



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:

The Willamette Valley Company LLC
P.O. Box 2280
Eugene, OR 97402

Information Relied Upon:

Renewal Application Number: 67656
Date Received: November 2, 2021
CAO TACPA Application Number: 68483
Date Received: July 1, 2022

Land Use Compatibility Statement:

From: City of Eugene
Dated: December 23, 2003

Plant Site Location:

The Willamette Valley Company LLC
586/660 McKinley Street
Eugene, Oregon 97402

Fee Basis:

Title 37, Table 1:
B.51: Organic or inorganic chemical manufacturing and distribution with ½ or more tons per year emissions of any one criteria pollutant

Permit Number: 208935

Permit Type: Simple

SIC: 2851 Paints, Varnishes, Lacquers, Enamels, and Allied Products

Date Issued: September 23, 2022

Expiration Date: September 23, 2027

Permitted Sources:

Mixing Vats
Storage Tanks
3 Dust Collectors

Issued
By:

Steven A. Dietrich

Steven A. Dietrich, Director

Effective
Date:

9-23-22

Permitted Activities

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

Emission Unit Description

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

EU #	Emission Unit Description	Location	
1	Dust Collector 1	Zone 4 – Adjacent to Calcium Carbonate Silo	
2	Dust Collector 2	Zone 2 – Putty Deck	
28	Dust Collector 3	Zone 3 – Primer Paint Mixing Area	
EU #	Emission Unit Description	Location	Emission Control Device
3	PMDI Pump	Zone 1	None
4	PMDI Tank and Inlet Valve	Zone 4	None
5	Railway PMDI Inlet Valve	Zone 4	None
6	Mixing Vat – Waterbase	Zone 1	EU #28
7 – 8	Mixing Vat – Liquid Only	Zone 1	None
9	Mixing Vat – Waterbase	Zone 1	EU #28
10 – 12	Mixing Vat – Waterbase	Zone 2	EU #2
13	Storage Tank	Zone 2	None
14	Storage Tank	Zone 3	None
15 – 18	Mixing Vats – Primer Paint	Zone 3	EU #28
19 – 22	Mixing Vats – Epoxy	Zone 5	EU #1
23 – 24	Mixing Vats – Premix	Zone 6	EU #1
25	Recycled Glass	Zone 6	EU #1
26	Sand Mixing	Zone 6	None
27	Emergency Generator – Generac, 150 kW, oil-fired	None	

Plant Site Emission Limits (PSELS)

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

Annual PSELS

Pollutant	Plant Site Emission Limit (tons/year)
VOC	39
Individual HAP	9
Total HAP	24

4. Any changes in operation that may increase emissions above the PSELS must be approved by LRAPA. Failure to do so may result in enforcement actions being taken by LRAPA. [LRAPA 42-0080]

PSEL Monitoring and Compliance

5. **By the 15th day of each month**, the permittee must determine compliance with the 12-month rolling VOC and HAP(s) PSELS in accordance with the following procedures. [LRAPA 34-016 and LRAPA 42-0080(4)(c)]

- 5.a. The permittee must calculate the total calendar month emissions of VOCs and individual HAPs using the following equation:

$$E_m = \left[\sum_{i=1}^n \frac{M_i \cdot D \cdot W\% \cdot EF}{2000} \right] \quad \text{Equation 1}$$

- where:
- E_m = The total calendar month VOC or individual HAP emissions from all of the VOC or individual HAP-containing materials used, in tons;
 - Σ = Symbol representing "summation of";
 - M = The total usage of an individual VOC or HAP-containing material for a calendar month, in gallons;
 - D = Density of each material used in pounds per gallon as obtained from the Safety Data Sheet (SDS) or Certified Product Data Sheet (CPDS);
 - $W\%$ = VOC/HAP content of material by weight percent as obtained from the SDS or CPDS;
 - EF = Emission factor (see table below);
 - i = Each individual VOC or HAP-containing material;
 - n = The total number of individual VOC or HAP-containing materials; and
 - 2000 = The number of pounds in a short ton.

Material	Emission Factor	Reference
VOC/HAP-containing raw material	0.015 lb/lb	AP-42 Table 6.4-1
MDI raw material	0.0015 lb/lb	MDI Emissions Estimator (Ver. 4.0.1)

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

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

- where: E_{12} = The total consecutive 12 calendar month VOC or individual HAP emissions, in tons;
 Σ = Symbol representing "summation of";
 Em_i = The VOC or individual HAP emissions during each of the previous consecutive 12 calendar months, in tons, as calculated using Equation 1;
 m = Each calendar month in the previous consecutive 12 calendar month period.

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

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

- where: $E_{12_{THAP}}$ = The total consecutive 12 calendar month emissions of the aggregate of all HAPs, in tons;
 Σ = Symbol representing "summation of";
 E_{12i} = The total individual HAP emissions during the previous consecutive 12 calendar months, in tons, as calculated using Equation 2;
 n = The total number of individual HAP-containing materials.

General Emission Standards

6. 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 from sources, other than wood fired boilers. The emissions standard in this condition does not apply to fugitive emissions from a source or part of a source. [LRAPA 32-010(1) and LRAPA 32-010(3)]
7. The permittee must not cause, suffer, allow, or permit particulate matter emissions from any air contaminant source in excess of 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)]
8. The permittee must not cause, suffer, allow, or permit particulate matter emissions from any air contaminant source in excess of 0.10 grains per dry standard cubic foot for sources installed, constructed or modified after April 16, 2015. 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)(c)]

9. The permittee must not cause, suffer, allow or permit the emissions of particulate matter in any one (1) hour from any process in excess of the amount shown in LRAPA 32-8010, for the process weight allocated to the process. [LRAPA 32-045]
10. Commercial and industrial outdoor burning is prohibited inside the Eugene and Springfield Urban Growth boundaries. Commercial and industrial outdoor burning is prohibited elsewhere, unless authorized pursuant to LRAPA 47-020. [LRAPA 47-015(4)&(5)]
11. The permittee must conduct dust suppression measures such as, but not limited to, cleaning around bins and equipment and must operate all air contaminant generating processes so that fugitive dust associated with the operation will be adequately controlled at all times. [LRAPA 48-015]
12. All plant process equipment and all air contaminant collection and disposal facilities, including the dust collectors, must be operated and maintained at all times in a manner which minimizes air contaminant discharges. [LRAPA 32-005]
13. The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by LRAPA personnel. The permittee must maintain a log of each nuisance complaint received by the permittee during the operation of the facility. A plant representative must immediately investigate the condition following the receipt of the nuisance complaint and provide a response to the complainant within 24 hours, if possible. [LRAPA 49-020]

Performance Standards and Limitations

14. The permittee must not process, use, or generate materials containing the hazardous air pollutants as defined in 40 CFR 63.11607 of the National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing – Subpart CCCCCC, detailed as follows: [LRAPA 32-009(4) and LRAPA 44-150(5)(aaaaa)]

Hazardous Air Pollutant	CAS	Weight Percent
Benzene	74-43-2	≥0.1%
Methylene Chloride	75-09-2	≥0.1%
Cadmium	7440-43-9	≥0.1%
Chromium	7440-47-3	≥0.1%
Lead	7439-92-1	≥1.0%
Nickel	7440-02-0	≥0.1%

Subpart IIII New Source Performance Standards: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [LRAPA 46-535(3)(cccc)]

15. The permittee must operate the emergency stationary ICE in EU-27 according to the requirements in Conditions 15.a through 15.c. In order for the engine to be considered an emergency stationary ICE, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in Conditions 15.a through 15.c, is prohibited. If the permittee does not operate the engine according to the requirements in Conditions

15.a through 15.c, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]

- 15.a. There is no time limit on the use of the emergency stationary ICE in emergency situations. [40 CFR 60.4211(f)(1)]
- 15.b. The permittee may operate the emergency stationary ICE purpose specified Condition 15.b.i for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by Condition 15.c counts as part of the 100 hours per calendar year allowed by Condition 15.b. [40 CFR 60.4211(f)(2)]
 - 15.b.i Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition LRAPA for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2)(i)]
- 15.c. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in Condition 15.b. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 60.4211(f)(3)]
- 15.d. The permittee must meet the following emission standards from Table 1 of the subpart for the operation of a pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters. The emissions standards are presented in g/KW-hr and (g/HP-hr): [40 CFR 60.4205(a)]

Maximum engine power	HC	NO _x	CO	PM
130≤KW<225 (175≤HP<300)	1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

16. Monitoring and Recordkeeping

- 16.a. The permittee must install a non-resettable hour meter prior to startup of the engine. [40 CFR 60.4209(a)]
- 16.b. The permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]

Cleaner Air Oregon Source Risk Limits

17. Chronic Source Risk Limits

17.a. The permittee must maintain an Excess Cancer Risk at or below 5 per million during the annual period in accordance with Condition 20. The permittee must maintain a chronic noncancer Hazard Index at or below 1 during the annual period in accordance with Condition 20. The annual period for cancer and chronic noncancer source risk limits apply to any 12-consecutive month period. [OAR 340-245-0110(1)(a)]

18. Acute Source Risk Limit

18.a. The permittee must maintain an acute noncancer Hazard Index at or below 1 during a 24-hour period in accordance with Condition 20. The 24-hour period for noncancer source risk limits apply to any calendar day. [OAR 340-245-0110(1)(b)]

19. Source Risk Limits for New Product Formulations

19.a. A 'new product formulation' for the purpose of this permit is defined as a product formulation containing a toxic air contaminant (TAC) listed in OAR 340-245-8020 Table 2 that was not previously identified during the Cleaner Air Oregon risk assessment. The permittee must comply with the following prior to the production of a 'new product formulation': [OAR 340-245-0110(5)(b)]

19.a.i Provide LRAPA with the composition and emissions data of the new product formulations; and

19.a.ii Provide a compliance demonstration in accordance with Condition 20 to ensure that the use of the new product formulation would not cause the risk limits in Conditions 17.a and 18.a to be exceeded.

20. New Product Formulations Compliance Demonstration

20.a. Unless another method is approved by LRAPA, the permittee must calculate the facility risk prior to using a new product formulation based on the following calculations: [OAR 340-245-0110(5)(b)]

$$20.a.i \quad Risk_{Facility_x} = Risk_{Current_x} + Risk_{New_x}$$

Where:

$Risk_{Facility_x}$ = Total risk from the facility for each exposure scenario after the addition of the new product formulation, as defined in Condition 19.a. Cancer risk is expressed in terms of cases per million and noncancer risk is expressed in terms of hazard index.

$Risk_{Current_x}$ = Current facility risk by exposure scenario based on one of the two calculation options defined in Condition 20.a.ii.

$Risk_{New_x}$ = Calculated risk by exposure scenario for the new product formulation as calculated by the equation in Condition 20.a.iii.

x = Exposure scenarios include residential chronic cancer and noncancer, non-residential (child and worker) chronic cancer and noncancer, and acute noncancer.

- 20.a.ii The permittee must choose one of the two following options when determining the current facility risk by exposure scenario ($Risk_{Currentx}$) as utilized in the equation in Condition 20.a.i:
- 20.a.ii.A. The current risk by exposure scenario is set as the total risk per exposure scenario as established in the approved risk assessment; or
- 20.a.ii.B. The current risk by exposure scenario is recalculated for the current normal facility operations prior to the addition of the new product formulation utilizing the methods in the approved modeling protocol.
- 20.a.iii $Risk_{Newx} = REER_x \times DF_x$

Where:

- $Risk_{Newx}$ = Calculated risk by exposure scenario for the new product formulation.
- $REER_x$ = Risk Equivalent Emission Rate by exposure scenario, as calculated by the equation in Condition 20.a.iv. [(lbs/year)/($\mu\text{g}/\text{m}^3$) or (lbs/day)/($\mu\text{g}/\text{m}^3$)]
- DF_x = Dispersion Factors used in the approved risk assessment for the associated TEU and by exposure scenario. [OAR 340-245-8010 Table 3 as of permit issuance date]

20.a.iv $REER_x = \sum_1^n \frac{ER_1}{RBC_x} + \dots + \sum_1^n \frac{ER_n}{RBC_x}$

Where:

- $REER_x$ = Risk Equivalent Emission Rate by exposure scenario. [(lbs/year)/($\mu\text{g}/\text{m}^3$) or (lbs/day)/($\mu\text{g}/\text{m}^3$)]
- ER = Daily or Annual emission rate per TAC in the new product formulation, as calculated using the methods approved in the Cleaner Air Oregon emissions inventory. [lbs/year or lbs/day]
- RBC_x = Risk Based Concentration per TAC by exposure scenario. [OAR 340-245-8010 Table 2 as of permit issuance date] [$\mu\text{g}/\text{m}^3$]

Cleaner Air Oregon General Conditions and Disclaimers

21. *Reassessment of Risk:* The permittee must reassess, and submit to LRAPA, the source risk for cancer, chronic noncancer, and acute noncancer risk in accordance with OAR 340-245-0100(8)(e) by no later than 60 days after the following [OAR 340-245-0100(8)(a)(F)]:
- 21.a. Zoning changes approved and effective within 1.5 kilometers of the source that could increase risk; or
- 21.b. Land use has changed in a way that could increase risk in any area in which land uses were excluded from the permittee's Cleaner Air Oregon risk assessment under OAR 340-245-0210(1)(a)(F) because such area was not used in a manner allowed by the applicable zoning.

22. *Reassessment of Risk:* The permittee must reassess, and submit to LRAPA, the source risk for cancer, chronic noncancer, and acute noncancer risk in accordance with OAR 340-245-0100(8)(e) based on any of the following:
 - 22.a. The permittee becomes aware that corrections or additional information are needed to revise or update the original risk assessment [OAR 340-245-0100(8)(a)(H)];
 - 22.b. The permittee proposes to modify any physical feature of the source that was used as a modeling parameter in the risk assessment that may increase risk [OAR 340-245-0100(8)(a)(D)];
 - 22.c. When notified in writing by LRAPA that a Risk Based Concentration in OAR 340-245-8010 Table 2 for a Toxic Air Contaminant that is emitted by this source has been added or the value lowered, leading to a substantial increase in risk [OAR 340-245-0100(8)(b)(B)];
 - 22.d. When notified in writing by LRAPA that the risk assessment procedures in division 245 have changed in a way that would substantially increase risk, or substantially impact the implementation or effectiveness of the Risk Reduction Plan [OAR 340-245-0100(8)(b)(C)]; or
 - 22.e. When notified in writing by LRAPA that a previous risk assessment contains errors or omissions that, when corrected, could increase the risk. [OAR 340-245-0100(b)(A)]
23. *Permit Modifications:* The permittee must apply for approval under OAR 340 Division 210 and submit fees as required under OAR 340-245-0100(8)(g) and Condition 31 for the construction and modification of an Exempt TEU that is subject to National Emission Standards for Hazardous Air Pollutants or New Source Performance Standard requirements. [OAR 340-245-0060(4)(c)(A)]
24. *Permit Modifications:* The permittee must apply for a permit modification under OAR 340 Division 216 and submit fees as required under OAR 340-245-0100(8)(g) and Condition 31 for the following:
 - 24.a. Construct or modify a TEU that is:
 - 24.A.I Aggregated under OAR 340-245-0060(4)(c)(B)(iii); or
 - 24.A.II Significant under OAR 340-245-0060(4)(c)(C)(i);
 - 24.b. Modify an established Source Risk Limit or any risk limits or conditions required by division 245 [OAR 340-245-0100(8)(a)(B)];
 - 24.c. Request an extension to a compliance date as outlined in OAR 340-245-0100(8)(a)(C);
 - 24.d. Terminate postponement of risk reduction established under OAR 340-245-0150 [OAR 340-245-0100(8)(a)(E)]; or
 - 24.e. Modify air monitoring requirements established under OAR 340-245-0230. [OAR 340-245-0100(8)(a)(G)]
25. *Permit Modification Deadline:* If LRAPA has provided notice to the permittee that a modification under OAR 340-245-0100(8)(b) is required, the permittee must submit the necessary information required under OAR 340-245-0100(3) to LRAPA 90 days after the date that LRAPA sends such written notice. [OAR 340-245-0100(8)(c)]
26. *CAO Submittal Deadline Extensions:* The permittee may request an extension for submittals required under Conditions 21 through 25 in accordance with OAR 340-245-0030(3) by submitting a written request no fewer than 15 days prior to the submittal deadline.

Monitoring, Recordkeeping and Reporting Requirements

27. The permittee must monitor and maintain records for a period of five (5) years from the date of entry of the following information, which must be available for inspection by authorized representatives of LRAPA: [LRAPA 34-016 and 42-0080]

Activity	Parameter	Units	Recording Frequency
VOC/HAP-containing Material Production	Material Production	Gallons or Pounds	Monthly
	VOC Content	% By Weight	Maintain current information at all times
	HAP Content	% By Weight	Maintain current information at all times
Cleaner Air Oregon – Source Risk Compliance	New Formulations	Calculated Risk	As implemented
	Any zoning changes within 1.5 kilometers of the source	Potential Increased Risk	Annually
Inspection and Maintenance (I&M) Plan Activities and Parameters	Upon Occurrence	--	As Specified in I&M Plan required per Condition 30
Emergency Generator (EU-27)	Hours of Operation	Hours	As performed
	Reason for Operation	--	As performed

28. The permittee must maintain records of the dates of inspection and maintenance of all emission units and pollution control devices. An excess emission log must be maintained in accordance with Condition G15.
29. For each year this permit is in effect, the permittee must submit to LRAPA **by February 15th** the following information from the previous calendar year: [LRAPA 34-016 and 42-0080]
- 29.a. The report must include the information required per Conditions 5 and 28. The report must also document any new VOC/HAP-containing raw materials used by the facility, provide updated or new SDS or Certified Product Data Sheet, and provide the CAO new product formulation risk calculations required per Condition 19, as necessary. The annual reporting period is January 1st through December 31st.
30. Within 60 days of issuance of this permit, the permittee must submit and follow an LRAPA-approved Inspection and Maintenance (I&M) plan for pollution control devices and equipment. The plan must specify items such as: proper dust collector inspections and filter replacements maintaining closed containers when not in use, proper minimization and clean-up of any spillage, and inspection and maintenance. [LRAPA 32-007]

31. Unless otherwise specified, all reports, test results, notifications, etc. required by the above terms and conditions must be reported to the following office: [LRAPA 34-016]

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

Fee Schedule

32. In accordance with adopted regulations, the permittee shall be invoiced by **October 1st** of each year with fees due **December 1st** of each year. [LRAPA 37-8020 Table 2]

KE/RR
9/22/2022

ABBREVIATIONS, ACRONYMS, AND DEFINITIONS

ACDP	Air Contaminant Discharge Permit
Calendar Year	The 12-month period beginning January 1 st and ending December 31 st
CFR	Code of Federal Regulation
CO	Carbon Monoxide
CPDS	Certified Product Data Sheet
D	Density
DEQ	Oregon Department of Environmental Quality
dscf	Dry Standard Cubic Foot
EF	Emission Factor
EPA	US Environmental Protection Agency
CAA	Federal Clean Air Act
gal	Gallon(s)
gr/dscf	Grains per Dry Standard Cubic Foot
HAP	Hazardous Air Pollutant as defined by LRAPA Title 44
I&M	Inspection and Maintenance
K	Conversion Factor Constant
lb	Pounds
LRAPA	Lane Regional Air Protection Agency
MMBtu	Million British thermal units
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
SDS	Safety Data Sheet
SER	Significant Emission Rate
SIC	Standard Industrial Code
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
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]