



**LANE REGIONAL AIR PROTECTION AGENCY**  
1010 Main Street, Springfield, Oregon 97477  
(541) 736-1056

**SIMPLE AIR CONTAMINANT DISCHARGE PERMIT**  
**(SIMPLE ACDP)**

Issued in accordance with provisions of Title 37, Lane Regional Air Protection Agency's Rules and Regulations, and based on the land use compatibility findings included in the permit record.

Issued To:

**A&K Development Company**  
410 Chambers Street  
Eugene, Oregon 97402

Information Relied Upon:

Application Number: 65208  
Date Received: May 28, 2019

Land Use Compatibility Statement:

From: City of Eugene  
Date: April 22, 2010

Mailing Address:

410 Chambers Street  
Eugene, Oregon 97402

Fee Basis:

Title 37, Table 1:  
Part B: 69. Surface coating operations: coating operations whose actual or expected usage of coating materials is greater than 250 gallons per month, excluding sources that exclusively use non-VOC and non-HAP containing coatings

Permit Number: 200042

Permit Type: Simple

Primary SIC: 3556 – Food Products Machinery

Secondary SIC: --


Issuance Date: January 11, 2021

Expiration Date: January 11, 2026

Specific Emission Units:

Surface Coating Operations  
Welding Activities

Issued

By:   
\_\_\_\_\_

Merlyn L. Hough, Director

Effective

Date: January 11, 2021

Permitted Activities

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

Emission Units, Devices and Pollution Control Device (PCD) Identification

2. Emission units regulated by this permit are the following:

Emission Unit	EU ID	Pollution Control Device	PCD ID
Surface Coating Operations: Two (2) Paint Booths	EU-Surface Coating	Dry Filters	NA
Welding Activities	EU-Welding	NA	NA

Plant Site Emission Limits (PSELs)

3. Total emissions from all sources located at the facility must not exceed the PSELs below. The PSELs apply to any 12 consecutive calendar month period. [LRAPA 42-0040 and 42-0060]

**Annual (12-month rolling) PSELs  
(tons per year)**

Pollutant	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	VOC	Single HAP	Total HAPs
PSEL	24	14	9	39	9	24

4. Any changes in operation that may increase the emissions above the PSELs must be approved by LRAPA. Failure to do so may result in enforcement actions being taken by LRAPA. Substitutions of coatings may be employed provided that both consumption and composition records are maintained in accordance with the permit reporting requirements. [LRAPA 42-0080]
5. **By the 15<sup>th</sup> day of each month** the permittee must demonstrate compliance with the previous 12-month rolling VOC and HAP PSELs in accordance with the following procedures. All of the VOC and HAP content of the coatings is assumed to be emitted to the atmosphere. [LRAPA 34-016 and LRAPA 42-0080(4)(c)]
  - 5.a. The permittee must calculate the total calendar month emissions of VOCs and individual HAPs using the following equation:

$$E_m = \left[ \sum_{i=1}^n U_i \cdot D_i \cdot C_i \right] / 2000 \quad \text{Equation 1}$$

Where:

- E<sub>m</sub> = The total calendar month VOC or individual HAP emissions from all of the VOC or individual HAP-containing materials used, in tons;
- U<sub>i</sub> = The total usage of an individual VOC or HAP-containing material for a calendar month, in gallons;
- D<sub>i</sub> = The density of an individual VOC or HAP-containing material, in pounds per gallon;

$C_i$  = The actual mass of VOC or an individual HAP in an individual VOC or HAP-containing material, in percent by weight;  
 $i$  = Each individual VOC or HAP-containing material;  
 $n$  = The total number of individual VOC or HAP-containing materials; and  
2000 = The number of pounds in a short ton

- 5.b. The permittee must calculate the 12 month rolling emissions from the use of VOC and individual HAP-containing materials using the following equation:

$$E_{12} = \sum_{m=1}^{12} Em_i \quad \text{Equation 2}$$

Where:

$E_{12}$  = The total 12 month rolling emissions from all VOCs or individual HAPs, in tons;  
 $Em_i$  = The total VOC or individual HAP emissions during each of the previous 12 consecutive calendar months, in tons, as calculated using Equation 1; and  
 $m$  = Each calendar month.

- 5.c. The permittee must calculate the 12 consecutive month emissions from the aggregate of HAP-containing materials using the following equation:

$$E_{12} = \sum_{i=1}^n E_{12i} \quad \text{Equation 3}$$

Where:

$E_{12}$  = The total aggregate of all HAP emissions over the previous 12 consecutive calendar months, in tons;  
 $E_{12i}$  = The total emissions of an individual HAP emitted by the facility over the previous 12 consecutive calendar months, in tons, as calculated using Equation 2;  
 $i$  = Each individual HAP emitted by the facility over the previous 12 consecutive calendar months; and  
 $n$  = The total number of individual HAPs emitted by the facility over the previous 12 consecutive calendar months.

6. SDS or CPDS must be used to calculate the maximum VOC content or the maximum individual HAP content for each individual raw material. For SDS or CPDS that list a range of values for the VOC content or an individual HAP content, the highest value in the range must be used in the emission calculation in Condition 5. [LRAPA 34-016]

#### Performance Standards and Limitations

7. For sources, other than wood-fired boilers, the permittee must not emit or allow to be emitted any visible emissions that equal or exceed an average of 20 percent opacity for a period or periods aggregating more than three (3) minutes in any one (1) hour. [LRAPA 32-010(3)]
8. For sources other than fuel burning equipment, refuse burning equipment and fugitive emissions, the permittee must not cause, suffer, allow, or permit particulate matter emissions from any air contaminant source installed, constructed or modified on or after June 1, 1970 but prior to April 16, 2015 in excess of 0.14 grains per dry standard cubic foot if there are no representative compliance source test results. [LRAPA 32-015(2)(b)(B)]
9. The permittee must not cause, suffer, allow or permit the emissions of particulate matter in any one (1) hour from any process in excess of the amount shown in LRAPA 32-8010, for the process weight allocated to the process. [LRAPA 32-045]
10. All plant processes equipment and all air contaminant collection and disposal facilities, including

any baghouse and paint booth filters must be operated and maintained at all times in a manner which shall minimize air contaminant discharges. [LRAPA 32-005]

11. The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by LRAPA personnel. The permittee must maintain a log of each nuisance complaint received by the permittee during the operation of the facility. A plant representative must immediately investigate the condition following the receipt of the nuisance complaint and provide a response to the complainant within 24 hours, if possible. [LRAPA 49-020]
12. Spray-Applied Coating Operation and Work Practice Requirements: The permittee must use the following operational and work practice requirements for all spray-applied coating operations (except any spray-applied waterwash): [LRAPA 32-007]
  - 12.a. All spray-applied coatings must be applied in a spray booth fitted with filters demonstrated to achieve at least 98% capture of paint overspray. The permittee may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement.
  - 12.b. All spray-applied coatings must be applied with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless spray gun, or air-assisted airless spray gun. The permittee may spray-apply using an equivalent technology that is demonstrated by the spray gun manufacturer to achieve transfer efficiency comparable to HVLP.
  - 12.c. All paint spray gun cleaning must be done so that an atomized mist or spray of gun cleaning solvent and paint residue is not created outside of a container that collects used gun cleaning solvent.
  - 12.d. The permittee must ensure and certify that all personnel, including contract personnel, who spray apply surface coatings, are trained in the proper spray application of surface coatings and the proper setup and maintenance of spray equipment.
13. Welding Operation and Work Practice Requirements: The permittee must operate all equipment, capture, and control devices associated with welding operations according to manufacturer's instructions. The permittee must demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for any capture and control devices. [LRAPA 32-007]
  - 13.a. The permittee must implement management practices to minimize emissions of metal fabrication and finishing hazardous air pollutants (MFHAP), as practicable, while maintaining the required welding quality through the application of sound engineering judgment. [LRAPA 32-007]
14. Commercial and industrial outdoor burning is prohibited inside the Eugene and Springfield Urban Growth boundaries. Commercial and industrial outdoor burning is prohibited elsewhere, unless authorized pursuant to LRAPA 47-020. [47-015(4)&(5)]

#### Monitoring, Recordkeeping and Reporting Requirements

15. The permittee shall monitor and maintain records for a period of five (5) years from the date of entry of the following information: [LRAPA 34-016, 42-0080]
  - 15.a. VOC/HAP-containing materials include, but are not limited to, coatings, lacquers, thinners, stains, topcoats, solvents, adhesives, cleaning, and wash-off materials.
  - 15.b. The density and VOC/HAP content information must be supplied from CPDS or SDS provided by the manufacturer/supplier of the VOC/HAP containing material]

Activity	Parameter	Units	Minimum Recording Frequency
VOC/HAP-containing material Usage	Material name and usage	Gallons	Monthly
VOC/HAP-containing material Usage	Density of material	Pounds per gallon	Each coating and solvent
VOC- containing material usage	VOC content	% by weight	Each coating and solvent
HAP- containing material usage	Individual HAP content	% by weight	Each coating and solvent
Welding rod/welding wire usage	Rod/wire type and usage	Pounds	Monthly
Spray booth filter particulate matter control efficiency	Control efficiency	%	Maintain documentation from each filter manufacturer
Spray booth filter replacement	Occurrence	NA	Upon Replacement
Spray booth training	Training logs / certifications	NA	Maintain documentation of training
Complaints from the public	Log each complaint and the resolution	NA	Upon receipt
Upset log of all planned and unplanned excess emissions	See G15	NA	Per occurrence

16. For each year this permit is in effect, the permittee must submit to LRAPA **by February 15<sup>th</sup>** the following information from the previous calendar year: [LRAPA 34-016 and 42-0080]
- 16.a. An annual summary of the total gallons of VOC and HAP-containing materials used in accordance with Condition 15.
  - 16.b. Calculations of annual VOC and HAP emissions determined each month to demonstrate compliance with VOC and HAP PSELS in accordance with Condition 5. The summary must include VOC and HAP emission calculations corresponding to each 12-month rolling period in the previous calendar year,
  - 16.c. A list of changes made in facility processes, production levels, and pollution control equipment including any new SDS or CPDS,
  - 16.d. A summary of maintenance performed on pollution control equipment,
  - 16.e. A summary of complaints related to air quality received by the permittee during the previous calendar year and their resolution in accordance with Condition 11, and
  - 16.f. A summary of any upsets that resulted in planned and unplanned excess emissions as required by Condition G15.
17. Unless otherwise specified, all reports, test results, notifications, etc., required by the above terms and conditions must be reported to the following office: [LRAPA 34-016]

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

Fee Schedule

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18. In accordance with adopted regulations, the permittee will be invoiced for the annual permit fees on October 1<sup>st</sup>, with fees due December 1<sup>st</sup> of each year. [LRAPA 37-8020 Table 2]

JJW/cmw  
01/11/2021

## **GENERAL PERMIT CONDITIONS**

### General Conditions and Disclaimers

- G1. A copy of the permit application and this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request. [LRAPA 37-0020(3)]
- G2. The permittee must allow the Director or his/her authorized representatives access to the plant site and pertinent records at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant discharge records and otherwise conducting necessary functions related to this permit in accordance with ORS 468.095. [LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

### Performance Standards and Emission Limits

- G4. The permittee must not cause or permit the deposition of any particulate matter which is larger than 250 microns in size at sufficient duration and quantity, as to create an observable deposition upon the real property of another person. [LRAPA 32-055]
- G5. The permittee must not discharge from any source whatsoever such quantities of air contamination which cause injury or damage to any persons, the public, business or property. Such determination to be made by LRAPA. [LRAPA 32-090(1)]
- G6. The permittee must not cause or permit emission of water vapor if the water vapor causes or tends to cause detriment to the health, safety or welfare of any person or causes, or tends to cause damage to property or business. [LRAPA 32-090(2)]
- G7. The permittee must not willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminants emitted, conceals emissions of air contaminants which would otherwise violate LRAPA rules. [LRAPA 32-050(1)]
- G8. The permittee must not cause or permit the installation or use of any device or use of any means designed to mask the emissions of an air contaminant which causes or tends to cause detriment to health, safety or welfare of any person. [LRAPA 32-050(2)]
- G9. The permittee must not allow any materials to be handled, transported, or stored; or a building, its appurtenances or road(s) to be used, constructed, altered, repaired, or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from being airborne. [LRAPA 48-015(1)]
- G10. The permittee may not cause or allow air contaminants from any source subject to regulation by LRAPA to cause nuisance. [LRAPA 49-010(1)]

### Excess Emissions: General Policy

- G11. Emissions of air contaminants in excess of applicable standards or permit conditions are unauthorized and are subject to enforcement action, pursuant to LRAPA 36-010 and 36-030. These rules apply to any permittee operating a source which emits air contaminants in violation of

any applicable air quality rule or permit condition, including but not limited to excess emissions resulting from the breakdown of air pollution control devices or operating equipment, process upset, startup, shutdown, or scheduled maintenance. Sources that do not emit air contaminants in excess of any applicable rule or permit condition are not subject to the recordkeeping and reporting requirements in LRAPA Title 36. Emissions in excess of applicable standards are not excess emissions if the standard is in an NSPS or NESHAP and the NSPS or NESHAP exempts startups, shutdowns and malfunctions as defined in the applicable NSPS or NESHAP. [LRAPA 36-001(1)]

Excess Emissions: Notification and Record-keeping

- G12. For all other excess emissions not addressed in LRAPA Sections 36-010, 36-015, or 36-040, the following requirements apply: [LRAPA 36-020(1)]
- a. The owner or operator, of a small source, as defined by LRAPA 36-005(7), need not notify LRAPA of excess emissions events immediately unless otherwise required by permit condition, written notice by LRAPA, or if the excess emission is of a nature that could endanger public health.
  - b. Notification must be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. - 5 p.m., M-F) is (541) 736-1056. During nonbusiness hours, weekends, or holidays, the permittee must immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.
  - c. Follow-up reporting, if required by LRAPA, must contain all information required by Condition G15.
- G13. At each annual reporting period specified in this permit, or sooner if required by LRAPA, the permittee must submit a copy of the upset log entries for the reporting period, as required by Condition G15. [LRAPA 36-025(4)(a)]
- G14. Any excess emissions which could endanger public health or safety must immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
- G15. The permittee must keep an upset log of all planned and unplanned excess emissions. The upset log must include the following: [LRAPA 36-025(3) and 36-030(1)]
- a. date and time each event was reported to LRAPA;
  - b. whether the process handling equipment and the air pollution control equipment were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
  - c. whether repairs or corrections were made in an expeditious manner when the permittee knew or should have known that emission limits were being or were likely to be exceeded;
  - d. whether the event was one in a recurring pattern of incidents which indicate inadequate design, operation, or maintenance; and
  - e. final resolution of the cause of the excess emissions.

Upset logs must be kept by the permittee for five (5) calendar years. [LRAPA 36-025(3)]

Excess Emissions: Scheduled Maintenance



- G16. If the permittee anticipates that scheduled maintenance of air contaminant sources or air pollution control devices may result in excess emissions, the permittee must obtain prior LRAPA authorization of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance must be submitted and received by LRAPA in writing at least seventy-two (72) hours prior to the event. The application must include the following: [LRAPA 36-015(1)]
- a. reasons explaining the need for maintenance, including but not limited to: why the maintenance activity is necessary; why it would be impractical to shut down the source operation during the maintenance activity; if applicable, why air pollution control devices must be by-passed or operated at reduced efficiency during the maintenance activity; and why the excess emissions could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
  - b. identification of the specific production or emission control device or system to be maintained;
  - c. identification of the nature of the air contaminants likely to be emitted during the maintenance period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and
  - d. identification of specific procedures to be followed which will minimize excess emissions at all times during the scheduled maintenance.
- G17. No scheduled maintenance associated with the approved procedures in Condition G16 that is likely to result in excess emissions may occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced yellow or red woodstove advisory period, in areas determined by LRAPA as PM<sub>2.5</sub> or PM<sub>10</sub> nonattainment areas. [LRAPA 36-015(6)]
- G18. In cases where LRAPA has not received notification of scheduled maintenance that is likely to cause excess emissions within the required seventy-two (72) hours prior to the event, or where such approval has not been waived pursuant to LRAPA 36-015(3), the permittee must immediately notify LRAPA by telephone of the situation, and must be subject to the requirements of Conditions G12 and G13. [LRAPA 36-015(7)]

#### Air Pollution Emergencies

- G19. The permittee must, upon declaration of an air pollution alert, air pollution warning, or air pollution emergency, take all emission reduction measures specified in Tables 1, 2, and 3 of LRAPA Title 51. Permittees responsible for a source of air contamination within a Priority I AQCR must, upon declaration of an episode condition affecting the locality of the air contamination source, take all appropriate actions specified in the applicable table and must take all appropriate actions specified in an LRAPA-approved preplanned abatement strategy for such condition which has been submitted and is on file with LRAPA. [LRAPA 51-015]

#### Notification of Construction/Modification

- G20. The permittee must notify LRAPA in writing using an LRAPA "Notice of Intent to Construct" form, or other permit application forms and obtain approval in accordance with LRAPA 34-010 and 34-034 through 34-038 before:
- a. constructing, installing or establishing a new stationary source that will cause an increase in regulated pollutant emissions

- b. making any physical change or change in the operation of an existing stationary source that will cause an increase, on an hourly basis at full production, in any regulated pollutant emissions; or
- c. constructing or modifying any pollution control equipment.

#### Notification of Name Change

G21. The permittee must notify LRAPA in writing, using an LRAPA Application for Administrative Amendment to ACDP form, within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon. [LRAPA 37-0030(4)]

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

#### Permit Renewal

G22. Application for renewal of this permit must be submitted not less than 120 days prior to the permit expiration date for Simple ACDPs, and 180 days prior to the permit expiration date for Standard ACDP. [LRAPA 37-0040(2)(b)]

G23. A source may not be operated after the expiration date of a permit, unless any of the following occur prior to the expiration date of the permit: [LRAPA 37-0082(1)(a)]

- a. A timely and complete application for renewal or for an LRAPA Title V Operating Permit has been submitted; or
- b. Another type of permit, ACDP or Title V, has been issued authorizing operation of the source.

G24. For a source operating under an ACDP or LRAPA Title V Operating Permit, a requirement established in an earlier ACDP remains in effect notwithstanding expiration of the ACDP, unless the provision expires by its terms or unless the provision is modified or terminated according to the procedures used to establish the requirement initially. [LRAPA 37-0082(1)(c)]

G25. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application must, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. [LRAPA 37-0040(4)]

#### Termination Conditions

G26. This permit will be automatically terminated upon: [LRAPA 37-0082(2)]

- a. Issuance of a renewal or new ACDP for the same activity or operation;
- b. Written request of the permittee, if LRAPA determines that a permit is no longer required;
- c. Failure to submit a timely application for permit renewal. Termination is effective on the permit expiration date; or;
- d. Failure to pay annual fees within 90 days of invoice by LRAPA, unless prior arrangements for payment have been approved in writing by LRAPA.

G27. If LRAPA determines that a permittee is in noncompliance with the terms of the permit, submitted false information in the application or other required documentation, or is in violation of any applicable rule or statute, LRAPA may revoke the permit. LRAPA will provide notice of the intent to revoke the permit to the permittee under LRAPA Title 31. The notice will include the reasons

why the permit will be revoked, and include an opportunity for the permittee to request a contested case hearing prior to the revocation. A written request for hearing must be received by LRAPA within 60 days from service of the notice on the permittee, and must state the grounds of the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The permit will continue in effect until the 60th day after service of the notice on the permittee, if the permittee does not timely request a hearing, or until a final order is issued if the permittee timely requests a hearing. [LRAPA 37-0082(4)(a)]

- G28. A permit automatically terminated under LRAPA 37-0082(2)(b) through (2)(d) may only be reinstated by the permittee by applying for a new permit. The permittee must also pay the applicable new source permit application fees in this title unless the owner or operator submits the renewal application within three months of the permit expiration date. [LRAPA 37-0082(3)]
- G29. If LRAPA finds there is a serious danger to the public health, safety or the environment caused by a permittee's activities, LRAPA may immediately revoke or refuse to renew the permit without prior notice or opportunity for a hearing. If no advance notice is provided, notification will be provided to the permittee as soon as possible as provided under LRAPA Title 31. The notification will set forth the specific reasons for the revocation or refusal to renew and will provide an opportunity for the permittee to request a contested case hearing for review of the revocation or refusal to renew. A permittee's written request for hearing must be received by LRAPA within 90 days of service of the notice on the permittee and must state the grounds for the request. The hearing will be conducted as a contested case hearing under ORS 183.413 through 183.470 and LRAPA Title 14. The revocation or refusal to renew becomes final without further action by LRAPA if a request for a hearing is not received within the 90 days. If a request for a hearing is timely received, the revocation or refusal to renew will remain in place until issuance of a final order. [LRAPA 37-0082(4)(b)]
- G30. Any hearing requested must be conducted pursuant to the rules of LRAPA. [LRAPA Title 14]

#### Asbestos

- G31. The permittee must comply with the asbestos abatement requirements in LRAPA Title 43 for all activities involving asbestos-containing materials, including, but not limit to, demolition, renovation, repair, construction, and maintenance. [LRAPA Title 43]

[Revised 1/19/18]