

1 BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
2 OF THE STATE OF OREGON

3 STIPULATED AGREEMENT AND
4 IN THE MATTER OF) FINAL ORDER
Owens-Brockway Glass Container Inc.)
5) ORDER NO. 26-1876
6 Permittee.)

7
8 Permittee, Owens-Brockway Glass Container Inc., and the Department of
9 Environmental Quality (DEQ) hereby agree that:

10 WHEREAS:

- 11 1. Permittee operates a glass manufacturing facility located at 9710 NE Glass Plant
12 Road in Portland, Oregon (the Facility).
- 13 2. On November 1, 1997, DEQ issued Title V Operating Permit No. 26-1876-TV-01
14 (the Permit) to Permittee.
- 15 3. On December 10, 2019, DEQ renewed the Permit.
- 16 4. The Permit authorizes Permittee to discharge air contaminants associated with its
17 operation of the Facility in conformance with the requirements, limitations, and conditions set forth
18 in the Permit.
- 19 5. As of December 31, 2017, the Permit had the following plant site emissions limit
20 (PSEL) for sulfur dioxide (SO₂), particulate matter of ten microns or less (PM₁₀), and nitrogen
21 oxides (NO_x), which constitute round II regional haze pollutants, *see* OAR 340-223-0020(2) at the
22 Facility: 313 tons per year SO₂, 132 tons per year PM₁₀ and 711 tons per year NO_x.
- 23 6. The Facility is located 55.1 kilometers from Mount Hood Wilderness Area, which is
24 the nearest Class I Area, *see* OAR 340-200-0020(25), measured in a straight line from the Facility
25 to the Class I Area.
- 26 7. Based on the definitions and the formula in OAR 340-223-0100(2) the Facility's Q
27 value is 1156; d value is 55.1, and ratio of Q divided by d is 21.0.

1 10. Permittee waives any and all rights and objections Permittee may have to the form,
2 content, manner of service, and timeliness of this SAFO and to a contested case hearing and judicial
3 review of the SAFO.

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

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

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

1 14. Facsimile or scanned signatures on this SAFO shall be treated the same as original
2 signatures.


3 II. FINAL ORDER

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

- 6 1. On and after the execution of this Final Order:
7 a. Permittee shall not operate Furnace A.
8 2. On and after January 1, 2022, the Permittee shall comply with the following PSELS,
9 which apply to each 12 consecutive calendar month period after that date:
10 i. 55 tons per year for PM10; 137 tons per year for NOx; and 108 tons per
11 year for SO2.
12 b. Unassigned emissions shall be set to 0.
13 c. The netting basis for Furnace A, Furnace B, and Furnace C shall be removed
14 from the total netting basis of the Facility.
15 3. On July 31, 2025, the Permittee's PSELS for the following pollutants are:
16 i. 274.95 tons per year for PM10 + NOx + SO2 (Q/d = 4.99).

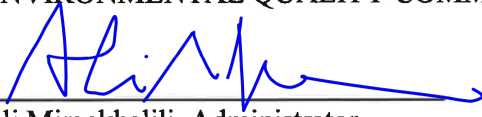
17 Owens Brockway Glass Container (PERMITTEE)

18
19 8-8-21
20 Date

21 
22 Signature
23 William D Mann
24 Name (print)
25 VP Operations, NA.
26 Title (print)

27 DEPARTMENT OF ENVIRONMENTAL QUALITY and
ENVIRONMENTAL QUALITY COMMISSION

8/9/2021
Date


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