1. Respondent must install one or more baghouses to control all furnaces that use cadmium or chromium (or entire list of metals) no later than July 1, 2016.
2. Baghouse requirements:
	1. Baghouses must be designed to remove at least 99.0 percent of all particulate matter, as measure by DEQ Method 5, at the maximum design air flow rate and particulate matter loading.
	2. A baghouse may not be operated with an airflow rate that exceeds the design airflow rate.
	3. Baghouses may control emissions from more than one furnace, provided the requirements in () and () above are met at all times.
	4. Each baghouse must be equipped with a differential pressure gauge to monitor pressure drop across the baghouse.
	5. The design of all baghouses must be approved by DEQ before installation.
	6. The respondent must submit a Notice of Intent to Construct in accordance with OAR 340-210-XXXX no later than 30 days prior to the date they begin installation.
	7. After commencing operation of any baghouse, Respondent must record the differential pressure reading at least one per day of operation.
3. Prior to completing the installation of the baghouse(s) required by this agreement, Respondent must comply with the following:
	1. Raw materials that contain compounds of cadmium, chromium VI or arsenic may not be used in any glass-making furnace; and
	2. Raw materials that contain compounds of chromium III may be used in no more than \_\_\_\_ uncontrolled glass-making furnaces in any single day (or pounds/day).
4. In the event that bi-weekly averages of the ambient monitoring data exceed an Action Level, Respondent must reduce usage of metals as specified below:
	1. If a bi-weekly average, based on the most recent two weeks of monitoring, of the ambient monitoring data of any of the metals in the table below (except chromium III usage for ambient chromium VI) exceeds the action level, Respondent must reduce the use of the identified metal in any uncontrolled furnaces to Reduction Step 1 upon being notified to do so by DEQ.
	2. If a second consecutive bi-weekly average, based on the most recent two weeks of monitoring, of the ambient monitoring data of any of the metals in the table below (except chromium III usage for ambient chromium VI) exceeds the action level, Respondent must reduce the use of the identified metal in any uncontrolled furnaces to Reduction Step 2 upon being notified to do so by DEQ.
	3. If a third consecutive bi-weekly average, based on the most recent two weeks of monitoring, of the ambient monitoring data of any of the metals in the table below (except chromium III usage for ambient chromium VI) exceeds the action level, Respondent must reduce the use of the identified metal in any uncontrolled furnaces to Reduction Step 3 upon being notified to do so by DEQ.
	4. Respondent may resume operation at the Maximum Daily Usage level of a metal after a bi-weekly average is below the action level.
	5. Bi-weekly averages will be calculated using all available ambient monitoring data that pertains to the Respondent’s location, and will be calculated as a rolling two-week average from Sunday through Saturday.

|  |  |  | **75%** | **50%** | **25%** |
| --- | --- | --- | --- | --- | --- |
| **Pollutant** | **Action Levels (ng/m3)** | **Maximum Daily Usage** | **Reduction Step 1** | **Reduction Step 2** | **Reduction Step 3** |
| Chromium VI |  |  |  |  |  |
| Lead |  |  |  |  |  |
| Cobalt |  |  |  |  |  |
| Nickel |  |  |  |  |  |
| Manganese |  |  |  |  |  |

1. On and after July 1, 2016, raw materials containing compounds of cadmium or chromium may not be used in any uncontrolled glass-making furnace.
2. Glassmaking furnaces that are controlled by a baghouse that meets the design requirements detailed above are not subject to the limitations detailed above except at no time may arsenic or chromium VI be used as a raw material.
3. Requiring Respondent, upon receipt of a written Penalty Demand Notice from DEQ, to pay the following civil penalties…
4. Respondent must perform the following source testing on one baghouse controlled furnace within 60 days of commencing operation of the baghouse:
	1. Test baghouse inlet and baghouse outlet for chromium VI;
	2. The test must be performed while producing glass with a chromium content to be agreed upon by DEQ;
	3. A source test plan must be submitted at least 30 days before conducting the source test; and
	4. The source test plan must be approved by DEQ before conducting the source test.
5. Respondent will be subject to any rules adopted by EQC that may pertain to the control of toxic air pollutants.
6. This agreement shall terminate upon mutual agreement by the parties or five years after it becomes effective, whichever comes first.