



# Oregon

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April 26, 2024

Steve Nipp  
Covanta Marion, Inc.  
4850 Brooklake Road NE  
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*Sent via email only*

Steve Nipp,

DEQ received the submittal of the Cleaner Air Oregon (CAO) Modeling Protocol (Protocol) and Risk Assessment Work Plan (Work Plan) for Covanta Marion, Inc. (Covanta) in Brooks, OR on December 6, 2023, and has completed an initial review.

In accordance with [Oregon Administrative Rule \(OAR\) 340-245-0030\(2\)](#), DEQ has determined that the following additional information, corrections, and updates are required by **June 10, 2024** in order to approve the Protocol and Work Plan:

1. Exempt Toxics Emissions Units (TEUs): Indicate whether Covanta operates distillate oil, kerosene, gasoline, natural gas or propane burning equipment that falls under the Exempt TEU category described in [OAR 340-245-0060\(3\)\(b\)\(B\)](#) – this category was checked “yes” on the AQ523 form submitted on October 18, 2022, but was not listed in Section 3.2 of the Protocol. If yes, provide a list of the equipment to verify that the exemption applies, including:
  - a. The type of unit;
  - b. Type of fuel burned; and
  - c. The maximum heat input rate in MMBtu per hour for each unit.
2. Model Selection: Update Section 2.1.1 and run the final risk assessment with the newest version of AERMOD (version 23132).
3. Meteorology: Update Section 2.3 to explain why older meteorology data was used if the most recent version of AERMET (v23132) was used. Alternatively, use more up-to-date meteorology (this would be preferred).
4. Downwash: Update Section 2.2.2 to include all buildings in the Building Profile Input Program (BPIP). Satellite imagery indicates additional buildings onsite that were not included in BPIP, including the building with the waste combustor stack.
5. Stack Parameters:
  - a. Provide the specific dates of the source tests that were used to determine stack parameters for the waste combustors (TEUs MWC-1 and MWC-2) and a list of the individual temperature and flow values evaluated to determine the lowest input parameters;
  - b. Update Section 3.1 to list the values used for H and L and specify which building was used to determine good engineering practice stack height; and
  - c. In Table 3-1, update the source names to correspond to TEUs in the approved Emissions Inventory; for example, CMBST1 appears to correspond to the TEU MWC-1 in the Emissions Inventory, and FIREPUMP corresponds to the TEU RICE.
6. Natural Gas Scenario: Clarify how the natural gas scenario will be modeled:

- a. Do the “Startup Operation” emissions shown in Appendix C Tables C-10 and C-11 represent emissions from TEUs AUX-1 and AUX-2? If so please clarify by updating the source names to correspond to TEUs in the approved Emissions Inventory.
  - b. Provide stack parameters for this scenario in Table 3-1, and:
    - i. if data specific to startup conditions is available (for example, startup source testing), use it as appropriate to determine temperature and velocity; or
    - ii. if stack parameters are assumed to be the same as for CMBST1 and CMBST2 sources in Table 3-1, provide justification for this assumption.
7. Exposure Locations: In Section 4.1.2 and Appendices A, B, and D:
- a. Update the exposure type for receptor ID D639 to residential, or explain why this receptor is designated as “acute only” when it is surrounded by residential receptors on the same property;
  - b. Include Buena Crest Head Start, near receptor ID D5257, as a child exposure location;
  - c. Evaluate the fence line receptors on the west and south side of the facility for risk. Only fence line receptors that border roads or railways can be excluded from risk calculations;
  - d. Ensure that Figure 4.2 accurately reflects the crosswalk provided in Appendix A – currently some receptors are designated as “residential” in Appendix A but “worker” or “acute only” in the figure;
  - e. If Figure 4.1 is intended to show only receptors for which an exposure location change is being requested, clarify this in the text and remove the “Risk Not Evaluated” category from the figure;
  - f. Remove receptor ID D2703 from Appendix D (AQ522 Exposure Location Change Request Form) and include this as a residential exposure location – this receptor is located on a residential property and cannot be redesignated as “acute only”;
  - g. Review the zoning designations in Column D of the AQ522 form against the zoning for Marion County<sup>1</sup>, and update with the correct zoning designation where applicable. For example, the parcel immediately west of Interstate 5 and north of Brooklake Road is zoned “Interchange District” but is listed as “Exclusive Farm Use” in the AQ522 form; and
  - h. While not a required update, DEQ recommends that Exposure Location Change requests be limited to those receptors that may impact the risk assessment; in general this will make verification of these exposure locations easier for Covanta during annual reporting and reduce the likelihood that Covanta will need to reassess risk in case of a change in land use.
8. Exposure Pathways (Section 4.1.3): The multi-pathway adjustment factors (MPAFs) included in DEQ’s Risk-Based Concentrations (RBCs) do not account for potential exposure through air deposition to areas such as agricultural land used for livestock grazing and ponds used for recreational fishing. Based on nearby land use, these additional exposure pathways should be evaluated for their potential to contribute to overall risk. If risk from these pathways could result in a higher maximum risk, Covanta may need to include it by completing a Level 4 Risk Assessment. In order for DEQ to evaluate whether a Level 4 Risk Assessment is needed, please provide a quantitative or semi-quantitative analysis<sup>2</sup> providing justification for the exclusion of

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<sup>1</sup> See Marion County Planning Division’s Planning and Development Overlays, Marion County Zoning: <https://marioncounty.maps.arcgis.com/apps/webappviewer/index.html?id=540ccada27a64cfc855e009ce7434361>

<sup>2</sup> See section 2.5.2, “Multipathway Adjustment Factors”, in DEQ’s [\*Recommended Procedures for Toxic Air Contaminant Health Risk Assessments\*](#) (October 2022).

these exposure pathways from the risk assessment. Include analyses of potential risk from airborne deposition of toxic air contaminants (TACs) to:

- a. The ponds at St. Louis Fish Ponds County Park in Keene, Oregon; and
  - b. Livestock grazing areas adjacent to Covanta, and other livestock grazing areas within the receptor grid (if present).
9. In Section 4.2:
- a. Update “approved CAO Form AQ405” to “approved CAO Form AQ520”; and
  - b. Delete the text “note that for combustion emissions from this scenario...” from the first bullet (this text appears to refer to the fourth bullet).
10. In Section 4.2, Covanta indicates in the Protocol that they will complete an additional, elective risk assessment based on emissions developed from source test results, without the incorporation of the safety factors used to determine Covanta’s Requested Potential to Emit (RPTE). Because Covanta has requested to be permitted based on its RPTE, DEQ will not evaluate or approve the results of this secondary risk assessment. When submitting the Risk Assessment report, DEQ requests that Covanta include any elective risk assessments (based on emissions other than those in the approved AQ520) in a separate document, intended for informational purposes only.

DEQ is requesting that you submit additional information to complete your Protocol and Work Plan. 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 this information request with you and answer any questions you may have. Failure to provide additional information, corrections, or updates to DEQ by the deadlines above may result in a violation of [OAR 340-245-0030\(1\)](#).

If you have any questions regarding this letter please contact me directly at (503) 866-9643 or [julia.degagne@deq.oregon.gov](mailto:julia.degagne@deq.oregon.gov). I look forward to your continued assistance with this process.

Sincerely,



Julia DeGagné  
Cleaner Air Oregon Program Engineer

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