Combustion Sources

The maximum allowable emission of particulate matter from any new combustion source (sources installed, constructed or modified after June 1, 1970) shall not exceed 0.1 grain per cubic foot of exhaust gas, adjusted to 50 percent excess air or calculated to 12 percent carbon dioxide.

Section 32-045 Process Weight Emission Limitations

- A. The maximum allowable emissions of particulate matter for specific processes shall be a function of process weight and shall be determined from Table 1 of Title 32.
- B. The maximum allowable emissions of particulate matter from hot mix asphalt plants shall be determined from Table 1 of Title 32 except that the maximum allowable particulate emissions from processes greater than 60,000 pounds per hour shall be limited to 40 pounds per hour.

Section 32-055 Particulate Matter Size Standard

No person shall 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 when notified by LRAPA that the deposition exists and must be controlled.

Section 32-060 Air Conveying Systems

1. Affected Sources

Dry material air conveying systems located within the Eugene/Springfield PM₁₀ Nonattainment Area which use a cyclone or other mechanical separating device and which have a baseline year emission rate of three (3) Metric Tons or more of particulate matter are affected sources.

2. Emission Limits for Affected Sources

Notwithstanding the general and specific emission standards and regulations contained in these rules, affected sources shall not emit particulate matter to the atmosphere in excess of the following amounts:

- A. One (1) Metric Ton/year (1.10 Tons/year)
- B. 2.88 kg/day (6.24 lbs./day)

GASEOUS EMISSION LIMITATIONS

Section 32-065 Sulfur Content of Fuels

1. Residual Fuel Oils

No person shall sell, distribute, use or make available for use, any residual fuel oil containing more than 1.75 percent sulfur by weight.

2. Distillate Fuel Oils

No person shall sell, distribute, use or make available for use, any distillate fuel oil or on-specification used oil containing more than the following percentages of sulfur:

- A. ASTM Grade 1 fuel oil - 0.3 percent by weight
- B. ASTM Grade 2 fuel oil - 0.5 percent by weight
- C. ASTM Grade 4 fuel oil- 1.5 percent by weight

3. Coal

- A. Except as provided in sub-section B of this section, no person shall sell, distribute, use or make available for use, any coal containing greater than 1.0 percent sulfur by weight.
- B. Except as provided for sub-subsections D and E of this subsection, no person shall sell, distribute, use or make available for use any coal or coal-containing fuel with greater than 0.3% sulfur and 5% volatile matter as defined in ASTM Method D3175 for direct space heating within the Eugene-Springfield or Oakridge PM10 Air Quality Maintenance Areas. For coals subjected to a devolatilization process, compliance with the sulfur limit may be demonstrated on the sulfur content of coal prior to the devolatilization process.
- C. Distributors of coal or coal-containing fuel destined for direct residential space heating use shall keep records for a five-year period which shall be available for LRAPA inspection and which:
 - (1) specify quantities of coal or coal-containing fuels sold;
 - (2) contain name and address of customers who are sold coal or coal-containing fuels;
 - (3) specify the sulfur and volatile content of coal or the coal-containing fuel sold to residences in the Eugene-Springfield or Oakridge PM10 Air Quality Maintenance Areas.
- D. Users of coal for direct residential space heating in 1980 who apply in writing by July 1, 1983 and receive written approval from LRAPA shall be exempted from the requirement of sub-subsection B of this subsection provided they certify that they used more than one-half (1/2) ton of coal in 1980.

- E. Distributors may sell coal not meeting specification in sub-subsection B of this subsection to those users who have applied for and received the exemption provided for in subsection D of this section.
4. Exemptions. Exempted from the requirements of 32-065.1-3, above, are:
- A. Fuels used exclusively for the propulsion and auxiliary power requirements of vessels, railroad locomotives and diesel motor vehicles.
 - B. With prior approval of LRAPA, fuels used in such a manner or control provided such that sulfur dioxide emissions can be demonstrated to be equal to or less than those resulting from the combustion of fuels complying with the limitations of 32-065.

Section 32-070 Sulfur Dioxide Emission Limitations

Fuel Burning Equipment: The following emissions standards are applicable to new sources (any air contaminant source installed, constructed or modified after January 1, 1972) only:

1. For fuel burning equipment having more than 150 million BTU per hour heat input, but not more than 250 million BTU per hour input, no person shall cause, suffer, allow or permit the emission into the atmosphere of sulfur dioxide in excess of:
 - A. 1.4 lb. per million BTU heat input, maximum 3-hour average, when liquid fuel is burned.
 - B. 1.6 lb. per million BTU heat input, maximum 3-hour average, when solid fuel is burned.
2. For fuel burning equipment having more than 250 million BTU per hour heat input, no person shall cause, suffer, allow or permit the emission into the atmosphere of sulfur dioxide in excess of:
 - A. 0.8 lb. per million BTU heat input, maximum 3-hour average, when liquid fuel is burned.
 - B. 1.2 lb. per million BTU heat input, maximum 3-hour average, when solid fuel is burned.

Section 32-075 Federal Acid Rain Regulations Adopted by Reference

1. **40 CFR Part 72, 75, and 76 (July 1, 2000)** is by this reference adopted and incorporated herein, for purposes of implementing an acid rain program that meets the requirements of Title IV of the Clean Air Act. The term "permitting authority" shall mean the LRAPA, and the term "Administrator" shall mean the Administrator of the United States Environmental Protection Agency.
2. If the provisions or requirements of **40 CFR Part 72** conflict with or are not included in OAR Divisions 218 and 220, the **Part 72** provisions and requirements shall apply and take precedence.

Section 32-080 Control of Ozone-Depleting Chemicals

1. The purpose of Section 32-080 is to reduce the use of stratospheric ozone-depleting chemicals, to recycle those chemicals already in use, and to encourage the use of less dangerous chemicals. The LRAPA Board of Directors, having determined that equipment for the recovery and recycling of chlorofluorocarbons (CFC) from automobile air conditioners is affordable and available, intends that Section 32-080 apply to persons handling automobile air conditioners.
2. Requirement for recycling automobile air conditioning coolant are as follows:
 - A. Except as provided in sub-subsection B of this subsection, no person shall engage in the business of installing, servicing, repairing, disposing of, or otherwise treating automobile air conditioners without recovering and recycling CFC.
 - B. Any automobile repair shop that has:
 - (1) fewer than four employees; or
 - (2) fewer than three covered bays shall comply with the provisions of sub-subsection A of this subsection after August 10, 1992.
 - C. Only recovery and recycling equipment that is certified by Underwriters Laboratory (UL) as meeting the requirements and specifications of **UL1963** and the **Society of Automotive Engineers (SAE) Standards, J1990 and J1991**, or other requirements and specifications determined by LRAPA as being equivalent, shall be used.
 - D. All recovery and recycling equipment shall be operated and maintained at full efficiency and effectiveness according to the manufacturer's directions and guidelines contained in **SAE Standard J1989**.
3. Except as provided in subsection 4 of this section, **40 CFR Part 82 (July 1, 1994)** is by this reference adopted and incorporated herein for major sources only, for purposes of implementing a stratospheric ozone protection program that meets the requirements of Title VI of the Clean Air Act.
4. Where "Administrator" or "EPA" appears in **40 CFR Part 82**, "LRAPA" shall be substituted, except in any section of **40 CFR Part 82** for which a federal rule or delegation specifically indicates that authority will not be delegated to the state/local agency.
5. Where a discrepancy is determined to exist between LRAPA Section 32-080 and **40 CFR Part 82, 40 CFR Part 82** will apply.

Section 32-090 Other Emissions

1. No person shall discharge from any source whatsoever such quantities of air contaminants which cause injury or damage to any persons, the public, business or property. Such determination is to be made by LRAPA.
2. No person shall 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.

Section 32-095 Fugitive Emissions

See LRAPA Title 48 for rules pertaining to fugitive emissions.

Section 32-100 Alternative Emission Controls (Bubble) [moved from 34-060(8)]

- (1) Alternative emission controls for VOC and NO_x emissions may be approved in a Standard ACDP or LRAPA Title V Operating Permit for use within a single source such that a specific emission limit is exceeded, provided that:
 - (A) Such alternatives are not specifically prohibited by a rule or permit condition.
 - (B) Net emissions for each pollutant are not increased above the PSEL.
 - (C) The net air quality impact is not increased as demonstrated by procedures required by Section 38-0090, Requirements for Net Air Quality Benefit.
 - (D) No other pollutants including malodorous, toxic or hazardous pollutants are substituted.
 - (E) BACT and LAER, where required by a previously issued permit pursuant to LRAPA Title 38, NSPS (LRAPA Title 46), and NESHAP (LRAPA Title 44), where required, are not relaxed.
 - (F) Specific emission limits are established for each emission unit involved such that compliance with the PSEL can be readily determined.
 - (G) Application is made for a permit modification and such modification is approved by LRAPA.
 - (H) The reducing emission source reduces its allowable emission rate. Merely reducing production, throughput, or hours of operation is insufficient.
- (2) Total emissions from the emission sources under the bubble will be established in the permit.
- (3) Alternative emission controls, in addition to those allowed in (1) above, may be approved by LRAPA and EPA as a source specific SIP amendment.

TABLE 1

Table of Allowable Rate of Particulate Emissions - Based on Process Weight

| Process Emission Lbs/Hr.Lbs/Hr. | Process Lbs/Hr. | Emission Process Lbs/Hr. Lbs/hr. | Emission Lbs/Hr. |
|------------------------------------|--------------------|-------------------------------------|---------------------|
|------------------------------------|--------------------|-------------------------------------|---------------------|

| | | | | |
|-------|-------|------|------|--------|
| 50 | 0.24 | 2300 | 4.44 | |
| 7500 | 8.39 | | | |
| 100 | 0.46 | 2400 | 4.55 | |
| 8000 | 8.71 | | | |
| 150 | 0.66 | 2500 | 4.64 | |
| 8500 | 9.03 | | | |
| 200 | 0.85 | 2600 | 4.74 | |
| 9000 | 9.36 | | | |
| 250 | 1.03 | 2700 | 4.84 | |
| 9500 | 9.67 | | | |
| 300 | 1.20 | 2800 | 4.92 | |
| 10000 | 10.00 | | | |
| 350 | 1.35 | 2900 | 5.02 | |
| 11000 | 10.63 | | | |
| 400 | 1.50 | 3000 | 5.10 | |
| 12000 | 11.28 | | | |
| 450 | 1.63 | 3100 | 5.18 | |
| 13000 | 11.89 | | | |
| 500 | 1.77 | 3200 | 5.27 | |
| 14000 | 12.50 | | | |
| 550 | 1.85 | 3300 | 5.36 | |
| 15000 | 13.13 | | | |
| 600 | 2.01 | 3400 | 5.44 | |
| 16000 | 13.74 | | | |
| 650 | 2.12 | 3500 | 5.52 | |
| 17000 | 14.36 | | | |
| 700 | 2.24 | 3600 | 5.61 | |
| 18000 | 14.97 | | | |
| 750 | 2.34 | 3700 | 5.69 | |
| 19000 | 15.58 | | | |
| 800 | 2.43 | 3800 | 5.77 | |
| 20000 | 16.19 | | | |
| 850 | 2.53 | 3900 | 5.85 | |
| 30000 | 22.22 | | | |
| 900 | 2.62 | 4000 | 5.93 | |
| 40000 | 28.30 | | | |
| 950 | 2.72 | 4100 | 6.01 | |
| 50000 | 34.30 | | | |
| 1000 | 2.80 | 4200 | 6.08 | 60000 |
| | 40.00 | | | |
| 1100 | 2.97 | 4300 | 6.15 | 70000 |
| | 41.30 | | | |
| 1200 | 3.12 | 4400 | 6.22 | 80000 |
| | 42.50 | | | |
| 1300 | 3.26 | 4500 | 6.30 | 90000 |
| | 43.60 | | | |
| 1400 | 3.40 | 4600 | 6.37 | 100000 |
| | 44.60 | | | |

| | | | | |
|------|-------|------|------|---------|
| 1500 | 3.54 | 4700 | 6.45 | 120000 |
| | 47.30 | | | |
| 1600 | 3.66 | 4800 | 6.52 | 140000 |
| | 47.80 | | | |
| 1700 | 3.79 | 4900 | 6.60 | 160000 |
| | 49.00 | | | |
| 1800 | 3.91 | 5000 | 6.67 | 200000 |
| | 51.20 | | | |
| 1900 | 4.03 | 5500 | 7.03 | 1000000 |
| | 69.00 | | | |
| 2000 | 4.14 | 6000 | 7.37 | 2000000 |
| | 77.60 | | | |
| 2100 | 4.24 | 6500 | 7.71 | 6000000 |
| | 92.70 | | | |
| 2200 | 4.34 | 7000 | 8.05 | |

Interpolation and extrapolation of emissions above a process weight of 60,000 pounds per hour shall be accomplished by use of this equation:

$E = (55.0 \times P^{0.11}) - 40$, where P = process weight in tons per hour and
E = emission rate in pounds per hour.