



Intel and Air Quality Questions and Answers

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Q: What enforcement action has DEQ taken to address Intel's air quality violations?

A: DEQ signed a mutual agreement and order with Intel Corporation to address air quality violations. The order includes an agreement to pay a \$143,000 civil penalty for failure to notify DEQ of its fluorides emissions, failure to obtain a permit to emit fluorides, and beginning construction of new semiconductor facilities at the Ronler Acres Facility in Hillsboro without proper approval.

In the order, signed April 23, Intel agreed to pay the civil penalty, submit an appropriate permit application by the end of 2014, make fluoride emissions information available on a public website, and directly test and measure emissions in support of the permit application. The permit application must contain air quality modeling of hydrogen fluoride and fluorides, and an assessment of pollution control technologies. Intel already corrected the violation of failing to notify DEQ of Intel's fluorides emissions in its Title V permit application in 2012.

Q: Who was involved in negotiating the mutual agreement and order?

A: The mutual agreement and order was negotiated between DEQ and Intel.

Q: What is the entire permit process for Intel?

A: Intel currently operates under an air contaminant discharge permit which DEQ issued in 2007. This permit is in effect until it is replaced with either a revised air contaminant discharge permit or a Title V permit. Intel must also apply for a construction air permit to approve the D1X expansion, and to ensure that emissions from the D1X expansion will comply with air quality permitting regulations. This is required to correct the violation of failing to get the proper construction approval for the D1X expansion.

Once the construction permit is issued, DEQ will resume work on the Title V operating permit. DEQ held a hearing in September 2013 for this permit but has now suspended it pending completion of the construction permit. When the Title V permit is issued, it will replace the current air contaminant discharge permit and will incorporate any requirements that are part of the construction approval.

Q: How long will the entire permitting process take?

A: The application for the construction air quality permit is due by Dec. 31, 2014. Once DEQ has a complete application we will hold an information meeting. It could take from six to 18 months to fully review the application and draft the permit. Once the permit is drafted DEQ will put the permit out for public comment and review. After reviewing public input and making any necessary modifications DEQ will issue the permit.

The construction permit is required before DEQ resumes work on the Title V permit. After resuming work, it could take another four to eight months to issue the Title V permit. There will be additional opportunity for public comment and review on the Title V permit.

Q: How can I participate in DEQ's decision making about the new permits?

A: There will be several opportunities for people to be involved:

- DEQ will hold an update meeting in May where people can find out more about the enforcement action and the next steps.
- There will be an information meeting shortly after DEQ receives the application for the construction permit. DEQ will likely hold this meeting in early 2015.
- There will be a public comment period and a public hearing when the construction permit has been drafted. There may be a separate information meeting shortly before the public hearing
- DEQ will hold a public comment period and a public hearing when the Title V permit has been drafted.

Q: Will the second air contaminant discharge permit be a prevention of significant deterioration permit?

A: The second air contaminant discharge permit may or may not be a prevention of significant deterioration, or PSD, permit. Whether or not it is a PSD permit depends on the outcome of a court case that is currently before the U.S. Supreme Court. The case is known as Utility Air Regulatory Group v. EPA.

The outcome of this case may affect EPA's regulation of greenhouse gases under the PSD program, which may in turn affect Oregon's regulation of greenhouse gases under the PSD program. There is not a firm schedule for the Supreme Court to issue its ruling on this case, but it is generally believed that the ruling will be issued in late June or early July of 2014. Until that ruling is issued, DEQ cannot be certain that the second contaminant discharge permit will be a PSD permit.

The mutual agreement and order that DEQ signed with Intel requires that the permit application contain air emissions modeling information and a review of air emissions control technology, even if the permit is not a PSD permit.

Q: What is a prevention of significant deterioration permit?

A: A prevention of significant deterioration permit is a type of construction permit that involves a thorough review of emission controls for a proposed new or modified facility. As part of the permit process, DEQ identifies the best available control technology that Intel must install to minimize emissions from their new facilities.