

Good Neighbor Agreement¹

This Good Neighbor Agreement (**Agreement**) is entered effective November 22, 2011 (“Effective Date”) by and between ESCO Corporation (**ESCO**), the Northwest District Association (**NWDA**), Neighbors for Clean Air (**NCA**), and the Northwest Environmental Defense Center (**NEDC**) (collectively referred to as the **Neighbor Groups**). ESCO and the Neighbor Groups are collectively referred to as the **Parties**.

RECITALS

- A. ESCO owns and operates steel foundries located at 2141 NW 25th Avenue and 2211 NW Brewer St., Portland, Oregon (the **Foundries**).
- B. ESCO holds a Title V permit (the **Title V Permit**) issued by the Oregon Department of Environmental Quality (**DEQ**).
- C. The Neighbor Groups have expressed concerns about the impact of emissions from the Foundries on people living, working and going to school in northwest Portland.
- D. The Parties desire to work cooperatively to improve livability and safety in northwest Portland.
- E. The goals of this Agreement are:
- To quickly reduce emissions from the Foundries.
 - To specify monitoring, recordkeeping and reporting requirements sufficient to provide the Parties with accurate information about emissions and reductions under this agreement, and to memorialize ESCO’s promises to quickly reduce emissions from the Foundries as specified in this Agreement.
 - To facilitate the renewal of the Title V Permit consistent with the terms of this Agreement.
 - To improve neighborhood safety and livability.
 - To encourage open communications and understanding between ESCO and Neighbor Groups.

TERMS OF AGREEMENT

1. *Emission reduction projects.* ESCO shall undertake the emission reduction projects described on Attachment A according to the schedule set forth on Attachment A, all as more specifically described in the Best Work Practices Agreement conditions of the proposed permit terms set forth in Attachment B (the **Proposed Permit Terms**). Attachment A, and any corresponding conditions of the Title V Permit, may be modified

¹ Following execution on November 22 and 23, 2011, this document was corrected on November 28, 2011 with consent of all parties.

at ESCO's request subject to written approval by Neighbor Groups, provided that: (a) such approval for changes to emission reduction projects shall not be withheld if (i) DEQ has expressed in writing its intent to approve the modification (which may be subject to public comment if required for a permit amendment), and (ii) ESCO has demonstrated that modified project will achieve the same or comparable reduction in emissions as the project as it is described on Attachment A before the modification; and (b) such approval may not be unreasonably withheld for changes to confirmation methods, including confirmation methods for changes to emission reduction projects. Neighbor Groups may withhold approval under this paragraph by notice to ESCO, which notice shall state the reasons for withholding approval. Within 30 days of receiving such notice, ESCO will withdraw its request to DEQ to modify the Title V Permit, and ESCO may invoke dispute resolution if it objects to such withholding of approval by the Neighbor Groups.

2. *Emissions monitoring, recordkeeping and reporting.*

2.1 To demonstrate that the projects described on Attachment A are completed according to the schedule set forth on Attachment A, ESCO shall allow up to three representatives of the Neighbor Groups a reasonable opportunity to inspect the affected processes and units. ESCO shall notify Neighbor Groups of the completion of each project described on Attachment A, and Neighbor Groups shall have the right to an inspection for 60 days following the date of the completion notice. Neighbor Groups shall coordinate with ESCO regarding scheduling such inspections and shall provide ESCO the names of the representatives at least 10 days prior to such inspection. Neighbor Groups' representatives shall comply with reasonable limitations imposed by ESCO for safety or protection of confidential business information pursuant to paragraph 11.6.

2.2 The effectiveness of the projects undertaken pursuant to Attachment A shall be demonstrated for each project in the manner described on Attachment A in the column titled "Method of Confirmation." Where the confirmation involves testing emissions (projects 1 and 5 on Attachment A) ("Emission Tests"), ESCO shall contract with a qualified and cost effective emissions testing firm approved by the NAC, which approval shall not be unreasonably withheld (the "Approved Tester"), to:

2.2.1 Perform tests using reasonably reliable methods to quantify the post-project emissions per unit of time or unit of production of the pollutants of interest (as identified on Attachment A) from processes and emissions units affected by the emission reduction project identified for modification pursuant to Attachment A;

2.2.2 For project 5 on Attachment A (control of sand coating pug mill), perform such tests to quantify emissions per unit of time or unit of production before implementation of the project, which tests may be completed before execution of this Agreement; and

2.2.3 Provide and present content for a public meeting to educate the community about the reliability of test methods and results.

2.3 ESCO shall allow up to three representatives of the Neighbor Groups a reasonable opportunity to observe the Emission Tests that are undertaken pursuant to paragraph 2.2 and other methods of confirmation identified as “tests” or “observations” on Attachment A. Neighbor Groups shall coordinate with ESCO regarding scheduling such observations on the same terms as described in paragraph 2.1.

2.4 ESCO shall also provide to Neighbor Groups, upon request directed to ESCO as provided in paragraph 9.2 below, the raw data generated by the Emission Tests.

2.5 ESCO shall also provide to Neighbor Groups reports prepared by the Approved Tester regarding the Emission Tests.

2.6 Where Attachment A indicates that the method of confirmation includes a right for the Neighbor Groups to audit ESCO’s records or to conduct periodic inspections, ESCO shall allow up to three representatives of the Neighbor Groups a reasonable opportunity to conduct such audits and inspections at least once per calendar year. Neighbor Groups shall coordinate with ESCO regarding scheduling such audits and inspections and shall provide ESCO the names of the representatives at least 10 days prior to each audit or inspection. Neighbor Groups’ representatives shall comply with reasonable limitations imposed by ESCO for safety or protection of confidential business information pursuant to paragraph 11.6.

2.7 Where the confirmation involves observations by a consultant, (“Emission Observation”), ESCO shall contract with a qualified and cost effective consulting firm approved by the NAC, which approval shall not be unreasonably withheld (the “Approved Consultant”), to:

2.7.1 Perform observations; and

2.7.2 Provide and present content for a public meeting to educate the community about the completed emission reduction projects and the confirmation of their completion.

3. *Community monitoring.*

3.1 *Meteorology.* ESCO shall install and maintain wind speed and direction monitors at the Foundries and make the data from such monitors accessible to the public. ESCO will ensure a reasonable level of data availability subject to down time for calibration, maintenance and repairs. ESCO will not schedule downtime for routine maintenance or calibration from June 1 through September 30 each year.

3.2 *Ambient Air Quality Monitoring.* ESCO shall pay \$25,000 toward ambient air monitoring at Chapman Elementary School to be conducted according to a monitoring plan approved by the NAC and DEQ. The monitoring plan may be prepared by DEQ or a consultant working for the NAC or one of the Neighbor Groups in

consultation with ESCO. ESCO shall make the payment directly to DEQ or the firm conducting the monitoring (whichever applies) and according to the schedule set forth in the approved monitoring plan, provided that ESCO shall receive at least 45 days advance notice of the due date for the payment.

4. *Neighborhood Advisory Committee.* The Parties shall establish a Neighborhood Advisory Committee (NAC) to promote continuous improvement in neighborhood safety and livability as impacted by ESCO's operations, and to facilitate communications between ESCO and its neighbors.

4.1 *NAC Principals.* ESCO, NCA and NWDA shall be NAC Principals. NEDC may also elect to be an NAC Principal by submitting written or electronic notice of intent to become a NAC Principal to the Parties, which notice shall designate the Party's Representatives consistent with paragraph 4.2. Thirty days following this notice, the Party shall be a NAC Principal.

4.2 *NAC Representatives.* Each NAC Principal shall designate representatives ("**Representative**") authorized by it to participate in the NAC. The NAC shall consist of at least five Representatives distributed as follows:

4.2.1 ESCO shall designate two Representatives who shall include an environmental manager responsible for the Foundries and an officer or employee of ESCO authorized to speak for the company. The ESCO representatives shall be nonvoting members of the NAC.

4.2.2 NWDA may designate up to three Representatives.

4.2.3 NCA may designate up to two Representatives.

4.2.4 NEDC may designate one Representative.

4.2.5 Any NAC Principal may designate an alternate for each of its Representatives and may change its Representatives at any time by giving notice to the Parties.

4.3 *NAC Meetings.* The NAC shall meet at least quarterly. Each NAC meeting shall be open to public observation, and provide interested members of the public with a reasonable opportunity to provide oral comments to the NAC. By January 1 each year, the NAC will establish its schedule of regular meetings for that year. Special meetings may be scheduled by any NAC Principal by giving at least 30 days advance notice to the other NAC Principals together with an explanation of the need for the special meeting. ESCO will notify the NAC Principals and Representatives of the meeting date, time and place at least 15 days in advance of each regular or special meeting. Emergency meetings may be scheduled by any NAC Principal 72 hours notice given to each NAC Principal and Representative, which notice shall state the nature of the emergency and the meeting date, time and place. If any NAC Principal is unable to

send at least one Representative or alternate to meet on an emergency basis, the emergency meeting shall be rescheduled according to the special meeting process described above.

4.4 *Simple majority vote.* The NAC shall make decisions using a simple majority vote of the voting NAC Representatives (ESCO Representatives shall not have a vote) present at any NAC meeting at which a quorum of voting NAC Representatives is present. One half of the NAC Representatives shall constitute a quorum. An Alternate shall be counted in place of one Representative who is not present at the meeting to determine whether a quorum is present. Only voting Representatives and Alternatives properly designated pursuant to paragraph 4.2 shall vote at NAC meetings.

4.5 *NAC sub-committees.* The NAC may establish by simple majority vote sub-committees to accomplish its mission. Members of NAC sub-committees shall be nominated by a NAC Representative and confirmed by simple majority vote. Any person may serve upon a sub-committee.

4.6 *Community input and technical support.* The NAC may call upon the assistance of local residents and any person with particular experience or knowledge to provide input and technical support to the NAC as needed.

4.7 *Agendas and work plan.* Each NAC Representative, including nonvoting ESCO Representatives, shall have input into the agenda of each NAC meeting. During the term of this agreement, the NAC shall execute a plan of work including at least the following:

4.7.1 In cooperation with the NAC, ESCO shall develop an Emergency Response Plan to address threats to people and the environment in the event of a catastrophic event at ESCO.

(a) The resulting Emergency Response Plan shall be made reasonably accessible to the public, including posting on ESCO's website.

(b) ESCO shall develop and implement a reverse 911 phone and email system to alert the neighborhood emergencies subject to the resulting Emergency Response Plan.

4.7.2 The NAC may make recommendations for ESCO to modify its internal process for evaluating upsets and incidents in its manufacturing operations that have potential to increase air emissions.

4.7.3 The NAC may make recommendations for measures that can reduce harmful exposures to ESCO's pollution.

4.7.4 The NAC shall periodically evaluate the complaint provisions in paragraph 5.2 and recommend to ESCO improvements as appropriate.

4.7.5 The NAC shall reconsider cost effective community monitoring programs, continuously evaluate the continuing benefit of community monitoring, and seek funding opportunities to conduct worthwhile monitoring and to develop community knowledge about air quality.

ESCO shall give reasonable consideration to recommendations from the NAC as described above, provided that ESCO shall have no obligation to implement any such recommendations and ESCO shall retain exclusive control over its manufacturing operations and its management systems.

4.8 *Administrative support.* ESCO shall provide administrative support to the NAC, including maintaining a current list of NAC Principals and Representatives, sending meeting notices, preparing draft meeting agendas, minutes and summaries and managing timely approval of minutes by the NAC.

4.9 *Required communications.*

4.9.1 *Upsets.* ESCO shall notify NAC Representatives and Alternates of any plant upset conditions that require notification of any emergency service or governmental authority.

4.9.2 *Annual Report.* At least once each year, ESCO shall provide the complaint log described in paragraph 5.4 for NAC review, and present an annual report at a regular NAC meeting. The annual report shall include:

(a) General summary of the state of ESCO's business, including a qualitative assessment of its success and challenges as an on-going business.

(b) Report on air emissions, monitoring activity, and excess emissions events during the preceding year, including a copy of any reports provided to Neighbor Groups pursuant to paragraph 2 of this Agreement.

(c) Summary of complaints received and how complaints were resolved.

(d) Summary of any inspections or enforcement actions by DEQ or EPA during the preceding year and ESCO's corrective action as needed.

(e) The annual report shall be made available to the public on the NAC webpage described in paragraph 4.10.2.

4.10 *Neighborhood Advisory Committee communications with the neighborhood.*

4.10.1 *Mailing Address.* The following mailing address for NAC shall be indicated on the NAC website and written NAC communications:

ESCO Neighborhood Advisory Committee
c/o Neighbors West-Northwest
Attn: Mark Sieber
2257 Northwest Raleigh Street
Portland, OR 97210-2630

The NAC shall designate one NAC Representative to retrieve the mail at least once per week. The appointed Representative shall communicate via email once per week the contents of the mail to all other NAC Representative. Any NAC Representative shall have the right to inspect the original communications at any time during regular business hours.

4.10.2 *NAC Website.* ESCO shall maintain a page on its website for the NAC. This page will include a list of NAC Principals, Representatives and alternates. This page will include a calendar of upcoming NAC meetings and copies of minutes or summaries from prior meetings approved by the NAC, and any other information identified for publication on the web by the NAC. This page will be accessible to the public, and will provide a mechanism to take comments from the public and send them directly to all NAC Representatives.

4.10.3 *Official Communications.* Written communications attributed to the NAC as a whole shall be approved by simple majority vote before distribution. In any event, NAC Principals, Representatives and Alternates may indicate their role in the NAC in any communications. NAC communications shall be clear that the communication is from the NAC and is not an ESCO communication.

5. *Complaints.* By the later of May 1, 2012 or the date DEQ issues the Renewed Permit, ESCO shall implement the following complaint procedure:

5.1 ESCO will post on its website and the entrance gates at Main Plant and Plant 3 an e-mail address and phone number at which complaints may be submitted 24 hours a day.

5.2 Within one business day of receipt through the designated e-mail address or telephone number, ESCO shall forward the complaint via email to DEQ, NWDA and NCA and shall respond to all complaints that specifically refer to odor or particulate from ESCO facilities by investigating the cause of the complaint and, if necessary, by attempting to contact the complainant for more information. Complaints forwarded through this provision shall be sent to all of the following:

DEQ at NWRComplaints@deq.state.or.us

NWDA at President@NorthwestDistrictAssociation.org

NCA at odors@whatsinourair.org

5.3 Within five business days of receipt of the complaint, or within such longer time as is reasonably necessary, ESCO shall investigate and make a record of its investigation and response to each complaint including: a description of the nature of the complaint; ESCO's actions to investigate the complaint; meteorological data for the time relevant to the complaint (if available from ESCO'S meteorological stations); a description of processes occurring at ESCO at the time of the complaint; ESCO's determination of whether the complaint is related to ESCO's emissions; and any action taken by ESCO to address the cause of the complaint.

5.4 ESCO will maintain a log recording all complaints and the response information developed pursuant to paragraph 5.3. When similar complaints are received regarding the same day, ESCO may group the complaints into a single log entry.

5.5 Within 60 days of the end of each calendar quarter, ESCO will review all complaints received in that quarter to identify patterns and recurring causes or sources. ESCO will document the review in a summary report, which it shall maintain as part of the complaint log.

5.6 Each NAC Representative shall have the right to inspect ESCO' complaint log during regular business hours with reasonable advance notice to ESCO.

6. *Community Outreach.*

6.1 The NAC will serve as liaison for communication between the neighborhood and ESCO.

6.2 A representative from ESCO will be available to attend meetings organized by the Neighbor Groups when invited.

6.3 Annual Tour. ESCO will provide public tours of the facility each year at the NAC's request subject to reasonable limitations imposed by ESCO for safety or protection of confidential business information pursuant to paragraph 11.6.

7. *Title V Permit.*

7.1 The Parties will request that DEQ incorporate into the pending renewal of ESCO's Title V Permit (the **Renewed Permit**) the permit terms set forth on Attachment B (the **Proposed Permit Terms**).

7.2 ESCO and each of the Neighbor Groups covenant not to submit comments to DEQ objecting to, or encouraging modifications to, the Proposed Permit Terms or to otherwise discourage DEQ from issuing the Renewed Permit with the Proposed Permit Terms. ESCO and each of the Neighbor Groups covenant not to contest in any legal proceeding, or encourage any other person to contest, the Renewed Permit as long as (a) the Proposed Permit Terms are incorporated into the

Renewed Permit in substantially the form set forth on Attachment B, and (b) the incorporation of the Proposed Permit Terms into the Renewed Permit is not modified in any material respect following issuance of the Renewed Permit, unless such modifications are approved by ESCO and each of the Neighbor Groups. No Party shall seek, directly or indirectly, to have the Renewed Permit modified so as to materially alter the Proposed Permit Terms as incorporated into the Renewed Permit without the consent of the other Parties. Nothing in this Agreement restricts the rights of any Party to apply or advocate for different terms in the next renewal of the Title V Permit upon expiration of the Renewed Permit. No Party will independently request DEQ to delay the next renewal of the Title V Permit, but the Parties together may request such a delay to allow adequate time to complete renegotiation of this Agreement for the next renewal term of the permit.

7.3 Subject to paragraph 7.2, the Parties may participate freely in the public process for issuance, renewal or modification of any permit issued to ESCO with respect to any issues not addressed in this GNA or the Proposed Permit Terms, provided that the Neighbor Groups may not propose or advocate for new or expanded requirements to be imposed on ESCO through the Renewed Permit.

7.4 Except with respect to any noncompliance by ESCO of the Renewed Permit or breach of this Agreement, each of the Neighbor Groups covenants not to sue, or bring any other form of action against, ESCO alleging that ESCO is liable for creating a nuisance (public or private) or for trespass, or otherwise alleging damages or any other cause of action arising out of emissions to the atmosphere from the Foundries.

7.5 During the term of this Agreement, the Neighbor Groups shall not apply to a court to enforce the Renewed Permit or the federal Clean Air Act or Oregon air quality laws if Oregon or the United States has commenced and is diligently prosecuting a civil or criminal action in a federal or state court, or has issued an administrative order requiring immediate compliance with the Renewed Permit and assessing a monetary penalty with respect to the alleged violation. With respect to requirements of the Clean Air Act or Oregon air quality laws that are addressed by the Renewed Permit or are identified in the Renewed Permit as not applicable to the Foundries, ESCO's compliance with the Renewed Permit shall be deemed compliance with the Clean Air Act and Oregon air quality laws as in effect as of the date of the Renewed Permit.

7.6 The obligations of the Parties under this Section 7 include the obligation not to materially aid or assist others in the pursuit of any of the prohibited acts. The Pacific Environmental Advocacy Center (PEAC) has served as legal counsel to NCA and NEDC in negotiating this Agreement. As a critical part of the consideration ESCO has received in support of this Agreement, PEAC has represented to ESCO that it has no present intent to represent any person other than NCA and NEDC with respect to ESCO air quality matters or to participate in the administrative process for issuing the Renewed Permit, to challenge the renewed permit or to bring any form of legal action against ESCO on behalf of any other client.

8. *Facility Changes.* If ESCO intends to make changes to the Foundries or their operations that require modification to ESCO's Title V Permit, ESCO will provide the Neighbor Groups copies of its application made to DEQ for such modifications simultaneously with submitting the application to DEQ. Except as provided in paragraph 1, nothing in this Agreement restricts the Neighbor Groups' rights to object to a proposed modification of the Renewed Permit or to contest a modification finally issued by DEQ, including without limitation any modification that involves increasing a plant site emissions limit above the levels set forth in the Proposed Permit Terms.

9. *Dispute Resolution.* Subject to this paragraph 9, any Party to this Agreement may apply to a court of competent jurisdiction for declaratory and injunctive relief necessary to construe or enforce this Agreement. The Parties will endeavor to resolve any dispute amicably pursuant to paragraphs 9.1. through 9.3.

9.1 *Duty to meet and confer.* At least 30 days prior to applying to a court for relief, the Parties agree to meet and confer to attempt to resolve any dispute through informal negotiations. With notice pursuant to paragraph 11.2, any Party can request to meet and confer (in person if requested) within five business days of receipt of the request. Representatives of each Party with appropriate authority will negotiate in good faith to resolve the dispute.

9.2 *Mediation.* If informal discussion pursuant to paragraph 9.1 do not resolve the dispute, either Party may require that the dispute be submitted to mediation before Resolutions Northwest or such other mediator as the City of Portland contracts to provide such mediation services to Portland residents. Following the meeting described in paragraph 9.1, either Party may commence the mediation process by providing notice to the other Party and following the procedures prescribed by the mediation service.

9.3 *Judicial enforcement.* If the mediation described in paragraph 9.2 does not resolve the dispute, any Party may seek to enforce this Agreement through a court of competent jurisdiction.

10. *Term.*

10.1 This Agreement shall commence on the Effective Date set forth above and shall remain in effect for the term of the Renewed Permit and any period during which the Renewed Permit is administratively extended and shall expire on the date that the Renewed Permit is again renewed or is terminated by DEQ.

10.2 At least 18 months before the expiration date of the Renewed Permit the Parties shall meet to explore renegotiation of this Agreement in anticipation of the next renewal of the Title V Permit.

11. *General Terms.*

11.1 *Notices.* All notices under this Agreement shall be in writing and personally delivered or sent by first-class mail, postage prepaid, or e-mail to the other Party at the address set forth below. Notices shall be deemed given when received and shall be deemed received when personally delivered, 48 hours after they are postmarked, if sent by mail, or upon confirmation of receipt if delivered by e-mail. Notices shall be sent to the following addresses, which a Party may change by giving notice to the other Party:

If to ESCO:

J. Carter Webb
ESCO Corporation
PO Box 10123
Portland, Oregon 97296-0123
Tel. (503) 503-778-6670
Email: Carter.Webb@escocorp.com

If to Northwest District Association:

Ron Walters, President
Neighbors West/NorthWest (NWNW)
2257 NW Raleigh St.
Portland, OR 97210
Phone: 503.823.4288
Fax: 503.223.5308
E-mail:
contact@northwestdistrictassociation.org

If to Neighbors for Clean Air:

Mary Peveto
Neighbors for Clean Air
2882 NW Thurman St.
Portland, Oregon 97210
Tel. (503) 705-0481
Email: pdxair@me.com

If to Northwest Environmental Defense Center:

Mark Riskedahl, Executive Director
NEDC
10015 SW Terwilliger Blvd.
Portland, OR 97219
Office: 503.768.6673
Cell: 503.750.5533
Email: msr@nedc.org

11.2 *Binding Effect.* This Agreement shall be binding upon the Parties and their respective successors and assignees. If in any judicial proceeding a court shall refuse to enforce all the provisions of this Agreement, the scope of any unenforceable provision shall be deemed modified and diminished to the extent necessary to render such provision valid and enforceable. In any event, the validity or enforceability of any such provision shall not affect any other provision of this Agreement, and this Agreement shall be construed and enforced as if such provision had not been included.

11.3 *Entire Agreement.* This Agreement and any referenced attachments, exhibits or schedules are the entire agreement between the Parties and supersede all previous agreements or understandings between them.

11.4 *Amendment.* This Agreement may not be amended, except in writing and signed by authorized representatives of both Parties.

11.5 *Understanding.* Each Party has carefully read this Agreement. Each Party acknowledges that it is familiar with the contents of this Agreement, and that they fully understand and voluntarily accept its terms and conditions.

11.6 *Trade Secrets.* Nothing in this Agreement shall be construed to require ESCO to disclose its trade secrets or confidential business information and ESCO may redact such trade secrets or confidential business information from documents provided under this Agreement. Neighbor Groups understand and agree that Neighbor Groups or members of the public may need to sign one or more confidentiality agreements narrowly drawn to protect ESCO's trade secrets and confidential business information potentially observed during site visits.

11.7 *Waiver.* Any Party may waive rights, powers or privileges under this Agreement, provided that any waiver must be in writing and further provided that no such waiver in one instance shall constitute a waiver of the same right, power or privilege in any other instance unless specifically stated in writing.

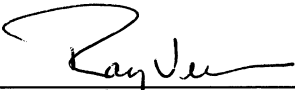
11.8 *Force Majeure.* If ESCO is prevented from carrying out any of its obligations under this Agreement by circumstances beyond its reasonable control, including, without limitation, legislation or lawful regulations of any governmental body, acts of the public enemy, riots, strikes or labor disputes, labor or material shortages, fires, explosions, floods, severe weather conditions, embargoes, or other similar causes, then ESCO shall be excused from performance hereunder during the period of such delay. ESCO shall promptly notify the other Parties when it learns of the existence of a force majeure condition and shall indicate the nature and probable duration of such force majeure. ESCO shall promptly notify the other Parties when the force majeure condition has terminated. ESCO shall minimize the effect of such force majeure to the extent reasonably possible. Notwithstanding anything in this Agreement to the contrary, the term "force majeure" does not include, and ESCO shall not be excused from performance under this Agreement for increased costs of fuel, labor, insurance, or other expenses of performing the obligations hereunder.

11.9 *Severability.* If for any reason a court of competent jurisdiction finds any provision of this Agreement to be unenforceable under existing law, or as a result of new statutes or regulations, that provision of the Agreement will be reformed consistent with such law and the intent of the parties, and the remainder of this Agreement will continue in full force and effect.

12. *Execution.* The individuals executing this Agreement below represent that they are authorized to execute this Agreement on behalf of the respective Party. This Agreement may be executed simultaneously by all the parties or individually in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

ESCO Corporation

Northwest District Association

By: 
Name: RAY VERLINICH
Title: V.P. FINANCE & CFO

By: _____
Name: _____
Title: _____

Neighbors for Clean Air

Northwest Environmental Defense Center

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____


11.9 *Severability.* If for any reason a court of competent jurisdiction finds any provision of this Agreement to be unenforceable under existing law, or as a result of new statutes or regulations, that provision of the Agreement will be reformed consistent with such law and the intent of the parties, and the remainder of this Agreement will continue in full force and effect.

12. *Execution.* The individuals executing this Agreement below represent that they are authorized to execute this Agreement on behalf of the respective Party. This Agreement may be executed simultaneously by all the parties or individually in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

ESCO Corporation

Northwest District Association

By: _____
Name: _____
Title: _____

By: 
Name: Ron Walters
Title: President

Neighbors for Clean Air

Northwest Environmental Defense Center

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

11.9 *Severability.* If for any reason a court of competent jurisdiction finds any provision of this Agreement to be unenforceable under existing law, or as a result of new statutes or regulations, that provision of the Agreement will be reformed consistent with such law and the intent of the parties, and the remainder of this Agreement will continue in full force and effect.

12. *Execution.* The individuals executing this Agreement below represent that they are authorized to execute this Agreement on behalf of the respective Party. This Agreement may be executed simultaneously by all the parties or individually in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

ESCO Corporation

Northwest District Association

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Neighbors for Clean Air

Northwest Environmental Defense Center

By: Mary Schell Pexeto
Name: Mary Pexeto
Title: President

By: _____
Name: _____
Title: _____

11.9 *Severability.* If for any reason a court of competent jurisdiction finds any provision of this Agreement to be unenforceable under existing law, or as a result of new statutes or regulations, that provision of the Agreement will be reformed consistent with such law and the intent of the parties, and the remainder of this Agreement will continue in full force and effect.

12. *Execution.* The individuals executing this Agreement below represent that they are authorized to execute this Agreement on behalf of the respective Party. This Agreement may be executed simultaneously by all the parties or individually in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

ESCO Corporation

Northwest District Association

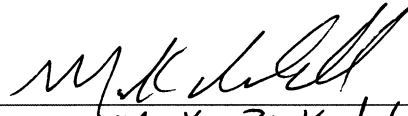
By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Neighbors for Clean Air

Northwest Environmental Defense Center

By: _____
Name: _____
Title: _____

By: 
Name: Mark Riskedaly
Title: Executive Director

ATTACHMENT A
EMISSION REDUCTION PROJECTS AND SCHEDULE

ATTACHMENT A

ESCO Portland Foundries Emission Reduction Projects

November 16, 2011

No.	Control Strategy	Plant	Pollutants primarily					Completion Date	Method of Confirmation
			PM	metallic HAPs	organic HAPs	odor			
1	Improve capture and control of Doghouse and Side Floor PCS fugitives. Ensure cooling in the Doghouse occurs in the controlled section of the building.	MP	x	x	x	x	12/31/13	Approved Tester to perform Emission Test on the outlet of the new baghouse(s) to measure emissions of particulate. Approved Tester to perform test on the inlet to the new baghouse(s) to measure amount of particulate captured by the new system. Also, for a test period of one month, ESCO will weigh each container of dust collected by the new baghouse(s) and record the amount of particulate removed and correlate it to tons of metal poured in the Doghouse over the same period. ESCO will repeat this weigh test two years after installation of the new baghouse(s) to confirm that the baghouse(s) continues to achieve a substantial reduction in emissions.	
2	Add control to Air Arc Cutting- Lower Finishing	MP	x	x			Complete	For a test period of one month, ESCO will weigh each container of dust collected and record the amount of particulate removed.	
3	Add control to Air Arc Cutting- Upper Finishing	MP	x	x			Complete	For a test period of one month, ESCO will weigh each filter removed from the collection device and record the amount of particulate removed.	
4	Seal leaks and openings on P3 Pouring Cooling Shakeout	P3	x	x		x	Complete	Already completed. ESCO will inspect integrity of cooling room enclosure at least once annually and repair as necessary. ESCO will keep a record of each inspection and the repairs made. Neighbor Groups may audit inspection records and inspect the cooling room enclosure. ESCO will include a summary of inspections and repairs in the annual report to the NAC.	
5	Elect either a. or b.	P3			x	x	3/31/15	a. Approved Tester to perform Emission Test for phenol on inlet and outlet of the control device for one test run.	
	a. Install thermal oxidation or alternative control technology on sand coating pug mill.							b. Approved Tester to perform source tests for phenol on the exhaust of the pugmill and on the mold and core making vent. ESCO may elect to also perform a source test on the pouring cooling and shakeout vent if necessary to demonstrate the target percentage reduction.	
	b. Substitute a low phenol binder system for the binder system on which the phenol emissions factors in the Title V Permit are based. The new low phenol binder system will achieve a combined reduction in phenol emissions from all Plant 3 sources of at least 35 to 40% .								
6	Continue alternative binder studies, especially for chain castings.	MP			x	x	Continuous	ESCO will report on binder changes in its annual report to the NAC.	
7	Install bag leak detection on EAF and AOD baghouses.	MP & P3	x	x			12/31/13	Neighbor Groups may inspect system after installation and startup. Neighbor Groups may audit system records. If ESCO cannot correct a problem indicated by the bag leak detection system within 10 days of discovery, ESCO will notify the NAC in the same manner and at the same time that it is required to notify DEQ under the Proposed Permit Terms.	
8	Modify operational specifications to limit door and other openings to improve capture on EAF and AOD processes.	MP & P3	x	x			Complete	ESCO will inspect EAF and AOD areas during its monthly fugitive emissions inspections and maintain records of its inspections. Neighbor Groups may audit the inspection records and inspect EAF and AOD areas.	
9	Add/improve procedures on EAF operations that directly affect capture. Evaluate additional control mechanisms for EAF capture systems and high canopy hood dampers. Optimize operating procedures and provide routine training.	MP & P3	x	x			12/31/12	Neighbor Groups may inspect operation to confirm that revised operating procedures are being followed.	
10	Take corrective actions to reduce fugitives on thermal sand reclaim baghouse by installing course fraction separator to improve collection and reduce wear on baghouse.	P3	x				Complete	ESCO will inspect baghouse monthly and take corrective action as needed. ESCO will maintain records of monthly inspections and corrective action.	

ATTACHMENT A

ESCO Portland Foundries Emission Reduction Projects

November 16, 2011

No.	Control Strategy	Plant	Pollutants primarily				Completion Date	Method of Confirmation
			PM	metallic HAPs	organic HAPs	odor		
11	Identify and implement operating changes to reduce emissions at dump back and transfer points.	MP	x	x			12/31/12	Approved Consultant to conduct qualitative visual observations before and after operating changes. Neighbor Groups may participate in observations.
12	Identify and implement operating changes to reduce emissions at dump back and transfer points.	P3	x	x			12/31/12	Approved Consultant to conduct qualitative visual observations before and after operating changes. Neighbor Groups may participate in observations.
13	Conduct study to quantify emissions from thermal sand reclaim and to determine if thermal sand reclaim can be operated at recommended temperature.	P3			x		12/31/14	Approved Tester to test temperature of sand reclaim exhaust to confirm operating at sufficient VOC destruction temperatures.
14	Modify operations at the AOD to improve capture.	MP	x	x			3/31/15	Neighbor Groups may inspect operation to confirm that revised operating procedures are being followed.
15	Ensure operators use control equipment at workbench stations in finishing area.	MP	x	x			Complete	Neighbor Groups may inspect operation to confirm that revised operating procedures are being followed.
16	Develop and implement Incident (Atypical) Investigation Plan.	MP & P3	x	x	x	x	9/31/14	NAC will review documentation for a completed investigation.
17	Perform an engineering study of feasible capture and control methods for emissions from pour points in slinger bay, including estimates of potential reductions. Alternatively, ESCO may propose a different study or emission reduction project, which it shall implement instead of the slinger bay study, if approved by the NAC.	MP	x	x	x	x	4/30/17	ESCO will provide completed study report to Neighbor Groups.

ATTACHMENT B
PROPOSED PERMIT TERMS

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY OREGON TITLE-V OPERATING PERMIT

Northwest Region
2020 S.W. 4th Avenue, #400
Portland, OR 97201-4987
Telephone: (503) 229-5263

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

ISSUED TO:

ESCO Corporation
PO Box 10123
Portland, OR 97210-0123

INFORMATION RELIED UPON:

Application Number: 023457
Received: 07/23/08

PLANT SITE LOCATION:

Main Plant: 2141 NW 25th Avenue, Portland
Plant No. 3: 2211 NW Brewer, Portland

LAND USE COMPATIBILITY STATEMENT:

Issued by: City of Portland
Dated: 04/29/92

ISSUED BY THE DEPARTEMENT OF ENVIRONMENTAL QUALITY

Uri Papish, Northwest Region Air Quality Manager

Date

Nature of Business: Steel foundry and casting facility

SIC: 3325

RESPONSIBLE OFFICIALS

Main Plant
Title: Site Manager

Plant 3
Title: Site Manager

FACILITY CONTACT PERSON

Both Plants
Name: Brian Krytenberg
Title: Environmental Engineer
Phone: (503) 778- 6477

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

TABLE OF CONTENTS

PERMITTED ACTIVITIES.....4

EMISSION UNIT (EU) AND POLLUTION CONTROL DEVICE (PCD) IDENTIFICATION4

EMISSION LIMITS AND STANDARDS6

SPECIAL CONDITIONS30

BEST WORK PRACTICES AGREEMENT (BWPA).....30

PLANT SITE EMISSION LIMITS.....39

TESTING REQUIREMENTS41

MONITORING REQUIREMENTS44

RECORDKEEPING REQUIREMENTS44

 GENERAL RECORDKEEPING REQUIREMENTS44

 SOURCE SPECIFIC RECORDKEEPING REQUIREMENTS45

REPORTING REQUIREMENTS.....46

 GENERAL REPORTING REQUIREMENTS49

 SEMI-ANNUAL AND ANNUAL REPORTS50

NON-APPLICABLE REQUIREMENTS53

GENERAL CONDITIONS55

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

LIST OF ABBREVIATIONS THAT MAY BE USED IN THIS PERMIT

ACDP	Air Contaminant Discharge Permit	INDF	Induction furnace
Act	Federal Clean Air Act	NA	Not applicable
Annual	Calendar Year	NO _x	Nitrogen oxides
AOD	Argon-oxygen decarburization	O ₂	Oxygen
ASTM	American Society of Testing and Materials	OAR	Oregon Administrative Rules
Btu	British thermal unit	ODEQ	Oregon Department of Environmental Quality
CAM	Compliance Assurance Monitoring	ORS	Oregon Revised Statutes
CFR	Code of Federal Regulations	O&M	Operation and maintenance
CO	Carbon Monoxide	Pb	Lead
CPMS	Continuous parameter monitoring system	PCD	Pollution Control Device
DEQ	Department of Environmental Quality	PCS	Pouring, cooling and shakeout
dscf	Dry standard cubic feet	PM	Particulate matter
EAF	Electric arc furnace	PM ₁₀	Particulate matter less than 10 microns in size
EAL	Emission action level	PM _{2.5}	Particulate matter less than 2.5 microns in size
EF	Emission factor	ppm	Parts per million
EPA	US Environmental Protection Agency	PSEL	Plant Site Emission Limit
EU	Emissions Unit	psia	pounds per square inch, actual
FCAA	Federal Clean Air Act	SER	Significant Emission Rate
FSA	Fuel sampling and analysis	SERP	Source emissions reduction plan
GHG	Greenhouse Gas	SO ₂	Sulfur dioxide
gr/dscf	Grain per dry standard cubic feet (1 pound = 7000 grains)	SSM	Startup, Shutdown and Malfunction
HAP	Hazardous Air Pollutant as defined by OAR 340-244-0040	ST	Source test
ID	Identification number or label	VE	Visible emissions
I&M	Inspection and maintenance	VMT	Vehicle miles traveled
		VOC	Volatile organic compounds

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

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 to or associated with air contaminant source(s) in accordance with the requirements, limitations, and conditions of this permit. [OAR 340-218-0010, 340-0218-0120(2)]
2. All conditions in this permit are federally enforceable except conditions 4, 5, 6, 12, 45.b, 45.d, 45.e, 46, 47, 48 through 65, and G5, which are only enforceable by the state. [OAR 340-218-0060]

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

3. The emissions units regulated by this permit are the following: [OAR 340-218-0040(3)]

Emissions Unit ID	Device/ process	Emission point PCD ID
Main Plant		
MU-1 MELT Metal melting operations	EAF1 and EAF2 AOD8	Baghouse 301010 + fugitives Baghouse 301250 + fugitives
MU-2 PCS Pouring, cooling, shakeout operations	POURING/COOLING SHAKEOUT	Baghouse 301110 + fugitives Baghouse 301040, 301150, 301350 fugitives
MU-3 MAT'L HANDLING/ SAND RECLAIM Material handling and sand reclamation activities	SANDHAND SCRAPHAND SANDRECLAIM SLAGHAND	Baghouse 301110, 301150, 301270 + fugitives Fugitive Baghouse 301030, 301350 + fugitives Fugitive
MU-4 SAND/SHOTBLAST Abrasive Cleaning Operations (Finishing)	SAND/SHOT BLAST	Baghouses 301060, 301070, 301190, 301200 + fugitives
MU-5 CUT/GRIND Grinding Operations (Finishing)	GRIND	Cyclones 301160 and 301170
MU-6 HOTWORK Arc air, burning, cutting, welding and heat treating operations	ABC WELD HTHT/LTHT	Baghouses 301020, 301050, 301120, 301180, 301260 and 301430 + fugitives Baghouses 301180, 301430 + fugitives Process vents
MU-7 MOLD/ CORE Mold making and core making operations	MOLDMAKE COREMAKE COREWASH COREBAKE	Process vents + fugitives Acid scrubber 315330 Fugitive Process vents
MU-8 VOC Facility-wide VOC usage	MISCVOC	Fugitive
MU-9 COAT Casting painting operations	CL PAINTDRY	Fugitive Fugitive
MU-10 NG Facility-wide NG usage	NATGAS	Process vents + fugitives

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

Emissions Unit ID	Device/ process	Emission point PCD ID
Plant No. 3		
3U-1 MELT Metal melting operations	EAF5 INDF3 AODRES Research INDF4 Research	Baghouses 3-30112S, 3-30124N + fugitives Baghouse 3-301160, 3-301170 + fugitives Baghouses 3-30112S, 3-30124N + fugitives Fugitive
3U-2 PCS Pouring, cooling, shakeout operations	POURING/COOLING SHAKEOUT	Baghouses 3-301160, 3-301170 + fugitives
3U-3 MAT'L HAND./ SAND RECLAIM Material handling and casting finishing operations	SANDHAND SCRAPHAND SLAGHAND SANDCOAT SANDRECLAIM	Baghouse 3-301150 Fugitive Fugitive Baghouses 3-301150 Baghouses 3-301510
3U-4 SAND/SHOT BLAST Abrasive Cleaning Operations (Finishing)	SBLAST	Baghouses 3-301210, 3-301390, 3-301410 + fugitives
3U-5 CUT/GRIND Grinding and Cutting Operations (Finishing)	GRIND CUT	Baghouses 3-301440 + fugitives Baghouses 3-301500 + fugitives
3U-6 HOTWORK Heat treating operations	HTHT/LTHT	Process Vents
3U-7 MOLD/CORE Mold making and core making operations	MOLDMAKE COREMAKE	Fugitive Baghouses 3-301150, 3-301510 + fugitives
3U-8 VOC Facility-wide VOC usage	MISCVOC	Fugitive
3U-9 COAT	PAINTBOOTH	Paint booth vents
3U-10 NG Facility-wide natural gas usage	NATGAS	Process vents + fugitives

EMISSION LIMITS AND STANDARDS

The following tables and conditions contain the applicable requirements along with the testing, monitoring, and recordkeeping requirements for the emissions units to which those requirements apply.

Facility Wide Requirements

EU ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirements	
					Method	Condition
Facility wide	340-208-0660	4	Odors	no nuisance		6
Facility wide	340-208-0670	5	PM >250 μ	no fallout		6
Facility wide	340-242-0420	7	ECO	Exempt		NA
Facility wide	40 CFR Part 68	8	Risk management	Risk management plan		NA
Facility wide	340-232-0040	9	VOC	Non-categorical RACT		NA

Nuisance Conditions

4. Applicable Requirement The permittee must not cause or allow air contaminants from any source to cause a nuisance. Nuisance conditions will be verified by Department personnel. [OAR 340-208-0300] This condition is enforceable only by the State.
5. Applicable Requirement The permittee must not cause or permit the emission of any particulate matter larger than 250 microns in size at sufficient duration or quantity as to create an observable deposition upon the real property of another person when notified by DEQ that such deposition exists and must be controlled. [OAR 340-208-0450] This condition is enforceable only by the State.
6. Monitoring Requirement The permittee must implement the following complaint procedure by May 1, 2012, or within 1 week after the permit issuance date, whichever is later. This condition is only enforceable by the state.
 - 6.a. ESCO will post on its website and the entrance gates at Main Plant and Plant 3 an e-mail address and phone number at which complaints may be submitted 24 hours a day.
 - 6.b. Within one business day of receipt through the designated e-mail address or telephone number, ESCO shall forward the complaint via email to DEQ and shall respond to all complaints that specifically refer to odor or particulate from ESCO facilities by investigating the cause of the complaint and, if necessary, by attempting to contact the complainant for more information. Complaints forwarded through this provision shall be sent to DEQ at NWRComplaints@deq.state.or.us, or to the email address that supersedes this.
 - 6.c. Within five business days of receipt of the complaint, or within such longer time as is reasonably necessary, ESCO shall investigate and make a record of its investigation and response to each complaint including: a description of the nature of the complaint; ESCO's actions to investigate the complaint; meteorological data for the time relevant to the complaint (if available from ESCO'S meteorological stations); a description of processes occurring at ESCO at the time of the

complaint; ESCO's determination of whether the complaint is related to ESCO's emissions; and any action taken by ESCO to address the cause of the complaint.

- 6.d. ESCO will maintain a log recording all complaints and the response information developed pursuant to paragraph 5.3. When similar complaints are received regarding the same day, ESCO may group the complaints into a single log entry.
- 6.e. Within 60 days of the end of calendar year, ESCO will review all complaints received during year to identify patterns and recurring causes or sources. ESCO will document the review in a summary report, which it shall maintain as part of the complaint log.

ECO

7. Applicable Requirement In accordance with OAR 340-242-0420 and the agreement between ESCO and DEQ entered into on October 4, 1996, ESCO is exempt from the requirements of DEQs Employee Commute Options (ECO) Program under the Portland AQMA Ozone Maintenance Plan. [OAR 340-242-0420]

Accidental Release Prevention

8. Applicable Requirement Should this stationary source become subject to the accidental release prevention regulations in 40 CFR Part 68, then the permittee must submit a risk management plan (RMP) by the date specified in 40 CFR 68.10 and comply with the plan and all other applicable Part 68 requirements. [40 CFR Part 68].

Non-categorical RACT

9. Applicable Requirement DEQ has determined that the addition of VOC controls is not necessary to meet the requirements of reasonably available control technology (RACT). RACT is required on a case-by-case basis for the entire source, with the exception of EU 5 Coat at the main plant, because potential VOC emissions from unregulated devices are in excess of 100 tons per year. This RACT level of control becomes effective one year after EPA approves it as a source specific SIP revision. The RACT level of control has been determined to be 0 % reduction, or no additional controls. [OAR 340-232-0040]

Visible Emissions (VE)/Opacity Limits and Monitoring

EU ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirements	
					Method	Condition
Visible emissions (VE) and Opacity						
Facility wide	340-208-0210(2)	10	Fugitive VE	minimize	Periodic monitoring	16
Facility wide	340-208-0210(2) 340-226-0120(2)	11	Fugitive VE EAL	Corrective action	Periodic monitoring	16
Facility wide	340-208-0600	12	Opacity	20% (30 sec in 1 hr)	Periodic monitoring	16
Facility wide	340-208-0110(2)	13	Opacity	20% (3 min in 1 hr)	Periodic monitoring	16
Facility wide	340-226-0120(2)	14	Opacity EAL	Corrective action	Periodic monitoring	16
Facility wide	40 CFR 63.10895(e)	15	Opacity from fugitive emissions	20%, 6-min. average	Periodic monitoring	16

10. Applicable Requirement The permittee shall not 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. Such reasonable precautions shall include, but not be limited to the following: [OAR 340-208-0210(2)]
- 10.a. The permittee shall remove accumulated soil, debris and other material from paved roads with a sweeper or equally effective method, unless it is determined that the activity is not necessary due to visual emissions observations, weather conditions such as days with precipitation, or the activity would create a hazardous situation.
 - 10.b. Store collected material from air pollution control equipment in a covered container or other method equally effective in preventing the material from becoming airborne during storage and transfer;
 - 10.c. Maintain the openings to the buildings where fugitive emissions may escape in accordance with a plan approved by DEQ, or in a closed position as much as practicable for the operation at the facility;
 - 10.d. 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;
 - 10.e. Application of asphalt, oil, water, or other suitable chemicals on unpaved roads, materials stockpiles, and other surfaces which can create airborne dusts;
 - 10.f. Full or partial enclosure of materials stockpiles in cases where application of oil, water, or chemicals are not sufficient to prevent particulate matter from becoming airborne;
 - 10.g. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
 - 10.h. Adequate containment during sandblasting or other similar operations; and
 - 10.i. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne.

11. Applicable requirement If visible emissions that leave the plant site boundaries are discovered during the survey required by condition 16, or at any other time, the permittee must investigate as soon as possible and take corrective action to minimize the emissions. Corrective actions include, but are not limited to, those actions identified in condition 10. [OAR 340-208-0210(2) and 340-226-0120(2)]
12. Applicable Requirement The permittee may not discharge any air contaminant that is 20 percent opacity or greater into the atmosphere for a period of or periods totaling more than 30 seconds in any one hour. [OAR 340-208-0600] This condition is enforceable by the State only.
13. Applicable Requirement The permittee may not emit or allow to be emitted any air contaminant into the atmosphere, for a period or periods aggregating more than three minutes in any one hour which is equal to or greater than 20% opacity. [OAR 340-208-0110(2)]

Baghouse/dust collector VE Emission Action Levels

14. Applicable Requirement The permittee must take corrective action as expeditiously as practical to reduce visible emissions from any baghouse(s)/dust collector(s) in accordance with this condition. [OAR 340-226-0120(2)]
- 14.a. The permittee will conduct an annual awareness program to encourage all employees at the Portland foundries to identify and report to the permittee's environmental department any observation of visible emissions from baghouses or dust collectors. The awareness program may include discussions at employee meetings, bulletin board postings, website postings, email communications or other communication media.
- 14.b. When visible emissions are reported to the environmental department, a trained observer will verify the observation no later than the next business day after receiving the report. Corrective action must be taken whenever visible emissions exceed 10 percent opacity for 30 seconds or more in any 6 minute period from any baghouse/dust collector.
- 14.b.i. The observer must be certified in EPA Method 9.
- 14.b.ii. Corrective action is not required if:
- 14.b.ii.1. The visible emissions are caused by bag cleaning; or
- 14.b.ii.2. The visible emissions occur within the first 10 minutes of operation after maintenance activities that involve work within one or more bag chamber(s).
- 14.c. For the purpose of this condition, "as expeditiously as practical" means:
- 14.c.i. Initiate action to determine the cause of the problem within one business day of discovery; and
- 14.c.ii. Make a first attempt to correct the problem as soon as practicable, but no later than 10 calendar days from the date of discovery.
- 14.c.iii. If it is found that the problem cannot be corrected within 10 calendar days from the date of discovery, the permittee must notify DEQ with an estimated date for completing the corrective action.
- 14.c.iv. The permittee is not required to curtail or stop operation of the controlled processes during this period if no emissions limits in this permit are exceeded.
- 14.d. For the purpose of this condition, "business day" means Monday through Friday excluding holidays.
- 14.e. Corrective actions shall be undertaken according to the approved Air Emission Control Device Operating Plan.
- 14.f. Visible emissions are not a violation of the permit unless an opacity or other emission limit specified in this permit is exceeded.

NESHAP Subpart ZZZZZ fugitive opacity limit

15. **Applicable Requirement** The permittee must not discharge to the atmosphere fugitive emissions from foundry operations that exhibit opacity greater than 20 percent (6-minute average), except for one 6-minute average per hour that does not exceed 30 percent. [NESHAP 40 CFR 63.10895(e)]
- 15.a. For the purpose of this limit, *Fugitive emissions* means any pollutant released to the atmosphere that is not discharged through a system of equipment that is specifically designed to capture pollutants at the source, convey them through ductwork, and exhaust them using forced ventilation. *Fugitive emissions* include pollutants released to the atmosphere through windows, doors, vents, or other building openings. *Fugitive emissions* also include pollutants released to the atmosphere through other general building ventilation or exhaust systems not specifically designed to capture pollutants at the source. [NESHAP 40 CFR 63.10906, definitions]
- 15.b. Foundry operations include: Mold or core making and coating; scrap handling and preheating; metal melting and inoculation; pouring, cooling, and shakeout; shotblasting, grinding, and other metal finishing operations; and sand handling. [NESHAP 40 CFR 63.10906, definitions]
- 15.c. Compliance with this limit must be demonstrated by conducting performance tests in accordance with condition 16.
16. **Monitoring Condition** The permittee must conduct at least one 30 minute visual emissions survey per month at the Main Plant and at least one 30 minute visual emissions survey per month at Plant 3 as follows: [OAR 340-218-0050(3) and 40 CFR 63.10898(i)]
- 16.a. Six consecutive monthly surveys at each plant totaling at least 180 minutes at each plant constitutes a performance test per 40 CFR 63.10898(i).
- 16.b. The purpose of the survey is to identify:
- 16.b.i. Any sources of fugitive emissions from foundry operations as defined in condition 15.a; [40 CFR 63.10898(i)]
- 16.b.ii. Any sources of excess fugitive visible emissions, defined as any visible emissions that leave the plant site boundaries, and
- 16.b.iii. Visible emissions from baghouses/dustcollectors.
- 16.c. The person conducting the survey does not have to be EPA Method 9 certified. However, the individual should be familiar with the procedures of EPA Methods 9 and 22, including using the proper location to observe visible emissions.
- 16.d. Each monthly 30 minutes of observation may consist of multiple observations made at multiple observation points. [40 CFR Part 63, Subpart ZZZZZ Table 1]
- 16.e. Each individual observation must be for at least 6 minutes.

Fugitive emissions from foundry operations

- 16.f. Monitoring pertaining to fugitive emissions from foundry operations as defined in condition 16.b.i: [40 CFR 63.10898(i)]
- 16.f.i. Opacity tests must be conducted according to Method 9 or Method 22. [40 CFR Part 63, Subpart ZZZZZ Table 1]
- 16.f.ii. In the event that visible emissions are observed more than 10 percent of the time at any observation point, the emission point (or points) that resulted in visible emissions more than 10 percent of the time must be observed again for a minimum of 12 minutes using

Method 9. The Method 9 observation(s): [40 CFR Part 63, Subpart ZZZZZ Table 1]

- 16.f.ii.1. Must be done within one business day after the regular Method 22 observation if possible, or as soon as possible thereafter if within 24 hours is not possible, and
- 16.f.ii.2. Must be coordinated so the Method 9 observation is done while the activity that caused the original visible emission is occurring.
- 16.f.iii. In the event that the average opacity is 21 to 29 percent during any 6-minute period, the permittee may continue Method 9 readings for a full hour. If only one 6-minute average during the hour exceeds 20 percent opacity but does not exceed 30 percent opacity, the permittee is in compliance with condition 15. However, if the permittee elects not to continue the Method 9 readings for a full hour, the permittee will be deemed to have exceeded the opacity standard in condition 15. [40 CFR 63.10898(i)]

Excess fugitive visible emissions

- 16.g. Monitoring pertaining to excess fugitive visible emissions as defined in condition 16.b.ii: [OAR 340-218-0050(3)]
 - 16.g.i. The permittee shall survey the following areas for excess fugitive visible emissions:
 - 16.g.i.1. Vehicular areas of the plant site under the control of the permittee;
 - 16.g.i.2. Collected material from air pollution control equipment and process wastes;
 - 16.g.i.3. Material storage areas that have potential to be dusty; and
 - 16.g.i.4. Building openings (door, windows, etc.).
 - 16.g.ii. If visible emissions that leave the plant site boundaries are identified, the permittee must take corrective action in accordance with condition 11.

Visible emissions from baghouses/dust collectors

- 16.h. Monitoring pertaining to visible emissions from baghouses/dust collectors (condition 16.b.iii): [OAR 340-218-0050(3)]
 - 16.h.i. The permittee shall survey all baghouses/dust collectors as follows:
 - 16.h.i.1. All baghouses/dust collectors must be surveyed for three (3) minutes;
 - 16.h.i.2. Survey locations may be chosen so that multiple baghouses/dust collectors may be observed simultaneously.
 - 16.h.ii. If visible emissions are observed from any baghouse/dust collector, the observer must continue observing that baghouse/dust collector for at least 6 minutes. If the emission action level in condition 14.a is exceeded, the permittee must take corrective action in accordance with condition 14.
- 16.i. Recordkeeping The permittee must keep the following records:
 - 16.i.i. Records of each monthly observation, including:
 - 16.i.ii. Date, time and plant (Main Plant or Plant 3);
 - 16.i.iii. Specific location from which individual observations are made and plant area observable from that location;
 - 16.i.iv. Any visible emissions observed, duration of visible emissions, the associated emission point(s), and the process responsible for the emissions;
 - 16.i.v. The results of any follow-up Method 9 readings; and
 - 16.i.vi. Any corrective actions taken pursuant to conditions 16.g.ii and 16.h.ii.

Particulate Matter Limits and Monitoring

EU ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirements	
					Method	Condition
Particulate Matter						
MU-1, MU-2, MU-3, MU-4, MU-5, MU-6, MU-7, MU-8, MU-9, MU-10 3U-1, 3U-2, 3U-3, 3U-4, 3U-5, 3U-6, 3U-7, 3U-9, 3U-10	340-226-0210(1)(b)	17	PM/PM ₁₀	0.1 gr/dscf	Source test, parameter monitoring and I&M recordkeeping	20
MU-1, MU-2, MU-3, MU-4, MU-5, MU-6 3U-1, 3U-2, 3U-3, 3U-4, 3U-5, 3U-6	340-226-0310	18	PM	Process weight rule	Source test, parameter monitoring and I&M recordkeeping	20
MU-1, MU-2, MU-3, MU-5 3U-1, 3U-2, 3U-3, 3U-4	340-226-0120 and 340-212-0250(4)	19	PM	Corrective action	Parameter monitoring and I&M recordkeeping	20
MU-1, EAFs 3U-1, EAF and INDF	40 CFR 63.10895(c)(1) (Subpart ZZZZZ)	21	PM	0.06 lb/ton from metal melting furnace	Source test, Periodic monitoring and I&M recordkeeping	22

17. Applicable Requirement The permittee shall not cause or allow the emission of particulate matter in excess of 0.1 grain per dry standard cubic foot from the non-fuel burning emissions units listed below. [OAR 340-226-0210(1)(b)]

MP:	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	MU-7	MU-9
P3:	3U-1	3U-2	3U-3	3U-4	3U-5	3U-6	3U-7	3U-9

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

Process Weight Rule

18. Applicable Requirement The Permittee shall not cause or allow the emission of particulate matter in any one hour from any individual device within the emissions units listed in the tables below in excess of the amount shown in Table 1 OAR 340-226-0310 for the process weight allocated to that device. [OAR 340-226-0310]

Emissions Unit(s)	Materials Introduced Into Process	Monitoring Requirements	
		Method	Condition
Main Plant			
MU-1	tons of metal melted (including alloying)	Source Test, periodic monitoring or O&M	20 and 26
MU-2	tons of metal poured and tons of sand, resin and additives	Source Test, periodic monitoring or O&M	20 and 26
MU-3, MU-4, MU-5, MU-6	tons of metal poured and sand	Periodic monitoring or O&M	20 and 26
Plant 3			
3U-1	tons of metal melted and sand	Source Test, periodic monitoring or O&M	20 and 26
3U-2	tons of metal poured and tons of sand, resin and additives	Periodic monitoring or O&M	20 and 26
3U-3, 3U-4, 3U-5, 3U-6	tons of metal poured and sand	Source Test, periodic monitoring or O&M	20 and 26

19. Applicable Requirement The permittee must take corrective action to restore operation of the emission unit and/or control device to its normal manner of operation as expeditiously as practicable if the baghouse pressure drop recorded for any baghouse listed below is in the operating range that requires corrective action in the approved Air Emission Control Device Operating Plan during operation of the process being controlled. [OAR 340-226-0120]

19.a. For the purpose of this condition, “as expeditiously as practical” means:

- 19.a.i. Initiate action to determine the cause of the problem within one business day of discovery; and
- 19.a.ii. Make a first attempt to correct the problem as soon as practicable, but no later than 10 calendar days from the date of discovery.
- 19.a.iii. If it is found that the problem cannot be corrected within 10 calendar days from the date of discovery, the permittee must notify DEQ with an estimated date for completing the corrective action.
- 19.a.iv. The permittee is not required to curtail or stop operation of the controlled processes during this period if no emissions limits in this permit are exceeded.

19.b. For the purpose of this condition, “business day” means Monday through Friday excluding holidays.

Table 19-1

Baghouse ID No.	Monitoring	Process controlled
Main Plant		
301250	Continuous	Argon-Oxygen Decarburization vessel
301040	Daily	Large Shakeout (main floor)
301110	Continuous	Doghouse Pouring Floor
301150	Continuous	Doghouse Mold Dump/Upper Core Room sand bins
301350	Daily	Vacuum-Process Shakeout/sand cooler-classifier
301030	Daily	Main Floor sand mill
301270	Daily	Slinger Bay sand bins
301060	Daily	Lower Finishing Area - Rotoblast
301070	Daily	Lower Finishing Area - sandblast
301190	Daily	Upper Finishing Area - Wheelabrator
Plant 3		
3-301160	Continuous	Pouring, Cooling and Shakeout and INDF3
3-301170	Continuous	Pouring, Cooling and Shakeout and INDF3
3-301150	Daily	Sand Coating and Handling
3-301510	Daily	Thermal Sand Reclamation
3-301210	Daily	#3 Wheelabrator
3-301390	Daily	#2 Wheelabrator
3-301410	Daily	#1 Wheelabrator

Table 19-2

Baghouse ID No.	Monitoring	Process controlled
Main Plant		
301010	Continuous	#1 and #2 Arc Furnaces
Plant 3		
3-30112S	Continuous	#5 Arc Furnace and AODRES - south unit
3-30124N	Continuous	#5 Arc Furnace and AODRES - north unit

Compliance Assurance Monitoring (CAM)

20. Monitoring Requirement The permittee must monitor the baghouses/dust collectors listed below as follows: [OAR 340-212-0240(3)(a) and -0250 and 340-218-0050(3)]
- 20.a. The permittee shall operate pressure drop monitoring devices on each baghouse/dust collector listed in Table 19-1 above, except that baghouses/dust collectors equipped with a bag leak detection system are exempt from this condition. [OAR 340-212-0240(3)(a) and -0250 CAM]
- 20.b. The permittee shall operate pressure drop monitoring devices on each baghouse/dust collector listed in Table 19-2 above, except that baghouses/dust collectors equipped with a bag leak detection system are exempt from this condition. [OAR 340-218-0050(3)]
- 20.c. The permittee must operate and maintain the pressure drop monitoring devices in accordance with the manufacturer's written instructions or accepted best management practices.
- 20.d. At all times, the permittee shall maintain the required monitoring equipment including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [OAR 340-212-1250(2)]
- 20.e. The permittee must monitor the pressure drop for each listed baghouse at least one time per calendar day of baghouse operation.
- 20.f. Calibration and calibration checks shall be performed in accordance with the manufacturer's instructions or accepted best management practices for the recording device.
- 20.g. If the duration of operation in the corrective action range (Red range) during any semi-annual reporting period exceeds 10% of the total operating time for any baghouse/dust collector, the permittee must develop and implement a Quality Improvement Plan (QIP) in accordance with OAR 340-212-0260 for the affected baghouse/dustcollector.
- 20.h. The pressure-drop monitoring data are subject to condition 77.
- 20.i. Recordkeeping The permittee must keep the following records:
- 20.i.i. The monitored pressure drop readings for each baghouse/dust collector subject to this condition.
- 20.i.ii. The date, time and duration of any baghouse pressure drop that is outside the approved operating range, and the corrective action taken. [OAR 340-226-0120 and 340-212-0210 through 340-212-0280]

NESHAP Subpart ZZZZZ PM limit

21. Applicable Requirement The permittee must not discharge to the atmosphere emissions from any metal melting furnace or group of all metal melting furnaces that exceed 0.8 pounds of particulate matter (PM) per ton of metal melted or 0.06 pounds of total metal HAP per ton of metal melted. [NESHAP 40 CFR 63.10895(c)(1)]
- 21.a. Compliance with this limit must be demonstrated by conducting performance tests in accordance with condition 22.
- 21.b. Metal melting furnace means all electric arc furnaces and the production electric induction furnace (all EAFs and production INDF), but excludes the research electric induction furnace.

On-going performance test requirements for Subpart ZZZZZ

22. Monitoring Requirement The permittee must conduct performance tests to demonstrate compliance with all applicable PM or total metal HAP emissions limits in condition 21 (all EAFs and production INDF) for a metal melting furnace or group of all metal melting furnaces no less frequently than every 5 years and each time the permittee elects to change an operating limit or make a process change likely to increase HAP emissions. [NESHAP 40 CFR 63.10898(b)]
- 22.a. For the purpose of this condition, the permittee must conduct a performance test no later than July 2, 2016, and subsequent required performance tests must be performed no more than 5 years after the most recent performance test that meets the requirements of this condition.
- 22.b. Each performance test must be conducted according to the requirements in § 63.7(e)(1), Table 1 to 40 CFR Part 63 Subpart ZZZZZ, and this permit condition. [NESHAP 40 CFR 63.10898(c)]
- 22.c. A source test plan for each test must be submitted to DEQ at least 60 days before conducting the test.
- 22.d. Additional site-specific performance test requirements: [OAR 340-212-0120]
- 22.d.i. Tests must be conducted in accordance with condition 70.
- 22.d.ii. The Main Plant EAFs must both be operated at full capacity for the full duration of the sampling portion of the test.
- 22.d.iii. The production electric induction furnace at Plant 3 must be tested as follows:
- 22.d.iii.1. The collection system must be disconnected from the baghouse/dust collector and temporary uncontrolled ductwork must be installed for the purpose of testing pre-control emissions; and
- 22.d.iii.2. An assumed control efficiency of 80 percent must be used to calculate controlled emissions for the purpose of showing compliance with the limit in condition 21.
- 22.d.iv. The research electric induction furnace at Plant 3 is exempt from testing.
- 22.e. To determine compliance with the applicable PM or total metal HAP emissions limit in condition 21 for a metal melting furnace in a lb/ton of metal melted format, compute the process-weighted mass emissions (Ep) for each test run using Equation 1 of this section: [NESHAP 40 CFR 63.10898(d)]

Eqn 1

$$E_p = \frac{C \times Q \times T}{P \times K}$$

Where:

E_p = Process-weighted mass emissions rate of PM or total metal HAP, pounds of PM or total metal HAP per ton (lb/ton) of metal melted;

C = Concentration of PM or total metal HAP measured during performance test run, grains per dry standard cubic foot (gr/ dscf);

Q = Volumetric flow rate of exhaust gas, dry standard cubic feet per hour (dscf/hr);

T = Total time during a test run that a sample is withdrawn from the stack during melt production cycle, hr;

P = Total amount of metal melted during the test run, tons; and

K = Conversion factor, 7,000 grains per pound.

22.f. To determine compliance with the applicable PM or total metal HAP emissions limit for a metal melting furnace in condition 21 when emissions from one or more regulated furnaces are combined with other non-regulated emissions sources, the permittee may demonstrate compliance using the procedures in conditions 22.f.i through 22.f.iii. [NESHAP 40 CFR 63.10898(f)]

22.f.i. Determine the PM or total metal HAP process-weighted mass emissions for each of the regulated streams prior to the combination with other exhaust streams or control device.

22.f.ii. Measure the flow rate and PM or total metal HAP concentration of the combined exhaust stream both before and after the control device and calculate the mass removal efficiency of the control device using Equation 3 of this section.

Eqn 3

$$\% \text{ reduction} = \frac{E_i - E_o}{E_i} \times 100\%$$

Where:

E_i = Mass emissions rate of PM or total metal HAP at the control device inlet, lb/hr;

E_o = Mass emissions rate of PM or total metal HAP at the control device outlet, lb/hr.

22.f.iii. Meet the applicable emissions limit based on the calculated PM or total metal HAP process-weighted mass emissions for the regulated emissions source using Equation 4 of this section:

Eqn 4

$$E_{pl_{released}} = E_{pl_i} \times \left(1 - \frac{\% \text{ reduction}}{100}\right)$$

Where:

$E_{pl_{released}}$ = Calculated process-weighted mass emissions of PM (or total metal HAP) predicted to be released to the atmosphere from the regulated emissions source, pounds of PM or total metal HAP per ton of metal melted; and

E_{pli} = Process-weighted mass emissions of PM (or total metal HAP) in the uncontrolled regulated exhaust stream, pounds of PM or total metal HAP per ton of metal melted.

- 22.g. To determine compliance with an emissions limit for situations when multiple sources are controlled by a single control device, but only one source operates at a time or other situations that are not expressly considered in conditions 22.e and 22.f, the permittee must submit a site specific test plan to the Administrator for approval according to the requirements in § 63.7(c)(2) and (3). [NESHAP 40 CFR 63.10898(g)]
- 22.h. In the performance test report, the permittee must certify that the capture system operated normally during the performance test. [NESHAP 40 CFR 63.10898(j)]
- 22.i. Recordkeeping The permittee must keep the following records:
- 22.i.i. Test date and time;
 - 22.i.ii. Process/emission point(s) tested;
 - 22.i.iii. Test results; and
 - 22.i.iv. Production rate applicable to the process being controlled (tons metal poured, tmp).

Operation and maintenance (O&M) and Startup, shutdown and malfunction (SSM) plan

EU ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirements	
					Method	Condition
Operation and Maintenance						
MU-1, MU-2, MU-3, MU-4, MU-5, MU-6, MU-7, 3U-1, 3U-2, 3U-3, 3U-4, 3U-5, 3U-6, 3U-7	OAR 340-226-0120	23	Operate emission control system whenever process is operating	See condition 23	Periodic inspections and recordkeeping	26
MU-1, MU-2, MU-3, MU-4, MU-5, MU-6, MU-7, 3U-1, 3U-2, 3U-3, 3U-4, 3U-5, 3U-6, 3U-7	OAR 340-226-0120	24	Emission Control Device Operating Plan	See condition 24	Periodic inspections and recordkeeping	26
3U-2	OAR 340-226-0120	25	Odor	Keep cooling room closed	Periodic inspection	26
MU-1, 3U-1	40 CFR 63.10897(d)	27	Monitoring option for baghouses	Inspections or bag leak detection system	NA	NA
MU-1, 3U-1	40 CFR 63.10895(b) Subpart ZZZZZ	28	Capture and collection	See condition 28	Periodic inspection	32
MU-1, 3U-1	40 CFR 63.10896 Subpart ZZZZZ	29	O&M Plan	See condition 29	Periodic inspection	32
MU-1, 3U-1	40 CFR 63.10897(g) Subpart ZZZZZ	30	Restore operation if limit exceeded	See condition 30	Recordkeeping	31
MU-1, 3U-1	40 CFR 63.10897(a) Subpart ZZZZZ	33	Bag leak detection system	See condition 33	NA	NA
MU-1, 3U-1	40 CFR 63.10897(d)(3) Subpart ZZZZZ	34	Bag leak corrective action	See condition 34	Recordkeeping	35
MU-1, 3U-1	40 CFR 63.10897(e) Subpart ZZZZZ	36	Repair capture system defects	See condition 36	Periodic inspections	37
MU-1, 3U-1	40 CFR 63.6(e)(3) Subpart ZZZZZ	38	SSM Plan	See condition 38	NA	NA

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 23. Applicable Requirement The permittee must operate the emissions control system(s) for a process whenever the process is operating, except as otherwise provided in OAR 340-214-0300 to -0340. The permittee must not intentionally start a process that is equipped with an emission control system without first starting the emission control system, unless the control system is configured such that the process must be started first, in which case the emission control system must be started as soon as practicable after the process is started. [OAR 340-226-0120]
- 24. Applicable Requirement The permittee must operate all emission control devices associated with the emissions units identified below (including but not limited to baghouses/dust collectors) in accordance with an Air Emission Control Device Operating Plan approved by DEQ. [OAR 340-226-0120]

MP:	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	MU-7
P3:	3U-1	3U-2	3U-3	3U-4	3U-5	3U-6	3U-7

- 24.a. The plan shall contain pressure drop operating ranges for each baghouse subject to condition 19. Operating ranges are effective upon approval by DEQ.
- 24.b. For other types of emission control devices, the plan must include appropriate operating parameters and ranges.
- 24.c. New emission control devices must be added to the plan within 45 days of startup of the new device(s).
- 24.d. Keep a copy of the Air Emission Control Device Operating Plan at both plants
- 25. Applicable Requirement The permittee must keep Door H to the Plant 3 cooling room closed at all times except when persons or equipment are passing through the door. Signs must be posted on both sides of the door stating that the door is to be kept closed at all times except when in use. [OAR 340-226-0120]
- 26. Monitoring Requirement The permittee must perform monthly inspections of all air pollution control equipment associated with the emissions units listed below as follows:

MP:	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	MU-7	--	--
P3:	3U-1	3U-2	3U-3	3U-4	3U-5	--	3U-7	--	3U-9

- 26.a. Monthly inspections:
 - 26.a.i. Inspect the emissions collection system ductwork for each emissions control system for leaks, and other parts of the system for condition and to ensure the system is functioning normally.
 - 26.a.ii. Inspect the Plant 3 cooling room enclosure for leaks.
- 26.b. Semi-annual inspections (every 6 months):
 - 26.b.i. Inspect the interior of baghouses/dust collectors for structural integrity and to determine the condition of the fabric filter.
 - 26.b.ii. Inspect other types of emission control equipment as necessary to determine the condition of the equipment to ensure proper operation.
- 26.c. Recordkeeping The permittee must record the results of each inspection and any maintenance required by this condition in a log. The following information must be recorded:

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 26.c.i. the date and time of each inspection;
- 26.c.ii. identification of the emission control device inspected;
- 26.c.iii. the results of each inspection;
- 26.c.iv. any required maintenance as a result of the inspection; and
- 26.c.v. the date and results of any maintenance performed.

27. For the purpose of 40 CFR Part 63 Subpart ZZZZZ, the permittee has the option of monitoring baghouses for metal melting furnaces by conducting periodic inspections of the baghouses, or operating bag leak detection systems for the baghouses. In addition, the permittee may install and operate bag leak detection systems but not use the bag leak detection systems for the purpose of compliance with 40 CFR Part 63 Subpart ZZZZZ. [NESHAP 40 CFR 63.10897(d)]

27.a. The following table identifies the possible scenarios and the conditions that are or are not applicable for each scenario.

Scenario	Permit condition(s) that are applicable	Permit conditions that are not applicable
Bag leak detection systems are not installed on metal melting furnaces subject to 40 CFR Part 63 Subpart ZZZZZ, or bag leak detection systems are installed but are not used for the purpose of compliance with 40 CFR Part 63 Subpart ZZZZZ.	32	29.a.ii, 29.c.v, 33, 34, 35, and 91.e
Bag leak detection systems are installed and are used for the purpose of compliance with 40 CFR Part 63 Subpart ZZZZZ.	29.a.ii, 29.c.v, 33, 34, 35, and 91.e	32

27.b. The permittee must notify DEQ in writing within 2 weeks if a bag leak detection system will be used for compliance with 40 CFR Part 63 Subpart ZZZZZ. The notification must include the date that bag leak detection systems will begin to be used for compliance with 40 CFR Part 63 Subpart ZZZZZ.

28. Applicable Requirement The permittee must operate a capture and collection system for each metal melting furnace identified in condition 21.b (all EAFs and production INDF). Each capture and collection system must meet accepted engineering standards, such as those published by the American Conference of Governmental Industrial Hygienists. [NESHAP 40 CFR 63.10895(b)]

29. Applicable Requirement The permittee must operate at all times according to a written operation and maintenance (O&M) plan, which may be the same as the Air Emission Control Device Operating Plan described in condition 24.

29.a. The O&M plan is for:

- 29.a.i. Each control device for an emissions source subject to a fugitive opacity limit in condition 15 or a PM or metal HAP limit in condition 21 (all EAFs and production INDF); and
- 29.a.ii. Each bag leak detection system, if applicable (see condition 27 for applicability). [NESHAP 40 CFR 63.10896(a) and NESHAP 40 CFR 63.10897(d)(2)]

29.b. The permittee must maintain a copy of the O&M plan at the facility and make it available for review upon request.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 29.c. At a minimum, each plan must contain the following information:
- 29.c.i. General facility and contact information;
 - 29.c.ii. Positions responsible for inspecting, maintaining, and repairing emissions control devices which are used to comply with this subpart;
 - 29.c.iii. Description of items, equipment, and conditions that will be inspected, including an inspection schedule for the items, equipment, and conditions;
 - 29.c.iv. Identity and estimated quantity of the replacement parts that will be maintained in inventory; and
 - 29.c.v. If applicable (see condition 27 for applicability), the O&M plan must include the following: [NESHAP 40 CFR 63.10897(d)(2)]
 - 29.c.v.1. Installation of the bag leak detection system.
 - 29.c.v.2. Initial and periodic adjustment of the bag leak detection system including how the alarm set-point will be established.
 - 29.c.v.3. Operation of the bag leak detection system including quality assurance procedures.
 - 29.c.v.4. Maintenance of the bag leak detection system including a routine maintenance schedule and spare parts inventory list.
 - 29.c.v.5. How the bag leak detection system output will be recorded and stored.
 - 29.c.v.6. Procedures for determining what corrective actions are necessary in the event of a bag leak detection alarm as required in paragraph (d)(3) of this section.
- 29.d. The permittee may use any other O&M, preventative maintenance, or similar plan which addresses the requirements in condition 29.c to demonstrate compliance with the requirements for an O&M plan. [NESHAP 40 CFR 63.10896(b)]
- 29.e. The permittee must keep a copy of the operation and maintenance plan as required by condition 29 and records that demonstrate compliance with plan requirements. [NESHAP 40 CFR 63.10899(b)]
30. Applicable Requirement In the event of an exceedance of an established emissions limitation (including an operating limit) in conditions 15 (fugitive opacity) or 21 (PM limits for EAFs and production INDF), the permittee must restore operation of the emissions source (including the control device and associated capture system) to its normal or usual manner or operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the exceedance. [NESHAP 40 CFR 63.10897(g)]
31. Monitoring The permittee must record the date and time correction action was initiated, the correction action taken, and the date corrective action was completed. [NESHAP 40 CFR 63.10897(g)]
- 31.a. Recordkeeping The permittee must maintain the following records of exceedances and corrective actions:
- 31.a.i. The emissions unit and/or equipment involved;
 - 31.a.ii. The nature of the exceedance or problem;
 - 31.a.iii. The date and time the exceedance or problem was discovered;
 - 31.a.iv. The date and time corrective action was initiated;
 - 31.a.v. The corrective action taken; and
 - 31.a.vi. The date and time the corrective action was completed.

32. **Monitoring Requirement** If applicable (see condition 27 for applicability): the permittee must conduct periodic inspections of each PM control device for a metal melting furnace identified in condition 21.b (all EAFs and production INDF) in accordance with the following: [NESHAP 40 CFR 63.10897(a)]
- 32.a. The permittee must inspect and maintain each baghouse according to the following:
 - 32.a.i. Conduct monthly visual inspections of the system ductwork for leaks.
 - 32.a.ii. Conduct inspections of the interior of the baghouse for structural integrity and to determine the condition of the fabric filter every 6 months.
 - 32.b. **Recordkeeping** The permittee must record the results of each inspection and maintenance required by this condition in a logbook (written or electronic format). [NESHAP 40 CFR 63.10897(a) and 63.10899(b)(13)]
 - 32.b.i. The permittee must keep the logbook onsite and make the logbook available to DEQ or EPA inspectors upon request.
 - 32.b.ii. The permittee must keep records of the information specified below:
 - 32.b.ii.1. The date and time of each recorded action for a fabric filter;
 - 32.b.ii.2. The results of each inspection; and
 - 32.b.ii.3. The results of any maintenance performed on the bag filters.
33. **Applicable Requirement** If applicable (see condition 27 for applicability): the permittee may install, operate, and maintain a bag leak detection system for each negative pressure baghouse or positive pressure baghouse as an alternative to the baghouse inspection requirements in condition 32. Each bag leak detection system must meet the following requirements: [NESHAP 40 CFR 63.10897(d) and (d)(1)]
- 33.a. The system must be certified by the manufacturer to be capable of detecting emissions of particulate matter at concentrations of 1 milligram per actual cubic meter (0.00044 grains per actual cubic foot) or less.
 - 33.b. The bag leak detection system sensor must provide output of relative particulate matter loadings and the permittee shall continuously record the output from the bag leak detection system using a strip chart recorder, data logger, or other means.
 - 33.c. The system must be equipped with an alarm that will sound when an increase in relative particulate loadings is detected over the alarm set point established in the operation and maintenance plan, and the alarm must be located such that it can be heard by the appropriate plant personnel.
 - 33.d. The initial adjustment of the system must, at minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points. If the system is equipped with an alarm delay time feature, the permittee also must adjust the alarm delay time.
 - 33.e. Following the initial adjustment, do not adjust the sensitivity or range, averaging period, alarm set point, or alarm delay time. Except, once per quarter, the permittee may adjust the sensitivity of the bag leak detection system to account for seasonable effects including temperature and humidity according to the procedures in the monitoring plan required by condition 29.
 - 33.f. For negative pressure baghouses, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, the bag leak detector sensor must be installed downstream of the baghouse and upstream of any wet scrubber.
 - 33.g. Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

34. **Applicable Requirement** If applicable (see condition 27 for applicability): in the event that a bag leak detection system alarm is triggered on a metal melting furnace identified in condition 21.b (all EAFs and production INDF), the permittee must: [NESHAP 40 CFR 63.10897(d)(3)]
- 34.a. Initiate corrective action to determine the cause of the alarm within 1 hour of the alarm,
 - 34.b. Initiate corrective action to correct the cause of the problem within 24 hours of the alarm, and
 - 34.c. Complete corrective action as soon as practicable, but no later than 10 calendar days from the date of the alarm.
 - 34.d. Corrective actions may include, but are not limited to:
 - 34.d.i. Inspecting the bag house for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in emissions.
 - 34.d.ii. Sealing off defective bags or filter media.
 - 34.d.iii. Replacing defective bags or filter media or otherwise repairing the control device.
 - 34.d.iv. Sealing off a defective baghouse compartment.
 - 34.d.v. Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.
 - 34.d.vi. Shutting down the process producing the particulate emissions.
35. **Monitoring Requirement** If applicable (see condition 27 for applicability): if a bag leak detection system is installed on a metal melting furnace identified in condition 21.b (all EAFs and production INDF), the permittee must monitor and record the following: [NESHAP 40 CFR 63.10899(b)(7) and 63.10897(d)(3)]
- 35.a. Records of the bag leak detection system output;
 - 35.b. Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings;
 - 35.c. The date and time of each valid alarm;
 - 35.d. The time the permittee initiated corrective action;
 - 35.e. The correction action taken; and
 - 35.f. The date on which corrective action was completed.
36. **Applicable Requirement** The permittee must repair any defect or deficiency in the capture system on any metal melting furnace identified in condition 21.b (all EAFs and production INDF) as soon as practicable, but no later than 90 days. [NESHAP 40 CFR 63.10897(e)]
37. **Monitoring Requirement** The permittee must make monthly inspections of the equipment that is important to the performance of the total capture system (i.e., pressure sensors, dampers, and damper switches) on any metal melting furnace identified in condition 21.b (all EAFs and production INDF). [NESHAP 40 CFR 63.10897(e)]
- 37.a. This inspection must include observations of the physical appearance of the equipment (e.g., presence of holes in the ductwork or hoods, flow constrictions caused by dents or accumulated dust in the ductwork, and fan erosion).
 - 37.b. The permittee must repair any defect or deficiency in the capture system in accordance with condition 36.
 - 37.c. **Recordkeeping** The permittee must record the date and results of each inspection and the date of repair of any defect or deficiency.

Startup, shutdown and malfunction (SSM) plan

- 38. Applicable Requirement Startup, shutdown, and malfunction plan (SSM Plan). [NESHAP 40 CFR 63.6(e)(3) and 40 CFR 63.10900(a)]
 - 38.a. The permittee must develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the equipment identified in condition 21.b (all EAFs and production INDF) during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with the relevant standard. The purpose of the startup, shutdown, and malfunction plan is described in 40 CFR 63.6(e)(3)(i). [NESHAP 40 CFR 63.6(e)(3)(i)]
 - 38.b. SSM Plan revisions. [NESHAP 40 CFR 63.6(e)(3)(viii)]
 - 38.b.i. The permittee may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this condition or to reflect changes in equipment or procedures at the affected source.
 - 38.b.ii. The permittee may make revisions to the startup, shutdown, and malfunction plan without prior approval by DEQ. Each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report as required by Condition 91.c.iii.
 - 38.b.iii. If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the permittee developed the plan, the permittee must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment.
 - 38.b.iv. In the event that the permittee makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under 40 CFR Part 63, the revised plan shall not take effect until after the permittee has provided a written notice describing the revision to the permitting authority.

Scrap metal, binders and surface coating requirements

EU ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/Standard	Monitoring Requirements	
					Method	Condition
Scrap Metal						
MU-1 and 3U-1	40 CFR 63 Subpart ZZZZZ	39	Scrap metal requirement	No automotive scrap	Recordkeeping	40
Binders						
	NESHAP 40 CFR 63.10886	41	HAP (methanol)	See condition 41	Recordkeeping	42
Coating RACT						
MU-9 and 3U-9	340-232-0160(5)(j)	43	VOC RACT	See condition 43	Material balance	44

Scrap metal

39. Applicable Requirement The permittee must comply with the following metallic scrap management program requirements: [NESHAP 40 CFR 63.10885(a) and (a)(1)]
- 39.a. For each segregated metallic scrap storage area, bin or pile, the permittee must comply with the materials acquisition requirements in this condition.
- 39.b. The permittee must keep a copy of the material specifications onsite and readily available to all personnel with material acquisition duties, and provide a copy to each of the permittee's scrap providers.
- 39.c. The permittee must prepare and operate at all times according to written material specifications for the purchase and use of only metal ingots, pig iron, slitter, or other materials that do not include postconsumer automotive body scrap, postconsumer engine blocks, post-consumer oil filters, oily turnings, lead components, chlorinated plastics, or free liquids.
- 39.d. For the purpose of this condition, "free liquids" is defined as material that fails the paint filter test by EPA Method 9095B, "Paint Filter Liquids Test" (revision 2), November 2004.
- 39.e. The requirements for no free liquids do not apply if the owner or operator can demonstrate that the free liquid is water that resulted from scrap exposure to rain.
40. Monitoring and Recordkeeping The permittee must keep the following records pertaining to scrap materials: [NESHAP 40 CFR 63.10899(b)(1)]
- 40.a. Records of the permittee's written materials specifications;
- 40.b. Records that demonstrate compliance with the requirements for restricted metallic scrap;
- 40.c. Records documenting that scrap that does not contain motor vehicle scrap; and
- 40.d. Summary information on any deviation from the metallic scrap management practices condition 39 and the corrective action taken. [NESHAP 40 CFR 63.10899(c)(3)]

Binders

41. Applicable Requirement The permittee must use a binder chemical formulation that does not use methanol as a specific ingredient of the catalyst formulation for each furfuryl alcohol warm box mold or core making line. This requirement does not apply to the resin portion of the binder system. [NESHAP 40 CFR 63.10886]

42. Monitoring Requirement The permittee must monitor the following for each binder and coating material used for mold or core making:
 - 42.a. Identification of the binder or coating;
 - 42.b. List of ingredients, including HAPs;
 - 42.c. Annual amount used; and
 - 42.d. Types of molds and/or cores the binder is used in.

- 42.e. Recordkeeping The permittee must keep records of each HAP-containing chemical binder or coating material used for mold or core making as specified below. These records must be copies of purchasing records, Material Safety Data Sheets, or other documentation that provide information on the binder or coating materials used. [NESHAP 40 CFR 63.10899(b)(5)]
 - 42.e.i. Identification of the binder or coating;
 - 42.e.ii. List of ingredients, including HAPs;
 - 42.e.iii. Annual amount used; and
 - 42.e.iv. Types of molds and/or cores the binder is used in.
 - 42.e.v. Summary information on any deviation from the binder formulation requirements in condition 41 and the corrective action taken. [NESHAP 40 CFR 63.10899(c)(3)]

Surface Coating RACT

43. Applicable Requirement The permittee shall not operate a Miscellaneous Metal Parts or Products coating line, emissions units MU-9 and 3U-9 which emits into the atmosphere volatile organic compounds, based on a daily average of coatings as applied, in excess of the limits specified in the following table: [OAR 340-232-0160(5)(j)]

Coating Type	RACT limit (lbs VOC/gal)
Clear Coatings	4.3
Force Air Dried or Air Dried Coatings	3.5
Extreme Performance Coatings	3.5
Other Coatings (i.e.: powder, oven dried)	3.0
High Performance Architectural coatings	3.5

44. Monitoring Requirement The permittee shall perform monitoring for the Miscellaneous Metal Parts and Products RACT limitations as required by 44.a or 44.b:
- 44.a. Calculate emissions on a daily basis using material balance:
- 44.a.i. $\Sigma(\text{total gallons of each type of coating used times the VOC content, excluding water and exempt compounds, as applied (lbs/gal) for that coating})/\text{total number of gallons used for coating, excluding water and exempt compounds}$
- 44.a.ii. Calculations shall be made excluding water and exempt compounds. Exempt compounds are listed under the definition of Volatile Organic Compounds in OAR 340-200-0020.
- 44.b. If by monthly material balance calculations (including all coating and thinner components added to the coatings), using testing or manufacturer supplied VOC content information, the permittee can demonstrate that the VOC content of the coatings which are applied to metal parts remains below the limits specified in the table in condition 43, then daily monitoring per condition 44.a is not required.
- 44.c. Recordkeeping The permittee must keep the following records:
- 44.c.i. All data and calculations used to show compliance with the limits; and
- 44.c.ii. Information sheets used to supply coating VOC content data.

Insignificant Activities Emission Limits and Standards

45. DEQ acknowledges that insignificant emissions units (IEUs) identified by rule as either categorically insignificant activities or aggregate insignificant emissions [OAR 340-200-0020] exist at facilities required to obtain an Oregon Title V Operating Permit. IEUs must comply with all applicable requirements. In general, the requirements that could apply to IEUs are incorporated as follows:
- 45.a. OAR 340-208-0110 (20% opacity)
 - 45.b. OAR 340-208-0600 (20% opacity, 30 seconds) [State only enforceable]
 - 45.c. OAR 340-226-0210 (0.1 gr/dscf for non-fugitive, non-fuel burning equipment)
 - 45.d. OAR 340-208-0610 (0.1 gr/dscf for non-fugitive, non-fuel burning equipment) [State only enforceable]
 - 45.e. OAR 340-208-0630 (1000 ppm SO₂, non-natural gas burning equipment) [State only enforceable]
 - 45.f. OAR 340-226-0310 (process weight limit for non-fugitive, non-fuel burning process equipment)
 - 45.g. OAR 340-228-0210 (0.1 gr/dscf corrected to 12% CO₂ or 50% excess air for fuel burning equipment)
 - 45.h. OAR 340-242-0730 (no use of any noncomplying spray paint)

Unless otherwise specified in this permit or an applicable requirement, DEQ is not requiring any testing, monitoring, recordkeeping, or reporting for the applicable emissions limits and standards that apply to IEUs. However, if testing were performed for compliance purposes, the permittee would be required to use the test methods identified in the definitions of “opacity” and “particulate matter” in OAR 340-208-0010 and perform the testing in accordance with DEQ’s Source Sampling Manual.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

SPECIAL CONDITIONS

46. On or before March 15 of each calendar year, the permittee shall submit a written report to the Department summarizing the past year's efforts at pollution prevention and reduction relevant to air emissions, including evaluation of binder substitution. This condition is included with agreement by the permittee. This condition is only enforceable by the State.
47. The plant site emissions of lead (Pb) must not exceed 0.1 tons for any 12 consecutive calendar month period.
- 47.a. This condition is voluntary and is included by agreement with the permittee.
- 47.b. A lead PSEL will be set at 0.5 tpy in accordance with OAR 340-222-0041(1) in the event this voluntary lead limit of 0.1 tpy is withdrawn.
- 47.c. Monitoring for this condition must be done in accordance with the PSEL monitoring in condition 69.
- 47.d. This condition is only enforceable by the State.

BEST WORK PRACTICES AGREEMENT (BWPA)

48. Conditions 48 through 65 constitute a Best Work Practices Agreement (BWPA) in accordance with OAR 340-208-0320. This BWPA is intended to abate suspected nuisance odors and dusts from ESCO's foundry operations, processes and other pollutant emitting activities and to reduce emissions of air toxic pollutants associated with those operations, processes and activities.
- 48.a. ESCO must complete the improvements identified in the BWPA by the dates specified in each BWPA condition, unless:
- 48.a.i. The improvements have already been completed; or
- 48.a.ii. The completion date is revised per condition 48.b, below.
- 48.b. These conditions may be modified at ESCO's written request and with DEQ's written concurrence in accordance with the following procedures:
- 48.b.i. Changes that qualify as Administrative Amendments per OAR 340-218-0150 (such as correction of typographical errors and other changes identified in OAR 340-218-0150) may be made in accordance with the Administrative Amendment procedures.
- 48.b.ii. Non-substantial changes may be made following the procedures for Minor Permit Modifications in OAR 340-218-0170(2). Non-substantial changes means changes that affect the details of a condition but do not change the goal or intent of the condition. Non-substantial changes also includes extending a compliance date by up to 45 days if the permittee demonstrates to DEQ that additional time is needed due to construction or delivery delays or similar circumstances beyond the permittee's reasonable control.
- 48.b.iii. Any changes to these conditions that do not qualify as Administrative Amendments or non-substantial changes must be made following the Significant Permit Modification procedures in OAR 340-218-0180(2), including 35 days public notice and a public hearing.
- 48.c. The conditions that comprise the BWPA are enforceable only by the State.
- 48.d. None of these BWPA conditions require the permittee to make changes to its facilities that violate legal requirements imposed under other statutes and rules, including but not limited to those relating to occupational safety and health, fire protection and building codes.

Note:

The conditions in this Best Work Practices Agreement are based on the items listed in Attachment A to the Good Neighbor Agreement between the permittee (ESCO), the Northwest District Association, Neighbors for Clean Air, and Northwest Environmental Defense Center.

The Good Neighbor Agreement and Attachment A are not part of this permit. The notes referring to the items in Attachment A are included for reference only.

Attachment A, item 1

49. Improve capture and control of Doghouse and Side Floor PCS fugitives. Ensure cooling in the Doghouse occurs in the controlled section of the building.
- 49.a. This condition applies to the Main Plant.
- 49.b. To accomplish this, ESCO must install and operate one or more new baghouses and associated capture systems.
- 49.b.i. ESCO must submit plans for the proposed baghouse(s) and associated capture systems to DEQ for review and approval at least 60 days prior to beginning work or placing orders for the baghouse(s). If DEQ does not respond within 30 days of receipt of the plans, the plans will be considered approved.
- 49.b.ii. Complete installation by: 12/31/2013.
- 49.b.iii. After the new baghouse(s) begin operating, cooling must be done in the controlled area.
- 49.c. ESCO must perform a source test for PM on the outlet of each new baghouse as required by condition 72.
- 49.d. ESCO must perform at least one test run for PM on the inlet to the new baghouse(s) using methods generally similar to DEQ Method 5. This must be done at the same time as the outlet PM source test.
- 49.e. No more than 90 days after the new baghouse(s) begin operating, for a period of one month ESCO must weigh each container of dust collected by the new baghouse(s) and record the amount of particulate removed and correlate it to tons of metal poured in the Doghouse over the same period.
- 49.f. No more than 2 years after the new baghouse(s) become operational, for a period of one month ESCO must weigh each container of dust collected by the new baghouse(s) and record the amount of particulate removed and correlate it to tons of metal poured in the Doghouse over the same period.
- 49.g. ESCO must provide a status update on this project twice a year until the new baghouse(s) begin operating. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
- 49.h. ESCO must notify DEQ in writing no more than 30 days after the new baghouse(s) begin operating.
- 49.i. ESCO must include the new controls in the Air Emissions Control Device Operating Plan as required by condition 24.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 49.j. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 2

50. Add control to Air Arc Cutting- Lower Finishing.
- 50.a. This condition applies to the Main Plant.
- 50.b. To accomplish this, ESCO must install and operate an emission control system on Air Arc Cutting-Lower Finishing.
- 50.b.i. Complete installation by: Complete
- 50.c. Not more than 90 days after issuance of this permit, for a test period of one month ESCO will weigh each container of dust collected and record the amount of particulate removed.
- 50.d. ESCO must add the new control to the Air Emissions Control Device Operating Plan as required by condition 24.
- 50.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 3

51. Add control to Air Arc Cutting- Upper Finishing.
- 51.a. This condition applies to the Main Plant.
- 51.b. To accomplish this, ESCO must install and operate an emission control system on Air Arc Cutting- Upper Finishing chain table.
- 51.b.i. Complete installation by: Complete
- 51.c. Not more than 90 days after issuance of this permit, for a test period of one month ESCO will weigh each filter removed from the collection device and record the amount of particulate removed.
- 51.d. ESCO must add the new control to the Air Emissions Control Device Operating Plan as required by condition 24.
- 51.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 4

52. Seal leaks and openings on P3 Pouring Cooling Shakeout.
- 52.a. This condition applies to Plant 3.
- 52.b. Complete initial repairs by: Complete
- 52.c. ESCO will inspect the integrity of the cooling room enclosure at least once annually and repair as necessary.

- 52.d. ESCO will keep a record of each inspection and any repairs made.
- 52.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 5

- 53. Control phenol emissions from Plant 3 by electing either 53.a or 53.b.
 - 53.a. If this option is chosen, ESCO must install and operate thermal oxidation or alternative control technology on the sand coating pug mill, and:
 - 53.a.i. Perform a source test for phenol on the outlet of the control device as required by condition 72.
 - 53.a.ii. Perform a phenol test on the inlet to the control device using methods generally similar to the methods used for the outlet testing. This must be done at the same time as the outlet phenol source test is done.
 - 53.a.iii. ESCO must notify DEQ in writing no more than 30 days after the new control become operational.
 - 53.a.iv. ESCO must add the new controls to the Air Emissions Control Device Operating Plan as required by condition 24.
 - 53.b. If this option is chosen, ESCO must substitute a low phenol binder system for the binder system on which the phenol emissions factors in the Detail Sheets described in Condition 69.c are based.
 - 53.b.i. The new low phenol binder system will achieve a combined reduction in phenol emissions from all Plant 3 sources of at least 35 to 40 % compared to emissions calculated using the 2006 and 2007 pugmill source tests and the other emissions levels described in the Detail Sheets. To ensure consistency in the comparison, the calculation shall be made using the same production levels set forth in the Detail Sheets, and taking into account any changes in binder use as a result of the change in binders.
 - 53.b.ii. Perform source tests for phenol on the exhaust of the pugmill and on the mold and core making vent as required by condition 72 to demonstrate the reduction in phenol from all Plant 3 sources combined. ESCO may elect to also perform a source test on the pouring cooling and shakeout vent (baghouses 3-301160 and 3-301170) if necessary to demonstrate the target percentage reduction.
 - 53.c. This condition applies to Plant 3.
 - 53.d. Complete installation or binder substitution by: 3/31/2015
 - 53.e. ESCO must provide a status update on this project twice a year until installation or binder substitution is complete. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
 - 53.f. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 6

54. Continue alternative binder studies, especially for chain castings.

54.a. ESCO must report on binder changes in the annual report required by condition 46.

Attachment A, item 7

55. Install bag leak detection on EAF and AOD baghouses.

55.a. This condition applies to the Main Plant and Plant 3.

55.b. To accomplish this, ESCO must install and operate bag leak detection systems on the Main Plant EAF and AOD baghouses and the Plant 3 EAF/AOD baghouse.

55.b.i. Complete installation by: 12/31/2013.

55.c. ESCO must provide a status update on this project twice a year until installation is complete. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.

55.d. ESCO must notify DEQ in writing no more than 30 days after the new bag leak detection system becomes operational.

55.e. Each bag leak detection system must meet the following requirements:

55.e.i. The bag leak detection level must be appropriate for the emissions level of the equipment that it will be used on. ESCO must inform DEQ of the detection level of the equipment they propose to use and obtain DEQ's approval before placing an order.

55.e.ii. The bag leak detection system sensor must provide output of relative particulate matter loadings and the permittee shall continuously record the output from the bag leak detection system using a strip chart recorder, data logger, or other means.

55.e.iii. The system must be equipped with an alarm that will notify when an increase in relative particulate loadings is detected over the alarm set point established in Air Emission Control Device Operating Plan, and the alarm must be such that it can be noticed by the appropriate plant personnel.

55.e.iv. The initial adjustment of the system must, at minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points. If the system is equipped with an alarm delay time feature, the permittee also must adjust the alarm delay time.

55.e.v. Following the initial adjustment, do not adjust the sensitivity or range, averaging period, alarm set point, or alarm delay time. Except, once per quarter, the permittee may adjust the sensitivity of the bag leak detection system to account for seasonal effects including temperature and humidity according to the procedures in the Air Emission Control Device Operating Plan.

55.e.vi. Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

- 55.f. In the event that a bag leak detection system alarm is triggered, the permittee must take corrective action as expeditiously as practical:
- 55.f.i. Corrective actions may include, but are not limited to:
 - 55.f.i.1. Inspecting the bag house for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in emissions.
 - 55.f.i.2. Sealing off defective bags or filter media.
 - 55.f.i.3. Replacing defective bags or filter media or otherwise repairing the control device.
 - 55.f.i.4. Sealing off a defective baghouse compartment.
 - 55.f.i.5. Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.
 - 55.f.ii. For the purpose of this condition, “as expeditiously as practical” means:
 - 55.f.ii.1. Initiate action to determine the cause of the problem within one business day of discovery and complete the determination within three business days of discovery; and
 - 55.f.ii.2. Correct the problem as soon as practicable, but no later than 10 calendar days from the date of discovery. If it is found that the problem cannot be corrected within 10 calendar days from the date of discovery, the permittee must notify DEQ with an estimated date for completing the corrective action including an explanation of the need for additional time and complete the corrective action as soon as reasonably possible.
 - 55.f.ii.3. The permittee is not required to curtail or stop operation of the controlled processes during this period if no emissions limits in this permit are exceeded.
 - 55.f.iii. For the purpose of this condition, “business day” means Monday through Friday excluding holidays.
- 55.g. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ’s discretion.

Attachment A, item 8

56. Modify operational specifications to limit door and other openings to improve capture on EAF and AOD processes.
- 56.a. This condition applies to the Main Plant and Plant 3.
 - 56.b. Complete by: Complete
 - 56.c. ESCO will inspect EAF and AOD areas during its monthly fugitive emissions inspections and maintain records of its inspections.
 - 56.d. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ’s discretion.

Attachment A, item 9

57. Add/improve procedures on EAF operations that directly affect capture. Evaluate additional control mechanisms for EAF capture systems and high canopy hood dampers. Optimize operating procedures and provide routine training.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 57.a. This condition applies to the Main Plant and Plant 3.
- 57.b. Complete and implement procedures by: 12/31/2012
- 57.c. ESCO must provide a status update on this project twice a year until procedures are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
- 57.d. ESCO must notify DEQ in writing no more than 30 days after new/improved procedures have been implemented.
- 57.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 10

- 58. Take corrective actions to reduce fugitives on thermal sand reclaim baghouse by installing course fraction separator to improve collection and reduce wear on baghouse.
 - 58.a. This condition applies to Plant 3.
 - 58.b. Complete installation by: Complete
 - 58.c. ESCO will inspect baghouse monthly and take corrective action as needed. ESCO will maintain records of monthly inspections and corrective action.
 - 58.d. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 11

- 59. Identify and implement operating changes to reduce emissions at dump back and transfer points (dump back and transfer refer to transferring molten metal from one ladle or vessel to another).
 - 59.a. This condition applies to the Main Plant.
 - 59.b. Complete and implement operating changes by: 12/31/2012
 - 59.c. ESCO must use a consultant to conduct qualitative visual observations before and after operating changes. The observation after the changes must be made within 90 days of making the changes.
 - 59.d. ESCO must provide a status update on this project twice a year until operating changes are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
 - 59.e. ESCO must notify DEQ in writing no more than 30 days after the operating changes have been implemented.
 - 59.f. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

Attachment A, item 12

60. Identify and implement operating changes to reduce emissions at dump back and transfer points (dump back and transfer refer to transferring molten metal from one ladle or vessel to another).
- 60.a. This condition applies to Plant 3.
- 60.b. Complete and implement operating changes by: 12/31/2012
- 60.c. ESCO must use a consultant to conduct qualitative visual observations before and after operating changes. The observation after the changes must be made within 90 days of making the changes.
- 60.d. ESCO must provide a status update on this project twice a year until operating changes are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
- 60.e. ESCO must notify DEQ in writing no more than 30 days after the operating changes have been implemented.
- 60.f. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 13

61. Conduct study to quantify emissions from thermal sand reclaim and to determine if thermal sand reclaim can be operated at recommended temperature.
- 61.a. This condition applies to Plant 3.
- 61.b. To accomplish this, ESCO must test the temperature of sand reclaimer exhaust to confirm operating at sufficient VOC destruction temperatures. The temperature test must be completed by 12/31/2014.
- 61.c. Complete study by: 12/31/2014
- 61.d. ESCO must provide a status update on this project twice a year until operating changes are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
- 61.e. ESCO must notify DEQ in writing no more than 30 days after completing the study, and must report the results of the study.
- 61.f. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 14

62. Modify operations at the AOD to improve capture.
- 62.a. This condition applies to the Main Plant.
- 62.b. Complete and implement modified operations by: 3/31/2015

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 62.c. ESCO must provide a status update on this project twice a year until operating changes are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
- 62.d. ESCO must notify DEQ in writing no more than 30 days after the operations have been modified.
- 62.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 15

- 63. Ensure operators use control equipment at workbench stations in finishing area.
 - 63.a. This condition applies to the Main Plant.
 - 63.b. Complete by: Complete
 - 63.c. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

Attachment A, item 16

- 64. Note: Attachment A, item 16 has been left out of the permit by agreement with neighborhood representatives and ESCO because it addresses items that are outside the regulatory scope of a permit.

Attachment A, item 17

- 65. Perform an engineering study of feasible capture and control methods for emissions from pour points in slinger bay, including estimates of potential reductions. Alternatively, ESCO may propose a different study or emission reduction project, which it shall implement instead of the slinger bay study, if approved by DEQ (DEQ acknowledges that the GNA between ESCO and its neighbors also requires approval by the Neighborhood Advisory Committee).
 - 65.a. Complete study or emission reduction project by: 4/30/2017
 - 65.b. ESCO must provide the completed study report to DEQ.
 - 65.c. ESCO must provide a status update on this project twice a year until operating changes are implemented. The status updates must be submitted with the reports required by condition 46 and with the semi-annual reports as required by condition 88.
 - 65.d. ESCO must notify DEQ in writing no more than 30 days after study or alternative is completed, and must provide the results of the study or alternative.
 - 65.e. DEQ will inspect this item during the regular compliance inspections, or earlier, at DEQ's discretion.

End of Best Work Practices Agreement

draft 11/15/2011

Expiration date: 5yrs from issuance

Note: update file name in condition 69 before issuing, and delete this note.

Page 39 of 60

PLANT SITE EMISSION LIMITS

66. Applicable Requirement The plant site emissions must not exceed the following limits for any 12 consecutive calendar month period: [OAR 340-222-0040 through OAR 340-222-0043]

Pollutant	Plant Site Emission Limit (tons/12 mo)	Unassigned Emissions (tons/12 mo)	Emission Reduction Credit (tons/12 mo)
PM	134	105	0
PM ₁₀	134	95	0
PM _{2.5}	134	95	0
SO ₂	39	---	0
NO _x	65	6	0
CO	348	---	0
VOC	93	29	0
GHG*	74,000	---	0

* CO₂e basis

- 66.a. Plant Site Emission Limit includes 1.0 tpy aggregate insignificant emissions for each pollutant except for SO₂.
- 66.b. Monitoring for the Plant Site Emission Limits is included in condition 69.
- 66.c. The permittee may only use Unassigned Emissions after any necessary construction (OAR 340-218-0190) and permit revision applications (OAR 340-218-0120 through 340-218-0180) have been approved by DEQ. [OAR 340-222-0045]
- 66.d. Any unassigned emissions that are greater than the SER will be reduced to the SER when this permit is renewed unless used before that date. [OAR 340-222-0045]

Plant Site Emissions Limits for Hazardous Air Pollutants

67. Applicable Requirement The plant site emissions of Hazardous Air Pollutants must not exceed the following limits for any 12 consecutive calendar month period: [OAR 340-222-0060]

Pollutant	Plant Site Emission Limit (tons/12 mo)
Any individual HAP	9
Aggregate of all HAPs	24

Procedures for revising emission factors

68. Emission factors for Hazardous Air Pollutants may be revised to take additional testing into account in accordance with the following:
- 68.a. The permittee must submit an application for a Minor Permit Modification (OAR 340-218-0170).
- 68.b. The application must provide the new test data, and show how the proposed new emission factor(s) are calculated.
- 68.c. Test results below the limit of detection must be quantified as follows:
- 68.c.i. If all valid test runs are below the limit of detection, then one-half the limit of detection must be used as the test result.
- 68.c.ii. If some but not all valid test runs are below the limit of detection, the limit of detection

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- must be used as the run result for each valid run with a result below the limit of detection, and all valid runs must be averaged to give the test result.
- 68.d. The permittee may begin using the proposed new emission factor(s) beginning on the first day of the month following receipt of the application by DEQ.

Plant Site Emission Limits Monitoring.

[OAR 340-218-0050(3)(a) and (b)]

69. Monitoring Requirement The permittee shall determine compliance with the Plant Site Emission Limits established in conditions 66 and 67 by monitoring in accordance with the following procedures, test methods, and frequencies:

- 69.a. The permittee shall monitor and record the following process parameters on a monthly basis:

Main Plant*:

- Plant-wide total metal melted (tons/month)
- Plant-wide total metal poured (tons/month)
- AOD8 metal poured (tons/month)
- Plant-wide natural gas combusted (cu-ft/month)
- MU-9 coating usage* (lbs/month)

Plant 3*:

- Plant-wide total metal melted (tons/month)
- Plant-wide total metal poured (tons/month)
- EAF5 metal melted (tons/month)
- INDF3 metal melted (tons/month)
- Plant-wide natural gas combusted (cu-ft/month)
- 3U-9 coating usage* (lbs/month)

* Coating usage shall be tracked on a monthly basis. VOC content from data sheets supplied by the manufacturer and actual records of coatings, thinners and solvents used in the coating process shall be used to calculate VOC emissions from MU-9 and 3U-9 each month and as a rolling 12-month total.

- 69.b. The permittee shall determine compliance with the PSELs by calculating monthly emissions using the following formula, the process parameter measurements identified in condition 69.a, and the emission factors listed in conditions 69.c, and adding one ton/yr (aggregate insignificant emissions) for PM/PM₁₀, NO_x, CO and VOC:

$$E = \sum(Peu \times EFeu) * K + MB$$

where:

- | | | |
|------|---|--|
| E | = | pollutant emissions - (expressed as tons/month or tons/yr) |
| Peu | = | process parameter identified in condition 69.a |
| EFeu | = | emission factor identified in 69.c for each emissions unit, device or process and pollutant described in condition 69.a |
| K | = | 1 ton/2000 lbs |
| MB | = | material balance for VOC or HAPs from VOC usage and coatings (EUs MU-8, MU-9, 3U-8 and 3U-9) for the relevant period and zero for other pollutants |

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- 69.c. For calculating criteria pollutant and Hazardous Air Pollutant emissions, the permittee must use the emission factors in the Detail Sheets associated with this permit and identified below:

Detail Sheets file type: Excel spreadsheet

Detail Sheets file name: 26-2068-DS-all-xxxx2012 ver 09Nov11.xlsx

??note, replace file name above with final file name before issuing permit

The emission factors identified in this condition are included in the permit by reference; no other parts of the Detail Sheets are included in the permit.

- 69.d. The emission factors are not enforceable limits unless otherwise specified in this permit. Compliance with PSELS shall only be determined by the calculations contained in condition 69 of this permit using the monitored parameters recorded during the reporting period and the emission factors contained in condition 69 and using material balance where specified in this condition for VOC or hazardous air pollutants.

TESTING REQUIREMENTS

70. Monitoring Requirement Unless otherwise specified in this permit, the permittee must conduct all testing in accordance with DEQ's Source Sampling Manual. [OAR 340-212-0120]
- 70.a. Unless otherwise specified by a state or federal regulation, the permittee must submit a source test plan to DEQ at least 30 days prior to the date of the test. The test plan must be prepared in accordance with the Source Sampling Manual and address any planned variations or alternatives to prescribed test methods. The permittee should be aware that if significant variations are requested, it may require more than 30 days for DEQ to grant approval and may require EPA approval in addition to approval by DEQ.
- 70.b. Only regular operating staff may adjust the processes or emission control device parameters during a compliance source test and within two (2) hours prior to the tests. Any operating adjustments made during a compliance source test, which are a result of consultation during the tests with source testing personnel, equipment vendors, or consultants, may render the source test invalid.
- 70.c. Unless otherwise specified by permit condition or Department approved source test plan, all compliance source tests must be performed as follows:
- 70.c.i. At least 90% of the design capacity for new or modified equipment;
 - 70.c.ii. At least 90% of the maximum operating rate for existing equipment; or
 - 70.c.iii. At 90 to 110% of the normal maximum operating rate for existing equipment. For purposes of this permit, the normal maximum operating rate is defined as the 90th percentile of the average hourly operating rates during a 12 month period immediately preceding the source test. Data supporting the normal maximum operating rate must be included with the source test report.
- 70.d. Each source test must consist of at least three (3) test runs and the emissions results must be reported as the arithmetic average of all valid test runs. If for reasons beyond the control of the permittee a test run is invalid, DEQ may accept two (2) test runs for demonstrating compliance with the emission limit or standard.
- 70.e. Source test reports prepared in accordance with DEQ's Source Sampling Manual must be submitted to DEQ within 45 days of completing any required source test, unless a different time period is approved in the source test plan submitted prior to the source test.

71. Monitoring Requirement All Modified Method 9 testing shall be conducted for a minimum period of 6 minutes, though longer periods may be required by specific permit conditions. Modified Method 9 testing shall be performed in accordance with the ODEQ Source Testing Manual, and shall be conducted by a certified plume observer.
- 71.a. Aggregate times (e.g., 3 minutes in any one hour) consist of the total duration of all readings during the observation period that are equal to or greater than the opacity percentage in the standard, whether or not the readings are consecutive. Each EPA Method 9 reading represents 15 seconds of time. [See also the definition of “Opacity” in OAR 340-200-0020]
- 71.b. A six-minute average opacity consists of the average of all readings taken during a six-minute period.
- 71.c. If it is not possible to conduct a Modified EPA Method 9 test due to inclement weather conditions or interference from other fugitive sources, the permittee must make three attempts during the day at approximately 10 a.m., noon, and 2 p.m. If it is still not possible to conduct the test, the permittee must perform the test the following day. The permittee must record in a log the reason for not conducting the test on a regularly scheduled test day.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

Emission Factor Verification and Compliance Testing Requirements

72. Monitoring Requirement The permittee shall conduct emission factor verification and compliance tests in accordance with DEQ's Source Sampling Manual as specified in the tables below:

Main Plant

Emission Unit and Testing Point	Pollutant	Test Method	Test date(s)
MU-1 MELT BH 301010	PM	EPA/ODEQ Method 5	Not later than 4/30/2014, then not later than every five years thereafter
MU-1 MELT BH 301010	HAP Metals*	EPA Method 29 or other method approved by DEQ	Not later than 4/30/2014, then not later than every five years thereafter
MU-2 PCS New Doghouse baghouses	PM	EPA/ODEQ Method 5	Not later than 6 months after new Doghouse baghouses become operational (condition 49)

Plant 3

Emission Unit and Testing Point	Pollutant	Test Method	Test date(s)
3U-1 MELT BH 3-30112S & 3-30124N	PM	EPA/ODEQ Method 5	Not later than 4/30/2014, then not later than every five years thereafter
3U-1 MELT BH 3-30112S & 3-30124N	HAP Metals*	EPA Method 29 or other method approved by DEQ	Not later than 4/30/2014, then not later than every five years thereafter
3U-1 MELT Production INDF	PM	EPA/ODEQ Method 5	Not later than 4/30/2014, then not later than every five years thereafter
3U-3 MAT'L HAND./ SAND RECLAIM Pug Mill	Phenol, formaldehyde	As approved by DEQ	Not later than 6 months after Pug Mill emission reduction project is completed (condition 53)

* HAPs Metals includes Ni, Cr, Mn, Pb, Cd, Co, As, Sb, Hg, and Se.

- 72.a. The permittee shall notify DEQ at least 15 days prior to conducting any emission factor verification tests by submitting a source test plan in accordance with DEQ's Source Sampling Manual.
- 72.b. The permittee shall submit a summary of emission factor verification tests and compliance tests to DEQ within 45 days of any test. The summary shall include the following information:
- 72.b.i. emissions unit and monitoring point identification;
 - 72.b.ii. emission results in grains per dry standard cubic foot, pounds per hour, and pounds per metal melted or metal poured where appropriate;
 - 72.b.iii. process parameters during the test (e.g. material throughput for the process being controlled, types and amounts of fuels, heat input, etc.); and
 - 72.b.iv. control device operating parameters.
- 72.c. The emission factor verification testing is to be performed for the purposes of verifying the emission factor for the associated Emission Unit. The emission factor verification must include an

estimate of all emissions of the tested pollutant from the emissions unit, including fugitive emissions where they are significant. The emission unit emission factor calculation(s) must be submitted with the source test report.

MONITORING REQUIREMENTS

The monitoring conditions in this section are based on OAR 340-218-0050(3)(a); unless otherwise specified.

General Monitoring Requirements

73. The permittee must not knowingly render inaccurate any required monitoring device or method. [OAR 340-218-0050(3)(a)(E)]
74. Methods used to determine actual emissions for fee purposes must also be used for compliance determination and can be no less rigorous than the requirements of OAR 340-218-0050(3)(a)(F)]
75. Monitoring requirements must commence on the date of permit issuance unless otherwise specified in the permit or an applicable requirement. [OAR 340-218-0050(3)(a)(G)]

RECORDKEEPING REQUIREMENTS

The recordkeeping conditions in this section are based on OAR 340-218-0050(3)(b); unless otherwise specified.

GENERAL RECORDKEEPING REQUIREMENTS

76. The permittee shall maintain the following general records of testing and monitoring required by this permit: [OAR 340-218-0050(b)(A)]
 - 76.a. the date, place as defined in the permit, and time of sampling or measurements;
 - 76.b. the date(s) analyses were performed;
 - 76.c. the company or entity that performed the analyses;
 - 76.d. the analytical techniques or methods used;
 - 76.e. the results of such analyses;
 - 76.f. the operating conditions as existing at the time of sampling or measurement; and
 - 76.g. the records of quality assurance for continuous monitoring systems (including but not limited to quality control activities, audits, calibration drift checks).
77. Unless otherwise specified by permit condition, the permittee shall make every effort to maintain 100 percent of the records required by the permit. If information is not obtained or recorded for legitimate reasons (e.g., the monitor or data acquisition system malfunctions due to a power outage), the missing record(s) shall not be considered a permit deviation provided the amount of data lost does not exceed 10% of the averaging periods in a reporting period or 10% of the total operating hours in a reporting period, if no averaging time is specified. Upon discovering that a required record is missing, the permittee shall document the reason for the missing record. In addition, any missing record that can be recovered from other available information shall not be considered a missing record. [340-212-0160, OAR 340-214-0110, and 340-218-0050(3)(b)]
78. Recordkeeping requirements shall commence on the date of permit issuance unless otherwise specified in the permit or an applicable requirement. [OAR 340-218-0050(3)(b)(C)]

79. Unless otherwise specified, 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 Oregon Title V Operating Permit shall also be retained for five (5) years from the date of the monitoring sample, measurement, report, or application. [OAR 340-218-0050(b)(B)]

SOURCE SPECIFIC RECORDKEEPING REQUIREMENTS

80. The permittee shall maintain the following specific records of required monitoring information:
- 80.a. Monthly records of process parameters and calculations required by condition 69;
 - 80.b. Monthly records of the type and amount of fuels used;
 - 80.c. Records of material added to each coating dip tank(gal, density, VOC content, etc.);
 - 80.d. Records of miscellaneous VOC use;
 - 80.e. Complaint log and investigation reports;
 - 80.f. Records of scrap purchased for charging into the electric arc furnaces, or the supplier certification as required by condition 40.
 - 80.g. Occurrence and length of downtime for all pollution control devices;
 - 80.h. Monthly and 12 month rolling total emissions calculations for comparison to the PSEL;
81. The permittee shall retain records of all required monitoring data and support information for a period of at least 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. [OAR 340-218-0050(b)(B)]

REPORTING REQUIREMENTS

The reporting conditions in this section are based on OAR 340-218-0050(3)(c); unless otherwise specified.

Immediate Reporting Requirements

Summary of SSM Reporting Requirements

Actions <u>are</u> or <u>are not</u> consistent with SSM Plan	Exceedance	Startup or shutdown	Malfunction
If actions <u>are</u> consistent	Exceedance occurs	Report in semiannual SSM report (Condition 91)	Report in semiannual SSM report (Condition 91)
If actions <u>are</u> consistent	No exceedance	No reporting required	Report in semiannual SSM report (Condition 91)
If actions <u>are not</u> consistent	Exceedance occurs	Report immediately by phone/fax, followed by letter (Condition 82)	Report immediately by phone/fax, followed by letter (Condition 82)
If actions <u>are not</u> consistent	No exceedance	No reporting required	Report immediately by phone/fax, followed by letter (Condition 82)

NOTE: See Immediate Reporting Summary on page 48

Immediate SSM Reporting

- 82. The permittee must provide reporting as specified in this Condition, any time the conditions specified in Condition 82.a are met with respect to the equipment identified in condition 21.b. [NESHAP 40 CFR 63.10(d)(5)(ii)]
 - 82.a. Report if:
 - 82.a.i. An action is taken during a startup or shutdown that caused the permittee to exceed any emission limitation contained in condition 21 and is not consistent with the procedures specified in the SSM plan; or
 - 82.a.ii. An action is taken during a malfunction (as defined in 40 CFR 63.2) that is not consistent with the procedures specified in the SSM plan.
 - 82.b. This Condition pertains to all aspects of the SSM Plan (e.g., processes and emission controls).
 - 82.c. The report must be submitted by phone or fax within 2 working days after commencing actions inconsistent with the plan. For the purpose of this Condition, working days are Monday through Friday, excluding holidays observed by DEQ. This report must include a description of the actions taken that are not consistent with the SSM Plan.
 - 82.d. The permittee must report the actions taken in a letter delivered or postmarked within 7 working days after the end of the event. The letter must include the following information:
 - 82.d.i. The name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy,
 - 82.d.ii. Explain the circumstances of the event,

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

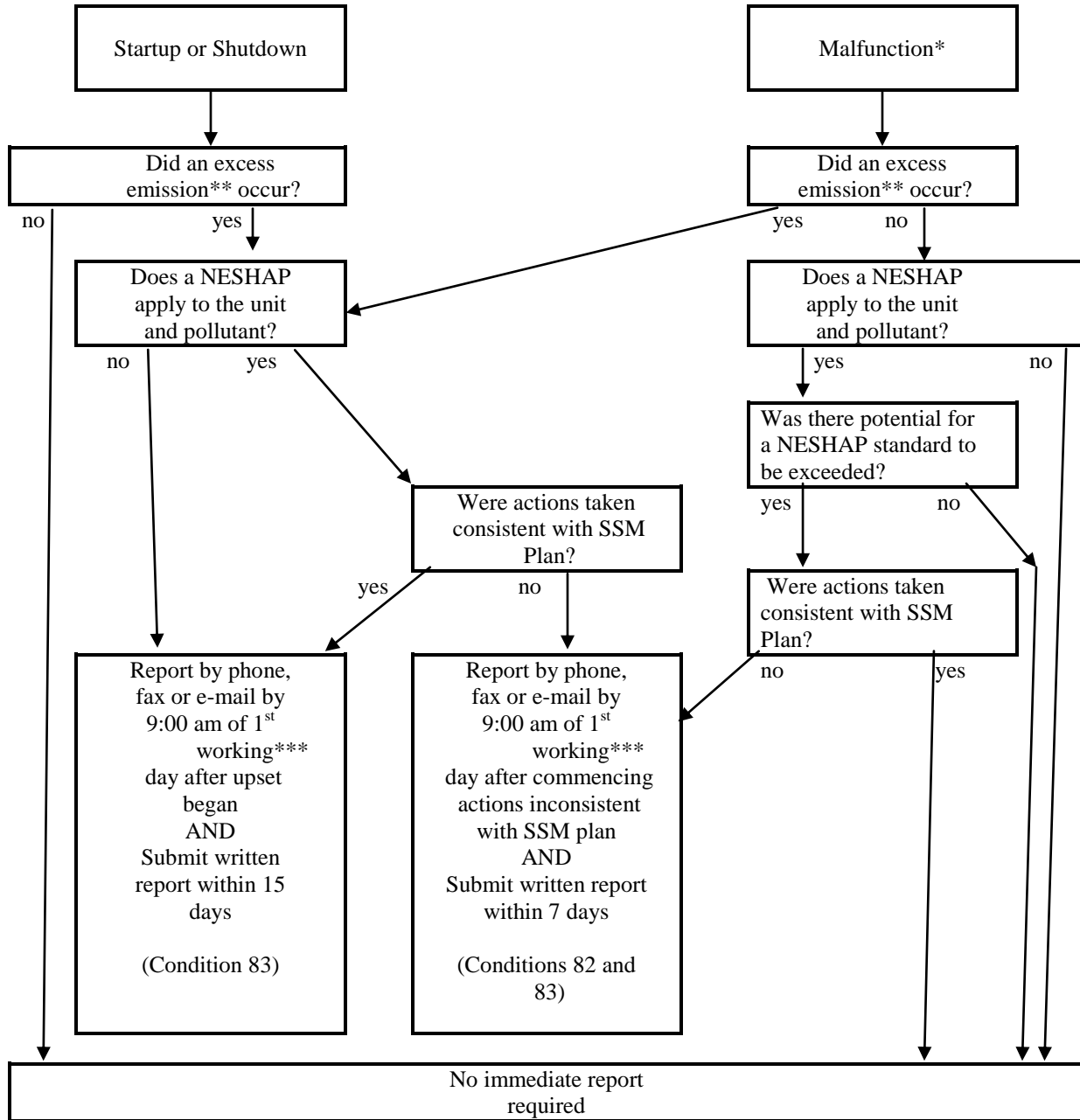
- 82.d.iii. State the reasons for not following the startup, shutdown, and malfunction plan, and
- 82.d.iv. Describe all excess emissions and/or parameter monitoring exceedances which are believed to have occurred (or could have occurred in the case of malfunctions), and actions taken to minimize emissions in conformance with 40 CFR 63.6(e)(1)(i).

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

IMMEDIATE REPORTING SUMMARY FOR PROCESS OR CONTROL DEVICE UPSET

This summary is provided for information only, it is not enforceable. This summary is condensed from two permit conditions; see the referenced permit conditions for more details. In some cases, both permit conditions may apply, but one controls the reporting time frame.



* "Malfunction" as used here has the common (dictionary) meaning, not the meaning in 40 CFR 63.2.

** Excess emission means emissions in excess of a permit limit.

*** Working days means Monday through Friday, excluding holidays observed by DEQ.

GENERAL REPORTING REQUIREMENTS

83. Excess Emissions Reporting The permittee must report all excess emissions as follows: [OAR 340-214-0300 through 340-214-0360]
- 83.a. Immediately (within 1 hour of the event) notify DEQ of an excess emission event by phone, e-mail, or facsimile; and
 - 83.b. Within 15 days of the excess emissions event, submit a written report that contains the following information: [OAR 340-214-0340(1)]
 - 83.b.i. The date and time of the beginning of the excess emissions event and the duration or best estimate of the time until return to normal operation;
 - 83.b.ii. The date and time the owner or operator notified DEQ of the event;
 - 83.b.iii. The equipment involved;
 - 83.b.iv. Whether the event occurred during planned startup, planned shutdown, scheduled maintenance, or as a result of a breakdown, malfunction, or emergency;
 - 83.b.v. Steps taken to mitigate emissions and corrective action taken, including whether the approved procedures for a planned startup, shutdown, or maintenance activity were followed;
 - 83.b.vi. The magnitude and duration of each occurrence of excess emissions during the course of an event and the increase over normal rates or concentrations as determined by continuous monitoring or best estimate (supported by operating data and calculations);
 - 83.b.vii. The final resolution of the cause of the excess emissions; and
 - 83.b.viii. Where applicable, evidence supporting any claim that emissions in excess of technology-based limits were due to any emergency pursuant to OAR 340-214-0360.
 - 83.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 must immediately notify DEQ by calling the Oregon Accident Response System (OARs). The current number is 1-800-452-0311.
 - 83.d. If startups, shutdowns, or scheduled maintenance may result in excess emissions, the permittee must submit startup, shutdown, or scheduled maintenance procedures used to minimize excess emissions to DEQ for prior authorization, as required in OAR 340-214-0310 and 340-214-0320. New or modified procedures must be received by DEQ in writing at least 72 hours prior to the first occurrence of the excess emission event. The permittee must abide by the approved procedures and have a copy available at all times.
 - 83.e. The permittee must continue to maintain a log of all excess emissions in accordance with OAR 340-214-0340(3). However, the permittee is not required to submit the detailed log with the semi-annual and annual monitoring reports. The permittee is only required to submit a brief summary listing the date, time, and the affected emissions units for each excess emission that occurred during the reporting period. [OAR 340-218-0050(3)(c)]
84. Permit Deviations Reporting: The permittee must promptly report 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 preventive measures taken. "Prompt" means within 15 days of the deviation. Deviations that cause excess emissions, as specified in OAR 340-214-0300 through 340-214-0360 must be reported in accordance with Condition 83.
85. The permittee shall submit any required source test report within 45 days after the source test; unless otherwise approved in the source test plan. [OAR 340-218-0050(3)(c)(C) and 340-212-0120]

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

86. All required reports shall be certified by a responsible official consistent with OAR 340-218-0040(5); [OAR 340-218-0050(3)(c)(D)]
87. Reporting requirements shall commence on the date of permit issuance unless otherwise specified in the permit. [OAR 340-218-0050(3)(c)(E)]

Addresses of regulatory agencies are the following, unless otherwise instructed:

DEQ – Northwest Region	DEQ – Air Quality Division	Air Operating Permits
2020 SW 4th Avenue, Suite 400	811 SW Sixth Avenue	US Environmental Protection Agency
Portland, OR 97201	Portland, OR 97204	Mail Stop OAQ-108
Phone: (503) 229-5263	(503) 229-5359	1200 Sixth Avenue
		Seattle, WA 98101

SEMI-ANNUAL AND ANNUAL REPORTS

88. The permittee must submit three (3) copies of reports of any required monitoring at least every 6 months, completed on forms approved by DEQ. Six month periods are January 1 to June 30, and July 1 to December 31. One copy of the report must be submitted to the EPA and two copies to the DEQ regional office. All instances of deviations from permit requirements must be clearly identified in such reports: [OAR 340-218-0050(3)(c)(A) and 340-218-0080(6)(d)]
- 88.a. The first semi-annual report shall be due on July 30 and shall include
- 88.a.i. The semi-annual compliance certification, OAR 340-218-0080, per condition 89;
 - 88.a.ii. The semi-annual NESHAP Subpart ZZZZZ compliance certification and summary report per condition 91; and
 - 88.a.iii. A brief progress update on all items in the Best Work Practices Agreement (conditions 49 through 65) that have not yet been completed.
- 88.b. The annual report shall be due on February 15 and shall consist of the following:
- 88.b.i. The emission fee report; [OAR 340-220-0100]
 - 88.b.ii. A summary of the excess emissions upset log; [OAR 340-214-0340]
 - 88.b.iii. The second semi-annual compliance certification per condition 89; [OAR 340-218-0080]
 - 88.b.iv. The semi-annual NESHAP Subpart ZZZZZ compliance certification and summary report per condition 91.
 - 88.b.v. The annual certification that the risk management plan is being properly implemented; if applicable, OAR 340-244-0230. [OAR 340-218-0080(7)]
 - 88.b.vi. Monthly process parameters identified in condition 69.a.
 - 88.b.vii. Summary of the monitoring required by condition 20.i.ii (summary of dates, times and durations that baghouses subject to condition 19 operated outside the approved pressure drop range), and the corrective actions taken;
 - 88.b.viii. 12 month rolling total emissions for each month; and
89. The semi-annual compliance certification must include the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable): [OAR 340-218-0080(6)(c)]
- 89.a. The identification of each term or condition of the permit that is the basis of the certification;
 - 89.b. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period. Such methods and other means must include, at a minimum, the methods and means required under OAR 340-

- 218-0050(3). Note: Certification of compliance with the monitoring conditions in the permit is sufficient to meet this requirement, except when the permittee must certify compliance with new applicable requirements incorporated by reference into the permit. When certifying compliance with new applicable requirements that are not yet in the permit, the permittee must provide the information required by this condition. If necessary, the owner or operator also must identify any other material information that must be included in the certification to comply with section 113(c)(2) of the FCAA, which prohibits knowingly making a false certification or omitting material information;
- 89.c. The status of compliance with terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification must be based on the method or means designated in condition 89.b of this rule. The certification must identify each deviation and take it into account in the compliance certification. The certification must also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance, as defined under OAR 340-200-0010, occurred; and
- 89.d. Such other facts as DEQ may require to determine the compliance status of the source.
90. Notwithstanding any other provision contained in any applicable requirement, the owner or operator may use monitoring as required under OAR 340-218-0050(3) and incorporated into the permit, in addition to any specified compliance methods, for the purpose of submitting compliance certifications. [OAR 340-218-0080(6)(e)]
91. The semi-annual NESHAP Subpart ZZZZZ compliance certification and summary report must include the following:
- 91.a. Certification that scrap metal does not contain motor vehicle scrap. [NESHAP 40 CFR 63.10885(b)(4)]
- 91.b. Certification that either:
- 91.b.i. Furfuryl alcohol warm box mold or core making is not performed; or
- 91.b.ii. If furfuryl alcohol warm box mold or core making is performed, that methanol is not used as a specific ingredient in the catalyst formulation. [NESHAP 40 CFR 63.10886]
- 91.c. Semiannual SSM Reports shall contain the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy. Semiannual SSM Reports must contain the following information: [NESHAP 40 CFR 63.10(d)(5)(i)]
- 91.c.i. If no startups, shutdowns or malfunctions occurred during the reporting period, the report need only state that no startups, shutdowns or malfunctions occurred during the reporting period.
- 91.c.ii. If any startups or shutdowns (that caused the source to exceed any applicable emission limitation in Subpart ZZZZZ) or malfunctions occurred during the reporting period, and actions taken are consistent with the SSM plan, the report must so state. In this case, the report must include:
- 91.c.ii.1. Actions taken to minimize emissions during such startups, shutdowns or malfunctions shall be summarized in the report and may be done in checklist form; if actions taken are the same for each event, only one checklist is necessary.
- 91.c.ii.2. The report shall also include the number, duration and a brief description for each malfunction that occurred during the reporting period and which caused

or may have caused any applicable emission limitation in this permit from 40 CFR Part 63 Subpart ZZZZZ to be exceeded.

- 91.c.iii. If the SSM plan was revised during the reporting period, each revision must be reported and briefly described. If no revisions were made during the reporting period, the report must so state. [NESHAP 40 CFR 63.6(e)(3)(viii)]

- 91.d. Summary information on the number, duration, and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable of the limits in conditions 15 and 21, and the corrective action taken. [NESHAP 40 CFR 63.10899(c)(1)]

- 91.e. If applicable (see condition 27 for applicability): summary information on the number, duration, and cause (including unknown cause, if applicable) for bag leak monitor downtime incidents (other than downtime associated with zero and span or other calibration checks, if applicable). [NESHAP 40 CFR 63.10899(c)(2)]

NON-APPLICABLE REQUIREMENTS

92. State and Federal air quality requirements (e.g., rules and regulations) currently determined not applicable to the permittee are listed below along with the reason for the non-applicability: [OAR 340-218-0110]

Applicable Requirement	Reason Code	Applicable Requirement	Reason Code	Applicable Requirement	Reason Code
OAR Chapter 340:					
Division 202		0050	e	all rules	b
all rules	i	0080-0150	b	Division 264	
Division 206		0170-0230	e	0100-0120	d
0040	i	Division 234:		0140-0170	d
0050	c	all rules	b	Division 266	
0060	i	Division 236:		all rules	b,h
0070	i	all rules	b	40 CFR:	
Division 208		Division 238:		Part 55	b
0570	e	0060	e	Part 57	b
Division 210:		0070	e	Part 60,	b
0100-0120	b	0080	e	except	
Division 214:		0090	i	subpart A	
0210-0220	c	0100	e	and	
0420-0430	k	Division 240:		appendices	
Division 218:		all rules	d	Part 61,	b
0050(4)	b	Division 242:		except	
0050(8)	h	0500-0520	e	subpart A, M,	
0090	b	0600-0630	b	and	
0100	b	0740	b	appendices	
0250	i	0760-0790	b	Part 63,	b
Division 222		Division 244:		except	
0042	c	0232-0252	e	subparts A	
Division 224		Division 250		and ZZZZZ	
all rules	b	all rules	i,k	and	
Division 226:		Division 252		appendices	
0400	h	all rules	b,k	Part 72	b
Division 228:		Division 256:		through 76	
0100	f	0130	b	Part77	b
0120	f	0140	b	Part78	b
0200	e	0200-0470	b	Part 82,	b
0300	b	Division 258:	b	except	
0400-0639	b	0120 through	b	subpart F and	
Appendix A	b	0310		appendices	
Division 230:		0400	b	Part 85	b
all rules	e	Division 260:		through 89	
Division 232:		0030	b		
		Division 262			

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

Reason code definitions:

- a this pollutant is not emitted by the facility
- b the facility is not in this source category
- c the facility is not in a special control/nonattainment area
- d the facility is not in this county
- e the facility does not have this emissions unit
- f the facility does not use this fuel type
- g the rule does not apply because no changes have been made at the facility that would trigger these procedural requirements
- h this method/procedure is not used by the facility
- i this rule applies only to DEQ and regional authorities
- j. there are no emissions units with add-on control devices or the pre-controlled potential emissions are less than 100 tons per year or the emissions units with add-on control devices and pre-controlled emissions greater than 100 tons per year are subject to emissions standards promulgated after November of 1990
- k. other

GENERAL CONDITIONS

G1. General Provision

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

G2. Reference materials

Where referenced in this permit, the versions of the following materials are effective as of the dates noted unless otherwise specified in this 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. Applicable Requirements [OAR 340-218-0010(3)(b)]

Oregon Title V Operating Permits do not replace requirements in Air Contaminant Discharge Permits (ACDP) issued to the source even if the ACDP(s) have expired. For a source operating under a Title V permit, requirements established in an earlier ACDP remain in effect notwithstanding expiration of the ACDP or Title V permit, unless a provision expires by its terms or unless a provision is modified or terminated following the procedures used to establish the requirement initially. Source specific requirements, including, but not limited to TACT, RACT, BACT, and LAER requirements, established in an ACDP must be incorporated into the Oregon Title V Operating Permit and any revisions to those requirements must follow the procedures used to establish the requirement initially.

G4. Compliance [OAR 340-218-0040(3)(n)(C), 340-218-0050(6), and 340-218-0080(4)]

- a. The permittee must comply with all conditions of this 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 is supplemental to, and does 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 must meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.

G5. Masking Emissions:

The permittee may not install or use any device or other means designed to mask the emission of an air contaminant that causes or is likely to cause detriment to health, safety, or welfare of any person or otherwise violate any other regulation or requirement. [OAR 340-208-0400] This condition is enforceable only by the State.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

G6. Credible Evidence:

Notwithstanding any other provisions contained in any applicable requirement, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any such applicable requirements. [OAR 340-214-0120]

G7. Certification [OAR 340-214-0110, 340-218-0040(5), 340-218-0050(3)(c)(D), and 340-218-0080(2)]

Any document submitted to DEQ or EPA pursuant to this permit must contain certification by a responsible official of truth, accuracy and completeness. All certifications must 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 must promptly, upon discovery, report to DEQ a material error or omission in these records, reports, plans, or other documents.

G8. Open Burning [OAR Chapter 340, Division 264]

The permittee is prohibited from conducting open burning, except as may be allowed by OAR 340-264-0020 through 340-264-0200.

G9. Asbestos [40 CFR Part 61, Subpart M (federally enforceable), OAR Chapter 340-248-0005 through 340-248-0180 (state-only enforceable) and 340-248-0205 through 340-248-0280]

The permittee must comply with OAR Chapter 340, Division 248, 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 340-260-0040]

The permittee must 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 340-218-0110]

- a. Compliance with the conditions of the permit is deemed compliance with any applicable requirements as of the date of permit issuance provided that:
 - i. such applicable requirements are included and are specifically identified in the permit, or
 - ii. the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
- b. Nothing in this rule or in any federal operating permit alters or affects 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,

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

unless such applicable requirements are incorporated into the permit by administrative amendment, as provided in OAR 340-218-0150(1)(h), significant permit modification, or reopening for cause by the Department.

G12. Inspection and Entry [OAR 340-218-0080(3)]

Upon presentation of credentials and other documents as may be required by law, the permittee must 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 340-220-0010, and 340-220-0030 through 340-220-0190]

The permittee must pay an annual base fee and an annual emission fee for particulates, sulfur dioxide, nitrogen oxides, and volatile organic compounds. The permittee must 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 must be submitted in writing to the Department of Environmental Quality. Payment must be made regardless of the dispute. User-based fees will 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 340-218-0140(2)]

- a. The permittee must 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 340-200-0020.
- b. A contemporaneous notification, if required under OAR 340-218-0140(2)(b), must be submitted to the Department and the EPA.
- c. The permittee must 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 G9 does not extend to off-permit changes.

G15. Section 502(b)(10) Changes to the Source [OAR 340-218-0140(3)]

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

- a. The permittee must 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 must be submitted to the Department and the EPA in accordance with OAR 340-218-0140(3)(b).
- c. The permit shield of condition G9 does not extend to section 502(b)(10) changes.

G16. Administrative Amendment [OAR 340-218-0150]

Administrative amendments to this permit must be requested and granted in accordance with OAR 340-218-0150. The permittee must 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 340-218-0170]

The permittee must submit an application for a minor permit modification in accordance with OAR 340-218-0170.

G18. Significant Permit Modification [OAR 340-218-0180]

The permittee must submit an application for a significant permit modification in accordance with OAR 340-218-0180

G19. Staying Permit Conditions [OAR 340-218-0050(6)(c)]

Notwithstanding conditions G16 and G17, 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.

G20. Construction/Operation Modification [OAR 340-218-0190]

The permittee must obtain approval from the Department prior to construction or modification of any stationary source or air pollution control equipment in accordance with OAR 340-210-0200 through OAR 340-210-0250.

G21. New Source Review Modification [OAR 340-224-0010]

The permittee may not begin construction of a major source or a major modification of any stationary source without having received an air contaminant discharge permit (ACDP) from the Department and having satisfied the requirements of OAR 340, Division 224.

G22. Need to Halt or Reduce Activity Not a Defense [OAR 340-218-0050(6)(b)]

The need to halt or reduce activity will not be a defense. It will 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 340-218-0050(6)(e) and OAR 340-214-0110]

The permittee must 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 must also furnish to the Department copies of records required to be retained by the permit or, for information claimed to be confidential, the permittee may furnish such records to the Department along with a claim of confidentiality.

G24. Reopening for Cause [OAR 340-218-0050(6)(c) and 340-218-0200]

- a. The permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by the Department.
- b. A permit must be reopened and revised under any of the circumstances listed in OAR 340-218-0200(1)(a).
- c. Proceedings to reopen and reissue a permit must follow the same procedures as apply to initial permit issuance and affect only those parts of the permit for which cause to reopen exists.

G25. Severability Clause [OAR 340-218-0050(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 340-218-0040(1)(a)(D) and 340-218-0130]

- a. This permit expires at the end of its term, unless a timely and complete renewal application is submitted as described below. Permit expiration terminates the permittee's right to operate.
- b. Applications for renewal must 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 must provide no less than six (6) months for the owner or operator to prepare an application.
- c. Provided the permittee submits a timely and complete renewal application, this permit will remain in effect until final action has been taken on the renewal application to issue or deny the permit.

G27. Permit Transference [OAR 340-218-0150(1)(d)]

The permit is not transferable to any person except as provided in OAR 340-218-0150(1)(d).

G28. Property Rights [OAR 340-200-0020 and 340-218-0050(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 340-218-0110.

draft 11/15/2011

Note: update file name in condition 69 before issuing, and delete this note.

G29. Permit Availability [OAR 340-200-0020 and 340-218-0120(2)]

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

ALL INQUIRIES SHOULD BE DIRECTED TO:

Northwest Region
2020 SW 4th Avenue, Suite 400
Portland, OR 97201
Phone: (503) 229-5263