

## Joanna Sanders

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**From:** SEPA <SEPA@orcaa.org>  
**Sent:** Monday, October 20, 2025 11:47 AM  
**To:** Public Comments  
**Cc:** Eric Toews  
**Subject:** ORCAA Comments for SEPA#202504155 - 2025 Amendments to the Port of Port Townsend Comprehensive Scheme of Harbor Improvements (CSHI)  
**Attachments:** Focus Sheet - Completing the NOC Process\_FINAL\_11-03-2022.pdf; Focus Sheet - When is an NOC Required\_FINAL\_11-03-2022.pdf; Potential-Source-categories.pdf

Good morning,

Olympic Region Clean Air Agency (ORCAA) reviewed the proposal for the 2025 Amendments to the Port of Port Townsend Comprehensive Scheme of Harbor Improvements (CSHI) and is including information that may be useful for future projects. In general, ORCAA's approval is required before constructing an air pollution source. If you are unsure about whether a permit from ORCAA is required, please contact our office at 360-539-7610 for assistance. Attached are three focus sheets; two, which broadly cover when a permit from ORCAA is required and what the process looks like once ORCAA receives a permit application and one with typical sources of air pollution. Additional information is provided below if construction or demolition/renovation is planned.

### **Construction**

For construction projects please refer to this guide for handling fugitive dust from construction projects: <https://wsdot.wa.gov/sites/default/files/2024-09/Handling-FugitiveDust-%20from-ConstructionProjects-Guide.pdf>

### **Demolition/Renovation**

ORCAA regulations require an asbestos survey for all demolition projects. Demolition projects by definition also include renovations performed to load-bearing structural members on the current building as part of a remodel. Prior to any demolition project, the following must be completed:

- A good faith asbestos survey must be conducted on the structure by a certified Asbestos Hazardous Emergency Response Act (AHERA) building inspector;
- If asbestos is found during the survey, an Asbestos Notification must be submitted to ORCAA and mandatory wait times must pass before the asbestos containing material is properly removed. This occurs prior to the demolition; and,
- If the structure is 120 sq. ft. or greater, an ORCAA Demolition Notification must be submitted regardless of the results of the asbestos survey. There is a mandatory 14-day waiting period after ORCAA receives notification, so we recommend the applicant complete the Demolition Notification promptly after receiving the survey.

*\*These requirements are specific to ORCAA and are not synonymous with any city or county permitting jurisdiction requirements*

Helpful Links:

- A list of certified asbestos contractors is available at <https://www.orcaa.org/asbestos-demolition/asbestos-service-providers/>
- The Demolition Notification form is available at <https://www.orcaa.org/asbestos-demolition/asbestos-forms-resources/demolition-notification-form/>
- If applicable, the Contractor Asbestos Removal Application is available at <https://www.orcaa.org/asbestos-demolition/asbestos-forms-resources/demolition-notification-form/>

If you have any questions or concerns regarding the process, please contact Rob Wyland at [robert.wyland@orcaa.org](mailto:robert.wyland@orcaa.org) or by calling our main office at 360-539-7610.

Best Regards,

Abi Roberts, Engineer I

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*Olympic Region Clean Air Agency*

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Please take notice that any records or communications with ORCAA are subject to public disclosure under the Public Records Act (RCW 42.56) unless exempt under applicable law.

*Please consider the environment before printing this email.*



# Focus on Air Permit Approval Process

## Process/Timeline for Air Permit<sup>1</sup> Approval

Many projects involving equipment or operations that emit air pollution require approval of an air permit by the Olympic Region Clean Air agency (ORCAA) referred to as a Notice of Construction (NOC). For information on when projects trigger this requirement, see ORCAA's focus sheet, *When is an Air Permit Required?* The NOC process is initiated by submitting a NOC application to ORCAA. The approval process may take anywhere from 15 days to several months to complete. For certain proposals, a **public notice and comment period** and **public hearing** may be required. Therefore, it is important to contact ORCAA early to get a project-specific estimate of the approval timeline. The NOC approval timeline (see back of page for flowchart) adheres to the Washington Clean Air Act (Chapter 70A.15 of the Revised Code of Washington):

### NOC Approval Process

<b>Receipt of NOC application</b>	Day 1
<b>Public Notice of the NOC application</b>	15 days from website posting
<b>Application Completeness Determination</b>	Up to 30 days from day 1
<b>Review and Preliminary Determination</b>	Up to 60 days from complete application
<b>Final Determination</b>	15 to 120 days from complete application

### Special Circumstances (if required)

<b>30-day Public Comment period triggered</b>	adds a minimum of 30 days
<b>Public hearing required</b>	adds 30 days (may run concurrent with public comment period)
<b>Project Appealed</b>	Approval may be stayed during an appeal <sup>2</sup> .

### Integration with SEPA

Many projects requiring a NOC also trigger a State Environmental Policy Act (SEPA) review. If this is the case, ORCAA cannot approve the NOC application until a SEPA determination has been issued. ORCAA recommends working with the city or county SEPA "Lead Agency" prior to, or at least simultaneously with, submitting a NOC application to find out SEPA requirements for a project. If required, ORCAA may be the Lead Agency for a project, but this is rare.

### Approval

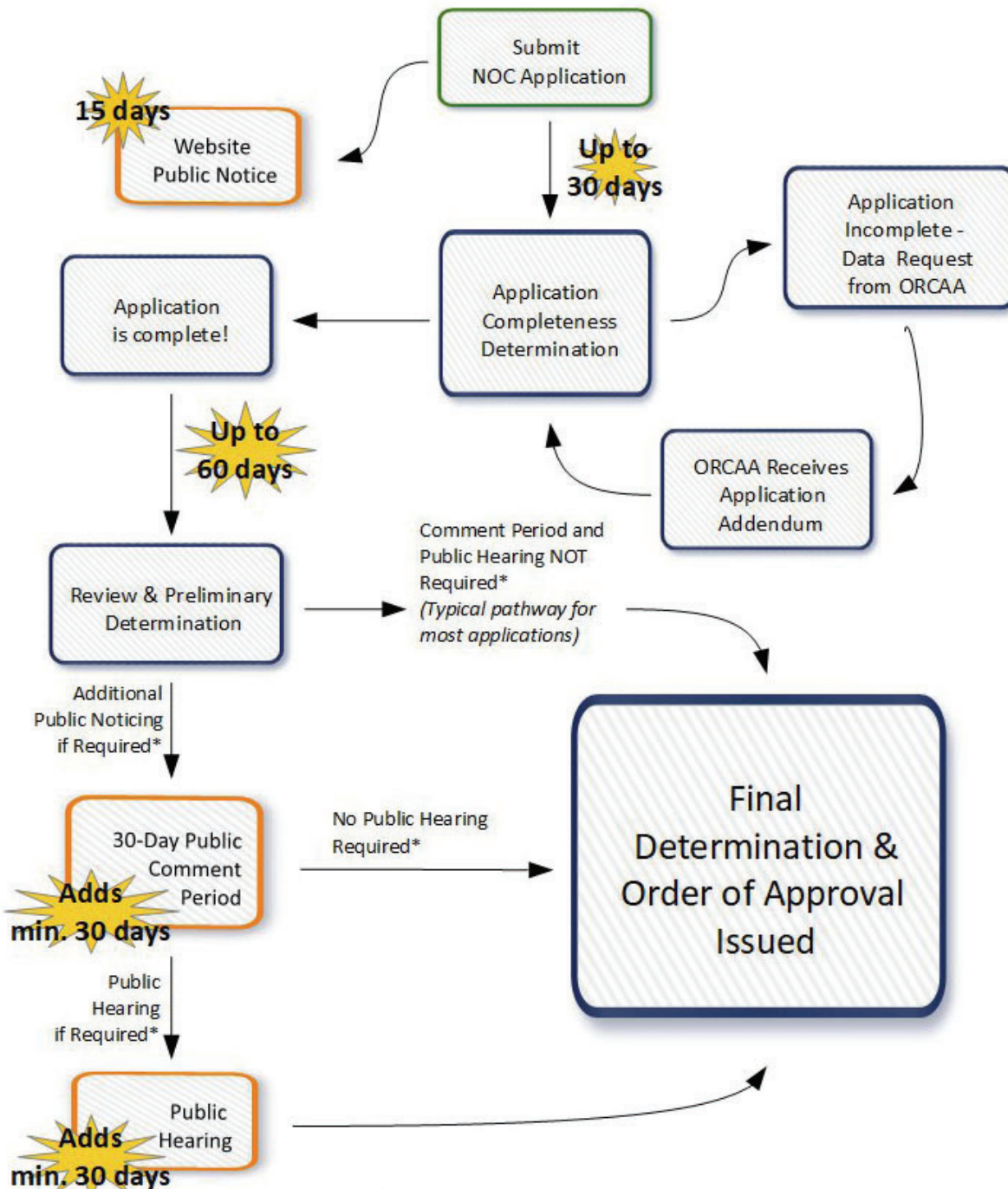
Upon concluding a project can be approved, ORCAA will issue an Order of Approval. The Order of Approval is the air permit for the source and will include emissions and operating limits and associated requirements like monitoring, testing, recordkeeping, and reporting requirements. Final Orders of Approval issued by ORCAA may be appealed to the Washington Pollution Control Hearings Board (PCHB) within 30 days from receiving the order. Please visit the PCHB's website for procedures and details related to appeals.

<sup>1</sup> This focus sheet covers "New Source Review" permits. Please see our website for information about Air Operating Permits for major sources.

<sup>2</sup> Effectiveness of an Order of Approval may be stayed by either ORCAA in accordance with Rule 1.8(c), or by the Washington Pollution Control Hearings Board (PCHB).

# Focus on Air Permit Approval Process

## NOC Approval Timeline Overview



\*30-day public comment period and/or public hearing may be required under ORCAA Rule 6.1.3.  
The 30-day public comment period and notice of hearing may run concurrently for one 30-day period.



# Focus on When an Air Permit is Required

## Approval is Required Before Constructing, Modifying, or Restarting an Air Pollution Source

Olympic Region Clean Air Agency (ORCAA) rules<sup>1</sup> require approval of an air permit application prior to commencing any of the following actions involving facilities, stationary equipment or operations that emit air pollution, which are generally referred to as “sources”:

- **New Sources** - Constructing, installing, or establishing stationary equipment, operations or an entire facility that emits air pollution.
- **Replacements** - Replacing an existing source, even “in-kind” replacements.
- **Modifications** - Modifying an existing source, which includes physical changes or changes in the method of operation of the source that have the potential to increase air pollutant emissions.
- **Replacing/Altering Control Devices** - Replacing or substantially altering any air pollution control device, like a baghouse or dust collector.
- **Restarting a Facility** - Reopening and restarting an existing facility or restarting a piece of equipment that has been shut down and not registered with ORCAA for over a year.
- **Establishing Portable/Temporary Equipment** - Moving portable, temporary equipment that emit air pollution to a facility like generators or boilers.



The purpose of this requirement is to protect public health and welfare by assuring compliance with applicable equipment performance standards, air pollution control requirements, and ambient air quality standards. Failure to secure ORCAA’s approval prior to commencing any of the above-listed actions is a violation of ORCAA Rule 6.1 and could be subject to penalty. Securing approval before starting a project helps save and protects your project from costly delays and possible enforcement. In addition, facilities that are major sources (per Chapter 173-401 WAC) may require an Air Operating Permit that must be renewed every five years.

### When is ORCAA’s Approval Required?

For all projects subject to an air permit, ORCAA’s approval is required before commencing construction or re-starting equipment that has been shut down, even when re-opening a formerly operating facility that was previously registered with ORCAA. Most often, this means before breaking ground, pouring foundations, conducting electrical or plumbing work, or moving equipment that emits air pollution to the facility. For actions that require an air permit but do not involve construction activities, ORCAA’s approval is required before initiating or taking the action. As such, ORCAA recommends against purchasing any equipment that emits air pollution (including air pollution control devices) until ORCAA’s approval is secured.

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<sup>1</sup> ORCAA rules are pursuant to requirements of Washington’s Clean Air Act under 70A.15 of the Revised Code of Washington.



# Focus on When an Air Permit is Required

## *Modifications*

Modifications requiring an air permit include both physical changes and changes in the method of operation of a source resulting in increasing emission rates or potential to emit. Some examples of modifications triggering an air permit that are changes in the method of operation include, but are not limited to:

- Changing the type of fuel combusted
- Changing to a raw material containing a new or higher concentration of a substance
- Changing operation of an existing piece of equipment
- Increasing production rates above those previously approved by ORCAA
- Rebuilding a piece of equipment or control device after a fire or other catastrophic event
- Removing a “bottle-neck” in a process resulting in increasing air pollutant emissions

## *Restarting a Facility*

Facilities that have been shut down (ceased operation for more than 12-months and not registered with ORCAA) must submit an air permit application and secure ORCAA’s approval prior to commencing construction or re-starting equipment as described above. If construction activities are not involved to restart a facility, ORCAA’s approval is required prior to starting operation.

## *Are there any exemptions?*

Yes. ORCAA’s Rule 6.1(c) lists over 100 categorical exemptions or you may qualify for an exemption based on de minimis emissions under ORCAA Rule 6.4, which is a streamlined process for projects with minor air emissions. Call ORCAA for details on exemption, (360) 539-7610 or [www.orcaa.org](http://www.orcaa.org)

## **Approval Process**

The air permit required in all cases described above is a “New Source Review” permit referred to as a Notice of Construction (NOC). The NOC process is initiated by submitting a **NOC application** to ORCAA. The approval process may take anywhere from 15 days to several months to complete (see ORCAA Focus Sheet: Air Permit Approval Process). For certain proposals, a **public notice and comment period** and **public hearing** may be required. Therefore, it is important to contact ORCAA early to get a project-specific estimate of the approval timeline. The general NOC approval timeline follows the timeline allowed under the Washington Clean Air Act (Chapter 70A.15 of the Revised Code of Washington).

Upon concluding a project can be approved, ORCAA will issue an Order of Approval. The Order of Approval is the air permit and will include emissions and operating limits, and associated requirements like monitoring, testing, recordkeeping, and reporting requirements. Final Orders of Approval issued by ORCAA may be appealed to the Washington Pollution Control Hearings Board (PCHB) within 30 days from receiving the order. Please visit the PCHB’s website for procedures and details related to appeals.

## *Does ORCAA offer application assistance?*

Yes. Information specific to industry categories that are common air pollution sources are provided under ORCAA’s Business Assistance web page, [www.orcaa.org](http://www.orcaa.org). You may also contact ORCAA’s Engineering Staff directly to ask questions regarding your proposed project, (360) 539-7610.

## **Businesses, Industries, Institutions, and Municipalities with the potential to cause air pollution**

A permit and registration through Olympic Region Clean Air Agency may be required for the following industries, equipment types, and operations:

- Abrasive Blasting
- Aerospace Industries
- Aluminum-Sweat Furnaces
- Asbestos Abatement/Removal Projects
- Asphalt Batch Plants
- Autobody Shops
- Baghouses
- Barge Loading
- Boat Manufacturing/Repair Businesses
- Boilers (non-electric)
- Breweries
- Cabinet Shops
- Cardboard Box Manufacturing
- Chemical Manufacturing
- Chipping/Grinding (woody biomass)
- Chromium Electroplating
- Coffee Roasters
- Commercial Sterilizers
- Composting (non-residential)
- Concrete & Sand Bagging
- Concrete Batch Plants
- Cooling Towers
- Crematories
- Cyclones
- Degreasers (halogenated, commercial)
- Demolition/Remodeling
- Digesters
- Drying Kilns
- Dry Cleaning
- ETO Sterilizers
- Fiberglass Products Manufacturing
- Fish Drying/Processing
- Flares

- Foam Cushion Manufacturing
- Food Processing Plants Foundries
- Fuel- Burning Equipment (non-mobile)
- Furnaces – Metal Melting
- Gas Turbines
- Gasoline Bulk Plants
- Gasoline Dispensing
- Gasoline Terminals
- Groundwater Remediation Projects
- Hot Mix Asphalt Plants
- Incinerators
- Internal Combustion Engines (stationary)
- Industrial Belts Manufacturing
- Laboratories
- Landfills
- Loadout Bins – Wood waste/Chips
- Log Debarking Operations
- Logyards
- Lumber Dry Kilns
- Lumber Mills
- Metal Fabricators
- Metal Foundries
- Metal Plating
- Metal Scrap Furnaces
- Nutritional Yeast Manufacturing
- Odor Sources
- Paint dip tanks
- Paint/Other Finishes – Spray Coating
- Paint/Other Finishes – Stripping
- Paper Mills
- Plastics Manufacturing
- Plywood Manufacturing
- Polystyrene Cup Manufacturing
- Powder Coating
- Printing/Publishing
- Pulp Mill Thermo-Mechanic
- Refiners – Thermo-mechanical
- Reformers – Hydrogen Plants
- Rock Crushers
- Sawmills – Lumber Production
- Seafood Processing Plants
- Shake Manufacturing



- Ship Building/Repair
- Smelters
- Smokers – Commercial
- Softwood Veneer & Plywood Production
- Soil Remediation Projects
- Solid Waste Incinerators
- Solvent Cleaning
- Spray Booths
- Spray Coating
- Spray Dryers
- Storage Tanks
- Tire Manufacturing
- Tire Retreading
- Transfer Stations
- Truck Bins – Loadout
- Vapor Extraction Systems
- Veneer Dryers
- Wastewater Treatment Plants
- Woodworking Shops
- Wood Pellet Manufacturing
- Wood Products – Sanding
- Wood Residuals Transport Systems

**Joanna Sanders**

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**Subject:** FW: Comments on Comprehensive Scheme of Harbor Improvements (CSHI)

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**From:** Chloe Donaldson <[cdonaldson@pgst.nsn.us](mailto:cdonaldson@pgst.nsn.us)>

**Date:** Monday, October 20, 2025 at 3:50 PM

**To:** Eric Toews <[eric@portofpt.com](mailto:eric@portofpt.com)>

**Subject:** Comments on Comprehensive Scheme of Harbor Improvements (CSHI)

Hello,

The Port Gamble S'Klallam Tribe's environmental program appreciates your communication and the opportunity to provide comments. While we understand that the amendments are programmatic and do not constitute any actual construction at this time, we would like to be kept in the loop on future projects, especially any that may impact fishing, shellfish beds, and floodplains. The Tribe's usual and accustomed area and treaty protected rights regarding the salmonids in the area are of upmost importance to the Tribe, and we appreciate ongoing collaboration in their conservation. We also understand that this area is home to many protected migratory birds, and we support efforts that protect these species and consider impacts including light, noise, turbidity, and use.

When the proposed capital improvements are up for permit review, we would want the chance to comment to continue positive collaboration when conserving resources. We want to express that anything build overwater would be of special concern for the Tribe, relating to fishing rights. We also would like to review the campground improvements, and comment on efforts to reduce the spread of invasive species and disturbance to wildlife. Thank you for reaching out and for your continued collaboration.

Kind regards,

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