



**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:

**Wildish Sand & Gravel Co.**  
**Plant 2, Stationary Rock Crusher**  
3600 Wildish Lane  
Eugene, Oregon 97408

Mailing Address:

P.O. Box 40310  
Eugene, Oregon 97404

Permit Number: 208893

Permit Type: Standard

SIC: 1442 - Stationary Rock Crushing

Date Renewed: August 4, 2020

Expiration Date: August 4, 2025

Information Relied Upon:

Application Number: 63401  
Dated: December 1, 2017

Land Use Compatibility Statement:

From: Lane County  
Date: September 21, 1999

Fee Basis:

**Title 37, Table 1, B.61:**  
Stationary Rock Crusher,  
25,000 or more tons/year crushed

**Title 37, Table 1, Part C.3:**

Source electing to maintain the netting basis

**Title 37, Table 1, Part C.4:**

Source that requests a PSEL equal to or  
greater than the SER for a regulated pollutant

Permitted Sources:

Stationary Rock Crusher

Issued

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

Merlyn L. Hough, Director

Effective

Date: \_\_\_\_\_ August 4, 2020

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 (EUs) regulated by this permit are the following:

Emission Unit (EU)	Pollution Controls
Stationary Rock Crusher - 700 tons/hour max.	Water spray and track out reduction measures
Aggregate Insignificant Activities – Gasoline Dispensing Facility (GDF)	Submerged filling and work practices

Plant Site Emission Limits (PSELs)

3. Total emissions from all sources located at the plant must not exceed the 12-month rolling limits below. Calculation details are found in the attachment to the Review Report. [LRAPA 42-0035, and LRAPA 42-0041]

**Annual Plant Site Emission Limits (PSELs)**  
 (tons per year)

Source	PM	PM <sub>10</sub>	PM <sub>2.5</sub>
Rock Crushing Operation	47	26	9

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. [LRAPA 37-0020]

Monitoring Requirements

5. **Control Device Monitoring:** The permittee must monitor the operation and maintenance of the plant and associated air contaminant control devices as follows: [LRAPA 34-015, LRAPA 32-007]
  - a. The permittee must visually inspect the water spray control devices to insure they are functioning properly **on a weekly basis** at a minimum.
  - b. During these inspections, the permittee must ensure that, where applicable, the proper water pressures, flow rates, and spray patterns are being used in accordance with manufacturer’s instructions, or in-house testing for procedures to minimize emissions. The maintenance log must contain, the current recommended procedures and parameters for the air contaminant control system (water pressures, flow rates, work practices, etc.), and a record of all maintenance performed to the air contaminant control system in accordance with permit Condition 29.

6. **PSEL Monitoring:** Compliance with the PSEL is determined for each 12-consecutive calendar month period based on the following calculation for each pollutant: [LRAPA 42-0080]
- a. **By the 15th working day of each month**, the permittee must calculate and record 12-month rolling emission estimations using the following method for total PM, PM<sub>10</sub>, and PM<sub>2.5</sub> :

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

- where: E = Pollutant emissions in tons per year;
- Σ = Symbol representing “summation of”;
- i = Month, beginning with the most recent, summing for 12 preceding, consecutive calendar months;
- P = Process production in tons;
- EF = Pollutant emission factor (see table below);
- K = Conversion factor of 2000 pounds/ton.

- b. The permittee must use the following emission factors to estimate emissions.

Pollutant	Emission Factor (lb/ton of rock crushed)
PM	0.04
PM <sub>10</sub>	0.02
PM <sub>2.5</sub>	0.0012

General Emission Limits

7. The permittee must take reasonable precautions to prevent fugitive dust emissions from leaving the property of a source for a period or periods totaling more than 18 seconds in a six-minute period. Fugitive emissions are determined at the downwind property boundary and must be measured using EPA method 22. The minimum observation time must be at least six minutes. Reasonable precautions include, but are not limited to: [LRAPA 48-015]
- Application of water or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts.
  - Storing collected materials from air pollution control equipment in a covered container or other method equally effective in preventing the material from becoming airborne during storage and transfer.
  - Operating all contaminant generating processes so that fugitive type dust associated with the operation will be adequately controlled at all times.
  - Controlling vehicle speeds on unpaved roadways.

- e. The covering of moving, open-bodied trucks transporting materials likely to become airborne.
  - f. The prompt removal from paved streets of earth or other material which does or may become airborne.
  - g. Conditions outlined in an LRAPA-approved specific fugitive dust control program.
8. All plant process equipment and all air pollution control equipment must be operated and maintained at all times in a manner which minimize air contaminant discharges in accordance with LRAPA's highest and best requirements. [LRAPA 32-005]

Operation and Maintenance Requirements (O&M)

9. Fugitive emissions from the crushing operation (including crushers and screens) must be controlled at all times by use of water or other suitable method of control as pre-approved by LRAPA. [LRAPA 48-015]
10. The permittee must implement and follow an LRAPA-approved site-specific plan for the control of fugitive emissions in accordance with LRAPA Title 48. [LRAPA 48-015]

Aggregate Insignificant Activities – Gasoline Dispensing Facility (GDF)

11. The permittee of the affected source to which the emission standards apply is each GDF. The affected source includes each gasoline cargo tank during the unloading of gasoline to a GDF and also includes each storage tank. [LRAPA 44-190(1)] This condition is enforceable only by LRAPA.
12. The permittee of a GDF that has any gasoline storage tanks with a capacity of 250 gallons or more must comply with the work practices requirements and the submerged fill requirements in Condition 20. [LRAPA 44-190(3)] This condition is enforceable only by LRAPA.
13. The permittee of a GDF whose total volume of gasoline that is loaded into all gasoline storage tanks greater than 250 gallon capacity must comply with the vapor balance requirements in LRAPA 44-240 if either: [LRAPA 44-190(4)] This condition is enforceable only by LRAPA.
  - a. The annual throughput is 480,000 gallons or more in any 12 consecutive months; or
  - b. The monthly throughput is 100,000 gallons or more, as calculated on a rolling 30 day basis.
14. The permittee must, upon request by LRAPA, demonstrate that their annual and average monthly gasoline throughput is below any applicable thresholds. [LRAPA 44-190(5)] This condition is enforceable only by LRAPA.
15. Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two (2) or more GDF at separate locations within the area source, each GDF is treated as a separate affected source. [LRAPA 44-190(8)] This condition is enforceable only by LRAPA.
16. If the permittee's throughput ever exceeds an applicable throughput threshold, the permittee will remain subject to the requirements for the GDF above the threshold, even if the permittee's throughput later falls below the applicable throughput thresholds. [LRAPA 44-190(9)] This condition is enforceable only by LRAPA.
17. The dispensing of gasoline from a fixed gasoline storage tanks at GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used with the area source is only subject to Condition 20. [LRAPA 44-190(10)] This condition is enforceable only by LRAPA.

18. For any affected source subject to the provisions of LRAPA 44-170 through 44-290 and another federal rule, the permittee may elect to comply only with the more stringent provisions of the applicable rules. The permittee of an affected source must consider all provisions of the rule, including monitoring, recordkeeping, and reporting. The permittee of an affected source must identify the affected source and provisions with which the permittee of an affected source will comply in the Notification of Compliance Status required under LRAPA 44-260. The permittee of an affected source also must demonstrate in the Notification of Compliance Status that each provision of which the permittee of an affected source will comply is at least as stringent as the otherwise applicable requirements in LRAPA 44-170 through 44-290. The permittee of an affected source is responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, the permittee of an affected source is violating LRAPA 44-170 through 44-290. Compliance with this rule is the permittee's responsibility and the Notification of Compliance Status does not alter or affect that responsibility. [LRAPA 44-190(11)] This condition is enforceable only by LRAPA.
19. Each permittee of an affected source must comply with the following conditions to minimize emissions: [LRAPA 44-225(1) and (2)] This condition is enforceable only by LRAPA.
  - a. The permittee of an affected source must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to LRAPA and the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
  - b. The permittee of an affected source must keep applicable records and submit reports as specified in Condition 28.
20. The permittee of a GDF must take reasonable precautions to prevent gasoline vapor releases to the atmosphere. Reasonable precautions include but are not limited to the following: [LRAPA 44-230(1)(a) through (g) and (7)] This condition is enforceable only by LRAPA.
  - a. Minimize gasoline spills.
  - b. Do not top off or overfill vehicle tanks. If a person can confirm that a vehicle tank is not full after the nozzle clicks off, such as by checking the vehicle's fuel tank gauge, the person may continue to dispense fuel using best judgment and caution to prevent a spill.
  - c. Post a sign at the GDF instructing a person filling up a motor vehicle to not top off vehicle tanks.
  - d. Clean up spills as expeditiously as practicable.
  - e. Cover all gasoline storage tank fill-pipes with a gasketed seal and all gasoline containers when not in use. Portable gasoline containers that meet the requirements of 40 C.F.R. part 59 subpart F are considered acceptable for compliance with this condition.
  - f. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
  - g. Ensure that cargo tanks unloading at the GDF comply with Conditions 20.a, 20.d, and 20.e.
21. Any cargo tank unloading at a GDF equipped with a functional vapor balance system must connect to the vapor balance system whenever gasoline is being loaded. [LRAPA 44-230(2)] This condition is enforceable only by LRAPA.

22. The permittee of a cargo tank or GDF must only load gasoline into storage tanks at the facility by utilizing submerged filling as specified in Conditions 22.a, 22.b, or 22.c. The applicable distances in Conditions 22.a and 22.b must be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank. [LRAPA 44-230(3)(a) through (c)] This condition is enforceable only by LRAPA.
  - a. Submerged fill pipes installed on or before November 9, 2006, must extend to no less than 12 inches from the bottom of the storage tank.
  - b. Submerged fill pipes installed after November 9, 2006, must extend to no less than 6 inches from the bottom of the storage tank.
  - c. Submerged fill pipes not meeting the specifications of Conditions 22.a or 22.b are allowed if the permittee of a GDF can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Demonstration providing such demonstration must be made available for inspection by LRAPA and the EPA Administrator during the course of the site visit.
23. The permittee must submit the applicable notifications as required in LRAPA 44-260. [LRAPA 44-230(4)] This condition is enforceable only by LRAPA.
24. The permittee must have records available within 24 hours of a request by LRAPA or the EPA Administrator to document gasoline throughput. [LRAPA 44-230(5)] This condition is enforceable only by LRAPA.
25. The permittee must comply with the requirements of Conditions 20 through 24 by the applicable dates specified in LRAPA 44-220. [LRAPA 44-230(6)] This condition is enforceable only by LRAPA.
26. The permittee must keep records of the total monthly and annual throughput in gallons as defined. [LRAPA 44-270(1)(c)] This condition is enforceable only by LRAPA.
27. The permittee must retain records from Condition 26 for a period of five (5) years and must be available within 24 hours of a request by LRAPA and the EPA Administrator. [LRAPA 44-270(2)] This condition is enforceable only by LRAPA.
28. The permittee must keep the following records: [LRAPA 44-270(4)(a) and (b)] This condition is enforceable only by LRAPA
  - a. Records of the occurrence and duration of each malfunction of operation, i.e., process equipment, or the air pollution control and monitoring equipment.
  - b. Records of actions taken during periods of malfunction to minimize emissions in accordance with Condition 19.b, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

#### Recordkeeping Requirements

29. A record of the following data must be maintained for a period of at least **five (5) years** at the plant site and must be available for inspection by authorized representatives of LRAPA: [LRAPA 34-016(5)]

Parameter or Activity	Recording Frequency
Total crushed rock production (tons)	Monthly
Visible Emission (VE) readings of fugitive emissions read at property line	Weekly
Length and description of all times when water sprays are not used during crushed rock production	Upon occurrence
A description of maintenance to air contaminant control systems	Upon occurrence
Recommended procedures and parameters for the air contaminant control system	Upon occurrence
Gasoline storage tank throughput (gallons)	Monthly
Any changes to the equipment that would affect emissions of the GDF	Upon occurrence

**SUBMITTALS**

Annual Fee

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

Reporting Requirements

31. **By February 15<sup>th</sup> of each year**, an annual report to document compliance with the Plant Site Emission Limits must be submitted for the information as required per Conditions 29 and G15. [LRAPA 34-016]

32. The permittee must notify LRAPA before constructing or installing any new transfer points, screening points, and/or modifications to the haul road. [LRAPA 34-015]

**ALL INQUIRIES REGARDING THIS PERMIT SHOULD BE DIRECTED TO:**

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

Abbreviations, Acronyms and Definitions

ACDP	Air Contaminant Discharge Permit
ADT	Air dry ton (contains 10% water)
ASTM	American Society for Testing and Materials
AQMA	Air Quality Maintenance Area
BACT	Best Available Control Technology
BDT	Bone dry ton (all water removed), same as ODT
BER	Baseline Emission Rate
CAO	Cleaner Air Oregon
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CO <sub>2e</sub>	Carbon dioxide equivalent
DEQ	Oregon Department of Environmental Quality
dscf	Dry standard cubic foot
EPA	United States Environmental Protection Agency
EU	Emission Unit
FCAA	Federal Clean Air Act
ft <sup>2</sup>	Square foot
GHG	Greenhouse gases
gr/dscf	Grains per dry standard cubic foot
HAP	Hazardous Air Pollutant as defined by LRAPA Title 44
I&M	Inspection and maintenance
lb	Pound(s)
LRAPA	Lane Regional Air Protection Agency
MM	Million
MACT	Maximum Achievable Control Technology
MMBtu	Million British thermal units
N/A	Not applicable
NAICS	North American Industry Classification System
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NO <sub>x</sub>	Nitrogen oxides
NSPS	New Source Performance Standard
NSR	New Source Review
O <sub>2</sub>	Oxygen
OAR	Oregon Administrative Rules
ODT	Oven dried ton (all water removed), same as BDT
ORS	Oregon Revised Statutes
O&M	Operation and maintenance
PCD	Pollution control device
PM	Particulate matter
PM <sub>10</sub>	Particulate matter less than 10 microns in size
PM <sub>2.5</sub>	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
scf	Standard cubic foot
SER	Significant Emission Rate
SIC	Standard Industrial Code
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur dioxide
TACT	Typically Achievable Control Technology
TBACT	Toxics Best Available Control Technology
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<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 1/12/2018]