

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF OREGON

IN THE MATTER OF) STIPULATED AGREEMENT AND
Boise Cascade Wood Products, L.L.C.) FINAL ORDER
Medford)
Permittee.) ORDER NO. 15-0004

Permittee and the Department of Environmental Quality (DEQ) hereby agree that:

WHEREAS:

1. Permittee operates a wood products facility located at 3285 N Pacific Highway in Medford, Oregon (the Facility).

2. On July 1, 1997, DEQ issued Title V Operating Permit No. 15-0004-TV-01 (the Permit) to Permittee.

3. On February 20, 2020, DEQ renewed the Permit.

4. The Permit authorizes Permittee to discharge air contaminants associated with its operation of the Facility in conformance with the requirements, limitations, and conditions set forth in the Permit.

5. As of December 31, 2017, the Permit had the following plant site emissions limit (PSEL) for sulfur dioxide (SO₂), particulate matter of ten microns or less (PM10), and nitrogen oxides (NO_x), which constitute round II regional haze pollutants, *see* OAR 340-223-0020(2) at the Facility: 31 tons per year for SO₂, 167 tons per year for PM10 and 227 tons per year for NO_x.

6. The Facility is located 60.6 kilometers from Mountain Lakes Wilderness, which is the nearest Class I Area, *see* OAR 340-200-0020(25), measured in a straight line from the Facility to the Class I Area.

7. Based on the definitions and the formula in OAR 340-223-0100(2) the Facility's Q value is 425; d value is 60.6, and ratio of Q divided by d is 7.02.

8. Because the Facility has a Title V operating permit and because the Facility has a Q/d value greater than 5.00, the Facility is subject to the requirements of round II of regional haze. *See OAR 340-223-0100(1).*

9. Rather than complying with OAR 340-223-0110(1), the Facility would like to enter into a Stipulated Agreement with DEQ for alternative compliance with round II of regional haze and would like to accept federally enforceable reductions of combined plant site emission limits of round II regional haze pollutants to bring the Facility's Q/d below 5.00 which DEQ shall incorporate into a Final Order. *See* OAR 340-223-0110(2)(b)(A).

I. AGREEMENT

1. DEQ issues this Stipulated Agreement and Final Order (SAFO) pursuant to OAR 340-223-0110(2)(b)(A), and it shall be effective upon the date fully executed.

2. The Facility is subject to round II of regional haze, according to OAR 340-223-0100(1).

3. The Permittee agrees to and will ensure compliance with the PSEL (PM10 + NOx + SO2) reductions schedule in Section II of this SAFO.

4. The PSEL reductions required by this SAFO shall not be banked, credited, or otherwise accessed by Permittee for use in future permitting actions except Permittee may retain unassigned emissions not subject to reduction pursuant to OAR 340-222-0055(3)(c).

5. PSELs for this Facility shall not be increased above those established in this SAFO except as approved in accordance with applicable state and federal permitting regulations.

6. The Permittee shall calculate compliance with the PSELs in Section II of this SAFO according to the requirements of the Permit.

7. DEQ shall incorporate this SAFO and the conditions in Section II below into the Permit pursuant to OAR 340-218-0200(1)(a)(A), as applicable, or upon permit renewal.

8. DEQ may submit this SAFO to the Environmental Protection Agency as part of the State Implementation Plan under the federal Clean Air Act.

9. Permittee waives any and all rights and objections Permittee may have to the form,

1 content, manner of service, and timeliness of this SAFO and to a contested case hearing and judicial
2 review of the SAFO.

3 10. In the event EPA does not accept DEQ's Round II Regional Haze State
4 Implementation Plan (SIP) in any manner that impacts the final order, implementation of the Final
5 Order shall be stayed until DEQ and the Permittee modify the Final Order in such a manner as to
6 ensure compliance with the Round II Regional Haze SIP.

7 11. This SAFO shall be binding on Permittee and its respective successors, agents, and
8 assigns. The undersigned representative of Permittee certifies that he, she, or they are fully
9 authorized to execute and bind Permittee to this SAFO. No change in ownership, corporate, or
10 partnership status of Permittee, or change in the ownership of the properties or businesses affected
11 by this SAFO shall in any way alter Permittee's obligation under this SAFO, unless otherwise
12 approved in writing by DEQ through an amendment to this SAFO.

13 12. If any event occurs that is beyond Permittee's reasonable control and that causes or
14 may cause a delay or deviation in performance of the requirements of this SAFO, Permittee must
15 immediately notify DEQ verbally of the cause of delay or deviation and its anticipated duration, the
16 measures that Permittee has or will take to prevent or minimize the delay or deviation, and the
17 timetable by which Permittee proposes to carry out such measures. Permittee shall confirm in
18 writing this information within five (5) business days of the onset of the event. It is Permittee's
19 responsibility in the written notification to demonstrate to DEQ's satisfaction that the delay or
20 deviation has been or will be caused by circumstances beyond the control and despite due diligence
21 of Permittee. If Permittee so demonstrates, DEQ may extend times of performance of related
22 activities under this SAFO as appropriate. Circumstances or events beyond Permittee's control
23 include, but are not limited to, extreme and unforeseen acts of nature, unforeseen strikes, work
24 stoppages, work interference caused by pandemic, fires, explosion, riot, sabotage, or war. Increased
25 cost of performance or a consultant's failure to provide timely reports are not considered
26 circumstances beyond Permittee's control.

27 13. Facsimile or scanned signatures on this SAFO shall be treated the same as original

1 signatures.

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II. FINAL ORDER

3 The DEQ hereby enters a final order requiring Permittee to comply with the following
4 schedule and conditions:

5 1. The Permittee shall comply with the PSELs according to the following schedule:

6 a. From August 1, 2021, to July 31, 2023, the Permittee's PSELs for the following
7 pollutants are:

8 i. 396 tons for PM10 + NOx + SO2.(Q/d = 6.53).

9 b. From August 1, 2023, to July 31, 2024, the Permittee's PSELs for the following
10 pollutants are:

11 i. 381 tons for PM10 + NOx + SO2 (Q/d = 6.29).

12 c. From On August 1, 2024, to July 31, 2025 the Permittee's PSELs for the
13 following pollutants are:

14 i. 365 tons for PM10 + NOx + SO2 (Q/d = 6.03) .

15 d. From August 1, 2025, to July 31, 2026 the Permittee's PSELs for the following
16 pollutants are:

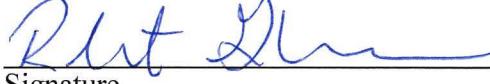
17 i. 347 tons for PM10 + NOx + SO2 (Q/d = 5.73).

18 e. On August 1, 2026, the Permittee's PSELs for the following pollutants are:

19 i. 302 tons for PM10 + NOx + SO2 (Q/d = 4.99).

20 BOISE CASCADE WOOD PRODUCTS, LLC.
21 (PERMITTEE)

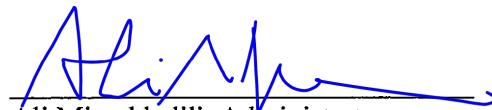
22 August 9, 2021
23 Date


Signature

Robert Glover
Name (print)
Region Manager - Boise Cascade
Title (print)

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27 DEPARTMENT OF ENVIRONMENTAL QUALITY and
ENVIRONMENTAL QUALITY COMMISSION

1
2 8/9/2021
3 Date



Ali Mirzakhalili, Administrator
Air Quality Division
on behalf of DEQ pursuant to OAR 340-223-0110(2)

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