



Neighbors for Clean Air
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AQ Permit Coordinator,
DEQ Northwest Region
2020 SW 4th Avenue, Suite 400
Portland, OR 97201

RE: Proposed Title V Permit for Intel's Aloha and Hillsboro Facilities

Neighbors for Clean Air (NCA), Washington County Citizen Action Network (WC CAN) and the Northwest Environmental Defense Center (NEDC) (collectively "Commenters") respectfully submit[s] the following comments to the Oregon Department of Environmental Quality (DEQ) regarding DEQ's proposed Title V permit for Intel's facilities located in Aloha and Hillsboro ("Intel"). NCA is an Oregon coalition seeking to make public health—with special consideration for children's health—a priority in Oregon's air quality standards and programs for toxic pollutants. WC CAN is a coalition of individuals and groups working to protect and improve the quality of life in Washington County. NEDC is an independent, non-profit organization working to protect the environment and natural resources of the Pacific Northwest. Any response can be directed to John Krallman, Staff Attorney, Neighbors for Clean Air, 1714 NW Overton St, Portland OR, 97209, john@whatsinourair.org.

Disclosure of Fluoride Emissions

As part of this proposed Title V permit, DEQ is proposing to include a brand new Plant Site Emission Limit (PSEL) for fluorides of 6.4 tons per year (tpy). Intel has never had an emission limit for fluoride emissions. The review report states that this addition is because of an "emissions inventory" conducted as part of the Title V permit application process. To begin, the Commenters are concerned about the opaqueness of this language. It would be one thing for emissions of pollutants Intel already knew they were emitting to be revised based on better information. For instance, if the Environmental Protection Agency had updated emission factors for boilers and generators, it would make sense that an "emissions inventory" could result in revisions to permit limits. However, it is far from clear how an "emissions inventory" could result in the disclosure of the emissions of chemicals that Intel says it has been emitting since the baseline period. Furthermore, this was clearly not because of the rigor involved in applying for a Title V permit. In the 1990's, Intel was a Title V source and had to submit similar applications and yet fluoride emissions were not disclosed at that time. The public deserves a more detailed explanation for how both Intel and DEQ missed the emissions of fluorides for so long.

DEQ Should Set a Time Frame For Stopping Operations in the Event That Pollution Control Devices Are Not Operating Properly

Under the proposed permit if the control devices that Intel uses to reduce emissions are not properly functioning, Intel must take action to correct the problem. Conditions 18.a.iii and 18.d require that Intel take expeditious action if parameters for the Rotary Concentrator Thermal Oxidizer (RCTO) fall out of range. Condition 21.b requires Intel to take action within 24 hours if the pH of the scrubbers falls out of range. However, while Intel is required to take action, the permit does not actually require that that action fix the problem.

It is imaginable that the root problem causing the control devices to be out of range may take some time to discover and fix. During this time, which is currently unlimited by the permit, Intel is allowed to continue to operate with control devices not operating at permitted removal rates. The Commenters believe that DEQ should alter these conditions to include the requirement that if corrective action has not brought the control devices back into range within a set time period, Intel is required to greatly reduce or halt operations.

The Commenters are also concerned that excess emissions during the time that control devices are not operating within range are not included in the calculation of compliance with the PSEL. The purpose of the operating ranges is to ensure that Intel is meeting the permitted destruction efficiency. If the control devices are out of range, the destruction efficiency will go down because they are not as efficient. This will result in excess emissions. Not only should Intel be required in Condition 45 to determine the magnitude of excess emissions, but in addition, these determinations should be incorporated into the determination of compliance with the PSEL.

DEQ Must Require Intel to Get a ACDP for the D1X Expansion

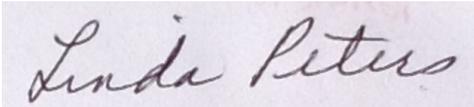
DEQ has told the Commenters and the public many times that Title V permits only incorporate already existing requirements and do not add any new operational requirements. There is currently no valid permit that sets a PSEL for fluoride emissions for Intel. DEQ must require Intel to get an ACDP for the construction of the D1X expansion before issuing a Title V permit.

Conclusion

The Commenters believe that DEQ must find out more information about the disclosure of fluorides and issue an ACDP for the D1X expansion before issuing a Title V permit to Intel. The Commenters also believe that DEQ should alter any Title V permit to include a limit on the amount of time that Intel may operate with its control devices out of range and that excess emissions must be incorporated into the PSEL compliance demonstration.



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