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OAR-2004-0087

Permit No.: 34-2681
Expiration Date: 11-1-99
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OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
OREGON TITLE V OPERATING PERMIT

07-15-05 A11:12 IN

Northwest Region
2020 SW 4th Ave., Suite 400
Portland, OR 97201-4987
Telephone: (503) 229-5554

Issued in accordance with the provisions of ORS 468A.040, 468A.300
and based on the land use compatibility findings included in the permit record.

ISSUED TO:

Intel Corporation (Aloha Campus)
M/S AL4-91
5200 NE Elam Young Parkway
Hillsboro, Oregon 97124-6497

INFORMATION RELIED UPON:

Application No.: 016312
Received: 05/21/97

PLANT SITE LOCATION:

3585 SW 198th Avenue
Aloha, Oregon 97007

LAND USE COMPATIBILITY STATEMENT:

From: Washington County
Dated: 9/20/91

ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY


Ed Druback, Northwest Region Air Quality Manager

OCT 21 1998

Date

NATURE OF BUSINESS:

Semiconductor Manufacturing

PRIMARY SIC CODE:

3674

RESPONSIBLE OFFICIAL:

Name: Steven C. Cox
Title: Fab 15 Plant Manager

FACILITY CONTACT PERSON:

Name: Audrey Holes
Title: Environmental Engineer
Phone: (503) 591-3038

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LIST OF ABBREVIATIONS USED IN THIS PERMIT

| | |
|------------------|--|
| ACDP | Air Contaminant Discharge Permit |
| acf | Actual cubic foot |
| ASTM | American Society of Testing and Materials |
| CCCU | Carbon Concentration Condensation Unit |
| CFR | Code of federal regulations |
| CO | Carbon monoxide |
| DEQ | Oregon Department of Environmental Quality |
| dscf | dry standard cubic foot |
| EF | emission factor |
| EPA | US Environmental Protection Agency |
| EU | Emissions unit |
| FBR | Free Board Ratio |
| FCAA | Federal Clean Air Act |
| gr/dscf | grain per dry standard cubic foot |
| GC/FID | Gas chromatograph/Flame ionization detection |
| HAP | Hazardous Air Pollutant as defined by OAR 340-32-130 |
| HCFC | Hydro-chloro-fluoro-carbons |
| ID | Identification number |
| I&M | Inspection and maintenance |
| LPG | Liquified petroleum gas |
| MB | Material balance |
| MMBtu | Million British thermal units |
| mvac | Motor vehicle air conditioner |
| NG | Natural gas |
| NO _x | Oxides of nitrogen |
| O ₂ | Oxygen |
| OAR | Oregon Administrative Rules |
| ORS | Oregon Revised Statutes |
| O&M | Operation and maintenance |
| Pb | Lead |
| PCD | Pollution control device |
| PM | Particulate matter |
| PM ₁₀ | Particulate matter less than 10 microns in size |
| ppm | Part per million |
| ppmv | Part per million by volume |
| PSEL | Plant Site Emission Limit |
| RACT | Reasonably Available Control Technology |
| scf | Standard cubic foot |
| SERP | Source Emission Reduction Plan |
| SIP | State Implementation Plan |
| SNAP | Significant New Alternative Policy |
| SO ₂ | Sulfur dioxide |
| ST | Source test |
| VE | Visible emissions |
| VOC | Volatile organic compound |

PERMITTED ACTIVITIES

1. Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air contaminants from those processes and activities directly related or associated with the air contaminant sources in accordance with the requirements, limitations, and conditions in this permit. [OAR 340-28-2100 and 340-28-2200(2)]
2. All Conditions in this permit are federally enforceable and state enforceable except as noted below. [OAR 340-28-2140 and 340-28-2150]
 - 2.a. Conditions 5.b., 6., 11.b., 15., G21. and associated monitoring requirements are enforceable by the state only.
 - 2.b. Attachment-1 of this permit provides a cross reference for SIP rules that have been renumbered in the current Oregon Administrative Rules.

EMISSIONS UNIT (EU) AND POLLUTION CONTROL DEVICE (PCD) IDENTIFICATION

3. The emissions units regulated by this permit are the following [OAR 340-28-2120(3)]:
 - 3.a. Emissions Unit #1 (EU1)

| VOC Emissions Unit | | Stationary Source ID | Pollution Control Device (PCD) | PCD ID. |
|---|------|----------------------|---|---------|
| All activities emitting Volatile Organic Compounds (VOCs) at the Aloha campus except EU2 and EU3 Boilers. | FAB4 | EU1.1 | Wet Scrubber | PCD1 |
| | FAB5 | | None | - |
| | D1 | EU1.2 | Carbon Concentration Condensation Unit (CCCU) | PCD26 |
| | AL3 | EU1.3 | None | - |
| | AL4 | | | |

3.b. Emissions Unit #2 (EU2)

| Commercial Boilers | Stationary Source ID | Capacity 10 ⁶ btu/hr |
|--------------------|----------------------|------------------------------------|
| FAB4 #1 Boiler | EU2.1 | 3 |
| FAB4 #2 Boiler | EU2.2 | 3 |
| FAB4 #3 Boiler | EU2.3 | 3 |
| FAB5 #1 Boiler | EU2.4 | 6.5 |
| FAB5 #2 Boiler | EU2.5 | 6.5 |
| FAB5 #3 Boiler | EU2.6 | 6.277 |
| FAB5 #4 Boiler | EU2.7 | 6.277 |
| FAB5 #6 Boiler | EU2.9 | 1.255 |
| FAB5 #7 Boiler | EU2.10 | 4.185 |
| FAB5 #8 Boiler | EU2.11 | 4.185 |
| AL4 #1 Boiler | EU2.12 | 2.929 |
| AL4 #2 Boiler | EU2.13 | 2.929 |
| AL4 #3 Boiler | EU2.14 | 2.929 |

3.c. Emissions Unit #3 (EU3)

| Industrial Boilers w/ Low NO _x Burner | Stationary Source ID | Capacity 10 ⁶ btu/hr |
|---|----------------------|------------------------------------|
| D1 #1 Boiler | EU3.1 | 20.922 |
| D1 #2 Boiler | EU3.2 | 20.922 |
| D1 #3 Boiler | EU3.3 | 29.4 |
| D1 #4 Boiler | EU3.4 | 20.922 |
| D1 #5 Boiler | EU3.5 | 20.922 |

4. The VOC Pollution Control Devices (PCD) regulated by this permit are the following [OAR 340-28-2120(3)]:

| Pollution Control Device | PCD ID | Emission Unit/ Process Controlled |
|---|--------|---|
| Wet Scrubber | PCD1 | EU1.1: VOC emissions from FAB4 building |
| Carbon Concentration Condensation Unit (CCCU) | PCD26 | EU1.2: VOC emissions from D1 building |

EMISSION LIMITS AND STANDARDS

The following Table-I through Table-III contain summaries of applicable requirements other than the Plant Site Emission Limit (PSEL), along with the monitoring methods for the emissions units to which those requirements apply.

Table-I. Facility-wide Emission Limits and Standards

| Applicable Requirements | Condition Number | Pollutant/ Parameter | Limit/ Standard | Monitoring Requirements | |
|---------------------------------|------------------|---------------------------|------------------------|---|------------------|
| | | | | Method | Condition Number |
| 340-21-060(2) | 5.a. | Fugitive/dust | No nuisance | Complaint Investigation & Recordkeeping | 20.a. |
| ACDP Condition #6. | 5.b. | Odor | | | |
| 340-30-520 | 6.a. | PM | 250 microns | Inspection & Recordkeeping | 20.b. |
| 340-30-530 | 6.b. | SO ₂ | 1000 ppm | | |
| ACDP Condition #9. (340-27-015) | 7. | Ozone | Implementation of SERP | Recordkeeping | 20.c. |
| 40 CFR Part 82, Subpart E. | 8.a. | Ozone depleting chemicals | Labeling requirements | Inspection & Recordkeeping | 20.d. |
| Section 612 of the FCAA | 8.b. | | SNAP - alternatives | | |

5. The permittee shall comply with the following nuisance-control requirements:
 - 5.a. The permittee shall not cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. [OAR 340-21-060(2)]
 - 5.b. The permittee shall not allow the emission of odorous matter or other fugitive emissions so as to create nuisance conditions off the permittee's property. [04/19/93 ACDP 34-2681, Condition 6] This condition is only enforceable by the state.
6. The permittee shall comply with the following state-only enforceable conditions:
 - 6.a. Particulate matter which is larger than 250 microns and which may be deposited upon the real property of another person shall not be emitted. [OAR 340-30-520]
 - 6.b. The permittee shall not cause or allow the emission of sulfur dioxide in excess of 1000 ppm from any air contaminant source, as measured in accordance with Condition 26. of this permit. [OAR 340-30-530]
7. In the event an Air Pollution Alert, Warning, or Emergency Episode is declared in the Portland area by the Department, the permittee shall take the action appropriate to the episode condition as required by Oregon Administrative Rules 340, Division 27 "Air Pollution Emergencies." The permittee shall take such action when the permittee first becomes aware of such a declaration whether through news media, direct contact with the Department, or from other sources. The Source Emission Reduction Plan (SERP) shall be available on the source premises for inspection by Department personnel. [04/19/93 ACDP 34-2681, Condition 9]
8. The permittee shall comply with the following federal requirements when using ozone-depleting substances:
 - 8.a. If the permittee uses class I or class II substances at the plant site, the permittee is subject to all of the applicable requirements as specified in 40 CFR Part 82, Subpart E; The Labeling of Products Using Ozone-depleting substances.
 - 8.b. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to section 612 of the Act without requiring a permit revision.

Table-II. Emissions Unit Specific Emission Limits and Standards

| EU/PCD ID | Applicable Requirements | Condition Number | Pollutant/Parameter | Limit/Standard | Monitoring Requirements | |
|-----------|-------------------------|------------------|----------------------|----------------|--|------------------|
| | | | | | Method | Condition Number |
| EU2 & EU3 | 340-21-015(2)(b) | 9.a. | Opacity | 20% | VE periodic monitoring & Recordkeeping | 21.a. |
| | 340-21-020(1)(b) | 9.b. | PM ₁₀ /PM | 0.1 gr/scf | | |
| PCD1 | 340-28-620 | 10. | O&M | O&M | Recordkeeping | 21.b. |

9. Particulate emissions from each of the EU2 and EU3 boilers shall not exceed the following limits:
- 9.a. An opacity equal to or greater than twenty percent (20%), excluding uncombined water vapor, for a period aggregating more than three (3) minutes in any one (1) hour, as measured in accordance with Condition 26. of this permit. [OAR 340-21-015(2)(b)]
- 9.b. 0.1 grains per dry standard cubic foot, corrected to 12 % carbon dioxide or 50 % excess air, as a three (3) hour average, as measured in accordance with Condition 26. of this permit. [OAR 340-21-020(1)(b)].
10. The permittee shall operate the PCD1 in accordance with the following Operation and Maintenance (O&M) requirements [OAR 340-28-620]:
- 10.a. The scrubber water flow rate (gpm) shall be maintained at the flow rate corresponding to the optimum VOC removal efficiency, which must be verified through source tests specified in Condition 24.k.
- 10.b. The scrubber shall be maintained and serviced in accordance with the manufacturer's recommendation.

Table-III. Emission Limits and Standards Applicable to Insignificant Activities

| Applicable Requirements | Cond. No. | Pollutant/Parameter | Limit/Standard | Monitoring Requirements | |
|-------------------------|-----------|----------------------|----------------|-------------------------|------------|
| | | | | Method | Cond. No. |
| 340-21-030(2) | 11.a. | PM ₁₀ /PM | 0.1 gr/scf | I&M Recordkeeping | 22.a. |
| 340-30-500 | 11.b. | Opacity | 20% | | |
| 340-22-930 & 1030 | 11.c. | VOC | Coating specs. | I&M, records | 22.a. & b. |

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11. The permittee shall comply with the following requirements applicable to insignificant activities:
- 11.a. Particulate emissions from any single non-fuel burning and non-fugitive air contaminant source shall not exceed 0.1 grains per dry standard cubic foot, as measured in accordance with Condition 26. of this permit. [OAR 340-21-030(2)]
 - 11.b. Visible emissions from any single non-fuel burning air contaminant source shall not exceed an opacity equal to or greater than twenty percent (20%) for a period aggregating more than thirty (30) seconds in any one (1) hour, as measured in accordance with Condition 26. of this permit. [OAR 340-30-500(2)] This condition is only enforceable by the state.
 - 11.c. The permittee shall not knowingly use or contract for the use of any noncomplying architectural coating or spray paint manufactured after July 1, 1996. In addition, all VOC-containing architectural coatings shall be stored in closed containers when not being accessed, filled, emptied, maintained, repaired or otherwise used. [OAR 340-22-930 and 340-22-1030]

PLANT SITE EMISSION LIMITS

12. The plant site emissions shall not exceed the following: [OAR 340-28-1010 and 340-28-1020 & 1060]

12.a. PROCESS (EU1) PSEL

| Pollutant | Limit | Units | Monitoring Requirements |
|-----------|-------|---------|---|
| VOC | 8.0 | tons/wk | Chemical Mass Balance, parametric monitoring, and source test as specified in Condition 24. |
| | 160 | tons/yr | |

12.b. COMBUSTION SOURCES (EU2 & EU3) PSEL

| Pollutant | Limit | Units | Fuel Usage; Annual and Hourly Units | Monitoring Requirements |
|------------------|-------|---------|---|---|
| PM ₁₀ | 0.8 | tons/mo | EU2 max capacity = 53x10 ⁶ btu/hr EU3 max capacity = 113x10 ⁶ btu/hr | Compliance Monitoring with the monthly PSEL is specified in Condition 23.b. |
| | 6.4 | tons/yr | (2.01 + 7.98 =) 9.99 million therms n.g./yr | Compliance Monitoring with the annual PSEL is specified in Condition 23.a. |
| SO ₂ | 0.3 | tons/mo | same as above | same as above |
| | 1.3 | tons/yr | | |

| Pollutant | Limit | Units | Fuel Usage; Annual and Hourly Units | Monitoring Requirements |
|-----------------|-------|---------|-------------------------------------|-------------------------|
| CO | 3.6 | tons/mo | same as above | same as above |
| | 32.0 | tons/yr | | |
| NO _x | 3.2 | tons/mo | same as above | same as above |
| | 21.6 | tons/yr | | |
| VOC | 0.2 | tons/mo | same as above | same as above |
| | 1.5 | tons/yr | | |

12.b.i. The EU2 and EU3 boilers shall only burn natural gas, and use propane (LPG) as back-up.

13. Emissions from the "Aggregate Insignificant Activities" shall not exceed the following aggregate limits, as specified in OAR 340-28-110(6).

13.a. Particulate emissions shall not exceed 1.0 ton per year.

13.b. Air Pollutants emissions shall not exceed 2.5 tons per year.

SOURCE SPECIFIC RACT CONDITIONS

14. REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) STANDARDS [OAR 340-22-104 (5)]

14.a. Volatile Organic Compound emissions from EU1, based on a weekly average, shall not exceed 2×10^{-4} pounds (lbs) per square centimeter (cm²) of wafer processed.

14.b. The permittee shall comply with the specifications outlined below when operating solvent cleaning stations. Non-VOC solvents as defined in OAR 340-22-100 are exempt from the requirements of this section.

14.b.i. Each sink must operate with a freeboard ratio of at least 0.7, and have a visible fill line.

14.b.ii. Each sink must be equipped with a cover that is readily opened and closed, and a cover must be closed during idle periods if the sink contains any free standing solvents.

14.c. Reasonably Available Control Technology (RACT) standards identified in Condition 14.a. and 14.b. become effective on September 16, 1997.

15. [Reserved]

16. POLLUTION PREVENTION AND PRE-APPROVED CHANGES

The permittee shall implement the pollution prevention program in accordance with the schedule provided and adhere to the conditions specified below [OAR 340-28-610]:

- 16.a. The pollution prevention program shall be implemented according to the following schedule:
- 16.a.i. By no later than 60 days after the issuance of this permit, the permittee shall submit to the Department the proposed pollution prevention program.
 - 16.a.ii. Within 30 days after submittal, the Department will review the proposed program with respect to the program elements specified in Condition 16.b., and preliminarily determine adequacy of the information submitted. By no later than 30 days after the Department approves the proposed program, the permittee shall prepare the pollution prevention program in detail and submit to the Department.
 - 16.a.iii. The Department will review and comment on the program within 30 days of submittal. By no later than 15 days after the Department's comment, if any, the permittee shall either incorporate the Department recommendation or provide justification/explanation for rejecting the Department recommendation.
 - 16.a.iv. Within 15 days of receipt of the final program submittal, the Department will notify the permittee of the approval status.
 - 16.a.v. If the Department does not respond within the time line specified, the program submittal will be deemed approved by the Department.
- 16.b. The pollution prevention program shall include at minimum the following program elements:
- 16.b.i. A process to formulate performance goals and objectives to reduce VOC and HAP emissions through the implementation of pollution prevention;
 - 16.b.ii. Partnership/agreements with material supplier(s) to reduce HAP and VOC from their raw materials/products to the extent possible;
 - 16.b.iii. Partnership/agreements with its equipment vendor(s) to reduce HAP and VOC emissions to the extent possible by integrating pollution prevention into equipment design;
 - 16.b.iv. Data collection necessary for the evaluation of pollution prevention effectiveness;
 - 16.b.v. An employee training program to promote pollution prevention effectiveness;
 - 16.b.vi. Statement of commitment to pollution prevention.
- 16.c. In the event the permittee opts to make a major change in the approved P2 program, the permittee shall notify the Department in writing at least 30 days prior to making the change. The permittee shall at minimum demonstrate the need for the modification to the program, and a detailed description of the modification. The modification procedure shall follow the time-line as specified in Conditions 16.a.iii through 16.a.v. In the event the permittee makes a minor change in the approved program, the permittee shall include a description of the change and its justification in the annual report submitted pursuant to item 16.d.

16.d. Monitoring and Reporting requirements:

- 16.d.i. Each March 15 following program approval, the permittee shall prepare a detailed progress report on an annual basis describing accomplishments made under the approved P2 program.
- 16.d.ii. The final report prepared on March 15 of the last year of this permit term shall include a summary of the activities taken during this permit term, and a self evaluation of the over-all effectiveness of the P2 program.
- 16.d.iii. All documents and reports must be kept at the permitted facility and shall be made available to the Department representatives for inspection at the facility.
- 16.d.iv. Each April 15 following program approval, the permittee shall submit to the Department an annual executive summary, or the final executive summary in the last year of this permit term, describing the over-all efforts and definitive results.

17. Pursuant to the requirements of OAR 340-28-2270, the permittee is approved to make physical changes and changes in method of operation that would increase the maximum capacity of a stationary source to emit VOC, provided the following conditions are met:

- 17.a. Such changes are limited to installing new VOC emitting activities and to making physical changes or changes in the method of operation of existing VOC emitting activities at the stationary sources comprising EU1.
- 17.b. No new stationary source shall be added to EU1.
- 17.c. Increases in maximum capacity to emit of a stationary source at EU1 resulting from changes approved under this condition shall have been offset by emission reductions at EU1 achieved through the pollution prevention program outlined in Condition 16. such that the maximum capacity to emit of EU1 does not exceed the weekly VOC Plant Site Emission Limit (PSEL) for EU1 specified in Condition 12.a.
- 17.d. The physical changes and changes in method of operation approved under this condition do not involve changes to the Pollution Control Devices (PCD) as identified in Condition 4. or cause a degradation in the performance of any PCD.
- 17.e. Any new VOC emitting activities and any physical changes or changes in the method of operation of existing VOC emitting activities must be subject to, and comply with, the RACT requirements specified in Conditions 14. and 15.
- 17.f. Any new VOC emitting activities and any physical changes or changes in the method of operation of existing VOC emitting activities must be subject to, and comply with, the source-specific VOC Compliance monitoring requirements specified in Condition 24.
- 17.g. No new applicable requirement is triggered.
- 17.h. Monitoring and Reporting requirements:

- 17.h.i. The permittee shall conduct monitoring related to this pre-approval condition in accordance with the monitoring protocols identified in Condition 25.
- 17.h.ii. Notice of Completion: In accordance with OAR 340-28-2270(3)(f), the permittee shall include in the semi-annual report (submitted per Conditions 30. & 31.) a summary of any pre-approved changes made to EU1 pursuant to this condition during the 6-month period covered by the report, if the maximum capacity to emit of any stationary source at the end of the 6-month period covered by the report is greater than the maximum capacity to emit at the end of the 6-month period covered by the previous semi-annual report, as determined from monitoring conducted per Condition 25.b.
18. The pollution prevention (#16) and pre-approval (#17) conditions as outlined above are a one term experiment which will expire at the completion of the first term of this Oregon Title-V Operating Permit 34-2681, unless otherwise agreed upon by mutual consent to continue, which will be decided at the time of permit renewal.

19. AGGREGATE HAPS EMISSION LIMITS

The permittee shall emit organic (VOC) and inorganic (non-VOC) hazardous air pollutants (HAPs), on a total aggregate plant site basis, within the following annual limits in order to retain the area source status for HAPs:

- 19.a. Aggregate organic HAPs emissions, based on a twelve month rolling average, shall be less than 10 tons per year.
- 19.b. Aggregate inorganic HAPs emissions, based on a twelve month rolling average, shall be less than 10 tons per year.

MONITORING REQUIREMENTS

20. The permittee shall conduct monitoring related to the facility-wide emissions limits and standards established in Conditions 5. through 8. in accordance with the following procedures and frequencies:
- 20.a. The permittee shall maintain a log recording all written complaints or complaints received via telephone or in person by the responsible official or a designated appointee that specifically refer to a complaint of odor/visible nuisance from the permitted facility. Said log shall also record permittee's actions to investigate, make a determination as to the validity of the complaint, and resolve the problem within two working days or within such longer time (not to exceed 7 days) as is reasonably necessary to resolve the problem that led to the complaint.
- 20.b. Once during each semi-annual reporting period, the permittee shall inspect and determine whether any air contaminant source could emit particulate matter larger than 250 microns, and whether it could cause sulfur dioxide emission in excess of 1000 ppm. The permittee shall record in a log the results of this inspection.
- 20.c. The permittee shall maintain a log summarizing actions taken during an applicable air pollution episode, pursuant to Condition 7.

- 20.d. The permittee shall conduct all monitoring and recordkeeping related to the Labeling of Products Using Ozone-depleting substances; 40 CFR Part 82, Subpart E. In addition, the permittee shall keep records of all SNAP alternative compounds used in place of class I or class II ozone-depleting substances.
21. The permittee shall conduct monitoring related to the EU-specific emission limits and standards established in Conditions 9. and 10. in accordance with the following procedures and frequencies:
- 21.a. The minimum monitoring requirements for Condition 9. are specified as follow:
- 21.a.i. As long as the boilers burn natural gas (or propane/LPG as a backup), the permittee is assumed to be in compliance with the 20 % visible standard (9.a.).
- 21.a.ii. As long as the boilers burn natural gas (or propane/LPG as a backup), the permittee is assumed to be in compliance with the 0.1 grain loading standard (9.b.).
- 21.a.iii. The permittee shall monitor the type(s) of fuel used in EU2 and EU3 boilers as required in Condition 23. The permittee shall notify the Department in writing and get an approval prior to using fuels other than natural gas (or propane/LPG as a backup) in the EU2/EU3 boilers, at which time the permittee may become subject to the construction/operation modifications requirements as specified in OAR 340-28-2270.
- 21.b. The minimum monitoring requirements for the "Operation and Maintenance" protocols of Condition 10. are specified as follow:
- 21.b.i. If the scrubber water pumping (flow) rate is changed and the FAB4 is in operation, the permittee shall record the water flow rate and the corresponding pressure drop across the packing, and the date of the change.
- 21.b.ii. The permittee shall keep a log of any maintenance and/or service performed that would affect the system performance.
22. The permittee shall conduct monitoring related to the Emissions limits and standards established in Condition 11.c. in accordance with the following procedures and frequencies:
- 22.a. [reserved]
- 22.b. The permittee shall monitor the VOC content of architectural coatings and spray paint by obtaining written certification from supplier or contractors that:
- 22.b.i. Architectural coatings provided by the supplier or used by the contractor comply with the requirements of OAR 340-22-1020; and
- 22.b.ii. Spray paint provided by the supplier or used by the contractor complies with the requirements of OAR 340-22-920
- 22.c. [reserved]
23. The permittee shall determine compliance with the Combustion sources PSEIs established in Condition 12.b. in accordance with the formula and procedures specified:

$E = EF \times P/2,000$ where;

E = pollutant emissions, ton/yr
 EF = PSEL Emission Factors, see Table below (& see Attachments)
 P = annual natural gas usage (10^6 acf)

- 23.a. For each pollutant, the actual annual natural gas usage is multiplied by the EF below to determine annual emissions:

Emission Factors (lbs/ 10^6 acf)

| Pollutant | PM ₁₀ | SO ₂ | NO _x | CO | VOC |
|-----------|------------------|-----------------|-----------------|------|-----|
| EU2 EF | 12 | 2.6 | 100 | 21 | 3.8 |
| EU3 EF | 13.7 | 2.6 | 31.5 | 78.8 | 2.8 |

- 23.b. For each pollutant, the actual monthly natural gas usage is multiplied by the EF below to determine monthly emissions:

Emission Factors (lbs/ 10^6 acf)

| Pollutant | PM ₁₀ | SO ₂ | NO _x | CO | VOC |
|-----------|------------------|-----------------|-----------------|------|-----|
| EU2 EF | 12 | 3.8 | 100 | 21 | 3.8 |
| EU3 EF | 13.7 | 3.8 | 31.5 | 78.8 | 2.8 |

- 23.c. Monitor and record the amount of natural gas (or LPG) used in the EU2 and EU3 boilers on a monthly basis.
- 23.d. Monitor and record the amount of natural gas (or LPG) used in EU3 boilers on a daily basis.
- 23.e. Monitor and record the quantity and type of fuel(s) other than natural gas (or LPG) used in both EU2 and EU3 boilers.
24. The permittee shall determine compliance with the "VOC PSELS" established in Condition 12.a.; "RACT standards" established in Conditions 14. and 15.; and the "Aggregate HAP limits" established in Condition 19. in accordance with the following chemical mass balance procedures. The minimum monitoring frequency specified below is also the required interval between two consecutive monitoring periods.

| <u>Parameter</u> | <u>Minimum Monitoring Frequency</u> |
|--|-------------------------------------|
| 24.a. Quantity of VOCs used. | 2 months |
| 24.b. Quantity of hazardous and non-hazardous waste shipped off site, which include solvent recovered by PCD26; and the representative VOC content of each | 2 months |

(waste) batch as measured by EPA Method
 8015M GC/FID¹ or other equivalent method.

- | | | |
|-------|--|----------|
| 24.c. | Quantity of VOCs controlled by PCD1. | 2 months |
| 24.d. | A total aggregate HAP emission; separate VOC HAPs from non-VOC HAPs | monthly |
| 24.e. | Total "cm ² " of wafer processed | Weekly |
| 24.f. | The Bi-monthly emission factor (EF) derived from items a, b, c, and the sum of e. | 2 months |

$$EF = (a - b - c) / \sum (e)$$

- | | | |
|-------|--|--------|
| 24.g. | The weekly VOC emission from the weekly production e. and the most recent EF as determined in f. | Weekly |
|-------|--|--------|

$$\text{Weekly emission} = EF * (e)$$

- | | | |
|-------|--|--------|
| 24.h. | Weekly RACT compliance determination. | Weekly |
|-------|--|--------|

$$* \text{ lbs VOC} / \text{cm}^2 \text{ Wafer} * = g / e$$

- | | | |
|-------|------------------------|---|
| 24.i. | Free Board Ratio (FBR) | None required for automatic control. For manually operated stations, monitor and record on a monthly basis. |
|-------|------------------------|---|

- 24.j. The permittee is not subject to the monitoring conditions 24.h. and 24.i. associated with the RACT standards of Condition 14., until the RACT standards become effective as outlined in Condition 14.c. The RACT monitoring protocol may be revised if alternative RACT is established pursuant to Condition 15.

24.k. Source testing Requirements

- 24.k.i. Within 3 months of permit issuance, the permittee shall conduct source test on PCD1 and establish the VOC removal efficiency (%) of PCD1 utilized in the VOC emissions calculations (see item 24.c. above).

¹ For solvents which the EPA standard method 8015 does not cover, the modified method (EPA 8015M GC/FID) or other equivalent methods shall be used. The permittee shall record in a log all methods used to determine the VOC content of waste.

- 24.k.ii. A second source (verification) test shall be conducted in the third year of the permit term.
- 24.k.iii. Source tests on PCD1 shall be conducted in accordance with the Department's Source Sampling Manual, unless an alternative (DEQ/EPA approved) method is approved in writing by the Department.
25. The permittee shall conduct monitoring related to the pre-approval conditions established in Condition 17. in accordance with the following procedures and frequencies:
- 25.a. On a weekly basis, the permittee shall determine the maximum capacity to emit of each stationary source at EU1 by using the latest EF derived from Condition 24.f., and compare the results to the weekly PSEL established in Condition 12.a.:
- "Maximum capacity to emit" = EF * maximum wafer production capacity (cm²/week)
- 25.b. At the end of each 6-month reporting period, which may coincide with the monitoring conducted per Condition 20.b. or 22.a., the permittee shall inspect and determine whether each pre-approved change made to the EU1 stationary sources complies with the criteria set forth in Conditions 17.a., 17.b., and 17.d. through 17.g.
- 25.c. At the end of each 6-month reporting period, the permittee shall determine the maximum capacity to emit of each stationary source at EU1. The permittee shall then combine the "Maximum capacity to emit" of all stationary sources at EU1, and compare the sum (EU1's maximum capacity) to the sum determined as of the end of the previous six month period. As specified in Condition 17.h.ii., if the current maximum capacity of EU1 is greater than the maximum capacity of EU1 as of the end of the previous six month period, the permittee shall submit a Notice of Completion and include at a minimum the following information:
- 25.c.i. A summary description of the new and/or modified activities that caused the increase in maximum capacity to emit of EU1.
- 25.c.ii. Date of completion and the date new and/or modified activities commenced or will begin.
- 25.c.iii. The net increase in capacity of EU1 due to the new and/or modified activities.
- 25.c.iv. A brief summary describing how the increases in the capacity of EU1 have been offset by the pollution prevention program outlined in Condition 16. such that the weekly VOC PSEL for EU1 specified in Condition 12.a. is not exceeded. A detailed report shall follow in accordance with the reporting requirements outlined in Condition 16.d.

TEST METHODS AND PROCEDURES [OAR 340-28-2130(1)]

26. Although source testing is not required for the permit conditions listed below, if source testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods and averaging times to measure the pollutant emissions:

| Permit Condition | Test Method | Averaging time | Special conditions |
|------------------|-------------------------|--|--|
| 6.b. | EPA Method 6 or 6C | average of three one- hour test runs | None. |
| 11.a. | ODEQ Methods 5, 7, or 8 | average of three one-hour test runs | ODEQ Method 8 is for sources with exhaust gases at essentially ambient conditions (e.g. material handling cyclones); ODEQ Method 7 is for direct contact combustion or other heat sources (e.g. particle and veneer dryers); ODEQ Method 5 is for indirect contact fuel burning equipment (e.g. boilers) and any other source. |
| 9.a. | EPA Method 9 | aggregate of three (3) minutes in any 60 minute period | The test duration may be less than 60 minutes if a violation of the standard is documented before the full 60 minute observation period is completed. |
| 11.b. | | aggregate of thirty (30) seconds in any 60 minute period | |
| 9.b. | ODEQ Method 5 | average of three test runs | The sample time for each test run shall be no less than one hour (31.8 dscf) and no longer than eight hours. |

All testing shall be conducted in accordance with the Department's Source Sampling Manual unless otherwise specified in the special conditions column of the table above.

RECORDKEEPING REQUIREMENTS [OAR 340-28-2130(3)(B)]

27. The permittee shall maintain the following general records of required monitoring information which include the following:
- 27.a. the date, place as defined in the permit, and time of sampling or measurements;
 - 27.b. the date(s) analyses were performed;
 - 27.c. the company or entity that performed the analyses;
 - 27.d. the analytical techniques or methods used;
 - 27.e. the results of such analyses;
 - 27.f. the operating conditions as existing at the time of sampling or measurement; and

- 27.g. the records of quality assurance for continuous monitoring systems (including but not limited to quality control activities, audits, calibrations drift checks).
- 28. The permittee shall maintain the following specific records of required monitoring information which include the following:
 - 28.a. Complaint log and investigation reports;
 - 28.b. Operation & Maintenance records;
 - 28.c. Inspection/survey records;
 - 28.d. Quantity and type of fuel used in EU2 on a monthly basis;
 - 28.e. Quantity and type of fuel used in EU3 on a daily basis;
 - 28.f. Weekly productions in total "cm²" of wafer start;
 - 28.g. Records of chemicals used by type, quantity, and VOC/HAP contents;
 - 28.h. Records of waste shipment and analysis results;
 - 28.i. Continuous monitoring charts, if any;
 - 28.j. Records of all calculated PSEL and RACT emissions; and
 - 28.k. Records resulting from monitoring related to Pollution Prevention and Pre-approval Conditions.
- 29. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. All existing records required by the previous Air Contaminant Discharge Permit shall also be retained for five (5) years.

REPORTING REQUIREMENTS [OAR 340-28-2130(3)(C) AND 340-28-2160]

- 30. The permittee shall submit four (4) copies of the semi-annual monitoring report covering the period from January 1 to June 30, using Department approved forms, by July 30, unless otherwise approved in writing by the Department. One copy of the report shall be submitted to the Air Quality Division, two copies to the regional office, and one copy to the EPA. The semi-annual monitoring report shall include the semi-annual compliance certification.
- 31. The permittee shall submit four (4) copies of the annual monitoring report, using Department approved forms, by February 15, unless otherwise approved in writing by the Department. One copy of the report shall be submitted to the Air Quality Division, two copies to the regional office, and one copy to the EPA.

32. The annual monitoring report shall consist of:
- 32.a. The emission fee report.
 - 32.b. The emission statement. [OAR 340-28-1520]
 - 32.c. The excess emissions upset log. [OAR 340-28-1440]
 - 32.d. The second semi-annual compliance certification covering the period from July 1 to December 31. [OAR 340-28-2160]

Source-specific Reporting Requirements

- 32.e. Quantity of natural gas burned on a monthly and annual basis for EU2 and EU3. Also certify that no other fuels than natural gas (or propane/LPG) have been used.
- 32.f. Tabulate the bi-monthly VOC emissions based on actual solvent monitoring as determined from data collected per Condition 24: a, b, and c.
- 32.g. Tabulate the bi-monthly VOC emissions based on EF and production as determined from the (2 months) sum of weekly emissions (24.g). Also report the bi-monthly EFs (lbs VOC/cm² wafer) used for each bi-monthly monitoring period. Note that the bi-monthly sum of weekly emissions based on EF does not have to equal the actual emission determined from the actual solvent monitoring, i.e., results obtained by this condition (32.g.) do not have to equal results obtained per item 32.f. above.
- 32.h. A summary of maximum weekly VOC emissions noted during each (2 months) monitoring period and corresponding weeks from Condition 24.g. Report all exceedances of the weekly PSEL.
- 32.i. A summary of maximum weekly RACT emissions noted during each 2-month monitoring period and corresponding dates (weeks) from Condition 24.h., once the RACT standard becomes effective. Report all exceedances of the source-specific RACT standard of 2×10^{-4} lbs VOCs/cm² wafer processed.
- 32.j. Report all exceedances of the RACT Free Board Ratio limit (Condition 14.b) as determined from Condition 24.i., once the RACT standard becomes effective.
- 32.k. A summary of the (monthly) rolling HAP emissions as determined from Condition 24.d.

Addresses of regulatory agencies:

DEQ-Northwest Region
2020 SW 4th Ave., Suite 400
Portland, OR 97201-4987
Telephone (503) 229-5554

DEQ-Air Quality Division
811 SW Sixth Ave.
Portland, OR 97204-1390
Telephone (503) 229-5359

Air Compliance Division
US EPA
Mail Stop AT-084
1200 Sixth Avenue
Seattle, WA 98101-3188

NON-APPLICABLE REQUIREMENTS

33. Air Quality Oregon Administrative Rules (OAR) currently determined not applicable to the permittee are listed below [OAR 340-28-2190]:

- 33.a. The following OARs are not applicable because the source is not in the source category cited in the rules:

340-21-027, 210 to 245.
340-22-010 to 025, 106, 110 to 175, 190 to 640; except 340-22-405 to 410.
340- Divisions 23; Division 24 except 340-24-005, 035 to 040; Division 25 except 340-25-505, 510, 515, 525, 554.
340-28-500 to 520, 800 to 820, 2170, 2680.
340-30-420, 460, 500.
340-31-010 to 055.
340-32-220, 250, 4500.

- 33.b. The following OARs are not applicable because the source does not have specific emissions units cited in the rules:

340-21-025.
340-22-180, 183, 186.

- 33.c. The following OARs are not applicable because the source is outside the special control, non-attainment areas or county cited in the rules.

340-27-025.
340-30-012 to 230, 600 to 620.

- 33.d. The following OARs are not applicable because the method/procedure is not used by the facility.

340-28-1040.

- 33.e. The following OARs applied in the past and the fees have been paid.

340-28-2400 to 2550, 2570.

34. Federal applicable requirements currently determined not applicable to the permittee are listed below:

40 CFR Parts 55, 57, 60 except Subpart Dc (60.40c), 61, 63 Subpart T, 68, 72, 73, 75, 76, 77, and 78.
40 CFR Part 82 (except subpart F),
40 CFR Parts 85 through 89,
Section 129 of the FCAA, Solid Waste,
Section 183(e) of the FCAA, Consumer and commercial products,
Section 183(f) of the FCAA, Tank Vessels.

GENERAL CONDITIONS

G1. General Provision

Terms not otherwise defined in the permit shall have the meaning assigned to such terms in the referenced regulation.

G2. Reference materials

Where referenced in this permit, the version of the following materials are effective as of the dates noted unless otherwise specified in the permit:

- a. Source Sampling Manual; January 23, 1992 - State Implementation Plan Volume 3, Appendix A4;
- b. Continuous Monitoring Manual; January 23, 1992 - State Implementation Plan Volume 3, Appendix A6; and
- c. All state and federal regulations as in effect on the date of issuance of this permit.

G3. Compliance [OAR 340-28-2120(3)(n)(C), 340-28-2130(6), and 340-28-2160(4)]

- a. The permittee shall comply with all conditions of the federal operating permit. Any permit condition noncompliance constitutes a violation of the Federal Clean Air Act and/or state rules and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. Any noncompliance with a permit condition specifically designated as enforceable only by the state constitutes a violation of state rules only and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
- b. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental to, and shall not sanction noncompliance with the applicable requirements on which it is based.
- c. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.

G4. Compliance Monitoring and Enforcement [OAR 340-28-300, 340-28-1100, 340-28-1120, 340-28-1130, 340-28-1140, 340-28-2130(3), 340-28-2160, 340-32-270]

- a. For the purpose of submitting semi-annual compliance certification reports, the permittee shall use, at a minimum, the information obtained from the monitoring requirements of this permit. The permittee shall not knowingly falsify or render inaccurate any monitoring device or method required to be maintained or followed by the permit.

- b. The information obtained from the monitoring required by this permit can be used directly for enforcement.

G5. Certification [OAR 340-28-300, 340-28-2120(5) and 340-28-2160(2)]

Any document submitted to the Department pursuant to this permit shall contain certification by a responsible official of truth, accuracy and completeness. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and, complete. The permittee shall promptly, upon discovery, report to the Department a material error or omission in these records, reports, plans, or other documents.

G6. Excess Emissions Reporting [OAR 340-28-1400 through 340-28-1460]

- a. The permittee shall report all excess emissions in accordance with OAR 340-28-1400 through 340-28-1460. In summary, the permittee shall immediately (i.e., as soon as possible but in no case more than one hour after the beginning of the excess emission period) notify the Department by telephone or in person of any excess emission, other than pre-approved startup, shutdown, or scheduled maintenance. Notification shall, to the extent reasonably ascertainable at the time of notification, include the source name, nature of the emissions problem, name of the person making the report, name and telephone number of the contact person for further information, date and time of the onset of the upset condition, whether or not the incident was planned, the cause of the excess emission (e.g., startup, shutdown, maintenance, breakdown, or other), equipment involved in the upset, estimated type and quantity of excess emissions, estimated time of return to normal operations, efforts made to minimize emissions, and a description of remedial actions to be taken. Follow-up reporting shall be made in accordance with Department direction and OAR 340-28-1430(2) and 340-28-1440.
- b. Notification shall be made to the appropriate regional office. Current Departmental telephone numbers are:

| | | |
|--------------------|------------------|---------------|
| Portland 229-5554 | Medford 776-6010 | Bend 388-6146 |
| Pendleton 276-4063 | Salem 378-8240 | |
- c. In the event of any excess emissions which are of a nature that could endanger public health and occur during non-business hours, weekends, or holidays, the permittee shall immediately notify the Department by calling the Oregon Accident Response System (OARS). The current number is 1-800-452-0311.
- d. If startups, shutdowns, or scheduled maintenance may result in excess emissions, the permittee shall submit startup, shutdown, or scheduled maintenance procedures used to minimize excess emissions to the Department for prior authorization, as required in OAR 340-28-1410 and 340-28-1420. New or modified procedures shall be received by the Department in writing at least 72 hours prior to the first occurrence of the excess emission event. The permittee shall abide by the approved procedures and have a copy available at all times.
- e. The permittee shall notify the Department of planned startup/shutdown or scheduled maintenance events only if required by permit condition or if the source is located in a nonattainment area for a pollutant which may be emitted in excess of applicable standards.

- f. The permittee shall maintain and submit to the Department a log of planned and unplanned excess emissions, on Department approved forms, in accordance with OAR 340-28-1440.

G7. Permit Deviation Reporting [OAR 340-28-2130(3)(c)(B)]

The permittee shall promptly report, by telephone or in person, any deviations from permit requirements that do not cause excess emissions, including those attributable to upset conditions, as defined in the permit, the probable cause of such deviations, and any corrective actions or preventative measures taken. Deviations are instances when any permit condition is violated. "Prompt" is defined as within seven (7) days of the deviation.

G8. Open Burning [OAR Chapter 340, Division 23]

The permittee is prohibited from conducting open burning, except as may be allowed by OAR 340-23-025 through 340-23-115.

G9. Asbestos [40 CFR Part 61, Subpart M (federally enforceable), OAR 340-32-5600 through 340-32-5650 and OAR Chapter 340, Division 33 (state-only enforceable)]

The permittee shall comply with OAR 340-32-5600 through 340-32-5650, OAR Chapter 340 Division 33, and 40 CFR Part 61, Subpart M when conducting any renovation or demolition activities at the facility.

G10. Stratospheric Ozone and Climate Protection [40 CFR 82 Subpart F, OAR 340-22-420]

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

G11. Permit Shield [OAR 340-28-2190]

- a. Compliance with this permit shall be deemed compliance with all applicable requirements as of the date of permit issuance provided that:
- i. such applicable requirements are specifically identified in the permit, or
 - ii. such applicable requirements are specifically identified in the "Non-Applicable Requirements" section of this permit.
- b. Nothing in this rule or in any federal operating permit shall alter or affect the following:
- i. the provisions of ORS 468.115 (enforcement in cases of emergency) and ORS 468.035 (function of department);
 - ii. the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - iii. the applicable requirements of the national acid rain program, consistent with section 408(a) of

- the FCAA; or
- iv. the ability of the Department to obtain information from a source pursuant to ORS 468.095 (investigatory authority, entry on premises, status of records).
- c. Sources are not shielded from applicable requirements that are enacted during the permit term, unless such applicable requirements are incorporated into the permit by administrative amendment, as provided in OAR 340-28-2230(1)(h), or significant permit modification.

G12. Inspection and Entry [OAR 340-28-2160(3)]

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department of Environmental Quality, or an authorized representative (including an authorized contractor acting as a representative of the EPA Administrator), to perform the following:

- a. enter upon the permittee's premises where an Oregon Title V operating permit program source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- b. have access to and copy, at reasonable times, any records that must be kept under conditions of the permit;
- c. inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- d. as authorized by the FCAA or state rules, sample or monitor, at reasonable times, substances or parameters, for the purposes of assuring compliance with the permit or applicable requirements.

G13. Fee Payment [OAR 340-28-2560, and 340-28-2580 through 340-28-2740]

The permittee shall pay an annual base fee and an annual emission fee for all regulated air pollutants except for carbon monoxide, any class I or class II substance subject to a standard promulgated under or established by Title VI of the Federal Clean Air Act, or any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under section 112(r) of the Federal Clean Air Act. The permittee shall submit payment to the Department of Environmental Quality, Business Office, 811 SW 6th Avenue, Portland, OR 97204, within 30 days of the date the Department mails the fee invoice or August 1 of the year following the calendar year for which emission fees are paid, whichever is later. Disputes shall be submitted in writing to the Department of Environmental Quality. Payment shall be made regardless of the dispute. User-based fees shall be charged for specific activities (e.g., computer modeling review, ambient monitoring review, etc.) requested by the permittee.

G14. Off-Permit Changes to the Source [OAR 340-28-2220(2)]

- a. The permittee shall monitor for, and record, any off-permit change to the source that:
 - i. is not addressed or prohibited by the permit;
 - ii. is not a Title I modification;
 - iii. is not subject to any requirements under Title IV of the FCAA;
 - iv. meets all applicable requirements;

- v. does not violate any existing permit term or condition; and
 - vi. may result in emissions of regulated air pollutants subject to an applicable requirement but not otherwise regulated under this permit or may result in insignificant changes as defined in OAR 340-28-110.
-
- b. A contemporaneous notification, as required in OAR 340-28-2220(2)(b), shall be submitted to the Department and the EPA.
 - c. The permittee shall keep a record describing off-permit changes made at the facility that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those off-permit changes.
 - d. The permit shield of condition G11 shall not extend to off-permit changes.

G15. Section 502(b)(10) Changes to the Source [OAR 340-28-2220(3)]

- a. The permittee shall monitor for, and record, any section 502(b)(10) change to the source, which is defined as a change that would contravene an express permit term but would not:
 - i. violate an applicable requirement;
 - ii. contravene a federally enforceable permit term or condition that is a monitoring, recordkeeping, reporting, or compliance certification requirement; or
 - iii. be a Title I modification.
- b. A minimum 7-day advance notification shall be submitted to the Department and the EPA in accordance with OAR 340-28-2220(3)(b).
- c. The permit shield of condition G11 shall not extend to section 502(b)(10) changes.

G16. Administrative Amendment [OAR 340-28-2230]

Administrative amendments to this permit shall be requested and granted in accordance with OAR 340-28-2230. The permittee shall promptly submit an application for the following types of administrative amendments upon becoming aware of the need for one, but no later than 60 days of such event:

- a. legal change of the registered name of the company with the Corporations Division of the State of Oregon, or
- b. sale or exchange of the activity or facility.

G17. Minor Permit Modification [OAR 340-28-2250]

The permittee shall submit an application for a minor permit modification in accordance with OAR 340-28-2250.

G18. Significant Permit Modification [OAR 340-28-2260]

The permittee shall submit an application for a significant permit modification in accordance with OAR 340-28-2260

G19. Construction/Operation Modification [OAR 340-28-2270]

No permittee shall construct or make modifications required to be reviewed under OAR 340-28-2270, the construction/operation modification rule, without receiving a Notice of Approval in accordance with OAR 340-28-2270. The permittee should allow 60 days for Department review of applications for a construction/operation modification if public notice is not required, or 180 days if public notice is required.

G20. New Source Review Modification [OAR 340-28-1900]

No permittee shall construct or make modifications required to be reviewed under New Source Review (OAR 340-28-1900(1)) without receiving an Air Contaminant Discharge Permit (ACDP) (OAR 340-28-1700). The permittee should allow 180 days for Department review of an ACDP application for New Source Review.

G21. Hazardous Air Pollutant Modification for Non-major HAP Sources [OAR 340-32-230 (state-only enforceable)]

No permittee shall make a physical change in or change in the method of operation of a non-major HAP source that results in an increase in the potential to emit so that the major source threshold (i.e., 10 tons of an individual HAP or 25 tons of aggregate HAPs) is exceeded, without first obtaining a Notice of Approval in accordance with OAR 340-28-2270. The permittee should allow 180 days for Department review of applications for construction/operation modifications and issuance of a Notice of Approval.

G22. Need to Halt or Reduce Activity Not a Defense [OAR 340-28-2130(6)(b)]

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

G23. Duty to Provide Information [OAR 340-28-2130(6)(e) and OAR 340-28-300]

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records required to be retained by the permit.

G24. Reopening for Cause [OAR 340-28-2130(6)(c) and 340-28-2280]

- a. The permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by the Department.

- b. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- c. A permit shall be reopened and revised under any of the circumstances listed in OAR 340-28-2280(1)(a).
- d. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists.

G25. Severability Clause [OAR 340-28-2130(5)]

Upon any administrative or judicial challenge, all the emission limits, specific and general conditions, monitoring, recordkeeping, and reporting requirements of this permit, except those being challenged, remain valid and must be complied with.

G26. Permit Renewal and Expiration [OAR 340-28-2120(1)(a)(D) and 340-28-2210]

- a. This permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted as described below.
- b. Applications for renewal shall be submitted at least 12 months before the expiration of this permit, unless the Department requests an earlier submittal. If more than 12 months is required to process a permit renewal application, the Department shall provide no less than six (6) months for the owner or operator to prepare an application. Provided the permittee submits a timely and complete renewal application, this permit shall remain in effect until final action has been taken on the renewal application to issue or deny the permit.

G27. Permit Transference [OAR 340-28-2230(1)(d)]

The permit is not transferable to any person except as provided in OAR 340-28-2230(1)(d).

G28. Property Rights [OAR 340-28-110(9)(c) and 340-28-2130(6)(d)]

The 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, except as provided in OAR 340-28-2190.

G29. Permit Availability [OAR 340-28-110(9)(c) and 340-28-2200(2)]

The permittee shall have available at the facility at all times a copy of the Oregon Title V Operating Permit and shall provide a copy of the permit to the Department or an authorized representative upon request.

ALL INQUIRIES SHOULD BE DIRECTED TO:

Larry Miller
DEQ - Northwest Region
2020 S.W. 4th Avenue, #400
Portland, OR 97201-4987
Telephone: (503) 229-5584

ATTACHMENT-1

The following Oregon Administrative Rules have been renumbered from Division 20 to Division 28. The Division 20 rules are enforceable by the EPA until the proposed State Implementation Plan (SIP) revisions have been approved by the EPA. At that time, the Division 28 rules will be enforceable by the EPA. Currently, the Division 28 rules are enforceable by the Department only.

State-only Enforceable Rules

340-28-500
340-28-510
340-28-520
340-28-800
340-28-810
340-28-820
340-28-1010
340-28-1020
340-28-1030
340-28-1040
340-28-1100
340-28-1120
340-28-1130
340-28-1140
340-28-1400
340-28-1410
340-28-1420
340-28-1430(2) through (5)
340-28-1440
340-28-1700
340-28-1900

Federally Enforceable Rules

340-20-005
340-20-010
340-20-015
340-20-020
340-20-025
340-20-030
340-20-301
340-20-310
340-20-315
340-20-320
340-20-035
340-20-040
340-20-045
340-20-046
340-20-350
340-20-360
340-20-365
340-20-370
340-20-375
340-20-140
340-20-220

Permit revised: 3/13/98 & 4/3/98
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