



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:
J.H. Baxter & Co.
P.O. Box 3541
Bend, Oregon 97707

Information Relied Upon:
Application No.: 69033
Date: December 7, 2022

Plant Site Location:
J.H. Baxter & Co.
Eugene Plant
3494 Roosevelt Blvd.
Eugene, Oregon 97402

Land Use Compatibility Statement:
From: City of Eugene
Date: April 28, 1999

Fee Basis:
Title 37, Table 1:

B.74: All other sources not listed herein that LRAPA determines an air quality concern exists

Permit Number: 200502
Permit Type: Simple
SIC: 4961 - Fuel-burning Equipment
Date Issued: June 21, 2023
Expiration Date: June 21, 2028

Permitted Sources:
Natural Gas-fired Boiler
(with #2 Fuel Oil Backup)
Water Treatment System
Storage Tanks

Issued
By: Steven A. Dietrich
Steven A. Dietrich, Director

Effective
Date: 6-21-23

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:

Emission Unit ID	Emission Unit Description	Control Equipment
EU-3	1 Natural Gas-Fired Boiler with No. 2 Oil Backup: Johnstone Boiler – 16.8 MMBtu/hr, tangential, fire tube	NA
EU-5	Process Water Treatment System: <ul style="list-style-type: none">• Evaporator (Marley)• Storage Tanks	NA

Emission Standards and Limits

3. The total emissions must not exceed the rolling 12-month limits below. [LRAPA 42-0040, 42-0041, and OAR 340-222-0041(2)]

Pollutant	PSEL (tons per year)
VOC	2.7
CO	6.2
NO _x	7.4
GHG (as CO ₂ equiv.)	8863

Evaporator (EU-5) Emission Limits

4. Emissions from the evaporator in EU-5 must not equal or exceed an average of 20 percent opacity for a period or periods aggregating more than three (3) minutes in any one (1) hour. [LRAPA 32-010(2) and (3)]
5. Particulate matter emissions must not exceed 0.10 grains per dry standard cubic foot (gr/dscf) from the evaporator in EU-5. [LRAPA 32-015(2)(b)(A)]

Boiler (EU-3) Emission Limits

6. Emissions from the boiler in EU-3 must not equal or exceed an average of 20 percent opacity for a period or periods aggregating more than three (3) minutes in any one (1) hour. [LRAPA 32-010(2) and (3)]
7. Emissions of particulate matter from the boiler must not exceed 0.14 grains per cubic foot of exhaust gas, adjusted to 50 percent excess air or calculated to 12 percent carbon dioxide. [LRAPA 32-030(1)(b) and (3)]
8. ASTM Grade 2 fuel oils must not contain more than 0.5% sulfur by weight. Periodic testing, maintenance, or operator training on liquid fuel must not exceed a combined total of 48 hours during any calendar year for each boiler in EU-3. [LRAPA 32-065(2)(b) and 40 CFR 63.11195(e)]
 - a. The permittee must keep records of ASTM Grade 2 fuel oils including:
 - i. Calendar dates covered in the reporting period;
 - ii. Records of fuel oil supplier certification including: the name of the supplier, and a statement from the supplier that the fuel oil complies with the specifications for Distillate Fuel Oil Number 2, as defined by the American Society for Testing and Materials in ASTM D396-78, "Standard Specification for Fuel Oils".

Cleaner Air Oregon Risk Limitations

9. *Source Risk Limit Conditions:* The permittee must comply with the following conditions for the boiler in EU-3:
 - a. The permittee must limit the boiler combustion on fuel oil to 2,000 gallons per year on a 12-month rolling period. [OAR 340-245-0110(1)(a)]
 - b. The permittee must limit the boiler combustion on fuel oil to 14 hours per calendar day. [OAR 340-245-0110(1)(b)]

Cleaner Air Oregon General Conditions and Disclaimers

10. *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)]:
 - a. Zoning changes approved and effective within 1.5 kilometers of the source that could increase risk; or
 - 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.
11. *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:
 - 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);
 - 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)];
 - 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)];

- 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
 - 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)]
12. *Permit Modifications:* The permittee must apply for a permit modification under LRAPA title 37 and submit fees as required under OAR 340-245-0100(8)(g) for the following:
- a. Construct or modify a TEU that is:
 - i. Aggregated under OAR 340-245-0060(4)(c)(B)(iii); or
 - ii. Significant under OAR 340-245-0060(4)(c)(C)(i);
 - b. Modify an established Source Risk Limit or any risk limits or conditions required by division 245 [OAR 340-245-0100(8)(a)(B)];
 - c. Request an extension to a compliance date as outlined in OAR 340-245-0100(8)(a)(C);
 - d. Terminate postponement of risk reduction established under OAR 340-245-0150 [OAR 340-245-0100(8)(a)(E)]; or
 - e. Modify air monitoring requirements established under OAR 340-245-0230. [OAR 340-245-0100(8)(a)(G)]
 - f. Construct and modify 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)]
13. *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)]
14. *CAO Submittal Deadline Extensions:* The permittee may request an extension for submittals required under Conditions 10 through 13 in accordance with OAR 340-245-0030(3) by submitting a written request no fewer than 15 days prior to the submittal deadline.

Fugitive Emissions

15. The permittee must take reasonable precautions to prevent particulate matter from becoming airborne by: [LRAPA 48-015]
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
 - b. Application of water or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts;
 - c. Full or partial enclosure of materials stockpiles in cases where application of water or other suitable chemicals is not sufficient to prevent particulate matter from becoming airborne;
 - d. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
 - e. Adequate containment during sandblasting or other similar operations;
 - f. The covering of moving, open-bodied trucks transporting materials likely to become airborne;

- g. The prompt removal from paved streets of earth or other material which does or may become airborne; and
- h. Developing an LRAPA approved fugitive emission control plan upon request by LRAPA and implementing the plan whenever fugitive emissions leave the property for more than 18 seconds in a six-minute period.

Monitoring, Recordkeeping and Reporting Requirements

16. To ensure compliance with the annual PSELs, a record of the following data must be maintained for a period of five (5) years at the plant site and must be available for inspection by authorized representatives of LRAPA: [LRAPA 34-016]

Item	Parameter (Units)	Minimum Recording Frequency
a.	Amount of natural gas combusted (scf/year)	Monthly
b.	Amount of fuel oil combusted (gallons/day and gallons/year)	Monthly
c.	Hours of operation of each boiler on fuel oil (hours/day and hours/year)	Monthly
d.	Hours of operation of the evaporator (hours/year)	Monthly
e.	Certification by supplier of sulfur content in oil	Upon request

PSEL Monitoring

17. **By the 20th of each month**, the permittee must estimate actual emissions to ensure compliance with the PSELs in Condition 3. Compliance with the PSELs are determined for each 12-month rolling period based on the following calculation for each pollutant, except for GHGs: [LRAPA 34-016 and 42-0080(3)(a)]

$$E = \sum_{i=1}^{12} \frac{EF \cdot P_i}{2000}$$

where,

- E = Emissions in tons/year;
- Σ = Symbol representing "summation of";
- i = Month, beginning with the most recent, summing for 12 preceding, consecutive calendar months;
- EF = Pollutant emissions factor (see Condition 18);
- P = Process production or parameter (see Condition 16);

18. The permittee must use the following emission factors for calculating pollutant emissions, unless alternative emission factors are approved by LRAPA. The permittee may request or LRAPA may require using alternative emission factors provided they are based on actual test data or other documentation (e.g., AP-42 compilation of emission factors) that has been reviewed and approved by LRAPA. [LRAPA 34-160]

Emission Unit	Pollutant	Emission Factor (EF)	EF units
EU-3 Boiler – Natural Gas	PM/PM ₁₀ /PM _{2.5}	2.5	lb/MMCF
	SO ₂	1.7	lb/MMCF
	NO _x	100	lb/MMCF

Emission Unit	Pollutant	Emission Factor (EF)	EF units
EU-3 Boiler – Distillate #2	CO	84	lb/MMCF
	VOC	5.5	lb/MMCF
	PM/PM ₁₀ /PM _{2.5}	3.3/2.3/1.6	lb/1000 gal
	SO ₂	71	lb/1000 gal
	NO _x	20	lb/1000 gal
	CO	5	lb/1000 gal
EU-5 Evaporator	VOC	0.2	lb/1000 gal
	VOC	0.53	Lb/hour

Operation and Maintenance Plan

19. The permittee must prepare and follow an LRAPA-approved Operation and Maintenance (O&M) Plan for EU-5 at the facility and submit it to LRAPA for approval within 60 days of the permit issuance date. The O&M Plan must include, but is not limited to, the following: [LRAPA 32-007]
 - a. The O&M Plan must include the following equipment: evaporator including operating temperatures and temperature calibration, carbon filter, water meter, and auxiliary equipment that affects the operation of the evaporator;
 - b. A schedule of routine maintenance and inspections as recommended by manufacturer; and
 - c. Recordkeeping section of inspection, findings, and corrective actions associated with the O&M Plan.
20. A log of inspections, routine maintenance, and corrective actions must be maintained by the permittee for a period of at least five (5) years. The O&M Plan must be reviewed by the permittee at least annually by February 15th each year and updated as necessary. Updated O&M Plans must be submitted to LRAPA for approval within 10 days of completion. [LRAPA 32-007 and 34-016]

Reporting Requirements

21. **By February 15th of each year** the permittee must submit an annual summary containing the following information: [LRAPA 34-016]
 - a. Information required by Condition 17 for the preceding calendar year;
 - b. The upset log information specified in Condition G15, if required; and [LRAPA 36-025]
 - c. If the annual emission rate of greenhouse gases (CO₂e) is greater than or equal to 2,756 tons (2,500 metric tons), the permittee must register and report its greenhouse gas emissions with LRAPA in accordance with OAR 340-215. [OAR 340-215-0010 and 340-215-0040]

Outdoor Burning

22. The permittee is prohibited from conducting outdoor burning, except as may be allowed by LRAPA title 47. [LRAPA 47-001]

Fee Schedule

23. In accordance with adopted regulations, the permittee will be invoiced for the Annual Fees by **October 1st** and due **December 1st** each year. [LRAPA 37-0064 Table 2]
24. Unless otherwise specified, all reports, test results, notifications, etc., required by the above terms and conditions must be reported to the following office: [LRAPA 34-016]

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

MH/rr
6/21/2023

Abbreviations and Acronyms

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 ₂	oxygen
BDT	Bone dry ton	OAR	Oregon Administrative Rules
calendar year	The 12-month period beginning January 1st and ending December 31st	ORS	Oregon Revised Statutes
CFR	Code of Federal Regulations	O&M	operation and maintenance
CO	Carbon Monoxide	Pb	lead
CO ₂ e	Carbon dioxide equivalent	PCD	pollution control device
DEQ	Oregon Department of Environmental Quality	PM	particulate matter
dscf	dry standard cubic foot	PM ₁₀	particulate matter less than 10 microns in size
EPA	US Environmental Protection Agency	PM _{2.5}	particulate matter less than 2.5 microns in size
FCAA	Federal Clean Air Act	ppm	part per million
ft ²	square foot	PSD	Prevention of Significant Deterioration
GHG	Greenhouse gases	PSEL	Plant Site Emission Limit
gr/dscf	grains per dry standard cubic foot	PTE	Potential to Emit
HAP	Hazardous Air Pollutant as defined by LRAPA title 12	RACT	Reasonably Available Control Technology
I&M	inspection and maintenance	scf	standard cubic foot
lb	pound(s)	SER	Significant Emission Rate
LRAPA	Lane Regional Air Protection Agency	SIC	Standard Industrial Code
MGal	Thousand gallons		
MSF	Thousand square feet	SIP	State Implementation Plan
MM	million	SO ₂	sulfur dioxide
MMBtu	million British thermal units	Special Control Area	as defined in LRAPA title 29
NA	not applicable	TRI	Toxics Release Inventory
NESHAP	National Emissions Standards for Hazardous Air Pollutants	VE	visible emissions
NO _x	nitrogen oxides	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 1/12/2018]