

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2006-1600-AIR-E    **TCEQ ID:** RN100543073    **CASE NO.:** 31135  
**RESPONDENT NAME:** International Paper Company

**ORDER TYPE:**

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

**CASE TYPE:**

<input type="checkbox"/> AGRICULTURE	<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATER QUALITY		

**SITE WHERE VIOLATION(S) OCCURRED:** Corrigan Facility, 800 Industrial Road, Corrigan, Polk County

**TYPE OF OPERATION:** Veneer and plywood mill

**SMALL BUSINESS:**     Yes     No

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent has expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on January 25, 2007. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None

**TCEQ Enforcement Coordinator:** Ms. Elvia Maske, Enforcement Division, Order Compliance Team, MC 219, (512) 239-0789; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

**TCEQ Field Investigator:** Ms. Jeanette Salazar, Beaumont Regional Office, MC R-10, (409) 898-3838

**Respondent:** Ms. Gina Lee-Wright, EHS Manager, International Paper Company, P.O. Box 1005, Corrigan, Texas 75939

Mr. Kevin Youngblood, Plant Manager, International Paper Company, P.O. Box 1005, Corrigan, Texas 75939

**Respondent's Attorney:** Not represented by counsel on this enforcement matter

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b> <input type="checkbox"/> Complaint <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> July 18, 2006</p> <p><b>Date of NOE Relating to this Case:</b> July 27, 2006 (NOE)</p> <p><b>Background Facts:</b> This was a routine record review. One violation was documented.                      AIR</p> <p>Failed to provide the probable cause and the corrective actions or preventative measures for a deviation reported for the time period of January 23, 2005 to July 22, 2005 and failed to submit a deviation report for the July 23, 2005 to January 22, 2006 time period to address the improperly reported deviation [Air Operating Permit No. 980, General Terms and Conditions, 30 TEX. ADMIN. CODE § 122.143(4) and § 122.145(2)(A), and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$2,950</p> <p><b>Total Deferred:</b> \$590  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$2,360</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Take:</b></p> <p>The Executive Director recognizes that on August 21, 2006, International Paper submitted documentation dated August 18, 2006 demonstrating compliance with deviation reporting requirements for the period commencing on January 23, 2005 and ending on January 22, 2006.</p>

**Penalty Calculation Worksheet (PCW)**  
 Policy Revision 2 (September 2002) PCW Revision May 19, 2005

<b>DATES</b>	Assigned	31-Jul-2006	Screening	12-Sep-2006	EPA Due	
	PCW	12-Sep-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	International Paper Company
Reg. Ent. Ref. No.	RN100543073
Facility/Site Region	10-Beaumont
Major/Minor Source	Major Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	31135	No. of Violations	1
Docket No.	2006-1600-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	Elvia Maske
Multi-Media		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

**Penalty Calculation Section**

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$2,500
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**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	28% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$700
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Notes: An enhancement is recommended because Respondent has received two NOVs for same or similar violations and nine NOVs for different violations.

<b>Culpability</b>	No	0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply</b>	10% Reduction	<b>Subtotal 5</b>	-\$250
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with a small x)

Notes: Respondent came into compliance on August 21, 2006.

<b>Economic Benefit</b>	0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$13	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$2,950
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

<b>Final Penalty Amount</b>	\$2,950
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$2,950
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<b>DEFERRAL</b>	20% Reduction	<b>Adjustment</b>	-\$590
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$2,360
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<b>Screening Date</b>	12-Sep-2006	<b>Docket No.</b>	2006-1600-AIR-E	<b>PCW</b>
<b>Respondent</b>	International Paper Company		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	31135	PCW Revision May 19, 2005		
<b>Reg. Ent. Reference No.</b>	RN100543073			
<b>Media [Statute]</b>	Air Quality			
<b>Enf. Coordinator</b>	Elvia Maske			

**Compliance History Worksheet**

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	2	10%
	Other written NOVs	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2) 28%**

>> **Repeat Violator (Subtotal 3)**

<input type="text" value="No"/>	<b>Adjustment Percentage (Subtotal 3) 0%</b>
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>> **Compliance History Person Classification (Subtotal 7)**

<input type="text" value="Average Performer"/>	<b>Adjustment Percentage (Subtotal 7) 0%</b>
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>> **Compliance History Summary**

<b>Compliance History Notes</b>	An enhancement is recommended because Respondent has received two NOVs for same or similar violations and nine NOVs for different violations.
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**Total Adjustment Percentage (Subtotals 2, 3, & 7) 28%**

<b>Screening Date</b>	12-Sep-2006	<b>Docket No.</b>	2006-1600-AIR-E	<b>PCW</b>
<b>Respondent</b>	International Paper Company	<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b>	31135	<i>PCW Revision May 19, 2005</i>		
<b>Reg. Ent. Reference No.</b>	RN100543073			
<b>Media [Statute]</b>	Air Quality			
<b>Enf. Coordinator</b>	Elvia Maske			
<b>Violation Number</b>	1			

<b>Primary Rule Cite(s)</b>	Air Operating Permit No. 980, General Terms and Conditions, and 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A)
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 382.085(b)
<b>Violation Description</b>	Failed to provide the probable cause and the corrective actions or preventative measures for a deviation reported for the time period of January 23, 2005 to July 22, 2005 and failed to submit a deviation report for the July 23, 2005 to January 22, 2006 time period to address the improperly reported deviation.

**Base Penalty**

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="25%"/>

**Matrix Notes**

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

**Number of Violation Events**

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>	

**Violation Base Penalty**

**Economic Benefit (EB) for this violation**      **Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

### Economic Benefit Worksheet

Respondent International Paper Company  
 Case ID No. 31135  
 Reg. Ent. Reference No. RN100543073  
 Media [Statute] Air Quality  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime	EB
						Costs	Amount

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$250	05-Aug-2005	21-Aug-2006	1.0	\$13	n/a	\$13
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to prepare and submit a deviation report. Date required is based on the due date for the deviation report. Final date is based on the date the required documents were submitted to the TCEQ.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

**TOTAL** \$13

# Compliance History

Customer/Respondent/Owner-Operator: CN601047830 International Paper Company Classification: AVERAGE Rating: 2.0  
 Regulated Entity: RN100543073 CORRIGAN FACILITY Classification: AVERAGE Site Rating:

ID Number(s):	AIR OPERATING PERMITS AIR OPERATING PERMITS  WASTEWATER WASTEWATER WASTEWATER AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS	ACCOUNT NUMBER PERMIT  PERMIT PERMIT PERMIT PERMIT ACCOUNT NUMBER PERMIT AFS NUM REGISTRATION REGISTRATION	PF0002P 980  WQ0001902 TPDES0064 TX0064491 688B PF0002P 48786 0005 70853 79112
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Location: 800 INDUSTRIAL RD, CORRIGAN, TX, 75939 Rating Date: 9/1/2005 Repeat Violator: N

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: September 08, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 31, 2001 to August 31, 2006

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Elvia Maske Phone: (512) 239-0789

## Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No  |
| 3. If Yes, who is the current owner?   | N/A |
| 4. If Yes, who was/were the prior owner(s)?  | N/A |
| 5. When did the change(s) in ownership occur?  | N/A |

### Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- |     |    |            |          |
|-----|----|------------|----------|
| N/A | 1  | 04/23/2004 | (358061) |
|     | 2  | 05/20/2004 | (358062) |
|     | 3  | 07/26/2004 | (358063) |
|     | 4  | 08/24/2004 | (358064) |
|     | 5  | 12/09/2004 | (371097) |
|     | 6  | 09/20/2004 | (358065) |
|     | 7  | 01/10/2003 | (18749)  |
|     | 8  | 10/25/2004 | (358066) |
|     | 9  | 05/30/2003 | (61692)  |
|     | 10 | 02/24/2004 | (310146) |
|     | 11 | 03/21/2003 | (310147) |
|     | 12 | 04/09/2002 | (91055)  |
|     | 13 | 03/27/2002 | (91054)  |

14	03/22/2004	(310148)
15	02/23/2005	(423145)
16	04/22/2003	(310149)
17	04/26/2005	(423146)
18	05/27/2003	(310150)
19	05/27/2005	(423147)
20	06/24/2003	(310151)
21	06/22/2004	(310152)
22	06/24/2005	(423148)
23	07/23/2003	(310153)
24	07/06/2004	(310154)
25	07/27/2006	(467007)
26	09/23/2003	(310155)
27	10/24/2003	(310156)
28	12/02/2003	(310157)
29	12/29/2003	(310158)
30	01/23/2004	(310159)
31	02/24/2006	(456959)
32	07/27/2004	(280366)
33	08/18/2003	(133953)
34	07/25/2005	(444014)
35	08/23/2005	(444015)
36	09/16/2005	(444016)
37	04/26/2004	(266836)
38	04/03/2006	(502171)
39	04/24/2006	(502172)
40	05/25/2006	(502173)
41	06/26/2006	(502174)
42	01/27/2003	(192975)
43	01/22/2002	(192974)
44	12/30/2002	(192973)
45	12/18/2001	(192972)
46	11/22/2002	(192971)
47	11/19/2001	(192970)
48	10/15/2002	(192969)
49	10/24/2001	(192968)
50	09/20/2002	(192967)
51	09/18/2001	(192966)
52	08/19/2002	(192965)
53	07/22/2002	(192963)
54	08/12/2005	(395558)
55	06/24/2002	(192960)
56	03/28/2005	(385134)
57	11/29/2004	(385135)
58	05/30/2002	(192958)
59	12/22/2004	(385136)
60	05/01/2002	(192957)
61	01/24/2005	(385137)
62	05/01/2002	(192955)
63	03/07/2006	(474298)
64	02/26/2003	(192953)
65	10/27/2005	(474299)
66	02/27/2002	(192952)
67	10/27/2005	(474300)
68	11/28/2005	(474301)
69	12/06/2004	(371096)
70	12/29/2005	(474302)
71	01/27/2006	(474303)

Date: 11/30/2002 (192973)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 12/09/2004 (371097)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Date: 08/15/2005 (395558)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP IA  
 Description: Failure of the permit holder to include or reference a deviation on the annual permit compliance certification.  
 Date: 10/31/2002 (192971)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/26/2004 (266836)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failed to submit the Annual Permit Compliance Certification (PCC) within 30 days after the end of the certification period.  
 Date: 10/31/2001 (192970)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 02/28/2003 (310147)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter  
 Date: 09/30/2001 (192968)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 02/28/2002 (192955)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 12/31/2002 (192975)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 12/06/2004 (371096)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
INTERNATIONAL PAPER  
COMPANY  
RN100543073**

§  
§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET No. 2006-1600-AIR-E**

### **I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding International Paper Company ("International Paper") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and International Paper appear before the Commission and together stipulate that:

1. International Paper owns and operates a veneer and plywood mill located at 800 Industrial Road in Corrigan, Polk County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and International Paper agree that the Commission has jurisdiction to enter this Agreed Order, and that International Paper is subject to the Commission's jurisdiction.
4. International Paper received notice of the violations alleged in Section II ("Allegations") on or about July 30, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by International Paper of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Two Thousand Nine Hundred Fifty Dollars (\$2,950) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). International Paper has paid Two Thousand Three Hundred Sixty Dollars (\$2,360) of the administrative penalty and Five Hundred Ninety Dollars (\$590) is deferred contingent upon International Paper's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If



International Paper fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require International Paper to pay all or part of the deferred penalty.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and International Paper have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on August 21, 2006, International Paper submitted documentation dated August 18, 2006 demonstrating compliance with deviation reporting requirements for the period commencing on January 23, 2005 and ending on January 22, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that International Paper has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, International Paper is alleged to have failed to provide the probable cause and the corrective actions or preventative measures for a deviation reported for the time period of January 23, 2005 to July 22, 2005 and failed to submit a deviation report for the July 23, 2005 to January 22, 2006 time period to address the improperly reported deviation, in violation of Air Operating Permit No. 980, General Terms and Conditions, 30 TEX. ADMIN. CODE § 122.143(4) and § 122.145(2)(A), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on July 18, 2006.

## III. DENIALS

International Paper generally denies each allegation in Section II ("Allegations").

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The records should be kept up-to-date and should be easily accessible to all relevant parties.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include interviews, surveys, and focus groups. Each method has its own strengths and weaknesses, and it is important to choose the most appropriate method for the specific research objectives.

3. The third part of the document describes the process of data analysis. This involves identifying patterns and trends in the data, and then interpreting these findings in the context of the research objectives. It is important to use a systematic and transparent approach to data analysis to ensure the reliability of the results.

4. The fourth part of the document discusses the importance of reporting the results of the research. This involves presenting the findings in a clear and concise manner, and providing a detailed explanation of the implications of the results. It is important to be honest and transparent in reporting the results, and to acknowledge any limitations of the study.

5. The fifth part of the document concludes the report and provides a summary of the key findings. It also offers some recommendations for future research and for the implementation of the findings. The conclusions should be based on the evidence presented in the report, and should be supported by a clear and logical argument.

6. The sixth part of the document provides a list of references and a list of appendices. The references should include all the sources used in the research, and the appendices should include any additional information that is relevant to the study. This information should be presented in a clear and organized manner to facilitate the reader's understanding of the research.

7. The seventh part of the document provides a list of contact information for the author and for the organization. This information should be provided in a clear and concise manner to facilitate communication with the author and to provide information about the organization. It is important to provide accurate and up-to-date contact information to ensure that the reader can reach the author if needed.

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that International Paper pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and International Paper's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: International Paper Company, Docket No. 2006-1600-AIR-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon International Paper. International Paper is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against International Paper in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to International Paper, or three days after the date on which the Commission mails notice of the Order to International Paper, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

### Section 1: Introduction

The first part of the document discusses the importance of maintaining accurate records. It highlights the need for consistency and the potential consequences of errors. The text emphasizes that proper record-keeping is essential for the integrity of the data and the reliability of the results.

The second part of the document outlines the methodology used in the study. It details the experimental setup, the data collection process, and the statistical analysis performed. The authors aim to provide a clear and replicable procedure for future researchers.

The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the data collected. The authors discuss the trends observed and compare them with previous research in the field.

The fourth part of the document discusses the implications of the findings. It explores how the results can be applied in practical settings and what they suggest about the underlying phenomena being studied. The authors also address the limitations of the study and suggest areas for future research.

The fifth part of the document provides a conclusion and a summary of the key points. It reiterates the main findings and the significance of the study. The authors express their appreciation to the funding agencies and the participants who made the study possible.

The final part of the document contains the references and the appendix. The references list the sources used in the study, and the appendix provides additional data and details that are not included in the main text. This section is essential for the reader to verify the information and explore the study further.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

\_\_\_\_\_  
For the Executive Director



\_\_\_\_\_  
Date

2/8/07

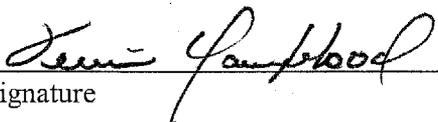
I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

\_\_\_\_\_  
Signature



\_\_\_\_\_  
Date

10-12-06

\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
International Paper Company

Kevin Youngblood

\_\_\_\_\_  
Title

Plant Manager

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

