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LRAPA and JH Baxter sign Best Work Practices Agreement

The Lane Regional Air Pollution Authority and JH Baxter formalized the Best Work Practices Agreement yesterday, February 10, obligating the company to install additional control equipment on its creosote work tanks, model plate-site emissions for creosote at the plant's boundary using third-party consultants, and contribute to future costs associated with subsequent off-site monitoring.

The agreement gives JH Baxter 30 days to submit a schedule that details the installation of the additional control equipment, and 90 days to have the equipment installed and running. Once up and running, JH Baxter is required to submit a report to the agency evaluating all feasible additional practices or controls that may result in further reductions of the alleged nuisance odors. At that time, LRAPA and JH Baxter will evaluate the effectiveness of the fixes and revisit the terms of agreement. LRAPA will continue to implement its off-site monitoring program throughout the process.

While the agreement does not limit LRAPA's right to proceed with enforcement action in the future, it does protect the company from being fined for nuisance or odor violations while the agreement is in place.

The agreement is the result of negotiations that started in November 2003 when LRAPA formally declared JH Baxter a suspected nuisance. Since that time, the agency and company have been negotiating a working document to address the issue. As of the signing date, JH Baxter had spent more than \$400,000 on engineering fixes.

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