



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:

Grain Millers, Inc.
315 Madison Street
Eugene, Oregon 97402

Information Relied Upon:

Application Number: 65722
Date: December 13, 2019

Plant Site Location:

Grain Millers, Inc.
315 Madison Street
Eugene, Oregon 97402

Land Use Compatibility Statement:

From: City of Eugene
Date: March 2, 1999

Fee Basis:

Title 37, Table 1, Part B:
17 – Cereal Preparation

Permit Number: 203136

Permit Type: Simple

Primary SIC: 2043 Cereal Breakfast Foods

Secondary SIC: 4961 Steam and Air-Conditioning Supply

Issuance Date: October 14, 2021

Expiration Date: October 14, 2026

Permitted Sources:

Cereal Preparation including:
25 Processes with Baghouses
1 Kiln Dryer & Pellet Cooler Line with Cyclone
4 Storage Silos with Filters
1 Grain Receiving System
2 Natural Gas-Fired Boilers
1 Natural Gas-Fired Makeup Air Unit
1 Electric Bio-Char Kiln

Issued

By: _____

Steven A. Dietrich, Director

Effective

Date: _____

October 14, 2021

Permitted Activities

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

Emission Unit Description

2. The emission units regulated by this permit are the following:

| EU ID | Emission Unit (EU) Description | Pollution Control Devices |
|--------|--|---------------------------|
| No. 1 | Kiln Dryer & Pellet Cooler Line | Cyclone |
| No. 3 | General Aspiration Roof Filter #2 | Baghouse |
| No. 4 | General Aspiration Roof Filter #1 | Baghouse |
| No. 5 | Hulling Line #1 | Baghouse |
| No. 6 | Hulling Line #2 | Baghouse |
| No. 7 | Flake Line | Baghouse |
| No. 8 | Hammermill Line | Baghouse |
| No. 9 | Mixplant Line #1 | Baghouse |
| No. 10 | Mixplant Line #2 | Baghouse |
| No. 11 | Four Flour Silos (1-4) | Filters |
| No. 12 | Grain Receiving | NA |
| No. 13 | Natural Gas-Fired Miura Boiler (6.7 MMBtu/hr) | NA |
| No. 14 | Natural Gas-Fired Miura Boiler (7.85 MMBtu/hr) | NA |
| No. 16 | MPF G-Mill Line | Baghouse |
| No. 17 | MPF General Aspiration Line | Baghouse |
| No. 18 | Storage Bin | Baghouse |
| No. 19 | Specialty Cleaning Line | Baghouse |
| No. 20 | Whole Oat Flour Hammermill Line | Baghouse |
| No. 21 | Specialty Flour Mill Line | Baghouse |
| No. 23 | MPF Mill Line | Baghouse |
| No. 24 | Groats Cooler Line | Baghouse |
| No. 25 | R-Mill Line | Baghouse |
| No. 26 | #2 G-Mill Line | Baghouse |
| No. 27 | Storage Bin #2 | Baghouse |
| No. 28 | MPF Classifier Line | Baghouse |
| No. 29 | Flake Line #2 | Baghouse |
| No. 30 | Phoenix Air System | NA |
| No. 31 | WIP Receiving Line | Baghouse |
| No. 32 | Truck Receiving Line | Baghouse |

| EU ID | Emission Unit (EU) Description | Pollution Control Devices |
|--------|--------------------------------|---------------------------|
| No. 33 | Bio-Char Kiln | Thermal Oxidizer |
| No. 34 | Flour Classifier Line | Baghouse |

Plant Site Emission Limits (PSELs)

3. The 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 42-0080(3)]

Annual PSELs

| Pollutant | Plant Site Emission Limit (tons/year) |
|-------------------|---------------------------------------|
| PM | 24 |
| PM ₁₀ | 14 |
| PM _{2.5} | 9 |
| CO | 99 |
| NO _x | 39 |

4. Any changes in operation that may increase the emission above the PSEL must be approved by LRAPA. Failure to do so may result in enforcement actions being taken by LRAPA. [LRAPA 37-0020(7)]

Production Limits

5. The permittee must not use filter media for the baghouses with an exit grain loading that exceeds 0.0001153 gr/dscfm. [LRAPA 34-016 and 42-0080(4)]
6. The permittee must not operate the Phoenix Makeup Air Heater (EU: No. 30) more than 4,680 hours in any 12 consecutive calendar month period. [LRAPA 34-016 and 42-0080(4)]

PSEL Monitoring

7. **By the 15th day of each month**, the permittee must demonstrate compliance with the previous 12-month rolling emission limits in accordance with the following procedures: [LRAPA 34-016 and LRAPA 42-0080(4)(c)]
- 7.a. The permittee must maintain throughput records of all materials that are handled by the Kiln Dryer & Pellet Cooler Line EU: No. 1, Grain Receiving, Boiler and Makeup Air Heater, and Bio-Char Kiln EU: No. 12, 13, 14, and 30 listed in Condition 2, and calculating emissions for 12 months, beginning with the most recent, summing for the preceding 12 consecutive months calendar using the following equation:

$$\frac{\text{Kiln Dryer \& Pellet Cooler Line (EU: No. 1),} \\ \text{Grain Receiving (EU: No. 12),} \\ \text{Boiler/Heater (EUs: No 13, 14, \& 30),} \\ \text{\& Bio-Char Kiln (EU: No. 33)}}{\text{Equation}}$$

$$E = \sum_{i=1}^{12} \frac{P_i \cdot EF}{K}$$

Where: E = Each individual pollutant emission (ton/year);
 Σ = Symbol representing "summation of";
 P_i = Kiln Dryer & Pellet Cooler Line (EU: No. 1) throughput in tons, Grain Receiving Throughput (EU: No.12) in tons, Daily operation (EU: No. 33) in hours, or natural gas combustion in MMBtu or scf;
 i = Each calendar month;
 EF = Each pollutant emission factors per Condition 8; and
 K = Conversion factor of 2000 pounds per 1 ton

- 7.b. The permittee must calculate all other processes, not included in Conditions 7.a, by utilizing the calculation of potential to emit using the maximum allowable exit grain loading (gr/dscfm) of Condition 5 for each baghouse.
8. The permittee must use the following emission factors to estimate process emission in Conditions 7.a: [LRAPA 42-0080(4)(C)]

Emission Factors Table

| Kiln Dryer & Pellet Cooler Line Emission Factors (EU: No. 1) ⁽¹⁾ | | |
|---|------------------------|----------|
| Pollutants | EFs ^(1,2,3) | Units |
| PM | 0.015 | lb/ton |
| PM ₁₀ | 0.00375 | lb/ton |
| PM _{2.5} | 0.00375 | lb/ton |
| Grain Receiving Emission Factors (EU: No. 12) ⁽²⁾ | | |
| PM | 0.0320 | lb/ton |
| PM ₁₀ | 0.0078 | lb/ton |
| PM _{2.5} | 0.0013 | lb/ton |
| Bio-Char Kiln Emission Factors (EU: No. 33) ⁽¹⁾ | | |
| PM/PM ₁₀ /PM _{2.5} | 0.0317 | lb/hr |
| NO _x | 0.075 | lb/hr |
| CO | 0.05 | lb/hr |
| Boilers and Phoenix Makeup Air Heater Emission Factors ⁽³⁾ | | |
| PM/PM ₁₀ /PM _{2.5} | 7.6 | lb/MMscf |
| NO _x | 100 | lb/MMscf |
| CO | 84 | lb/MMscf |

1. EFs are based on source test data
 2. EFs are based on AP-42 Table 9.9.1-1 (5/98)
 3. EFs are based on AP-42 Table 1.4-4 (3/98)

Performance Standards and Source-Specific Emission Limitations

9. 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)]
10. 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 after June 1, 1970, but prior to April 16, 2015, in excess of 0.14 grains per standard dry cubic foot (dscf) if there are no representative compliance source test results. [LRAPA 32-015(2)(b)(B)]
11. 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 after April 16, 2015, in excess of 0.10 grains per standard dry cubic foot (dscf). [LRAPA 32-015(2)(c)]
12. For fuel burning equipment sources ((EUs: No. 13 and No. 14) installed, constructed, or modified after June 1, 1970, but prior to April 16, 2015, the permittee must not cause, suffer, allow, or permit particulate matter emissions to exceed 0.1 grains per dry standard cubic foot (dscf) if there are no representative compliance source test results. [LRAPA 32-030(1)(b)]
13. For fuel burning equipment sources (EU: No. 30) installed, constructed, or modified after April 16, 2015, the permittee must not cause, suffer, allow, or permit particulate emissions to exceed 0.10 grains per dry standard cubic foot (dscf). [LRAPA 32-030(2)]
14. 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 Table 32-8010, for the process weight rate allocated to such process. [LRAPA 32-045]
15. The permittee must ensure that all plant processes, equipment and associated air contaminant collection and disposal facilities, including each baghouse and the thermal oxidizer, are operated and maintained at all times in a manner which shall minimize air contaminant discharge. [LRAPA 32-005]
16. The permittee must not operate plant processes, controlled by baghouse(s) and the thermal oxidizer without the control devices on-line and functioning properly. Each baghouse and the thermal oxidizer must be operated at all times at the highest reasonable efficiency. [LRAPA 32-007]
17. The permittee must operate plant processes, equipment and associated air contaminant collection and disposal facilities, including each baghouse and the thermal oxidizer according to the manufacturer's instruction. The permittee must demonstrate compliance with this requirement by maintaining a record of the manufacturer's current specifications for any capture and control devices. [LRAPA 32-007]
18. The permittee must perform routine maintenance of the baghouses and the thermal oxidizer, and keep the following records as required per Condition 21. [LRAPA 32-007]
 - 18.a. Date the maintenance occurred;
 - 18.b. Person(s) or organization performing the maintenance;
 - 18.c. Description of the maintenance performed; and

- 18.d. The results of any inspections.
19. The permittee must maintain the 3-hour block average temperatures for the thermal oxidizer (EU: No. 33) below 436°F (224°C) at the outlet stack. The permittee must comply with this standard at all times except during periods of startup and shutdown. [LRAPA 32-007(1)]
20. The permittee must implement housekeeping practices to prevent particulate matter from becoming airborne exterior to permittee's buildings, including but not limited to cleaning around bins and equipment. [LRAPA 48-015]

Monitoring and Recordkeeping Requirements

21. A record of the following data shall be maintained for a period of five (5) years at the plant site and shall be available for inspection by authorized representatives of LRAPA: [LRAPA 35-016 and 42-0080]

| Activity | Parameter | Units | Minimum Recording Frequency |
|--|---------------------------------------|-----------------|-----------------------------|
| EU: No. 33: Monitor Thermal Oxidizer temperature in 3-hour block average and record in a log | Temperature | degrees | Every 3 hours |
| EU: No. 33: Hours of operation | Operating time | hours | Daily |
| EUs: No. 1 & No. 12: Throughput for each grain-receiving unit listed | Throughput | tons | Monthly |
| Emission calculations as specified in permit Condition 7 | Emissions | tons | Monthly |
| Boiler fuel throughput | Emissions | MMBtu or scf | Annually |
| 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 |
| Monitor pressure readings of each baghouse** and record in a log | Pressure | inches of water | Report only upon request |
| Manufacturer or EPA documentation of the exit grain loading for each type of filtration media used for each baghouse | Baghouse fabric specification | gr/dscfm | Report only upon request |
| Manufacturer or EPA documentation of the design scfm for each baghouse | Baghouse fabric specification | gr/dscfm | Report only upon request |
| Maintenance of baghouses and thermal oxidizer record in a log per Condition 18 | Occurrence | NA | Report only upon request |

**excludes bin-type baghouses

Reporting

22. An annual summary to document compliance with the PSEs must be submitted **by February 15th each year**. The summary must contain the PM, PM₁₀, PM_{2.5}, NO_x, and CO emission data as required per Condition 7 and the information required to be recorded as per Condition 21. [LRAPA 34-016 and 40-0080(3)(a)]
23. An annual summary required per Condition 21, must also include any information required by General Condition G15. [LRAPA 35-0160]
24. Unless otherwise specified, all reports, test results, notifications, etc., required by the above terms and conditions must be reported to the following office: [LRAPA 35-0160]

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

Outdoor Burning

25. Outdoor burning is prohibited per the requirements of LRAPA 47-020.

Fee Schedule

26. In accordance with adopted regulations, the permittee will be invoiced by October 1st each year for the Annual Fee due December 1st each year. [LRAPA 37-8020 Table 2]

BE/cmw
10/14/2021

ABBREVIATIONS, ACRONYMS, AND DEFINITIONS

| | |
|-------------------|--|
| ACDP | Air Contaminant Discharge Permit |
| Calendar Year | The 12-month period beginning January 1 st and ending December 31 st |
| °C | Degrees Celsius |
| CFR | Code of Federal Regulation |
| CO | Carbon Monoxide |
| DEQ | Oregon Department of Environmental Quality |
| dscfm | Dry Standard Cubic Foot per Minute |
| EF | Emission Factor |
| EPA | US Environmental Protection Agency |
| °F | Degrees Fahrenheit |
| FCAA | Federal Clean Air Act |
| gr/dscfm | Grains per Dry Standard Cubic Foot per Minute |
| I&M | Inspection and Maintenance |
| lb | pounds |
| LRAPA | Lane Regional Air Protection Agency |
| MMBtu | Million British thermal units |
| MSDS | Material Safety Data Sheet |
| NA | Not applicable |
| NESHAP | National Emissions Standards for Hazardous Air Pollutants |
| NO _x | Nitrogen Oxides |
| NSPS | New Source Performance Standard |
| NSR | New Source Review |
| O ₂ | Oxygen |
| OAR | Oregon Administrative Rules |
| OERS | Oregon Emergency Response System |
| ORS | Oregon Revised Statutes |
| O&M | Operation and Maintenance |
| Pb | Lead |
| PCD | Pollution Control Device |
| PM | Particle Matter |
| PM ₁₀ | Particulate Matter less than 10 microns in size |
| PM _{2.5} | Particulate Matter less than 2.5 microns in size |
| ppm | Part per million |
| PSD | Prevention of Significant Deterioration |
| PSEL | Plant Site Emission Limit |
| PTE | Potential to Emit |
| RM | Raw Material |
| scf | Standard Cubic Foot |
| SER | Significant Emission Rate |
| SIC | Standard Industrial Code |
| SIP | State Implementation Plan |
| SO ₂ | Sulfur Dioxide |
| tpy | Tons per year |
| VE | Visible Emissions |
| VOC | Volatile Organic Compound |
| Year | A period consisting of any 12-consecutive calendar months |

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_{2.5} or PM₁₀ 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 1/12/18]