June 7, 2017

Christopher W. Rich
Perkins Coie LLP
1120 NW Couch, 10th Floor
Portland, Oregon 97209

Also sent via email to CRich@perkindscoie.com

Re: Mutual Agreement and Order
In the Matter of:
Qorvo Oregon, Inc.
Case No. AQ/AC-ER-2017-057
Dechutes County

Dear Chris:

The Mutual Agreement and Order (MAO) in the above-referenced case has been approved by the Manager of the Office of Compliance and Enforcement on behalf of the Environmental Quality Commission. A copy of the signed order is enclosed. The civil penalty of $4,276 has been paid in full.

Please note that the MAO requires Qorvo Oregon, Inc. to comply with the Cleaner Air Oregon Data Request by September 1, 2017.

Thank you for your cooperation.

Sincerely,

Becka Puskas
Office of Compliance and Enforcement

Enclosure

cc: Business Office, DEQ
    Frank Messina, DEQ Bend Office (via email)
    Mark Bailey, DEQ Bend Office (via email)
BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF
QORVO OREGON, INC.,
Respondent.

MUTUAL AGREEMENT
AND FINAL ORDER
CASE NO. AQ/AC-ER-2017-057

WHEREAS:

1. On or about December 12, 2016, Respondent notified the Department of Environmental Quality (DEQ) that Respondent had recently concluded a voluntary, internal environmental audit of Respondent’s compliance with environmental laws and discovered potential violations at its Bend facility located at 63140 Britta Street Building C, Bend, OR 97703 (the “Bend Facility”).

2. On or about December 12, 2016, Respondent submitted to DEQ a written Voluntary Disclosure of violations identified in the environmental audit. Respondent disclosed the following violation to DEQ:

Operating a nickel plating operation air source from on or before April 11, 2011 to March 16, 2017 without a General Air Contaminant Discharge Permit (AQGP-026), in violation of OAR 340-216-0020(2), OAR 340-216-8010, Part B(65), and 40 CFR Part 63, Subpart WWWW (6W), as adopted by OAR 340-244-0220(4)(tttt). This is a Class II violation pursuant to OAR 340-012-0054(2)(a).

3. Respondent certified to DEQ that Respondent has corrected the violation described in Paragraph 2, above.


5. On November 28, 2016, DEQ sent a Cleaner Air Oregon Data Request to all air sources with coverage under General Air Contaminant Discharge Permit No. AQGP-026, among...
other air sources (the "Data Request"). The Data Request is attached as Attachment A and is incorporated as part of this MAO. But for the violation described in Paragraph 2, above, Respondent would have been required by DEQ to comply with the Data Request by March 31, 2017.

I. AGREEMENT

Respondent and DEQ hereby agree that:

1. Respondent and DEQ wish to resolve the disclosure and enforcement of the violation recited in Paragraph 2, above, through this Mutual Agreement and Final Order (MAO).

2. Pursuant to OAR 340-012-1060 and DEQ's Internal Management Directive on Self-Policing, Disclosure and Penalty Mitigation, DEQ agrees to mitigate the applicable gravity-based civil penalty for the violation recited in Paragraph 2 above by 100 percent.

3. Pursuant to OAR 340-012-1060 and DEQ's Internal Management Directive on Self-Policing, Disclosure and Penalty Mitigation, DEQ assesses, and Respondent agrees to pay, a $4,276 civil penalty, which reflects a reasonable estimate of the economic benefit gained by Respondent as a result of the self-disclosed violation. The determination of the civil penalty is attached as Exhibit 1 and is incorporated as part of this MAO.

4. Pursuant to OAR 340-012-0030(19) and OAR 340-012-0145(2), the violation described in Paragraph 2 of the recitals will be treated as one Class II prior significant action in the event a future violation occurs.

5. This MAO is not intended to limit, in any way, DEQ's right to proceed against Respondent in any forum for any past or future violations not expressly settled herein.

6. Respondent agrees that this MAO shall be binding on Respondent and its respective successors, agents, and assigns. The undersigned representative of Respondent certifies that he or she is fully authorized to execute and bind Respondent to this MAO. No change in ownership, corporate or partnership status of Respondent, or change in the ownership of the properties or businesses affected by this MAO shall in any way alter Respondent's obligation under this MAO, unless otherwise approved in writing by DEQ.
7. DEQ agrees via this MAO to grant Respondent an extension of time to comply with the Data Request, referenced in Paragraph 5 of the recitals.

II. FINAL ORDER

The Environmental Quality Commission hereby enters a final order:

1. Imposing upon Respondent a total civil penalty of $4,276 for the violation described in this MAO, $4,276 of which is due upon execution of the MAO.

2. Requiring Respondent to comply with the Data Request described in Paragraph 5 of the recitals and as provided in Attachment A by September 1, 2017. Respondent shall have the option to submit production data/material balance information or emissions inventory information.

QORVO OREGON, INC.

[Signature]

Name (print) Craig Andrus
Title (print) Site Manager, Qorvo Oregon, Inc.

DEPARTMENT OF ENVIRONMENTAL QUALITY and ENVIRONMENTAL QUALITY COMMISSION

[Signature]

Sarah G. Wheeler, Acting Manager
Office of Compliance and Enforcement
on behalf of DEQ pursuant to OAR 340-012-0170
on behalf of the EQC pursuant to OAR 340-011-0505
EXHIBIT 1

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY
PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION: Operating a nickel plating operation air source from on or before April 11, 2011 to March 16, 2017 without a General Air Contaminant Discharge Permit (AQGP-026), in violation of OAR 340-216-0020(2), OAR 340-216-8010, Part B (65), and 40 CFR Part 63, Subpart WWWW (6W), as adopted by OAR 340-244-0220(4) (tttt).

CLASSIFICATION: This is a Class II violation pursuant to OAR 340-012-0054(2)(a).

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty for each violation is: $PENALTY = BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

Pursuant to DEQ’s Internal Management Directive on Self-Policing, Disclosure, and Penalty Mitigation (Directive) and OAR 340-012-0160(2), Respondent’s gravity-based civil penalty (excluding economic benefit) is reduced by 100% because the violation described above was discovered as a result of an environmental audit and Respondent has demonstrated that it satisfies all of the conditions of OAR 340-012-0160(2) and Section B of the Directive. Thus, Respondent’s total civil penalty is $4,276, for the amount of economic benefit realized by the Respondent.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent’s noncompliance. It is designed to “level the playing field” by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, “EB” receives a value of $4,276. This is the amount Respondent gained by: delaying spending $1,200 for the initial permit fee until February 23, 2017; avoiding spending $720 per year in annual permit fees from 2011 through 2013; and avoiding spending $864 per year in annual permit from 2014 through 2016. This “EB” was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency’s BEN computer model.

PENALTY CALCULATION: Penalty = $0 + [(0.1 \times $0) \times (0 + 0 + 0 + 0 + 0)] + $4,276
= $0 + ($0 \times 0) + $4,276
= $0 + $0 + $4,276
= $4,276

Case No. AQ/AC-ER-2017-057
Exhibit 1    Page 1
ATTACHMENT A
November 28, 2016

<<Source Name>>
Attention: <<Attention>> <<First Name>> <<Last Name>>
<<Street>>
<<City>> <<state>> <<zip>>

RE: Cleaner Air Oregon Data Request for Permit Number: <<Source Number>>

Dear Facility Representative:

On April 6, 2016, Governor Kate Brown launched the Cleaner Air Oregon Program (http://cleanerair.oregon.gov). Through this program, the Department of Environmental Quality (DEQ) and the Oregon Health Authority (OHA) are working together to support healthier communities in our state. As part of this effort, DEQ and OHA are updating Oregon’s air toxics program so that it better aligns with a risk-based approach to protecting public health to make it health-based and risk-based.

To complete this comprehensive update, DEQ and OHA need a better understanding of potential sources of air toxics throughout Oregon. As a result DEQ is making this data request in order to compile a comprehensive air toxics emissions inventory. This information will allow DEQ and OHA to:

1) Define the scope of Cleaner Air Oregon in terms of the number and type of facilities and air toxics that may be subject to new reporting, permitting, or other regulatory requirements;
2) Establish whether additional fees are needed to administer the program, and to estimate the likely fiscal impacts to covered entities so that those impacts are considered in the update;
3) Assist in prioritizing implementation of any new requirements; and
4) Refine our existing data for nearby industrial source contributions to human health risk.

By this letter, DEQ is requesting emissions and production information from industrial facilities that hold DEQ permits and registrations. DEQ will use this information to determine which facilities may emit particular air toxics in the normal course of operations. Under Oregon Administrative Rule (OAR) 340-214-0110, DEQ is authorized to require the submission of records, reports, and other information for the purpose of determining the type, quantity, quality, and duration of emissions. Requesting this information does not mean that DEQ suspects that any particular facility is violating any requirement of a permit or other provision of Oregon law.

DEQ is requesting two types of information, depending on the type of permit your facility has. The information we are requesting from facilities that have a Title V, Standard or Simple permit is different from the information we are requesting from facilities that have a General or Basic permit or Registration. General and Basic permittees and registrants are only being asked for production data and material balance information. As a result (because of the limited nature of the data request) we are giving less time for the General and Basic permit holders, and registrants, to report. For these facilities, DEQ will use the production and material balance data to estimate emissions.

We are requesting Title V, Standard and Simple permittees to calculate their emissions. Recognizing that this will require more time, we are allowing a phased-in submittal of information for these permittees. Since most Title V, Standard and Simple facilities are familiar with EPA’s list of 187 Hazardous Air Pollutants, we are asking for that information first. Reporting for the remaining set of emissions data (446 additional air toxics) can be submitted at a later date. Facilities that are required to perform material balance calculations may want to consider doing all 633 pollutants at once to avoid going through Safety Data Sheets more than once.
<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Pollutants</th>
<th>Requested Information</th>
<th>Due Date</th>
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<tr>
<td>General ACDP</td>
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<td>Production data and material balance for 2016 and projected maximum</td>
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<td>633 air toxics, if emitted</td>
<td>Production data and material balance for 2016 and projected maximum</td>
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<td>Registration</td>
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<td>Production data and material balance for 2016 and projected maximum</td>
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<tr>
<td>Title V</td>
<td></td>
<td>Production data and material balance for 2016 and projected maximum</td>
<td></td>
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<tr>
<td>Standard ACDP</td>
<td>EPA’s 187 Hazardous Air Pollutants</td>
<td>Full emissions inventory for 2016 and projected maximum</td>
<td>May 1, 2017</td>
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<tr>
<td>Simple ACDP</td>
<td>if emitted</td>
<td>Full emissions inventory for 2016 and projected maximum</td>
<td></td>
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<tr>
<td>Title V</td>
<td>The remainder of 633 air toxics,</td>
<td>Full emissions inventory for 2016 and projected maximum</td>
<td>September 1, 2017</td>
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<tr>
<td>Standard ACDP</td>
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<tr>
<td>Simple ACDP</td>
<td></td>
<td>Full emissions inventory for 2016 and projected maximum</td>
<td></td>
</tr>
</tbody>
</table>

Please submit the requested information electronically. The DEQ website (http://www.deq.state.or.us/aq/cai.htm) has details on the required content and what information we are requesting for your facility. This website includes the following:

- A video on how to navigate the website;
- A list of the air toxics of interest;
- Links to resources for acquiring the needed information, including emission estimation methodologies;
- Electronic forms with detailed step-by-step instructions on how to fill out and upload the requested information.

Please understand that the information you submit will become public information unless you assert a basis for confidentiality under Oregon Administrative Rule (OAR) 340-214-0130, Information Exempt from Disclosure; even then the Oregon Public Records Law may compel us to disclose your submission, depending on the applicability of disclosure exemptions under the law. We understand that facilities may make changes over time that change their emissions, or that new information may become available that allows for more refined emissions calculations. If and when your facility must comply with requirements of the new air toxics program, you will have the opportunity to revise the information that you provide now.

We appreciate your full compliance with this request. Failing to provide the requested information is a violation of OAR 340-214-0110, for which DEQ may impose a civil penalty and may issue an order to comply.

If you have questions about this information request after you have accessed the website and watched the video, please contact the DEQ (or Lane Regional Air Protection Agency (LRAPA) if your facility is located in Lane County). Specific contact information is provided below.

Sincerely,

Richard Whitman
Director
Contact Information

All inquiries should be directed to your permit writer or inspector. If you do not know who that is, please contact the regional office for the county where your facility is located.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Office Address and Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington</td>
<td>Department of Environmental Quality Northwest Region Telephone: (503) 229-5582</td>
</tr>
<tr>
<td>Benton, Coos, Curry, Douglas, Jackson, Josephine, Lincoln, Linn, Marion, Polk, and Yamhill</td>
<td>Department of Environmental Quality Western Region Telephone: (503) 378-5305</td>
</tr>
<tr>
<td>Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler</td>
<td>Department of Environmental Quality Eastern Region Telephone: (541) 633-2021</td>
</tr>
<tr>
<td>Lane</td>
<td>Lane Regional Air Protection Agency Telephone: (541) 736-1056</td>
</tr>
<tr>
<td>Department of Environmental Quality Headquarters (if you must mail a hard copy)</td>
<td>Department of Environmental Quality Attention: Emissions Inventory 700 NE Multnomah Street, Suite 600 Portland, OR 97232</td>
</tr>
</tbody>
</table>