

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-0666-IWD-E **TCEQ ID:** RN103884631 **CASE NO.:** 33313
RESPONDENT NAME: International Paper Company

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Camden Plant, located on the south side of the intersection of Farm-to-Market Road 942 and Farm-to-Market Road 62, Camden, Polk County</p> <p>TYPE OF OPERATION: Lumber, chip, and plywood manufacturing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on October 8, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Enforcement Division, Enforcement Team 3, MC 219, (512) 239-0321; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Adrian Blocker, General Manager, International Paper Company, P.O. Box 200, Camden, Texas 75934 Mr. Brian E. Heim, Senior Counsel, International Paper Company, P.O. Box 200, Camden, Texas 75934 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 15, 2007</p> <p>Date of NOV/NOE Relating to this Case: April 11, 2007 (NOE)</p> <p>Background Facts: This was a routine record review. Two violations were documented.</p> <p>WATER</p> <p>1) Failed to comply with permit effluent limits for Chloride, Total Dissolved Solids, Flow, Chlorine Residual, and Total Suspended Solids [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0001598000 Effluent Limitations and Monitoring Requirements, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].</p> <p>2) Failed to submit discharge monitoring reports as required. Specifically, International Paper Company did not report the pH minimum at Outfalls 005A and 006A for the monitoring period ending December 31, 2005, and the pH levels at Outfalls 002A, 004A, 005A, and 006A for the monitoring period ending February 28, 2006 [TPDES Permit No. WQ0001598000 Monitoring and Reporting Requirements and 30 TEX. ADMIN. CODE § 305.125(17)].</p>	<p>Total Assessed: \$6,372</p> <p>Total Deferred: \$1,274 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$5,098</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that International Paper Company sold the Facility to Georgia-Pacific Wood Products South LLC on March 31, 2007.</p>

Additional ID No(s): WQ0001598000



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 26, 2007

DATES	Assigned	11-Apr-2007	Screening	26-Apr-2007	EPA Due	
	PCW	2-May-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	International Paper Company
Reg. Ent. Ref. No.	RN103884631
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION				
Enf./Case ID No.	33313	No. of Violations	2	
Docket No.	2007-0666-IWD-E	Order Type	1660	
Media Program(s)	Water Quality	Enf. Coordinator	Harvey Wilson	
Multi-Media		EC's Team	EnforcementTeam 4	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **Subtotals 2, 3, & 7**

Notes: A 95% enhancement is recommended for 18 NOVs for self-reported violations and one NOV for a violation that was same or similar.

Culpability **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply **Subtotal 5**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Subtotal 6

Total EB Amounts	\$172	0% Enhancement*
Approx. Cost of Compliance	\$2,500	*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes: Recommend reduction in penalty amount to prevent self-reported violations from overly impacting the penalty and to prevent double-enhancement for same violations that were not self-reported.

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 26-Apr-2007

Docket No. 2007-0666-IWD-E

PCW

Respondent International Paper Company

Policy Revision 2 (September 2002)

Case ID No. 33313

PCW Revision April 26, 2007

Reg. Ent. Reference No. RN103884631

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

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)	19	95%
	Other written NOVs	0	0%
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 submitted)	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%
<i>Please Enter Yes or No</i>			
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) 95%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

A 95% enhancement is recommended for 18 NOVs for self-reported violations and one NOV for a violation that was same or similar.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 95%

Screening Date 26-Apr-2007

Docket No. 2007-0666-IWD-E

PCW

Respondent International Paper Company

Policy Revision 2 (September 2002)

Case ID No. 33313

PCW Revision April 26, 2007

Reg. Ent. Reference No. RN103884631

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

Violation Number 1

Rule Cite(s) TPDES Permit No. WQ0001598000 Effluent Limitations and Monitoring Requirements, 30 Tex. Admin. Code § 305.125(1), and Tex. Water Code § 26.121(a)

Violation Description Failed to comply with permit effluent limits (see attached table).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	10%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 3 243 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,000

Three quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$141

Violation Final Penalty Total \$5,310

This violation Final Assessed Penalty (adjusted for limits) \$5,310

Economic Benefit Worksheet

Respondent: International Paper Company
Case ID No.: 33313
Reg. Ent. Reference No.: RN103884631
Media: Water Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB 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				0.0	\$0	n/a	\$0
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)	\$2,000	1-Nov-2005	31-Mar-2007	1.4	\$141	n/a	\$141

Notes for DELAYED costs
 The estimated cost of additional oversight and sampling which may have alleviated or prevented the noncompliance. The Date Required is the date the noncompliance started. The Final Date is the date the Respondent sold the facility.

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
 (This section is currently blank)

Approx. Cost of Compliance: \$2,000 TOTAL: \$141

International Paper Company
Docket No. 2007-0666-IWD-E
RN103884631
TPDES Permit No. WQ0001598000
Effluent Violations Table

Month/Year	Outfall 001A Chloride Daily Maximum 118 mg/L	Outfall 001A Total Dissolved Solids Daily Maximum 535 mg/L	Outfall 001A Flow Daily Maximum 0.12 MGD	Outfall 101A Chlorine Residual Minimum 1.0 mg/L	Outfall 101A Total Suspended Solids Daily Average 20 mg/L	Outfall 101A Total Suspended Solids Daily Maximum 45 mg/L
October, 2005	205	626	C	C	C	C
November, 2005	C	588	C	C	C	C
December, 2005	125	568	C	C	26.6	60
January, 2006	120	632	C	C	C	C
February, 2006	170	932	0.1791	C	C	C
March, 2006	C	632	C	C	C	C
April, 2006	130	580	C	C	C	C
May, 2006	130	624	C	0.50	C	C
C – Compliant						
		mg/L – milligrams per liter		MGD – Million Gallons per Day		

Screening Date 26-Apr-2007

Docket No. 2007-0666-IWD-E

PCW

Respondent International Paper Company

Policy Revision 2 (September 2002)

Case ID No. 33313

PCW Revision April 26, 2007

Reg. Ent. Reference No. RN103884631

Media [Statute] Water Quality

Enf. Coordinator Harvey Wilson

Violation Number 2

Rule Cite(s) TPDES Permit No. WQ0001598000 Monitoring and Reporting Requirements and 30 Tex. Admin. Code § 305.125(17)

Violation Description

Failed to submit discharge monitoring reports as required. Specifically, the Respondent did not report the pH minimum at Outfalls 005A and 006A for the monitoring period ending December 31, 2005, and the pH levels at Outfalls 002A, 004A, 005A, and 006A for the monitoring period ending February 28, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 30% of the rule requirements were not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 6

59 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$600

Six single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$1,062

This violation Final Assessed Penalty (adjusted for limits) \$1,062

Economic Benefit Worksheet

Respondent International Paper Company
Case ID No. 33313
Reg. Ent. Reference No. RN103884631
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

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				0.0	\$0	n/a	\$0
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)	\$500	31-Dec-2006	31-Mar-2007	1.2	\$31	n/a	\$31

Notes for DELAYED costs

The estimated cost of submitting complete and accurate discharge monitoring reports. The Date Required is the date the first report was due. Final Date is the date the Respondent sold the facility.

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	\$500	TOTAL	\$31
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Compliance History

Customer/Respondent/Owner-Operator: CN601047830 International Paper Company Classification: AVERAGE Rating: 2.26
Regulated Entity: RN103884631 CAMDEN PLANT Classification: AVERAGE Site Rating: 0.87
ID Number(s): WASTEWATER PERMIT WQ000159800
WASTEWATER EPA ID TPDES000607
WASTEWATER PERMIT TX0006076
Location: The south side of the intersection of Farm-to-Market Road 942 and Farm-to-Market Road 62 in Camden, Polk County, Texas Rating Date: 9/1/2006 Repeat Violator: NO
TCEQ Region: REGION 10 - BEAUMONT
Date Compliance History Prepared: May 02, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: May 02, 2002 to May 02, 2007

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

Name: Harvey Wilson Phone: 239-0321

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? No
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.)

1	10/21/2002	(158770)
2	11/15/2002	(158771)
3	12/18/2002	(158772)
4	01/16/2003	(158773)
5	02/06/2003	(158760)
6	02/10/2003	(158758)
7	03/14/2003	(158762)
8	04/22/2003	(295640)
9	05/13/2003	(295642)
10	06/12/2003	(295644)
11	07/15/2003	(295646)
12	08/18/2003	(295647)
13	09/15/2003	(295649)
14	10/14/2003	(295650)
15	11/18/2003	(295651)
16	12/08/2003	(295652)
17	01/23/2004	(295653)
18	02/18/2004	(295638)
19	03/15/2004	(295639)
20	04/19/2004	(295641)
21	05/21/2004	(352213)

22 06/14/2004 (295643)
 23 06/14/2004 (295645)
 24 06/17/2004 (295648)
 25 07/13/2004 (352214)
 26 08/16/2004 (468494)
 27 09/21/2004 (352215)
 28 10/15/2004 (352216)
 29 11/23/2004 (352217)
 30 12/20/2004 (381887)
 31 01/24/2005 (381888)
 32 02/22/2005 (419727)
 33 03/15/2005 (419728)
 34 04/14/2005 (419729)
 35 05/20/2005 (419730)
 36 06/20/2005 (419731)
 37 07/25/2005 (440864)
 38 08/23/2005 (440865)
 39 09/23/2005 (440866)
 40 10/26/2005 (468495)
 41 11/29/2005 (468496)
 42 12/27/2005 (468497)
 43 01/24/2006 (468498)
 44 03/07/2006 (468492)
 45 03/23/2006 (468493)
 46 04/24/2006 (498238)
 47 05/24/2006 (498239)
 48 06/21/2006 (498240)
 49 07/25/2006 (520250)
 50 08/22/2006 (520251)
 51 09/21/2006 (520252)
 52 10/24/2006 (544567)
 53 11/27/2006 (544568)
 54 11/27/2006 (531221)
 55 12/21/2006 (544569)
 56 04/11/2007 (553972)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 06/30/2003 (295646)
 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: 09/30/2003 (295650)
 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: 01/31/2004 (295638)
 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: 07/31/2004 (468494)
 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: 03/31/2005 (419729)
 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: 08/31/2005 (440866)
 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: 09/30/2005 (468495)
 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: 10/31/2005 (468496)
 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: 11/30/2005 (468497)
 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: 12/31/2005 (468498)
 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: 01/31/2006 (468492)
 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: 02/28/2006 (468493)
 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: 03/31/2006 (498238)
 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: 04/30/2006 (498239)
 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: 05/31/2006 (498240)
 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: 09/30/2006 (544567)
 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: 10/31/2006 (544568)
 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: 11/27/2006 (531221)
 Self Report? NO Classification: Minor
 Rqmt Prov: PERMIT OpR1
 Description: Failure by IP Camden to ensure that all systems of collection, treatment,
 and disposal are properly operated and maintained.

Self Report? NO Classification: Moderate
 Rqmt Prov: PERMIT PC2g
 Description: Failure by IP Camden to prevent unauthorized discharges into or adjacent

to the waters of the state.
Self Report? NO Classification: Moderate
Rqmt Prov: PERMIT EL&MR1
Description: Failure by IP Camden to comply with the permitted effluent limits for total dissolved solids (TDS) and chloride.

Self Report? NO Classification: Moderate
Rqmt Prov: PERMIT OT9
Description: Failure by IP Camden to comply with the permit requirements for sampling and analysis of Outfall 101 for fecal coliform as required by Other Requirements in Permit WQ001598-000.

Date: 06/30/2006
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

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
RN103884631**

§
§
§
§
§
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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0666-IWD-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 under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and International Paper Company appear before the Commission and together stipulate that:

1. International Paper Company owned and operated a lumber, chip, and plywood manufacturing Facility at located on the south side of the intersection of Farm-to-Market Road 942 and Farm-to-Market Road 62 in Camden, Polk County, Texas (the "Facility").
2. The Facility involves or involved the management of industrial hazardous waste as defined in TEX. WATER CODE ch. 26.
3. The Commission and International Paper Company agree that the Commission has jurisdiction to enter this Agreed Order, and that International Paper Company is subject to the Commission's jurisdiction.
4. International Paper Company received notice of the violations alleged in Section II ("Allegations") on or about April 16, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by International Paper Company of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Six Thousand Three Hundred Seventy-Two Dollars (\$6,372) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). International Paper Company has paid Five Thousand Ninety-Eight Dollars (\$5,098) of the administrative penalty and One Thousand Two Hundred Seventy-Four Dollars (\$1,274) is deferred contingent upon International Paper Company's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon

2. Failed to submit discharge monitoring reports as required, in violation of TPDES Permit No. WQ0001598000 Monitoring and Reporting Requirements and 30 TEX. ADMIN. CODE § 305.125(17), as documented during a record review conducted on March 15, 2007. Specifically, International Paper Company did not report the pH minimum at Outfalls 005A and 006A for the monitoring period ending December 31, 2005, and the pH levels at Outfalls 002A, 004A, 005A, and 006A for the monitoring period ending February 28, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that International Paper Company pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and International Paper Company'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. 2007-0666-IWD-E" to:

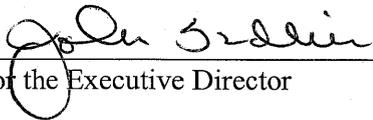
Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon International Paper Company. International Paper Company is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against International Paper Company 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 Company, or three days after the date on which the Commission mails notice of the Order to International Paper Company, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

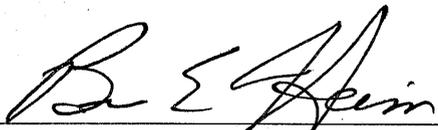
12/6/07
Date

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

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

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


Signature

8/1/07
Date

Brian E. Heim
Name (Printed or typed)
Authorized Representative of
International Paper Company

Senior Counsel
Title

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.

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Second main paragraph of handwritten text, continuing the narrative or list.

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Handwritten signature or name on the right side of the lower section.

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