

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

**STANDARD AIR CONTAMINANT DISCHARGE PERMIT**  
**(STANDARD 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:  
**Peace Health Sacred Heart Medical Center at Riverbend**  
3333 Riverbend Drive  
Springfield, Oregon 97477

Information Relied Upon:  
Application Number: 64335  
Dated: October 16, 2018

Mailing Address:  
123 International Way  
Springfield, OR 97477

Land Use Compatibility Statement:  
From: City of Springfield  
Dated: April 15, 2008

Fee Basis (Title 37, Table 1):  
B12 Fuel burning equipment...  
B26 Ethylene Oxide Sterilization  
C5 Source having the potential to emit more than 100 tons of a regulated pollutant

Permit Number: 207536  
Permit Type: Standard  
Primary SIC: 8062-Hospitals  
Secondary SIC: 4961-Fuel Burning Equipment  
Date Issued: April 9, 2019  
Expiration Date: April 9, 2024

Permitted Sources:  
3 Emergency Generators (2000 kW)  
4 Boilers (natural gas-fired w/ No.2 oil backup)  
1 Ethylene Oxide Sterilizer

Issued  
By:



Merlyn L. Hough, Director

Effective  
Date:

APR - 9 2019

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. Emission units regulated by this permit include the following:

Emission Unit	Design Rating	Fuel Type
3 Emergency Generators	18.8 MM BTU/hr (2000 kW) each	No. 2 Diesel
1 Mohican Boiler	12.6 MM BTU/hr (300 Hp)	Natural Gas with No.2 Diesel Backup
2 Mohican Boilers	33.6 MM BTU/hr (800 Hp) each	Natural Gas with No. 2 Diesel Backup
1 Hurst Boiler	26.8 MM BTU/hr	Natural Gas with No. 2 Diesel Backup
1 Donaldson EtO-Abator System	50 SCFM, 0.017 lb EtO/min	Ethylene Oxide (EtO)

Emission Limits and Standards

3. The total emissions from the source must not exceed the annual (12-month rolling) limits below: [LRAPA 42-0040]

**Annual (12-month rolling) PSEL**  
(Tons/year)

	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	SO <sub>2</sub>	CO	VOC	GHG
PSEL	24	14	9	39	39	99	39	74,000

**Compliance Demonstration**

4. **By the 15<sup>th</sup> day of each month** the permittee must determine compliance with the 12-month rolling PSELS in accordance with the following procedure, for all pollutants except GHGs: [42-0080]

$$E = \sum (P \times EF \times \text{conversion factor})$$

Where:

- E = pollutant emissions (tons/year);
- $\sum$  = symbol representing 'summation of';
- P = Process Production (natural gas combusted (MM SCF)) in the boilers or No.2 diesel

combusted (gallons) in the boilers and generators);  
EF = emission factors specified in Condition 33;  
Conversion factor =1 ton/2000 lb

### **General Emission Limitations**

5. The permittee must not allow any visible emissions to be emitted that equal or exceed 20 percent opacity for a period or periods aggregating more than three minutes in any one hour from sources, other than wood fired boilers. The emissions standard in this condition do not apply to fugitive emissions from a source or part of a source. [LRAPA 32-010(1) and LRAPA 32-010(3)]
6. The permittee must ensure that particulate matter emissions from any air contaminant source are not in excess of the following limits: 0.14 grains per dry standard cubic foot, for sources installed, constructed or modified on or after June 1, 1970 but prior to April 16, 2015 for which there are no representative compliance source test results. This condition does not apply to fugitive emission sources, fuel burning equipment, refuse burning equipment, or to solid-fuel burning devices certified under OAR 340-262-0500. [LRAPA 32-015(1) and LRAPA 32-015(2)(b)(B)]
7. The permittee must ensure that particulate matter emissions from any fuel burning equipment, except solid fuel burning devices that have been certified under OAR 340-262-0500, are not in excess of the following limits: 0.14 grains per dry standard cubic foot, for sources installed, constructed or modified on or after June 1, 1970 but prior to April 16, 2015 for which there are no representative compliance source test results. For fuel burning equipment that burns fuels other than wood, the emission results are corrected to 50% excess air. [LRAPA 32-030(1)(b) and LRAPA 32-030(3)(b)]

### National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements and New Source Performance Standards (NSPS)

#### **Ethylene Oxide Sterilizers for Hospitals NESHAP - Subpart WWWW**

9. The permittee must sterilize full loads of items having a common aeration time, except under medically necessary circumstances. Medically necessary means circumstances that a hospital central services staff, a hospital administrator, or a physician concludes, based on generally accepted medical practices, necessitate sterilizing without a full load in order to protect human health. [40 CFR 63.10390 and LRAPA 44-150(5)(aaaaa)]
10. The permittee must keep a copy of the Initial Notification of Compliance Status submitted for a period of 5 years following the date of each record. The permittee must keep each record onsite for at least 2 years after the date of each record. The permittee may keep the records offsite for the remaining 3 years. [40 CFR 63.10432 and 63.10434]

#### **Reciprocating Internal Combustion Engine (ICE) NESHAP- Subpart ZZZZ**

11. The engines are an existing affected source under Subpart ZZZZ but do not have to meet the requirements of initial notification. [40 CFR 63.6645(a)(5)]
12. The permittee must comply with the standards in Table 2d and Table 6 of Subpart ZZZZ for the emergency generators. [40 CFR 63.6603(a)]
  - a. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
  - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first,

- and replace as necessary.
- d. In lieu of the requirements specified in Conditions 12.a through 12.c, the permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to Subpart ZZZZ. The analysis program must, at a minimum, analyze the three parameters listed in 40 CFR 63.6625(i) and verify that their listed condemning limits have not been exceeded. [40 CFR 63.6625(i)]
13. The permittee must install a non-resettable hour meter prior to startup of each emergency generator. [40 CFR 63.6625(f)]
14. Beginning January 1, 2015, the permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR 63.6604(b)]
15. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply at all times. [40 CFR 63.6605(a)]
16. The permittee must operate and maintain the emergency generators, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emission if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA which may include, but maintenance records, and inspection of the source. [40 CFR 63.6605(b)]
17. The permittee must operate and maintain the stationary RICE according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)(3)]
18. Each emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. Any operation other than emergency operation, and maintenance and testing as permitted in this Condition, is prohibited. Each emergency stationary ICE may be operated up to 50 hours per calendar year in non-emergency situations, in accordance with 40 CFR 63.6640(f)(4). [40 CFR 63.6640]

#### **New Source Performance Standard (NSPS) Subpart Dc – Steam Generating Units**

19. The permittee must comply with the New Source Performance Standards (NSPS) for Small Industrial-Commercial-Institutional Steam Generating Units at 40 CFR Part 60 Subpart Dc (§§ 60.40c & 60.48c), which applies to the three (3) Mohican boilers and the one (1) Hurst boiler. The permittee must not combust oil that contains greater than 0.5 weight percent sulfur. The requirements of this rule include, but may not be limited to, record keeping of fuel usage and semi-annual reporting in accordance with §60.48c. [LRAPA 46-554, 40 CFR 60 Subpart Dc]

20. If oil is combusted in the 2 Mohican Boilers rated at 33.6 MMBtu/hr each, the permittee must not cause to be discharged into the atmosphere any gases that exhibit greater than 20% opacity as a 6-minute average, except for one 6-minute period per hour of not more than 27% opacity. The opacity standard applies at all times except during periods of startup, shutdown or malfunction.
- a. Visible Emissions Monitoring: Visible emissions must be measured and recorded with a continuous opacity monitoring system (COMS) installed, operated, and maintained in accordance with 40 CFR 60.13 and 60.47c(a) and (b).
  - b. The permittee is not required to operate a COMS provided the boiler burns only gaseous fuels and/or fuel oils that contain no greater than 0.5 weight percent sulfur, and the permittee operates the unit according to a written site-specific monitoring plan approved by LRAPA.
    - i. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.
    - ii. For testing performed as part of this site-specific monitoring plan, the permitting authority may require as an alternative to the notification and reporting requirements specified in 40 CFR 60.8 and 60.11 that the permittee submit any deviations with the excess emissions report required under 40 CFR 60.48c(c).
  - c. Initial Performance Test: If not required to use a COMS due to Condition 20b, the permittee must conduct a performance test using EPA Method 9 and the procedures in 40 CFR 60.11 to demonstrate compliance with Condition 20 by April 29, 2019, or during the next firing of the boiler(s) on diesel fuel, whichever occurs later. The observation period for EPA Method 9 performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation.
  - d. Ongoing Visible Emissions Monitoring: The permittee must conduct subsequent EPA Method 9 performance tests using the procedures in Condition 20c according to the applicable schedule as follows and as determined by the most recent EPA Method 9 performance test results:
    - i. If no visible emissions are observed, a subsequent EPA Method 9 performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;
    - ii. If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent EPA Method 9 performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;
    - iii. If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent EPA Method 9 performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; or
    - iv. If the maximum 6-minute average opacity is greater than 10 percent, a subsequent EPA Method 9 performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.
    - v. If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 performance test, the permittee may, as an alternative to performing subsequent Method 9 performance tests, elect to perform subsequent monitoring using EPA Method 22 according to the procedures specified in paragraphs (a)(2)(i) and (ii) of 40 CFR 60.47c.
21. For the 2 Mohican Boilers rated at 33.6 MMBtu/hr each, and that combusts oil or a mixture of oil with any other fuels, and that commenced construction, reconstruction, or modification after

February 28, 2005:

- a. The permittee must not cause to be discharged into the atmosphere any gases that contain particulate matter in excess of 0.030 lbs/MMBtu heat input.
  - b. As an alternative to meeting the requirements of Condition 21a, particulate matter emissions must not exceed 0.051 lbs/MMBtu heat input and particulate matter emissions must be reduced by 99.8 percent from uncontrolled.
  - c. Exemption: Each boiler that combusts only oil that contains no more than 0.50 percent sulfur by weight or a mixture of 0.50 percent sulfur by weight oil with other fuels not subject to the particulate emission limit standard under 40 CFR 60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO<sub>2</sub> emissions is not subject to the PM limit in Condition 21a or 21b.
22. For each boiler subject to the PM and/or opacity standards under Conditions 20 and/or 21, the permittee must conduct an initial performance test in accordance with 40 CFR 60.45c(a), and must conduct subsequent performance tests as requested by LRAPA, to determine compliance with the standards, except as specified in Condition 20d.
- a. The permittee must submit to LRAPA the performance test data from the initial and any subsequent performance tests; and
  - b. As of January 1, 2012, and within 90 days after the date of completing each performance test, as defined in 40 CFR 60.8, conducted to demonstrate compliance with the NSPS, the permittee must submit relative accuracy test audit (*i.e.*, reference method) data and performance test (*i.e.*, compliance test) data, except opacity data, electronically to EPA's Central Data Exchange (CDX) by using the Electronic Reporting Tool (ERT) (see [http://www.epa.gov/ttn/chief/ert/ert\\_tool.html/](http://www.epa.gov/ttn/chief/ert/ert_tool.html/)) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.
23. The permittee must keep records and submit semi-annual reports for periods for which oil was burned that include the following information: [40 CFR 60.48c(d), (e), (f), (i), and (j)]
- a. Records of fuel supplier certifications that include:
    - i. For distillate oil:
      - The name of the oil supplier;
      - A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and
      - The sulfur content or maximum sulfur content of the oil.
  - b. All reports must be submitted to LRAPA in accordance with Conditions 27 and 28;
  - c. All records required by this condition must be maintained by the permittee for a period of two (2) years following the date of such record;
  - d. In addition to records of fuel supplier certifications, the report must include a certified statement signed by the permittee that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
  - e. For the 2 Mohican Boilers rated at 33.6 MMBtu/hr each subject to the opacity limit in Condition 20.a, the permittee must submit excess emission reports for any excess emissions that occur during the reporting period and maintain records according to the following requirements, as applicable to the visible emissions monitoring method used.
    - i. For each performance test conducted using EPA Method 9, the permittee must keep the following records:
      - Dates and time intervals of all opacity observation periods;

- Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and
  - Copies of all visible emission observer opacity field data sheets.
- ii. For each performance test conducted using EPA Method 22, the permittee must keep the following records:
- Dates and time intervals of all visible emissions observation periods;
  - Name and affiliation for each visible emission observer participating in the performance test;
  - Copies of all visible emission observer opacity field data sheets; and
  - Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the permittee to demonstrate compliance with the applicable monitoring requirements.
- iii. For each digital opacity compliance system, the permittee must maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by LRAPA.

**New Emission Standard for Hazardous Air Pollutants (NESHAP) Subpart JJJJJJ ('6J') – Area Sources: Industrial, Commercial and Institutional Boilers**

24. For each of the boilers, periodic testing on liquid fuel must not exceed a combined total of 48 hours during any calendar year. [40 CFR 63.11237]

Monitoring and Recordkeeping Requirements

25. Upset conditions or breakdown of equipment or air pollution control equipment which may result in exceeding the emission limitations specified in this permit must be reported to LRAPA as soon as possible in accordance with Condition G12. [LRAPA Title 36]
26. The permittee must keep and maintain the following records for a period of five (5) years at the plant site and be available for inspection by authorized representatives of LRAPA: [LRAPA 34-015 and 34-016]

Activity	Parameter	Units	Recording Frequency
Boiler natural gas combustion	Material usage	Cubic feet	Monthly
Generator and boiler oil combustion	Material usage	Gallons	Monthly
Generator operation	Operation time	Hours	Each occurrence
Emergency generator maintenance to demonstrate that the permittee operated and maintained the emergency generators according to the permittee's own maintenance plan	Maintenance	NA	Each occurrence
Ethylene Oxide Sterilization	Cycles – full and not full	Number of cycles by type (full and not full)	Monthly

Notification and Reporting Requirements

27. **By January 30th of each year**, the permittee must submit the information required by Condition 4, 21, 25, and 26. [LRAPA 34-015, 35-0160, 42-0080]
28. **By July 30th of each year**, the permittee must submit the information required by Condition 21. [LRAPA 34-015, 35-0160, 42-0080]
29. Greenhouse Gas Registration and Reporting If the calendar year emission rate of greenhouse gases (CO<sub>2</sub>e) is greater than or equal to 2,756 tons (2,500 metric tons), including CO<sub>2</sub> from the combustion of biomass, the permittee must register and report its greenhouse gas emissions with LRAPA in accordance with OAR Chapter 340, Division 215. [OAR 340 division 215]
30. The annual report required by Condition 27 must also include the following information for the 40 CFR 63 Subpart WWWW NESHP:
  - a. The number of sterilization cycles conducted during the previous calendar year.
  - b. The number of sterilization cycles conducted during the previous calendar year that did not include a full load.
  - c. Reasons listed in the previous calendar year for not conducting full loads.
31. Unless otherwise specified, notifications required by this permit must be reported to the following office:

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

Fee Schedule

32. In accordance with adopted regulations, the permittee will be invoiced by **October 1<sup>st</sup>** each year for annual fee due **December 1<sup>st</sup>** each year associated with the Standard Air Contaminant Discharge Permit (ACDP). [LRAPA 37-8020 Table 2]

Emission Factors

33. The following are the emission factors to be used in accordance with Condition 4: [LRAPA 42-0080]

Source	Pollutant	Emission Factor	Units
Boilers (natural gas)	NOx	100	lb/MM SCF
	CO	84	lb/MM SCF
	VOC	5.5	lb/MM SCF
	PM/PM10/PM2.5	2.5	lb/MM SCF
	SO2	1.7	lb/MM SCF
Boilers (oil)	NOx	20	lb/1000 gallons
	CO	5	lb/1000 gallons
	VOC	0.2	lb/1000 gallons
	PM/PM10/PM2.5	3.3	lb/1000 gallons
	SO2	71	lb/1000 gallons
Generators (oil)	NOx	604	lb/1000 gallons



Peace Health Sacred Heart Medical Center at Riverbend  
Permit No. 207536  
Expiration Date: April 9, 2024

Source	Pollutant	Emission Factor	Units
	CO	130	lb/1000 gallons
	VOC	49	lb/1000 gallons
	PM/PM10/PM2.5	43	lb/1000 gallons
	SO2	40	lb/1000 gallons

Max/cmw  
04/08/19

Abbreviations and Acronyms

34. The following is a list of abbreviations and acronyms that may be used in this permit:

ACDP	Air Contaminant Discharge Permit	NSPS	New Source Performance Standard
ASTM	American Society for Testing and Materials	NSR	New Source Review
AQMA	Air Quality Maintenance Area	O <sub>2</sub>	Oxygen
calendar year	The 12-month period beginning January 1st and ending December 31st	OAR	Oregon Administrative Rules
CFR	Code of Federal Regulations	ORS	Oregon Revised Statutes
CO	Carbon Monoxide	O&M	Operation and maintenance
CO <sub>2e</sub>	Carbon dioxide equivalent	Pb	Lead
DEQ	Oregon Department of Environmental Quality	PCD	Pollution control device
dscf	dry standard cubic foot	PM	Particulate matter
EPA	US Environmental Protection Agency	PM <sub>10</sub>	Particulate matter less than 10 microns in size
EtO	Ethylene Oxide	ppm	Part per million
FAAA	Federal Clean Air Act	PSD	Prevention of Significant Deterioration
Gal	Gallon(s)	PSEL	Plant Site Emission Limit
GHG	Greenhouse gases	PTE	Potential to Emit
gr/dscf	Grains per dry standard cubic foot	RACT	Reasonably Available Control Technology
HAP	Hazardous Air Pollutant as defined by LRAPA Title 44	SCF	Standard cubic foot
I&M	Inspection and maintenance	SER	Significant Emission Rate
lb	Pound(s)	SIC	Standard Industrial Code
LRAPA	Lane Regional Air Protection Agency	SIP	State Implementation Plan
MM	Million	SO <sub>2</sub>	Sulfur dioxide
MMBtu	Million British thermal units	Special Control Area	As defined in LRAPA Title 29
NA	Not applicable	VE	Visible emissions
NESHAP	National Emissions Standards for Hazardous Air Pollutants	VOC	Volatile organic compound
NO <sub>x</sub>	Nitrogen oxides	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<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 1/12/18]