The owner/operator is required to submit this form if he/she is proposing to construct or establish a new facility or make changes to an existing facility as described below. The owner/operator should note that a Notice of Intent to Construct (NC) is not appropriate if the proposed construction/installation/establishment would cause emissions to exceed the Plant Site Emissions Limit (PSEL) of an existing facility or would invoke new applicable requirements such as New Source Performance Standards or additional monitoring requirements. In such cases, the permittee would need to apply for a permit modification.

Except as provided below, this form is required if the owner/operator proposes to:

- Construct, install, or establish a new stationary source that will cause an increase in any regulated pollutant emissions;
- Make a physical change or change in operation of an existing stationary source that will cause an increase, on an hourly basis at full production, in any regulated pollutant; or
- Construct or modify any air pollution control equipment.

This form is not required for the following:

- Equipment used in agricultural operations and the growing or harvesting of crops or the raising of fowls or animals;
- Agricultural land clearing operations or land grading;
- Heating equipment in or used in connection with residences used exclusively as dwellings for not more than four families;
- Other activities associated with residences used exclusively as dwellings for not more than four families, including, but not limited to, barbecues, house painting, maintenance, and groundskeeping;
- Categorically insignificant activities as defined in LRAPA Title 12 that are not subject to a federal National Emission Standard for Hazardous Air Pollutants (NESHAP) or New Source Performance Standard (NSPS) (note, this exemption applies to all categorically insignificant activities whether or not they are located at major or non-major sources); and
- Any change included in an application for a new Air Contaminant Discharge Permit or modification of an existing Air Contaminant Discharge Permit.

If a proposed new source is of a type listed in LRAPA Title 37, Section 37-0020, Table 1, the owner/operator must submit an application for a new Air Contaminant Discharge Permit (ACDP) rather than an NC. Otherwise, the owner/operator is required to submit a completed NC and receive LRAPA approval before beginning actual construction of the source.

There are four types of construction/modification changes, as described below. This form applies to the first two types of changes. An application for a new or modified ACDP is required for Type 3 and 4 changes.

**Type 1** changes include construction or modification of stationary sources or air pollution control equipment where such a change:

- would not increase emissions above the Plant Site Emission Limit by more than the deminimis levels defined in LRAPA Title 12 for sources required to have a permit;
- would not increase emissions above the netting basis by more than or equal to the significant emissions rate;
- would not increase emissions from any stationary source or combination of stationary sources by more than the deminimis levels defined in LRAPA Title 12;
- would not be used to establish a federally enforceable limit on the potential to emit; and
- would not require a TACT determination under LRAPA Title 32 or a MACT determination under LRAPA Title 44.
Type 2 changes include construction or modification of stationary sources or air pollution control equipment where such a change:
   a. would meet the criteria of sub-sections (1)(a), (1)(b), (1)(d), and (1)(e) of this rule; and
   b. would not increase emissions from any stationary source or combination of stationary sources by more than or equal to the significant emission rate;

Type 3 changes include construction or modification of stationary sources or air pollution control equipment where such a change:
   a. would increase emissions above the Plant Site Emission Limit by more than the deminimis levels defined in LRAPA Title 12 but less than the significant emission rate for sources required to have a permit;
   b. would increase emissions from any stationary source or combination of stationary sources by more than the significant emission rate but are not subject to LRAPA Title 42, Section 42-0041(3)(b) or LRAPA Title 38 (NSR Rules);
   c. would be used to establish a federally enforceable limit on the potential to emit; or
   d. would require a TACT determination in LRAPA Title 32 or a MACT determination under LRAPA Title 44.

Type 4 changes include construction or modification of stationary sources or air pollution control equipment where such a change or changes would increase emissions above the PSEL or Netting Basis of the source by more than the significant emission rate.

Instructions

1. **Permit Number:** Enter the permit number if the Notice of Intent to Construct is for an existing facility that already has an Air Contaminant Discharge Permit (ACDP).

2. **Company:** Enter the legal name of the company as it is registered with the State of Oregon Corporations Division and mailing address.

3. **Facility location:** Enter the common name of the facility and address if different from the information provided in question 1. If the information is the same, enter “same”.

4. **Site Contact Person:** Provide the following information about the individual who should be contacted regarding this application.
   - Enter the name of the individual
   - Enter the title of the individual
   - Enter the area code and telephone number of the individual.

5. **Standard Industrial Classification (SIC) Code:**
   - The primary SIC is the one registered with the State of Oregon Corporation Division. There could be more than one primary SIC. A secondary SIC would be for other supporting activities at the facility, such as a steam process boiler.

6. **Type of construction/modification change:** Enter the type of change (1 or 2) as described above.

7. **Signature:** The Notice of Intent to Construct must be signed. The notice should be signed by the official responsible for the facility's compliance with air quality regulations and knowledgeable of the contents of this notice. The official might be the owner, the plant manager, the head of environmental affairs, etc.

8. Provide a text description of the facility. In describing the facility, and in preparing the notice the owner/operator should always remember that the notice should be written to cover the facility as it will
operate after the construction. The owner/operator should provide a description of the current processes that emit air pollutants, and the fuels used and products produced in these processes. To determine the level of detail required, the owner/operator should check with his/her permit writer, or the LRAPA Permit Coordinator if no permit writer has yet been assigned.

9. Indicate (yes or no) whether this project will result in increased production capacity or throughput. If the owner/operator indicates “yes”, then this construction/operational change may require a new permit or modification of an existing permit. The owner/operator should talk to the LRAPA permit writer about regulatory requirements in this area before submitting this form to LRAPA.

10. Indicate (yes or no) whether this project will result in increased pollutant emissions. If the owner/operator indicates “yes,” then this construction/operational change may require a new permit or modification of an existing permit. The owner/operator should talk to the LRAPA permit writer about regulatory requirements in this area before submitting this form to LRAPA.

11. Indicate (yes or no) whether this project will result in the emission of regulated air pollutants that previously had not been emitted. If the owner/operator indicates “yes”, then this construction/operational change may require a new permit or modification of an existing permit. The owner/operator should talk to the LRAPA permit writer about regulatory requirements in this area before submitting this form to LRAPA.

12. Indicate the time period during which the proposed construction would take place.
   a. Indicate the date on which construction did or will commence. This refers to the date on which the owner/operator first makes a financial commitment to begin construction.
   b. Indicate the date on which actual construction is anticipated to begin. This refers to the date on which the physical activity of construction will begin.
      a. Indicate the date on which construction is anticipated to be completed such that the facility is operational for purposes of shakedown.

13. Indicate (yes or no) whether tax credits will be requested once construction is completed.

14. The owner/operator should complete and attach the appropriate form(s) from Form Series AQ200, Device/Process Forms (e.g. Form AQ210, Fuel Burning Device) to describe any new process equipment.

15. If the construction includes a pollution control device, the owner/operator should complete and attach the appropriate form(s) from Form Series AQ300, Control Device Description, to describe the types of control equipment to be used.

16. Prepare and attach a process flow diagram illustrating the proposed construction. Consult with the LRAPA Permit Writer about the level of detail required. The diagram should identify:
   a. The location of all control devices and their relationship to the production process(es); and
   b. The location of all fuel-burning devices/processes.

17. Attach a city map or drawing showing the facility location, property lines and its relation to nearby (i.e., within 1 mile) sensitive receptors such as residential areas, hospitals, schools, etc. If the facility is located in a rural area, the owner/operator should note distances on approaching roads and also mark the location of landmarks.

18. If the proposed construction meets any of the following four criteria, the owner/operator is required to complete and submit an updated Land Use Compatibility Statement:
• The construction is for a new facility;
• The construction is a facility expansion;
• The construction will cause an increase in emissions of regulated air pollutants; or
• A current Land Use Compatibility Statement is not on file with LRAPA.

The Land Use Compatibility (LUCS) form is provided by LRAPA.

19. The owner/operator should provide summary pre-construction and post-construction emissions data in the table provided on the answer sheet. Before completing the table, first review all of the information requested in subparts a through d, below.

   a. List all emissions points at the facility.
   b. For each emissions point identified under subpart a, list the regulated air pollutant(s) emitted.
   c. Provide the short-term and annual pre-construction emissions. Short-term emissions should be provided in units of pounds per hour, or other alternate basis such as pounds per day. The owner/operator should specify the unit used for the short term emissions. Annual emissions should be provided in units of tons per year.
   d. Provide the short-term and annual post-construction emissions. Short-term emissions should be provided in units of pounds per hour, or other alternate basis such as pounds per day. The owner/operator should specify the unit used for the short term emissions. Annual emissions should be provided in units of tons per year.