



May 11, 2022

**E-mail**

Georgia Baxter  
President  
J.H. Baxter & Co.  
P.O. Box 5902  
San Mateo, CA 94402

Re: Cleaner Air Oregon Source Test Report Due Date Extension

Dear Georgia Baxter:

The Lane Regional Air Protection Agency (LRAPA) has reviewed the request submitted by J.H. Baxter & Co. (JHB) on April 20, 2022, that requests a second three-month extension to the Cleaner Air Oregon (CAO) source test report due date. The testing was completed at the facility on December 10, 2021, and a source test report was required to be submitted to LRAPA within 60 days of testing completion, resulting in a due date of February 8, 2022. JHB requested a three-month extension of the source test due date on February 8, 2022, and LRAPA conditionally approved the extension on February 9, 2022. LRAPA has also reviewed the letter submitted by JHB to LRAPA on January 28, 2022, that included a notification of JHB's intentions to cease wood preserving activities effective January 31, 2022.

JHB cited the following reasons in the February 8, 2022 extension request for mothballing JHB's wood preserving activities and justifications for the three-month extension request to submit the source test report:

1. JHB decided to stop treating wood due to several reasons including the rising costs associate with operating the facility and dwindling sales margins due to shifts in the wood treating market.
2. JHB requests an extension of the source test report due date to have time to secure additional funds to complete the lab testing and development of the report.

JHB cited the following reasons in the April 20, 2022 second extension request as justification for another three-month extension:

1. JHB still does not have the funds to pay Bison Engineering to get the lab report associated with the samples taken on the Baxter emission points.

In accordance with OAR 340-245-0030(3)(a) and (b), LRAPA is granting the extension based on JHB's demonstrated progress in completing the submittal by hiring a third party testing company to conduct and complete the source testing on December 10, 2021 and having the samples extracted within the retention times specified in the

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applicable reference test method (Modified EPA Method 23), and JHB has shown good cause by addressing changes in operations which are likely to have a substantive impact on the outcomes of the submittal, respectively. LRAPA is establishing a new CAO source test report due date of **Tuesday August 9, 2022**. LRAPA approves this extension request with the following conditions:

- JHB must not conduct any oil-based or waterborne wood preservation activities identified in EU-1 of the current Air Contaminant Discharge Permit (ACDP No. 200502);
- JHB must not operate any of the retorts in EU-1 of ACDP No. 200502 for any reason, activity, or purpose;
- JHB is limited to only using the storage tanks in EU-1, and may not operate any of the five (5) retorts, work tanks, railcar agitation/recirculation and unloading, or maintain any treated storage in EU-1 of ACDP No. 200502;
- JHB may continue to operate the dry kilns in EU-2, the gas-fired boilers in EU-3, the wood working in EU-4, and the process water and treatment system in EU-5 of ACDP No. 200502; and
- In accordance with OAR 340-245-0030(3), JHB must contact LRAPA no fewer than 15 days prior to the submittal deadline. Therefore, JHB must contact LRAPA by **Monday July 25, 2022**, to update LRAPA on JHB's intentions regarding the submittal of the source test by the new due date specified below.

Please communicate any questions or clarifications regarding the above comments in order to provide timely and complete submittals. LRAPA is available to collaborate with JHB during this timeline to work through any CAO air permitting issues, or other air permitting issues that may be unrelated to CAO. Failure to provide the information and CAO source test report by the deadlines above may result in a violation of OAR 340-245-0030(1).

Please contact Max Hueftle, P.E., Operations Manager, at [max@lrapa.org](mailto:max@lrapa.org) or office telephone extension 231 if you have any questions regarding this letter.

Sincerely,



Steven A. Dietrich  
Director