

From: SEPA <SEPA@orcaa.org>

Sent: Monday, June 23, 2025 9:58 AM

To: Abbett, Marian L. (ECY) <MABB461@ECY.WA.GOV>

Subject: ORCAA Comments on SEPA#202502471 - Rayonier Mill Study Area Remedial Actions, Former Rayonier Port Angeles Mill Site (project_

Good Day,

Olympic Region Clean Air Agency (ORCAA) reviewed the proposal for the Rayonier Mill Study Area Remedial Actions, located at 700 N Ennis St in Port Angeles, WA. ORCAA has the following comments for the applicant:

Olympic Region Clean Air Agency (ORCAA) is a local government agency charged with regulatory and enforcement authority for air quality in Clallam, Grays Harbor, Jefferson, Mason, Pacific, and Thurston counties. In general, ORCAA's approval is required before constructing an air pollution source. If you are unsure about whether a permit from ORCAA is required for this proposal, please contact our office at 360-539-7610 for assistance. Attached are two focus sheets which broadly cover when a permit from ORCAA is required, and what the process looks like once ORCAA receives a permit application. Additional information is on ORCAA's website at: <https://www.orcaa.org/business/permits-regstration-standards/>.

Thank you for the opportunity to comment.

Best Regards,

Abi Roberts, Engineer I

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Olympic Region Clean Air Agency



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Please take notice that any records or communications with ORCAA are subject to public disclosure under the Public Records Act (RCW 42.56) unless exempt under applicable law.

Focus on When an Air Permit is Required

Approval is Required Before Constructing, Modifying, or Restarting an Air Pollution Source

Olympic Region Clean Air Agency (ORCAA) rules¹ require approval of an air permit application prior to commencing any of the following actions involving facilities, stationary equipment or operations that emit air pollution, which are generally referred to as “sources”:

- **New Sources** - Constructing, installing, or establishing stationary equipment, operations or an entire facility that emits air pollution.
- **Replacements** - Replacing an existing source, even “in-kind” replacements.
- **Modifications** - Modifying an existing source, which includes physical changes or changes in the method of operation of the source that have the potential to increase air pollutant emissions.
- **Replacing/Altering Control Devices** - Replacing or substantially altering any air pollution control device, like a baghouse or dust collector.
- **Restarting a Facility** - Reopening and restarting an existing facility or restarting a piece of equipment that has been shut down and not registered with ORCAA for over a year.
- **Establishing Portable/Temporary Equipment** - Moving portable, temporary equipment that emit air pollution to a facility like generators or boilers.



The purpose of this requirement is to protect public health and welfare by assuring compliance with applicable equipment performance standards, air pollution control requirements, and ambient air quality standards. Failure to secure ORCAA’s approval prior to commencing any of the above-listed actions is a violation of ORCAA Rule 6.1 and could be subject to penalty. Securing approval before starting a project helps save and protects your project from costly delays and possible enforcement. In addition, facilities that are major sources (per Chapter 173-401 WAC) may require an Air Operating Permit that must be renewed every five years.

When is ORCAA’s Approval Required?

For all projects subject to an air permit, ORCAA’s approval is required before commencing construction or re-starting equipment that has been shut down, even when re-opening a formerly operating facility that was previously registered with ORCAA. Most often, this means before breaking ground, pouring foundations, conducting electrical or plumbing work, or moving equipment that emits air pollution to the facility. For actions that require an air permit but do not involve construction activities, ORCAA’s approval is required before initiating or taking the action. As such, ORCAA recommends against purchasing any equipment that emits air pollution (including air pollution control devices) until ORCAA’s approval is secured.

¹ ORCAA rules are pursuant to requirements of Washington’s Clean Air Act under 70A.15 of the Revised Code of Washington.



Focus on When an Air Permit is Required

Modifications

Modifications requiring an air permit include both physical changes and changes in the method of operation of a source resulting in increasing emission rates or potential to emit. Some examples of modifications triggering an air permit that are changes in the method of operation include, but are not limited to:

- Changing the type of fuel combusted
- Changing to a raw material containing a new or higher concentration of a substance
- Changing operation of an existing piece of equipment
- Increasing production rates above those previously approved by ORCAA
- Rebuilding a piece of equipment or control device after a fire or other catastrophic event
- Removing a “bottle-neck” in a process resulting in increasing air pollutant emissions

Restarting a Facility

Facilities that have been shut down (ceased operation for more than 12-months and not registered with ORCAA) must submit an air permit application and secure ORCAA’s approval prior to commencing construction or re-starting equipment as described above. If construction activities are not involved to restart a facility, ORCAA’s approval is required prior to starting operation.

Are there any exemptions?

Yes. ORCAA’s Rule 6.1(c) lists over 100 categorical exemptions or you may qualify for an exemption based on de minimis emissions under ORCAA Rule 6.4, which is a streamlined process for projects with minor air emissions. Call ORCAA for details on exemption, (360) 539-7610 or www.orcaa.org

Approval Process

The air permit required in all cases described above is a “New Source Review” permit referred to as a Notice of Construction (NOC). The NOC process is initiated by submitting a **NOC application** to ORCAA. The approval process may take anywhere from 15 days to several months to complete (see ORCAA Focus Sheet: Air Permit Approval Process). For certain proposals, a **public notice and comment period** and **public hearing** may be required. Therefore, it is important to contact ORCAA early to get a project-specific estimate of the approval timeline. The general NOC approval timeline follows the timeline allowed under the Washington Clean Air Act (Chapter 70A.15 of the Revised Code of Washington).

Upon concluding a project can be approved, ORCAA will issue an Order of Approval. The Order of Approval is the air permit and will include emissions and operating limits, and associated requirements like monitoring, testing, recordkeeping, and reporting requirements. Final Orders of Approval issued by ORCAA may be appealed to the Washington Pollution Control Hearings Board (PCHB) within 30 days from receiving the order. Please visit the PCHB’s website for procedures and details related to appeals.

Does ORCAA offer application assistance?

Yes. Information specific to industry categories that are common air pollution sources are provided under ORCAA’s Business Assistance web page, www.orcaa.org. You may also contact ORCAA’s Engineering Staff directly to ask questions regarding your proposed project, (360) 539-7610.



Focus on Air Permit Approval Process

Process/Timeline for Air Permit¹ Approval

Many projects involving equipment or operations that emit air pollution require approval of an air permit by the Olympic Region Clean Air agency (ORCAA) referred to as a Notice of Construction (NOC). For information on when projects trigger this requirement, see ORCAA's focus sheet, *When is an Air Permit Required?* The NOC process is initiated by submitting a NOC application to ORCAA. The approval process may take anywhere from 15 days to several months to complete. For certain proposals, a **public notice and comment period** and **public hearing** may be required. Therefore, it is important to contact ORCAA early to get a project-specific estimate of the approval timeline. The NOC approval timeline (see back of page for flowchart) adheres to the Washington Clean Air Act (Chapter 70A.15 of the Revised Code of Washington):

NOC Approval Process

<i>Receipt of NOC application</i>	Day 1
<i>Public Notice of the NOC application</i>	15 days from website posting
<i>Application Completeness Determination</i>	Up to 30 days from day 1
<i>Review and Preliminary Determination</i>	Up to 60 days from complete application
<i>Final Determination</i>	15 to 120 days from complete application

Special Circumstances (if required)

<i>30-day Public Comment period triggered</i>	adds a minimum of 30 days
<i>Public hearing required</i>	adds 30 days (may run concurrent with public comment period)
<i>Project Appealed</i>	Approval may be stayed during an appeal ² .

Integration with SEPA

Many projects requiring a NOC also trigger a State Environmental Policy Act (SEPA) review. If this is the case, ORCAA cannot approve the NOC application until a SEPA determination has been issued. ORCAA recommends working with the city or county SEPA "Lead Agency" prior to, or at least simultaneously with, submitting a NOC application to find out SEPA requirements for a project. If required, ORCAA may be the Lead Agency for a project, but this is rare.

Approval

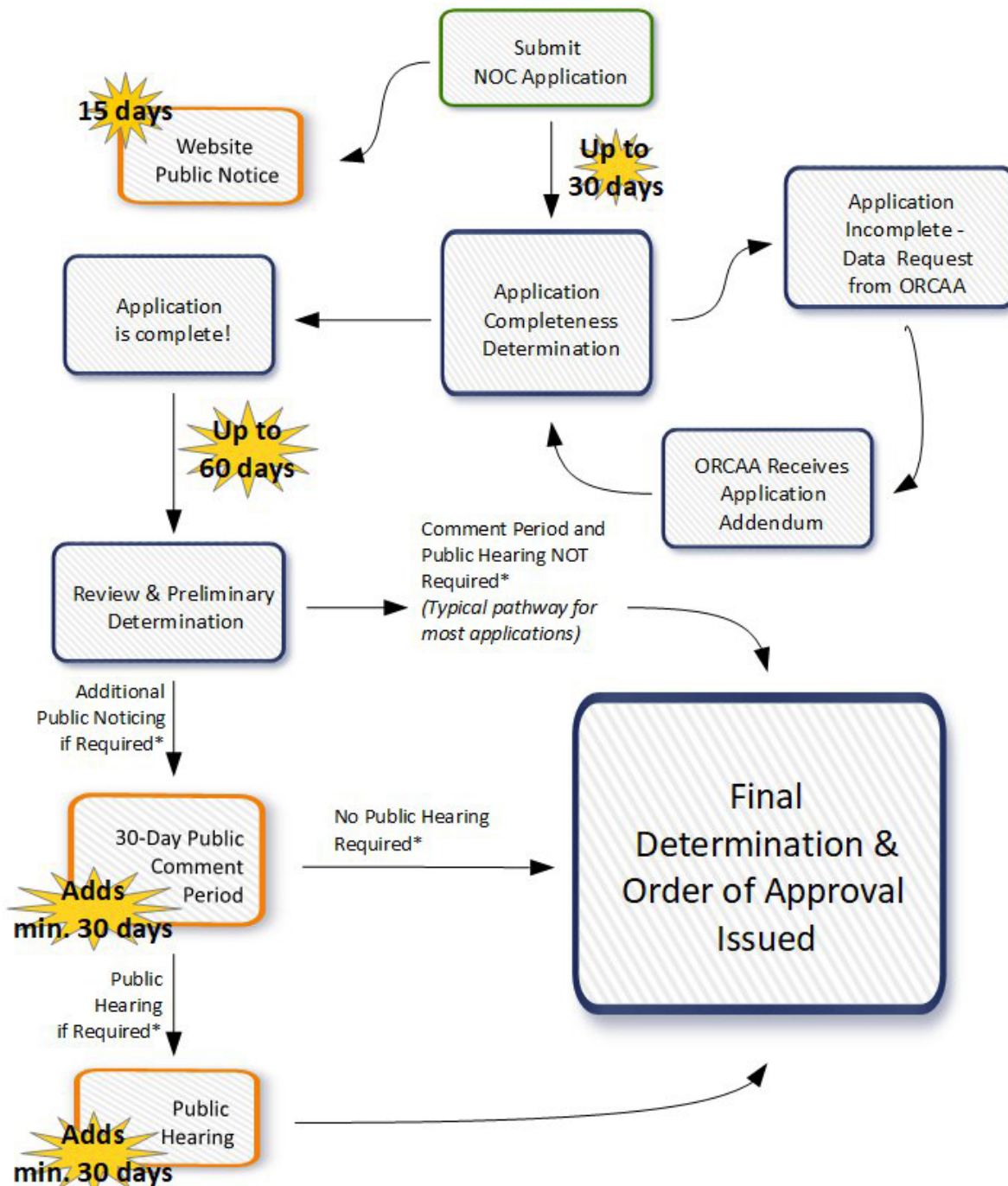
Upon concluding a project can be approved, ORCAA will issue an Order of Approval. The Order of Approval is the air permit for the source and will include emissions and operating limits and associated requirements like monitoring, testing, recordkeeping, and reporting requirements. Final Orders of Approval issued by ORCAA may be appealed to the Washington Pollution Control Hearings Board (PCHB) within 30 days from receiving the order. Please visit the PCHB's website for procedures and details related to appeals.

¹ This focus sheet covers "New Source Review" permits. Please see our website for information about Air Operating Permits for major sources.

² Effectiveness of an Order of Approval may be stayed by either ORCAA in accordance with Rule 1.8(c), or by the Washington Pollution Control Hearings Board (PCHB).

Focus on Air Permit Approval Process

NOC Approval Timeline Overview



*30-day public comment period and/or public hearing may be required under ORCAA Rule 6.1.3. The 30-day public comment period and notice of hearing may run concurrently for one 30-day period.