



Oregon

Kate Brown, Governor

Department of Environmental Quality

Agency Headquarters

700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5696
FAX (503) 229-6124
TTY 711

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Packaging Corporation of America
2121 Madrona Ave SE
Salem, OR 97302
Sent via email only

Dear Mr. Wagner,

Recently DEQ made updates to the Cleaner Air Oregon (CAO) rules with respect to Exempt Toxics Emissions Units (TEUs); specifically, DEQ revised the list of activities that qualify as Categorically Exempt TEUs. In accordance with Oregon Administrative Rule (OAR) [340-214-0110](#) DEQ is requesting that you review these updated rules and provide the following information and updates, as applicable, as part of the CAO risk assessment process no later than **45 days** from issuance of this letter by **May 30, 2022**:

1. Revised technical documents submitted as part of the CAO risk assessment to date (i.e., Emissions Inventory, Modeling Protocol, Risk Assessment Work Plan, Risk Assessment), as applicable, that include updated TEU and Toxic Air Contaminant (TAC) emissions information if it is determined that TAC emissions from activities occur at your facility that are no longer Categorically Exempt (see [OAR 340-245-0060\(3\)\(b\)](#)), and either:
 - a. Those TEUs and emissions must be included in the risk assessment pursuant to [OAR 340-245-0060\(3\)\(a\)](#); or
 - b. Those activities were determined to qualify as Exempt TEUs under [OAR 340-245-0060\(3\)\(a\)](#). In these cases, those TEUs must still be reported in the Emissions Inventory; however, the TAC emissions from those TEUs are not required to be calculated for the purposes of the CAO program. [[OAR 340-245-0040\(4\)\(a\)\(A\)](#)]
2. Complete and submit the Categorically Exempt Toxics Emissions Units AQ523 Form for the activities occurring at your facility that qualify as Categorically Exempt TEUs in order to satisfy the requirements in [OAR 340-245-0040\(4\)\(a\)\(A\)](#).

DEQ is requesting that you submit additional information to complete your risk assessment. If you think that any of that information is confidential, trade secret or otherwise exempt from disclosure, in whole or in part, you must comply with the requirements in [OAR 340-214-0130](#) to identify this information. This includes clearly marking each page of the writing with a request for exemption from disclosure and stating the specific statutory provision under which you claim exemption. Emissions data is not exempt from disclosure.

DEQ remains available to discuss the information request with you and answer any questions you may have. Failure to provide the additional information or updates to DEQ by the deadline above may result in a violation of [OAR 340-214-0110](#).

If you have any questions regarding this letter please contact me directly at kenzie.billings@deq.oregon.gov or 503-866-8741, and I look forward to your continued assistance with this process.

Sincerely,

Kenzie Billings
Air Toxics Project Manager

Cc: Erica Frey-Hoyer, PCA
 Claudia Davis, DEQ
 J.R. Giska, DEQ
 Brian Hall, DEQ
 Janice Tacconi, DEQ
 File