

**GREEN ENVIRONMENTAL MANAGEMENT SYSTEM (GEMS)  
ACHIEVER (TIER II) PERMIT**

**Oregon Department of Environmental Quality  
2146 NE Fourth Street, Suite 104  
Bend, OR 97701**

**Telephone: (541) 388-6146**

Issued in accordance with the provisions of ORS 468.020 and  
based on the land use compatibility findings included in the permit record.

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**ISSUED TO:**

*Facility Name:* Louisiana-Pacific Corporation  
*Mailing Address:* P.O. Box 587  
Hines, OR 97738

**INFORMATION RELIED UPON:**

*Application No.:* 2  
*Date Received:* December 2, 1999

**PLANT SITE LOCATION:**

*Site Address:* Highway 20 West, MP 128.4  
Hines, Harney County, Oregon

**LAND USE COMPATIBILITY STATEMENT:**

*From:* Harney County  
*Dated:* June 29, 1994

**ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY**

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Joni Hammond, *Eastern Region Administrator*

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Date

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**TYPE OF FACILITY (description)**

Structural wood member manufacturing

**NAICS OR SIC CODE**

SIC 2439

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## **1.0 PERMITTED ACTIVITIES**

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- 1.1 Green Permit Authority** The Green Permit program was established to encourage and reward actions that achieve environmental performance that is significantly better than otherwise provided by law. ORS 468.501 through 468.521 authorize the Department of Environmental Quality (Department) to issue permits and to provide or seek exemptions or waivers from regulatory requirements for facilities that achieve superior results. This permit is issued by the Department under the authority of ORS 468.020.
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- 1.2 Applicable Local, State and Federal Regulations** This permit does not waive, limit or reduce the permittee's obligations under any applicable local, state or federal requirements, unless otherwise specified within this permit. Selected incentives, described in Section 4, do supplant specific provisions within the permittee's existing permits or the rules governing its operations. Where conditions of this permit supplant specific provisions within the permittee's existing permits, such conditions will become part of those permits and will be enforceable in the same manner as conditions established through the otherwise applicable permitting rules. All other provisions in existing permits listed in Section 4.0 and rules that are not explicitly referenced in this permit remain in effect.
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- 1.3 Definitions** Unless otherwise specified, all terms are as defined in OAR 340-014-0105.
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## **2.0 GEMS ACHIEVER (TIER II) PROGRAM REQUIREMENTS (OAR 340-014-0120)**

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- 2.1 In this Section** This section describes the activities the permittee must conduct to maintain the Environmental Achiever (Tier II) GEMS permit. These include:
- EMS Characteristic Requirements
  - EMS Scope Requirements
  - Environmental Performance Achievement Requirements
  - Performance Measures Requirements
  - Performance Reporting Requirements
  - Stakeholder Involvement Requirements
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<b>2.2 EMS Characteristics</b> 340-014-0120(1)	<p>The permittee must maintain and improve a robust environmental management system that is certified as meeting the ISO 14001 standard, or meets the purpose or intent of each of the ISO 14001 clauses, and supports verification. The permittee must maintain and exceed regulatory compliance. The permittee must apply the pollution prevention definition and the pollution prevention hierarchy when setting objectives and targets and implementing the environmental program. The permittee must continually improve its environmental management system and environmental performance. At least once every three years, the permittee must demonstrate that it is effectively implementing the EMS.</p>
<b>2.3 Scope of the EMS</b> 340-014-0120(2)	<p>The permittee must evaluate environmental impacts and set objectives and targets that will achieve superior environmental performance for all site-based aspects that have significant impacts, taking into consideration both regulated and unregulated pollutants and other environmental impacts.</p>
<b>2.4 Performance Achievement</b> 340-014-0120(3)	<p>The permittee must achieve environmental results that are significantly better than otherwise required by law, demonstrated by projected reductions in targeted environmental impacts and actual reductions as reported in annual performance reports.</p>
<b>2.5 Performance Measures</b> 340-014-0120(4)	<p>The permittee must establish and use performance measures that explain environmental information in context with past performance.</p>
<b>2.6 Stakeholder Involvement</b> 340-014-0120(7)	<p>The permittee must implement a stakeholder involvement plan. The plan must include activities that provide for dialogue regarding environmental performance and a mechanism for receiving, considering and responding to comments received. The permittee must:</p> <ul style="list-style-type: none"><li>● Encourage public inquiries and comments regarding the facility's environmental performance;</li><li>● Provide mechanisms to discuss the environmental policy, annual performance report, environmental aspects and impacts, and establishment of objectives and targets; and</li><li>● Consider the results of the stakeholder involvement in decision-making and respond to comments.</li></ul> <p>The stakeholder involvement plan must continue to be implemented through the duration of this permit. The permittee must report on activities in each annual report.</p>

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### 3.0 NOTIFICATIONS AND REPORTING

3.1	<b>In this Section</b>	<p>This section describes the procedures and methods the permittee must use for reporting information to the Department during the permit period, including:</p> <ul style="list-style-type: none"><li>● Immediate Notifications</li><li>● Annual Reporting</li><li>● Modified Compliance Reporting</li></ul>
3.2	<b>Immediate Notifications</b>	<p>The permittee must notify the Department immediately after any environmental incidents that are subject to immediate reporting under existing permits and rules.</p>
3.3	<b>Annual Reporting</b> 340-014-0120(6)	<p>By April 1 of each calendar year, the permittee must submit a GEMS update report, including:</p> <ul style="list-style-type: none"><li>● Any updates to the baseline performance report;</li><li>● Performance achievements and, if appropriate, a description of any obstacles encountered and how they were addressed;</li><li>● Environmental management system deficiencies and how they were addressed;</li><li>● Compliance issues and how they were addressed;</li><li>● Stakeholder involvement activities and input received from stakeholders and how the input was addressed;</li><li>● Revised objectives and targets for targeted impacts; and</li><li>● Regulatory and permit reporting information as specified in Condition 3.4 and Condition 4.9 of this permit.</li></ul>
3.4	<b>Modified Compliance Reporting</b>	<p>The permittee's compliance reporting requirements are modified as per Condition 4.9 of this permit in lieu of the annual compliance reporting requirements in:</p> <ul style="list-style-type: none"><li>● Air Contaminant Discharge Permit No. 13-0016, Condition 12;</li><li>● Water Quality NPDES Permit No. 500-J, Schedule B, Condition 2, and NPDES Permit No. 1200-Z, Schedule B, Condition 3a; and</li><li>● OAR 340-102-041 of the State of Oregon hazardous waste regulations and OAR 340-135-0070(3) of the State of Oregon Toxics Use and Hazardous Waste Reduction regulations.</li></ul>

### 4.0 SPECIAL CONDITIONS – DEPARTMENT COMMITMENTS

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**4.1 In this Section**

All incentives or waivers are in effect throughout the duration of this permit. The expiration or termination of this permit terminates the Department's ability to grant these incentives or waivers. All justifications and limitations for granting these incentives or waivers are documented in the attached review report. This section describes the incentives the Department will provide to the permittee, including:

- Single Point of Contact
  - Technical Assistance
  - Enforcement Response
  - Public Recognition
  - Expedited Review of Permit Applications and Modifications
  - Extended Air Permit Interval
  - Air Permit Flexibility for Process Changes and Construction
  - Consolidated compliance reporting
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**4.2 Single Point of Contact**

The Department will assign a Single Point of Contact (SPOC) to the permittee for all environmental issues relating to the permittee's implementation of activities specified in this permit. Environmental issues will be limited to those laws described under ORS 468.501. The SPOC will act as a facilitator or team leader, keep appropriate environmental agency staff apprised of issues, and facilitate resolution of any environmental issues as expeditiously as possible.

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**4.3 Technical Assistance**

The Department will provide technical assistance as requested by the permittee on EMS development, regulatory compliance, stakeholder involvement and reporting requirements.

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**4.4 Enforcement Response**

The Department and the permittee will follow the directive entitled "Internal Management Directive for GEMS Enforcement Response" when compliance issues arise. The Directive encourages using the environmental management system to correct instances of potential noncompliance, and encourages maximum enforcement discretion for compliance issues discovered by the permittee or the Department during the term of this permit.

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- 4.5 Public Recognition** The Department will recognize the permittee's achievements pursuant to the program established under OAR 340-014-0130. The permittee may use the Green Permit program identity only in reference to the facility that has received the Green Permit. Any use of the Green Permit program identity for product labeling must be reviewed and approved by the SPOC, and must be limited to products produced at the facility that has received the Green Permit. The Department reserves the right to withdraw approval of use of the Green Permit program identity for product labeling.
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- 4.6 Expedited Review of Permit Applications and Modifications** The Department will review permit applications and modifications submitted by the permittee and send them out for public notice within 90 days of receipt. This time-frame is conditional upon submission of complete proposed permit action packages from the permittee. This time-frame will not apply should the permittee become subject to federal Title V air permit requirements.
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- 4.7 Extended Air Permit Interval** The Department will extend the permit period for the permittee's Air Contaminant Discharge Permit (ACDP) No. 13-0016 from five to 10 years. The extended permit interval will apply upon renewal of the ACDP when it expires on 09-01-2004. The extended permit interval is conditional upon the permittee's continued participation in the Green Permit program. Should the permittee exit the Green Permit program, the air permit interval will immediately revert to five years or, if in the sixth year or beyond at the time of exit, be subject to immediate renewal.
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#### **4.8 Air Permit Flexibility for Process Changes and Construction**

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Regarding Condition G6 of Air Contaminant Discharge Permit No. 13-0016, the permittee is hereby approved to make facility process changes, physical changes, additions, or relocations of equipment (excluding existing Pollution Control Devices), provided that the following conditions are met. Any proposed change not meeting the criteria of these conditions must be made in accordance with the requirements of Condition G6 of ACDP No. 13-0016. The conditions are:

- Such changes do not result in emission increases that exceed the relevant Plant Site Emission Limit (PSEL) of this permit. Emission increases resulting from changes approved under this condition must be correspondingly reduced by (1) unused capacity within the relevant PSEL and/or (2) emission reductions achieved through a documented pollution prevention program that demonstrates permanent emissions reductions in an amount compatible with the respective emission increase
- Such changes do not result in generating new pollutants not regulated in ACDP No. 13-0016.
- Such changes do not trigger new applicable requirements not contained in ACDP No. 13-0016.
- Such changes must not violate or contradict any expressed permit condition (not including general conditions) in ACDP No. 13-0016.
- The physical changes and changes in method of operation approved under this condition must not involve changes to an existing Pollution Control Devices (PCD), cause degradation in the performance of any PCD, or result in the addition of a new PCD.
- The physical changes and changes in method of operation approved under this condition do not involve the installation and/or startup of a new boiler with an input BTU rating of greater than or equal to 10 million BTUs per hour.
- Any new emitting activities and any physical changes or changes in the method of operation of existing emitting activities must be compatible with, subject to, and comply with the compliance monitoring requirements specified in Conditions 9 and 11 of ACDP No. 13-0016.

In accordance with OAR 340-218-0190(3)(f), the permittee must include in the annual GEMS Update Report a summary of any pre-approved changes made pursuant to this condition during the 12-month reporting period, and information of the effect of those changes on the facility's potential to emit.

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<b>4.9 Consolidated compliance reporting</b>	In lieu of the annual compliance reporting dates specified in Air Contaminant Discharge Permit No. 13-0016, Condition 12; the NPDES Permit No. 500-J, Schedule B, Condition 2; the NPDES Permit No. 1200-Z, Schedule B, Condition 3a; OAR 340-102-041 of the state hazardous waste regulations; and OAR 340-135-0070(3) of the Toxics Use and Hazardous Waste Reduction regulations, the permittee must submit data required by those permit conditions and rules with its annual GEMS Update Report by April 1 of each year. All of the information currently collected as part of the aforementioned existing Department reporting requirements must be submitted with this report.
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## **5.0 RENEWAL PROCEDURES (OAR 340-014-0150)**

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<b>5.1 In this Section</b>	This section addresses the procedures and criteria for initiating permit renewals, including: <ul style="list-style-type: none"><li>● Application Timing</li><li>● Application Review</li></ul>
<b>5.2 Application Timing</b>	The permittee must submit an application on Department-approved forms for renewal of this permit not less than 90 days prior to the expiration date. The renewal period for this permit is 10 years.
<b>5.3 Application Review</b>	When the Department receives an application for renewal of the permit, the Department will verify that the permittee continues to meet the criteria for the approval of the permit and evaluate whether the conditions should be continued. The Department will provide public notice of the renewal application and proposed changes in the permit, pursuant to OAR 340-014-0145(6).

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## **6.0 MODIFICATION PROCEDURES (OAR 340-014-0155)**

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<b>6.1 In this Section</b>	This section addresses the procedures and criteria for initiating permit modifications, including: <ul style="list-style-type: none"><li>● Procedures</li><li>● Application Review</li><li>● Conditions for Department Modification</li></ul>
<b>6.2 Procedures</b>	The permittee may apply for a different type of GEMS Permit or a modification of the conditions of this permit at any time.

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**6.3 Application Review**

When the Department receives an application for a modification, the Department will determine whether the proposed modification is a minor modification or a significant modification, depending on whether the permittee proposes modifications to any waivers.

- If the proposed modification is significant, the Department will follow the procedures described in OAR 340-014-0145.
- If the proposed modification is minor, the Department will provide public notice pursuant to OAR 340-014-0145(5). If, within 30 days after commencement of the public notice period, the Department receives written requests from 10 persons (or from an organization or organizations representing at least 10 persons) for reconsideration as a significant modification, then the Department will follow all of the remaining procedures describes in OAR 340-014-0145.

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**6.4 Conditions for Department Modification**

The Department may propose to modify this permit pursuant to the procedures described in OAR 340-014-0160(4) if the facility no longer meets the criteria for this permit but may meet the criteria for a different type of GEMS permit. The Department will notify the permittee of its intent to modify this permit and provide a reasonable time for the facility to correct the alleged deficiencies and submit a corrective action report. After reviewing the corrective action report and completing any necessary additional investigation as may be required, the Department will either modify this permit in accordance with the procedures above, or withdraw its notice of intent to modify this permit.

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**7.0 TERMINATION PROCEDURES (OAR 340-014-0160)**

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**7.1 In this section**

This section addresses the procedures and conditions for terminating the permit, including:

- Procedures
- Conditions for Department Termination

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**7.2 Procedures**

The permittee may terminate this permit by providing 30 days written notice to the Department.

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**7.3 Conditions for  
Department  
Termination**

The Department may terminate this permit if the permittee:

- does not develop an annual performance report and make it available to the Department and the public in a timely fashion;
- no longer meets the criteria for approval for a GEMS Achiever Permit or is not effectively implementing its environmental management system;
- is found guilty of a criminal violation of any environmental law;
- fails, within a reasonable time frame, to correct a violation discovered through routine environmental management system reviews or Department inspections; or
- experiences repeated violations that reflect a serious underlying deficiency in the facility's environmental management system.

The Department will notify the permittee of its intent to terminate this permit and provide a reasonable time for the facility to correct the alleged deficiencies and submit a corrective action report. The complete procedures for termination are located in OAR 340-014-0160.

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**8.0 GENERAL DEPARTMENT CONDITIONS**

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**8.1 In this section**

This section addresses the general conditions for implementing and administering this permit, including:

- Cost Recovery
  - Permit Availability
  - Access to Plant Site and Records
  - Notification of Name Change
  - Inquiries
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**8.2 Cost Recovery**

The permittee must maintain a deposit with the Department sufficient to meet or exceed the projected cost recovery needs for a three-month period as provided in the Department's quarterly updates.

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**8.3 Permit  
Availability**

The permittee must have available at the facility at all times a copy of this permit.

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**8.4 Access to Plant  
Site and Records**

The permittee must allow Department representatives access to the plant site and pertinent records at all reasonable times for the purposes of making inspections, surveys, collecting samples, obtaining data, reviewing and copying all environmental compliance and EMS system audit records and otherwise conducting all necessary and authorized functions related to this permit.

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**8.5 Sale or Transfer of the Facility** The permittee must submit to the Department a “Green Permit Sale or Transfer of Ownership Form” at least 60 days before the legal change of the ownership of the company. In addition, the new owner must demonstrate that it can continue to meet the requirements of the permit. Failure to meet these requirements is grounds for terminating the permit. If these requirements are met, the Department will follow the procedures for modification described in Section 6.0.

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**8.6 Inquiries** Department of Environmental Quality  
Eastern Region Bend Office  
2146 NE Fourth Street, Suite #104  
Bend, OR 97701  
Telephone: (541) 388-6146

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