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**TCEQ AIR QUALITY PERMIT NUMBERS 8068 and PSD-TX-437
TCEQ DOCKET NUMBER 2010-1308-AIR**

APPLICATION BY	§	BEFORE THE
	§	
ABITIBI-CONSOLIDATED CORP.	§	TEXAS COMMISSION ON
	§	
LUFKIN, ANGELINA COUNTY	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein. The Texas Clean Air Act (TCAA) §382.056(n) requires the commission to consider hearing requests in accordance with the procedures provided in Tex. Water Code §5.556.¹ This statute is implemented through the rules in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F.

A current compliance history report, technical review summary, and draft permit prepared by the Executive Director’s staff are being filed concurrently with the TCEQ’s Office of Chief Clerk for the Commission’s consideration. In addition, the Executive Director’s Response to Public Comments (RTC), which was mailed by the chief clerk to all persons on the mailing list, is on file with the Chief Clerk for the Commission’s consideration.

I. Application Request and Background Information

Abitibi-Consolidated Corp. has applied to the TCEQ for renewal of Air Quality Permit No. 8068, which would authorize continued operation of its Lufkin Pulp and Paper Mill located at 3331 East Highway 103, Lufkin, Angelina County, Texas. The existing facility is authorized to emit the following air contaminants: nitrogen oxides (NO_x), sulfur dioxide (SO₂), particulate matter (PM), chlorine (Cl₂), total reduced sulfur (TRS), organic compounds, and carbon monoxide (CO).

On June 1, 1998, the Applicant applied for the renewal of permit no. 8068 to authorize the continued operation of the Pulp & Paper Mill. The TCEQ Region 10 Office in Beaumont (TCEQ Regional Office) inspected the mill and concluded that the Applicant should have its emissions from the Blowheat Recovery System (BRS) represented in the permit. Air Permits Division (APD) staff concurred with this decision. The BRS was originally installed in the 1990’s to comply with Texas Regulation II (Now in TCEQ Rules at 30 TAC Chapter 112) regarding emissions from kraft pulp mill digesters. The BRS in the facility includes an accumulator that is equipped with a water seal that is set to approximately 3.5 pounds per square inch gauge (psig) to prevent tank and equipment ruptures. Pressure changes both internally and externally can result in the seal being periodically

¹ Statutes cited in this response may be viewed online at <http://www.statutes.legis.state.tx.us/>. Relevant statutes are found primarily in the Texas Health and Safety Code and the Texas Water Code. The rules in the Texas Administrative Code may be viewed online at www.sos.state.tx.us/tac/index.shtml, or follow the “Rules, Policy & Legislation” link on the TCEQ website at www.tceq.state.tx.us.

compromised resulting in a release of Non-Condensable Gases (NCGs). These releases are unpredictable and highly dependent on several factors which include atmospheric pressure and temperature changes, upsets in the digester cooking systems that result in cooking too long or not long enough, off-specification raw materials, malfunction of instruments that monitor pressures in the system, and changes in the control set points. Once the water seal is compromised, it can be automatically or manually reset quickly, and the resulting NCG vent typically lasts for one minute or less. The Applicant contends that emissions from this water seal are upset emissions and that it has recorded them as per the instructions of 30 TAC §§ 101.201-101.211. During an investigation in February 2000, the TCEQ Regional Office concluded that even if the emissions are unpredictable, the frequency of occurrences makes them part of normal operations, and the emissions should therefore be represented in the permit.

In response, the Applicant submitted an amendment application on December 18, 2000. The amendment was not regarded as an increase in emissions but rather as an authorization of existing emissions that were previously reported as upset emissions. Because the emissions could not be easily quantified, the Applicant applied two percent of the operating hours of the digester to determine the emissions.

On December 20, 2000, the commission approved an Agreed Order (AO), Docket No. 2000-0405-AIR-E, requiring, among other things, the Applicant either certify in writing that actual emissions from the BRS are being maintained below the emission limits specified in Air Permit Nos. 8068 and PSD-TX-437, or submit an application to amend Air Permit Nos. 8068 and PSD-TX-437 to ensure that all emissions from the BRS during normal operating conditions are authorized.

During the time period between December 2000 and May 2001, the Applicant and ED staff continued discussions regarding authorization of the BRS emissions. As a result of the applicant's agreement to authorize the BRS emissions or certify compliance, the permit application was declared administratively complete on May 14, 2001. As noted below, the public notice process for the application began at this time.

On October 25, 2002, the Applicant submitted a second amendment application that included a demonstration and a commitment to reduce the number of blown seal incidents thereby lowering the applicant's requested emissions below the de minimis level requiring public notice. The draft permit was sent out for comments to the TCEQ Regional Office on January 22, 2003. After an extended period of communication exchanges on the language of the special conditions, there was a meeting on July 8, 2003 involving the TCEQ Air Permits Division (APD), the TCEQ Office of Compliance and Enforcement, the TCEQ Regional Office, the TCEQ Office of Legal Services, and the Applicant. Participants at that meeting agreed the Applicant should submit a Compliance Assurance Plan (CAP) to the TCEQ Enforcement Division. The Enforcement Division concluded that the Applicant needed to put into place some corrective action plan to bring the BRS into compliance, and the plan would need to be enforceable either by inclusion in a permit, or possibly outside the permit as an extension of the December 20, 2000 Commission ordering provision. The amendment

application of October 25, 2002 was then voided on August 25, 2003. In order to be in compliance with the AO, the Applicant voluntarily stopped production, or idled the mill, in December 2003.

After several months of continued negotiations, the TCEQ and the Applicant came to the conclusion that because no new emissions are involved in the BRS, the Applicant could address the blown seals under a Startup, Shutdown, and Malfunction (SSM) plan. For this reason, the permit was altered on November 16, 2005 to include the requirement for an SSM plan, and the Applicant requested that the December 18, 2000 amendment be withdrawn. That amendment application was voided on August 21, 2006, and all the commenters were notified in a letter dated that day. The Applicant republished notice of the application (NAPD) on April 11, 2007 and the Comment period ended on April 26, 2007. During the time between April 2007 and March 2009, TCEQ received information from the applicant indicating that the facility may be in the process of being sold. Specifically, on August 15, 2008, TCEQ staff met with the applicant who indicated that the company was attempting to find a buyer. On March 31, 2009, the Applicant informed TCEQ staff that Abitibi was approximately one month away from selling the facility. Abitibi has not requested withdrawal of the application or informed TCEQ of a sale of the facility, and thus the agency is required to complete processing of the remaining renewal application for Air Quality Permit No. 8068.

The public notice and processing history for this application can be summarized as follows: This permit application is for a renewal. The permit application was received June 1, 1998 and declared administratively complete on May 14, 2001. The Notice of Receipt and Intent to Obtain an Air Quality Permit (public notice) for this permit application was published on May 30, 2001 in the *Lufkin Daily News*. Alternative Language Notice was published on May 30, 2001 in *La Lengua*. The Notice of Application and Preliminary Decision was published on December 5, 2001, in the *Lufkin Daily News*. Alternative Language Notice was published on December 5, 2001 in *La Lengua*. The Notice of Receipt and Intent to Obtain an Air Quality Permit for this permit application was republished on April 11, 2007 in the *Lufkin Daily News*. Alternative Language Notice was republished on April 11, 2007 in *La Lengua*. No further comments or requests were received during the 15-day comment period after the re-publication. The public comment period ended on April 26, 2007. Because this application was administratively complete after September 1, 1999, this action is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

The Executive Director's Response to Public Comment (RTC) was filed with the Chief Clerk on August 2, 2010. The Executive Director's RTC was mailed on August 20, 2010 to interested persons, including those who asked to be placed on the mailing list for this application, and those who submitted a comment or request for a contested case hearing. The cover letter attached to the RTC and notice of Commission meeting included information about making requests for reconsideration of the ED's decision, and filing a written reply to other responses to the hearing requests.² The letter also explained hearing requesters should specify any of the ED's responses to

² See TCEQ rules at 30 TAC Chapter 55, Subchapter F. Procedural rules for public input to the permit process are found primarily in 30 TAC Chapters 39, 50, 55 and 80.

comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy.

The TCEQ received 45 timely requests for a contested case hearing, that were not withdrawn, from 41 different persons during the public comment period ending April 26, 2007. Hearing requests were received from the following persons: Johnny Arney, Jo Ellen Atkinson, Dian Avriett, Fenner Avriett, Jay Avriett, Louis W. Cable, Dr. Maryjane W. Cable, Bonnie Donovan, Gina Donovan, Richard M. Donovan, Susana Encarnación, Jerry Ferguson, Juanita Gandy, Faye Griggs, James R. Griggs, Deadra Johnson, Carly Kirby, Gaylyn Kirby, Jimmy Laird, James Lemon, Kerry Lemon, Kerry Bryant Lemon, Hellen Madden, Sammy L. Madden, Roy C. McRoskey, David Melton, Daniel Orta, Sara Ortega, Dusty Rhodes, Julie Robles, Carmen Rogue, Sandra Rummer, Heather Seay, Kim Seay, WM. B. Shelton Jr. M.D., Donna Stanley, Dwayne K. Sumrall, Mary Taylor, Tanya Thompson, Nona O. Tousha, and Rachel Woodson.

II. Applicable Law

The law applicable to the proposed facility may generally be summarized as follows. TCAA section 382.055 establishes the requirements for review and renewal of a preconstruction permit. Specifically, subsection "e" outlines the limitations to the commissions conditions upon which renewal may be granted stating: "the commission shall impose as a condition for renewal of a preconstruction permit only those requirements the commission determines to be economically reasonable and technically practicable considering the age of the facility and the effect of its emissions on the surrounding area. The commission may not impose requirements more stringent than those of the existing permit unless the commission determines that the requirements are necessary to avoid a condition of air pollution or to ensure compliance with otherwise applicable federal or state air quality control requirements. The commission may not impose requirements less stringent than those of the existing permit unless the commission determines that a proposed change will meet the requirements of Sections 382.0518 and 382.0541."³

With specific regard to hearing requests, Texas Health & Safety Code (THSC) § 382.056(g) states, "The commission may not seek further comment or hold a public hearing...in response to a request for a public hearing on an amendment, modification, or renewal that would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted."⁴ Furthermore, THSC § 382.056(o) states "Notwithstanding other provisions of this chapter, the commission may hold a hearing on a permit amendment, modification, or renewal if the commission determines that the application involves a facility for which the applicant's compliance

³ TEX. HEALTH & SAFETY CODE § 382.055

⁴ See also 30 TAC § 55.201(i)(3)(C) (Renewals of air applications that "would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted" are applications for which there is no right to a contested case hearing).

history is in the lowest classification under Sections 5.753 and 5.754, Water Code, and rules adopted and procedures developed under those sections.”⁵

III. Analysis

The first step in the analysis requires a determination whether the application would result in an increase in allowable emissions or an emission of an air contaminant not previously emitted. As noted above, the Applicant is seeking a renewal that would not result in an increase in allowable emissions and will not result in an emission of an air contaminant not previously emitted. Therefore, applying THSC § 382.056(g), which limits Commission's authority to hold public hearings for this type of application, the Commission should deny the hearing requests as a matter of law.

The next step in the analysis requires application of THSC § 382.056(o) which requires review of the applicant's compliance history and a determination whether the applicant's compliance history is in the lowest classification under Sections 5.753 and 5.754, Water Code, and rules adopted and procedures developed under those sections.”⁶ The commission adopted 30 TAC, Chapter 60 to evaluate compliance history. The lowest classification under the Texas Water Code §§ 5.753 and 5.754 and 30 TAC § 60.2 is a “poor performer.” Under 30 TAC § 60.3(a)(3)(B), the TCEQ may hold a hearing on an air permit renewal if the site is classified as a poor performer. The compliance history for the company and the site is reviewed for the five-year period prior to the date the permit application was received by the ED. The company and this site have a rating of 0.76 and 0.78 respectively, and have been classified as “average” and not “poor” performers according to 30 TAC Chapter 60.7 Therefore, a hearing should not be granted under THSC § 382.056(o) based on the compliance history of Applicant.

IV. Conclusion

The renewal of this permit would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. Under these circumstances, THSC § 382.056(g) directs the Commission to “not seek further comment or hold a public hearing.” Because consideration of hearing requests on a “no increase” renewal application is governed by THSC § 382.056(g) and (o), this Response does not include an analysis of the individual hearing

⁵ See also 30 TAC § 55.201(i)(3)(C) (stating the commission may hold a hearing if the application “involves a facility for which the applicant's compliance history contains violations which are unresolved and which constitute a recurring pattern of egregious conduct which demonstrates a consistent disregard for the regulatory process, including the failure to make a timely and substantial attempt to correct the violations”).

⁶ *Id.*

⁷ ED staff accessed the compliance history for this application on two dates. The compliance history ratings and classifications referenced above are contained in the compliance history report generated on August 26, 2010. During the technical review of the application, a compliance history report was reviewed by the permit reviewer on April 13, 2009. This report reflects a site rating of .73 and a company rating of 1.69 with average classifications for both ratings. These ratings and classifications are noted in the Executive Director's Response to Comments.

requests. Accordingly, the ED respectfully recommends the Commission deny the hearing request as a matter of law and approve the renewal of Applicant's Permit Nos. 8068 and PSD-TX-437.

Respectfully submitted,

Texas Commission on Environmental Quality

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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

On the 3rd day of September, 2010, a true and correct copy of the foregoing instrument was served on all persons on the attached mailing list by the undersigned via deposit into the U.S. Mail, inter-agency mail, facsimile, or hand delivery.



Erin Selvera

SPECIAL CONDITIONS

Permit Numbers 8068 and PSDTX437

EMISSION STANDARDS AND FUEL SPECIFICATIONS

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in that attached table.
2. A. The following facilities, as represented by the applicant, shall comply with all requirements of the U.S. Environmental Protection Agency (EPA) regulations in Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Subparts A and BB on Standards of Performance for New Stationary Sources promulgated for Kraft Pulp Mills in Lime Kiln, Recovery Furnace, Smelt Tank, and Batch Digesters. **(10/00)**
- B. Where applicable, the facilities shall comply with the requirements of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPS), Subpart S, NESHAPS for the Pulp and Paper Industry; Subpart MM, NESHAPS for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi chemical Pulp Mills; and Subpart DDDDD, Maximum Achievable Control Technology (MACT) Standard for Industrial, Commercial, and Institutional Boilers. **(11/05)**

OPERATIONAL LIMITATIONS AND WORK PRACTICES

3. The following representations have been made by the applicant:
 - A. The chemicals used for sodium makeup in the recovery boiler will be limited to 15 gallons per minute and the following maximum compositions:

Sodium Formate	25 percent
Pentaerythritol (pe)	8 percent
Pe Cyclic Monoformal	8 percent
Sodium Acetate	5 percent
Sodium Chloride	2 percent
Sodium Sulfate	2 percent
Dipentaerythritol	2 percent
Miscellaneous Organics*	20 percent
Formaldehyde	70 parts per million (ppm)

* These organics are limited to the compounds normally found in the sodium makeup additive.

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- B. Fuel for the lime kiln will be sweet natural gas or No. 2 fuel oil with a sulfur content less than 0.3 percent.
 - C. The fiscal monthly average amount of anthraquinone used per batch is limited to 0.1 percent of the oven dry weight of chips. **(4/99)**
4. A. Prior to restart of operation, the permit holder shall submit and obtain approval for the relevant portions of a detailed Start-up, Shutdown, and Malfunction (SSM) plan to the Texas Commission on Environmental Quality (TCEQ) Beaumont Regional Office. This portion of the SSM plan must list and describe likely "scenarios" which could result in a malfunction through the Accumulator Stack (Emission Point No. [EPN] 89-1) on the blow heat recovery system. In addition, the plan shall include the corrective action that will be taken for each scenario to demonstrate compliance with 40 CFR Part 63, NESHAPS, Subpart S, NESHAPS for the Pulp and Paper Industry. Any changes to the SSM plan that affect EPN 89-1 shall be submitted to the TCEQ Beaumont Regional Office within 15 days of the revision. **(Date)**
- B. The blow heat recovery system must be properly operated and maintained. Emissions associated with blown (open) seals venting through EPN 89-1 shall be minimized in accordance with all applicable representations and strategies in the SSM plan.
5. The No. 8 Paper Machine is limited to a gross production rate of 438,710 tons per year. **(3/02)**

CONTINUOUS MONITORING REQUIREMENT

6. The holder of this permit shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the concentration of sulfur dioxide (SO₂) in the gases emitted from the recovery boiler. The 12-hour average concentration of SO₂ in the recovery boiler shall not exceed 250 ppm (dry basis).
7. The holder of this permit shall install, calibrate, maintain, and operate a system of pressure and temperature measuring devices on the accumulator. These measurements will be used to calculate the gas flow during a blown seal from EPN 89-1. The information required for calculating the flow during blown seals shall be stipulated by the permit holder and is subject to review and approval by the TCEQ prior to restart of operation. **(Date)**

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When venting occurs from EPN 89-1, the following information shall be recorded and made immediately available upon request: flow in standard cubic feet per second, start and stop time to nearest second, and calculated emissions of the following pollutants based on the most current average of all sample analyses and concentration of all sulfur compounds (including total reduced sulfur [TRS]), total and speciated volatile organic compounds (VOC), all hazardous air pollutant (HAP) compounds, and carbon monoxide (CO). **(11/05)**

8. The holder of this permit shall perform stack sampling (grab sample - canister, tedlar bag, etc.) and other testing as required to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere from (but not limited to) the Blow Heat Recovery System (EPN 89-1). The holder of this permit is responsible for providing sampling and testing facilities and conducting the sampling and testing operations at the holder's expense.
 - A. The TCEQ Beaumont Regional Office shall be contacted as soon as testing is scheduled but not less than 45 days prior to testing/sampling to schedule a pretest meeting.

The notice shall include:

- (1) Date for pretest meeting.
- (2) Date sampling will occur.
- (3) Name of firm conducting sampling.
- (4) Type of sampling equipment to be used.
- (5) Method or procedure to be used in sampling.

The purpose of the pretest meeting is to review the necessary sampling and testing/sampling procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written proposed description of any deviation from testing/sampling procedures specified in permit conditions or TCEQ or EPA sampling procedures shall be made available to the TCEQ prior to the pretest meeting. The TCEQ Regional Director shall approve or disapprove of any deviation from specified sampling procedures.

Requests to waive testing for any pollutant specified in Paragraph B of this condition shall be submitted to the TCEQ Office of Permitting and Registration, Air Permits Division and to the TCEQ Beaumont Regional Office. Test waivers and alternate/equivalent procedure proposals for New Source Performance Standards testing which must have EPA approval shall be submitted to the TCEQ Beaumont Regional Office.

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- B. Air contaminants which could be emitted from the Blowheat Recovery System Accumulator Vent Stack (EPN 89-1) to be tested/sampled for include (but are not limited to) total and speciated VOC, all HAP compounds, and all sulfur compounds including TRS and CO. Testing of the gas composition for EPN 89-1 shall be performed in the line prior to entry into the accumulator vessel and the analysis shall be reported in ppm and parts per million by volume (ppmv) for each compound.
- C. Stack testing/sampling shall occur at the earlier of the following events: within 30 days from resumption of normal operations or within 90 days from start-up and at such other times as may be required by the Executive Director of the TCEQ. Sampling shall be conducted during normal facility operations. Test/sample analysis shall include all the pollutants listed in Special Condition No. 8B for the blow heat recovery system. Results of the test/sample must be reported in ppm and ppmv.

For the first 12 months of operation, samples from the entry line to the accumulator vessel that could be emitted through EPN 89-1 shall be collected and tested weekly for the first three months and then monthly for the remaining nine months. After the first 12 months of sampling, samples must be collected and tested once per quarter for one year. After the first 12 months of sampling, the permit holder may request a modification to and/or waiver of the remaining quarterly sampling/testing requirements. Such modifications to the sampling schedule may be approved upon a determination by the TCEQ Executive Director that the permittee has demonstrated compliance with the SSM plan and permit conditions.

Requests for additional time to perform stack testing/sampling shall be submitted to the TCEQ Beaumont Regional Office. Additional time to comply with the applicable requirements of 40 CFR Parts 60 and 61 requires EPA approval, and requests shall be submitted to the TCEQ Beaumont Regional Office.

- D. The plant may operate at any capacity during testing/sampling involving blown seals but shall operate at or near the maximum achievable production rate during stack emission testing/sampling if and when testing/sampling is required for other emission sources.
- E. Three copies of the final stack testing/sampling report shall be forwarded to the TCEQ within 30 days after sampling is completed. Stack testing/sampling reports shall comply with the attached provisions of Chapter 14 of the TCEQ Sampling Procedures Manual.

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The reports shall be distributed as follows:

One copy to the EPA Dallas Region 6 Office.

One copy to the TCEQ Beaumont Regional Office. **(11/05)**

CONTEMPORANEOUS REDUCTIONS

9. In order to ensure compliance with the represented emission rates that were used in the prevention of significant deterioration (PSD) netting analysis for the Kraft Mill Expansion Project, natural gas consumption in the Nos. 4, 5, 8, and 9 Power Boilers (permitted under Voluntary Emissions Reduction Program Number 56263) shall be limited to 4,803 million standard cubic feet per year. **(11/05)**
10. Recovery Boiler Nos. 6 and 10 have been shut down as part of the Kraft Mill Expansion Project and the resulting emission reductions applied to the PSD netting. The Nos. 1, 3, and 4 Paper Machines will be shut down as part of the No. 8 Paper Machine Project. **(10/00)**
11. Paper Machine Nos. 1, 3, and 4 will be shut down within 225 days after the start-up of the No. 8 Paper Machine and the resulting emission reductions applied to the PSD netting. **(8/99)**

RECORDKEEPING REQUIREMENTS

12. Records shall be maintained to demonstrate compliance with the fiscal monthly average anthraquinone limitation. **(4/99)**
13. For the Recovery Boiler (Emission Point No. 81-1), Abitibi Consolidated Corporation shall calculate and record on a daily basis 12-hour average SO₂ concentrations for the two consecutive periods of each operating day. Each 12-hour average shall be determined as the arithmetic mean of the appropriate 12 contiguous one-hour average SO₂ concentrations from the continuous emissions monitor. **(8/99)**
14. Records shall be maintained to show the composition and feed rate of the sodium makeup in the recovery boiler. Records shall be based on a fiscal monthly average. **(4/99)**
15. Compliance with the pulp production limit shall be demonstrated by calculating an average daily production of pulp based on a fiscal monthly total. **(4/99)**

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16. Records shall be maintained on the No. 8 Paper Machine using a gross production rate. Gross production is determined by machine width, machine speed, machine uptime, and paper sheet basis weight. **(3/02)**
17. Records shall be maintained to show compliance with Special Condition Nos. 2, 4, 6, 7, and 8.

In addition:

- A. The first three months of sampling results required in Special Condition No. 8C (associated with EPN 89-1) shall be submitted to the TCEQ Beaumont Regional Office within 45 days after the last sample is collected. The remaining test results shall be maintained on-site as indicated in Special Condition No. 18.
 - B. Records shall be maintained of the blow heat recovery system operational status (when NCG gases are passing through the system) and shall be maintained on a cumulative hourly total per month and a rolling annual hourly total (updated monthly). **(11/05)**
18. All records shall be kept for five years and made immediately available upon request from personnel from the TCEQ, EPA, or any air pollution agency having jurisdiction. **(11/05)**

ADDITIONAL CONDITION

19. According to long-standing EPA policy, shutdowns lasting more than two years are considered permanent for purposes of federal new source review (NSR). This presumption is rebuttable by the owner or operator of the source. Therefore, prior to restarting operation of the facilities covered by this permit, the permit holder shall provide, for approval by the TCEQ Air Permits Division, an analysis of why the shutdown of these facilities should not be considered permanent for purposes of federal NSR. This analysis shall address why restarting these facilities should not be treated as a new major source, or a major modification. The analysis shall include(but is not limited to): the amount of time the facilities have been shutdown; the reasons for the shutdown; any evidence discussing whether the shutdown was intended to be permanent; status of permits for the facilities; ongoing maintenance and inspections that have been conducted during the shutdown; details (including cost) of the rehabilitation work needed to restart the facilities; an analysis of whether any work needed meets the "routine maintenance, repair, and replacement" regulatory exemption by considering the nature, extent, purpose, frequency and cost of the work as well as other factors; an analysis of whether there will be a change in the method of operation as it relates to an increase in hours of operation from the appropriate baseline;

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whether the source continued to be carried in the state's emissions inventory during the shutdown; a demonstration that the shutdown was not considered as a decrease in a netting calculation. In addition, the permit holder shall note that the allowable emissions level as of the date of shutdown cannot increase upon reactivation, while the baseline actual emissions may be zero.

No facilities shall be restarted until receipt of written approval of the TCEQ Air Permits Division's review of the analysis. **(Date)**

Dated

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

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This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *	
			lb/hr	TPY
79-1	Lime Kiln Scrubber (5)	PM ₁₀	22.70	96.7
		NO _x	22.70	96.7
		CO	22.90	97.6
		VOC	7.50	32.0
		SO ₂	5.40	23.0
		TRS	0.90	3.8
79-2	Slaker (5)	PM ₁₀	0.50	2.2
		TRS	0.10	0.3
		VOC	0.30	1.3
79-3	Lime Blower (5)	PM ₁₀	0.40	1.7
79-4	Mud Filter Pump (5)	PM ₁₀	0.50	2.2
		VOC	0.26	1.1
79-5	Mud Filter Hood (5)	PM ₁₀	0.50	2.2
		VOC	0.23	1.0
79-6	Causticizer Tanks (5)	PM ₁₀	0.50	2.2
		VOC	0.07	0.3
81-1	Recovery Boiler (6)	PM ₁₀	50.50	218.1
		NO _x	55.00	237.6
		CO	112.50	486.0
		VOC	20.27	88.8
		SO ₂	206.00	890.0
		TRS	2.70	11.8
		H ₂ SO ₄	4.60	20.0

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *	
			lb/hr	TPY
81-2	Smelt Tank (6)	PM ₁₀	8.30	36.0
		SO ₂	2.50	10.8
		TRS	1.40	6.0
		VOC	10.42	45.0
89-1	Blowheat Recovery System** (Accumulator) Vent Stack	TRS	0.00	0.0
		VOC	0.00	0.0
		H ₂ S	0.00	0.0
		CO	0.00	0.0
		SO ₂	0.00	0.0
89-2	Brown Stock Washers (4) (6)	TRS	9.82	43.0
		VOC	12.70	55.0
G-1	Power Boiler 11	PM ₁₀	63.90	280.0
		NO _x	81.00	355.0
		CO	188.60	826.0
		VOC	54.10	237.0
		SO ₂	5.40	23.7
		H ₂ SO ₄	0.23	1.0
G-5	Groundwood Mill (4)	VOC	249.32	1091.9
G-6	Turbine	PM ₁₀	1.07	4.7
		NO _x	118.70	520.0
		CO	8.63	37.8
		VOC	0.59	2.6
		SO ₂	0.14	0.6
PM-2	No. 2 Paper Machine	VOC	15.45	67.7
PM-8	No. 8 Paper Machine	VOC	37.21	163.0

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *	
			lb/hr	TPY
BPLT	Bleach Plant	VOC	7.13	31.3
		Chlorine	2.76	12.1
GLCS	Green Liquor Clarification and Storage	VOC	1.46	6.4
LMCS	Lime Mud Clarification and Storage	VOC	0.66	2.9
		TRS	0.02	<0.1
WLCS	White Liquor Clarification and Storage	VOC	0.22	1.0
SRS	Soap Recovery and Storage	VOC	0.08	0.4
		TRS	0.05	0.3
WBLS	Weak Black Liquor Storage	VOC	0.10	0.5
		TRS	0.06	0.3
HBLS	Heavy Black Liquor Storage	VOC	0.18	0.8
		TRS	0.18	0.8
BRKPS	Brown Kraft Pulp Storage	VOC	0.86	3.8
		TRS	0.18	0.8
BLKPS	Bleached Kraft Pulp Storage	VOC	0.86	3.8
		TRS	0.18	0.8
MS	Misc. Storage	VOC	0.06	0.3
		TRS	0.04	0.2
WDYD	Woodyard	PM ₁₀	8.75	38.4

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

- (1) Emission point identification.
- (2) Specific point source name. For fugitive sources use area name or fugitive source name.
- (3) PM₁₀ - particulate matter (PM) equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no PM greater than 10 microns is emitted.
 - NO_x - total oxides of nitrogen
 - CO - carbon monoxide
 - VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
 - SO₂ - sulfur dioxide
 - TRS - total reduced sulfur
 - H₂SO₄ - sulfuric acid mist
 - H₂S - hydrogen sulfide
- (4) Fugitive emissions are an estimate.
- (5) Emission rates are based on 8,520 hours/year of operation.
- (6) Emission rates are based on 8,640 hours/year of operation.

* Unless otherwise noted, emissions are based on, and facilities are limited to, 8,760 hours/year of operation. The Kraft pulp mill is limited to 600 air dried tons pulp (ADTP)/day, based on a fiscal monthly average.

The groundwood mill is limited to 889 ADTP/day, based on a fiscal monthly average.

** Refer to the startup, shutdown, and malfunction (SSM) plan.

Dated

Permit Renewal Source Analysis & Technical Review

Company	Abitibi-consolidated Corp	Permit Number	8068/PSDTX437
City	Lufkin	Project Number	65576
County	Angelina	Account Number	AC-0017-B
Project Type	Renewal	Regulated Entity Number	RN100220110
Project Reviewer	Mr. Patrick Agumadu, P.E.	Customer Reference Number	CN600615744
Site Name	Lufkin Pulp And Paper Mill	GW#:	382311

Project Overview

Abitibi Consolidated Corporation (previously known as Donohue Industries) had applied for the renewal of its permit on June 1, 1998 to authorize the continued operation of the Pulp & Paper Plant on Highway 103 East Lufkin, Angelina County, Texas.

On December 18, 2000, Abitibi also applied to the TCEQ for modification of its existing Pulp & Paper Mill, in Lufkin, Angelina County. This modification request which was declared administratively complete on May 14, 2001 would authorize the applicant to represent emissions from its Blowheat Recovery System released when pressure from water seal exceeds 3.5 psig as permitted instead of representing such emissions as upset as previously done by Abitibi. The Blowheat Recovery System in the plant includes an accumulator which is equipped with a water seal set at approximately 3.5 psig to prevent tank and equipment ruptures. A number of events can result in the loss of the water seal, such as atmospheric pressure and temperature changes, upsets in the digester cooking systems which result in cooking too long or not long enough, instrument malfunctions that monitor pressures in the system, and changes in the control set points. Abitibi contended that emissions from this water seal are upset emissions and had recorded them as per the instructions of 30 TAC 101.201 and 101.211. The Texas Commission On Environmental Quality (TCEQ) Beaumont Regional Office concluded in its SIP inspection conducted on February 2000 that even if the emissions are unpredictable, the frequency of occurrence make them part of "normal" operations and that the emissions be permitted. The company disagreed with Region's conclusion but submitted amendment application as part of an Agreed Order dated June 5, 2001 to authorize the emissions. Because the emission could not be easily quantified, Abitibi decided to apply 2 percent of the operating hours of the digester to determine the emissions.

During a combined public notice (PN) for the renewal and amendment, requests for hearing and public meeting were received by TCEQ from some concerned citizens due to the fact that the applicant represented increase in emissions initially. Abitibi withdrew the amendment after showing that there would be no increase in emissions from the Blowheat Recovery System. The blown seals were addressed under Startup, Shutdown, and Malfunction (SSM) plan and permit was altered on November 16, 2005 to reflect this.

This permit was amended in 1999 to add new Paper Machines and phase out Paper machine Nos. 1, 3, and 4 thereby establishing new emission levels. The permit was later amended in 2000 to automate the digester capping valves and increase the throughput of the groundwood mill and another new emission levels were established. The total annual emissions as of 2005 (following permit alteration) are as follows: 684.40 tons per year (tpy) of particulate matter including particulate matter less than 10 microns in diameter (PM/PM₁₀); 1,837.90 tpy of volatile organic compound (VOC); 1,209.30 tpy of nitrogen oxide (NO_x); 1,447.40 tpy of carbon monoxide (CO); 948.10 tpy of sulfur dioxide (SO₂); 68.20 tpy of total reduced sulfur (TRS); 21.0 tpy of sulfuric acid (H₂SO₄); and 12.1 tpy of chlorine (Cl₂). The 2005 emission levels now serve as the current emission levels for this permit. Comparison of the 1999, 2000 and 2005 (also current allowables) annual emissions is shown on the table below:

Permit Renewal Source Analysis & Technical Review

Permit No. 8068/PSDTX437
Page 2
GW#: 382311

Regulated Entity No. RN100220110

Emission Summary

Air Contaminant	1999 Allowable Emissions Rates (tpy)	2000 Allowable Emission Rates (tpy)	Revised 2005 (Now Current) Allowable Emission Rates (tpy)
PM	702.7	702.7	684.4
PM ₁₀	702.7	702.7	684.4
VOC	1,766.2	1,881.1	1,837.9
NO _x	1,881.9	1,881.9	1,209.3
CO	1,649.1	1,649.1	1,447.4
SO ₂	949.5	949.5	948.1
TRS	69.2	69.2	67.9
H ₂ SO ₄	21.0	21.0	21.0
Cl ₂	12.1	12.1	12.1

The above table shows that there was no increase in emission from the established 2000 emission levels. To ensure that the applicant complies with EPA's policy on restarting a facility that has been shut down for more than two years, the following language has been included in both Special Condition No. 19 and the letter:

According to long-standing EPA policy, shutdowns lasting more than two years are considered permanent for purposes of federal new source review (NSR). This presumption is rebuttable by the owner or operator of the source. Therefore, prior to restarting operation of the facilities covered by this permit, the permit holder shall provide, for approval by the TCEQ Air Permits Division, an analysis of why the shutdown of these facilities should not be considered permanent for purposes of federal NSR. This analysis shall address why restarting these facilities should not be treated as a new major source, or a major modification. The analysis shall include (but is not limited to): the amount of time the facilities have been shutdown; the reasons for the shutdown; any evidence discussing whether the shutdown was intended to be permanent; status of permits for the facilities; ongoing maintenance and inspections that have been conducted during the shutdown; details (including cost) of the rehabilitation work needed to restart the facilities; an analysis of whether any work needed meets the "routine maintenance, repair, and replacement" regulatory exemption by considering the nature, extent, purpose, frequency and cost of the work as well as other factors; an analysis of whether there will be a change in the method of operation as it relates to an increase in hours of operation from the appropriate baseline; whether the source continued to be carried in the state's emissions inventory during the shutdown; a demonstration that the shutdown was not considered as a decrease in a netting calculation. In addition, the permit holder shall note that the allowable emissions level as of the date of shutdown cannot increase upon reactivation, while the baseline actual emissions will be zero.

No facilities shall be restarted until receipt of written approval of the TCEQ Air Permits Division's review of the analysis.

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	04/13/09
Compliance period:	09/01/98 - 08/31/03
Site rating & classification:	0.73 (Avg)
Company rating & classification:	1.69 (Avg)
If the rating is 40<RATING<45, what was the outcome, if any, based on the findings in the formal report:	N/A
Has the permit changed on the basis of the compliance history or rating?	No

Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement	
39.403	Date Application Received:	June 1, 1998
	Date Administratively Complete:	05/14/01

Permit Renewal
Source Analysis & Technical Review

Permit No. 8068/PSDTX437

Regulated Entity No. RN100220110

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Rule Citation	Requirement	
	Small Business Source?	No
	Date Leg Letters mailed:	05/14/01
39.603	Date Published:	05/30/01
	Publication Name:	<i>The Lufkin Daily News</i>
	Pollutants:	PM, VOC, NO _x , CO, SO ₂ , Cl ₂ , ClO, TRS
	Date Affidavits/Copies Received:	06/12/01
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	05/31/01
	Publication Name:	<i>La Lengua</i>
	Date Affidavits/Copies Received:	06/12/01
	Date Certification of Sign Posting / Application Availability Received:	07/09/01
39.604	Public Comments Received?	Yes
	Hearing Requested?	Yes
	Meeting Request?	Yes
	Date Meeting Held:	None
	Date Response to Comments sent to OCC:	
	Request(s) withdrawn?	No
	Date Withdrawn:	N/A
	Consideration of Comments:	
	Is 2nd Public Notice required?	Yes
39.419	Date 2nd Public Notice Mailed:	11/05/01
	Preliminary Determination:	Issue
39.603	Date Published:	12/05/01
	Publication Name:	<i>The Lufkin Daily News</i>
	Pollutants:	PM, VOC, NO _x , CO, SO ₂ , Cl ₂ , ClO, TRS
	Date Affidavits/Copies Received:	12/09/01
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	12/19/01
	Publication Name:	<i>La Lengua</i>
	Date Affidavits/Copies Received:	12/19/01
	Date Certification of Sign Posting / Application Availability Received:	12/19/01
	Public Comments Received?	Yes
	Meeting Request?	Yes
	Date Meeting Held:	None
	Hearing Request?	Yes
	Date Hearing Held:	
	Request(s) withdrawn?	No

Permit Renewal
Source Analysis & Technical Review

Permit No. 8068/PSDTX437

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Rule Citation	Requirement	
	Date Withdrawn:	N/A
	Consideration of Comments:	
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	
	Request for Reconsideration Received?	
	Final Action:	Issue
	Are letters Enclosed?	Yes

This permit application is for a renewal. The permit application was received June 1, 1998 and declared administratively complete on May 14, 2001. The Notice of Receipt and Intent to Obtain an Air Quality Permit (public notice) for this permit application was published on May 30, 2001 in the *Lufkin Daily News*. Alternative Language Notice was published on May 30, 2001 in *La Lengua*. The Notice of Application and Preliminary Decision was published on December 5, 2001, in the *Lufkin Daily News*. Alternative Language Notice was published on December 5, 2001 in *La Lengua*. Due to the time that had elapsed between submittal of the renewal application and the present, APD advised the Applicant to re-notice the renewal application even though there would still be no increase in emissions. Finally, the Applicant agreed to re-notice. This Notice of Receipt and Intent to Obtain an Air Quality Permit for this permit application was re-published on April 11, 2007 in the *Lufkin Daily News*. Alternative Language Notice was re-published on April 11, 2007 in *La Lengua*. The public comment period ended on April 26, 2007. Because this application was administratively complete after September 1, 1999, this action is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

Renewal Requirements - 30 TAC Chapter 116 Rules

Rule Citation	Requirement	
116.315(a)	Date of permit expiration:	
116.310	Date written notice of review was mailed:	10/31/97
116.315(a)	Date application for Renewal (PI-IR) received:	06/01/98
116.311(a)(1)	Do dockside vessel emissions associated with the facility comply with all regulations?	No
16.311(a)(2)	Is the facility being operated in accordance with all requirements and conditions of the existing permit, including representations in the application for permit to construct and subsequent amendments, and any previously granted renewal, unless otherwise authorized for a qualified facility?	Yes
	If no, explain:	
116.311(a)(3)	Subject to NSPS? Subparts A & BB	Yes
116.311(a)(4)	Subject to NESHAPS? Subparts S & MM	Yes
116.311(a)(5)	Subject to NESHAPS (MACT) for source categories? Subparts &	No
116.311(a)(6)	Does this project require case-by-case MACT?	No
116.311(b)	Was there a condition of air pollution that had to be addressed during this project review?	No
	If yes, explain:	
116.314(a)	Does the facility meet all permit renewal requirements?	Yes
116.313	Permit Renewal Fee: \$10,000.00 Fee certification:	N/A
	Applicable Outstanding Fees:	None

**Permit Renewal
Source Analysis & Technical Review**

Permit No. 8068/PSDTX437

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Request for Comments

Received From	Program/Area Name	Reviewed By	Comments
Region:	10	Anthony McLaughlin	OK
City:	Lufkin		
County:	Angelina		
Toxicology:			
Compliance:			
Legal:	Austin	Tim Eubank	Ok'd RTC
Comment resolution and/or unresolved issues:			

Process/Project Description

This is a paper mill that manufactures pulp for the production of newsprint and specialty paper products. It utilizes a groundwood (mechanical) process and a Kraft (chemical) process. The digesters are part of the early kraft processing, where chips are placed in a sealed vessel and a cooking liquor is added. The ligands are dissolved and the fibers are sent forward in the process. The VOCs generated in this part of the process are sent to the lime kiln for destruction, and will soon be sent to an incinerator. The groundwood mill is a process in which blocks of wood are ground between a plate and a grindstone to mechanically form a pulp. A large amount of VOCs are generated here and sent up through a stack and escape as fugitives.

Pollution Prevention, Sources, Controls and RACT- [30 TAC 116.311(b)(2)]

The digesters are controlled by venting the off-gases to a combustion device, a lime kiln and an incinerator. The incinerator is the main control device while the kiln serves as a back-up. This meets the MACT standard requirements. The groundwood mill is uncontrolled, which is standard control throughout the industry. However, under cluster rules, the Applicant installed a scrubber under Standard Permit No. 41396 to collect some of the fugitive emissions. The power boiler is equipped with a multi-clone and a wet scrubber. The bleach plant is also equipped with a scrubber. The controls still in use to minimize emissions by these facilities meet the Reasonable Available Control Technology (RACT).

Permit Concurrence and Related Authorization Actions

Is the applicant in agreement with special conditions?	Yes
Company representative(s):	Chad Nerren
Contacted Via:	Email
Date of contact:	04/01/09
Other permit(s) or permits by rule affected by this action:	None
List permit and/or PBR number(s) and actions required or taken:	N/A

Project Reviewer	Date	Team Leader/Section Manager/Backup	Date
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Compliance History Report

Customer/Respondent/Owner-Operator: CN600615744 Abitibi-Consolidated Corp. Classification: AVERAGE Rating: 0.76
 Regulated Entity: RN100220110 ABITIBI CONSOLIDATED CORP Classification: AVERAGE Site Rating: 0.78
 LUFKIN TEXAS DIVISION

ID Number(s):	DESCRIPTION	ACCOUNT NUMBER	AC0017B
	AIR OPERATING PERMITS	PERMIT	1622
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD087716122
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30993
	VOLUNTARY CLEANUP PROGRAM	ID NUMBER	2295
	WASTEWATER	PERMIT	WQ0000368000
	WASTEWATER	EPA ID	TX0001643
	AIR NEW SOURCE PERMITS	REGISTRATION	15496
	AIR NEW SOURCE PERMITS	PERMIT	8068
	AIR NEW SOURCE PERMITS	REGISTRATION	22946
	AIR NEW SOURCE PERMITS	REGISTRATION	23313
	AIR NEW SOURCE PERMITS	REGISTRATION	22641
	AIR NEW SOURCE PERMITS	REGISTRATION	37765
	AIR NEW SOURCE PERMITS	REGISTRATION	41396
	AIR NEW SOURCE PERMITS	REGISTRATION	42603
	AIR NEW SOURCE PERMITS	REGISTRATION	46960
	AIR NEW SOURCE PERMITS	REGISTRATION	47350
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	AC0017B
	AIR NEW SOURCE PERMITS	REGISTRATION	52709
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX437
	AIR NEW SOURCE PERMITS	AFS NUM	4800500003
	AIR NEW SOURCE PERMITS	PERMIT	56262
	AIR NEW SOURCE PERMITS	PERMIT	56263
	AIR NEW SOURCE PERMITS	REGISTRATION	75008
	AIR NEW SOURCE PERMITS	REGISTRATION	51447
	PETROLEUM STORAGE TANK	REGISTRATION	12682
	REGISTRATION		
	WASTEWATER LICENSING	LICENSE	WQ0000368000
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	AC0017B

Location: 3201 ATKINSON DR, LUFKIN, TX, 75901

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 26, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 01, 1998 to August 31, 2003

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

Name: Staff Name Phone: 239 - 1000

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
- If Yes, who is the current owner/operator? OWNOPR Abitibi-Consolidated Corp.
- If Yes, who was/were the prior owner(s)/operator(s)? OWNOPR Abitibi-Consolidated Corp.
- When did the change(s) in owner or operator occur? 07/16/2003 OWNOPR Abitibi-Consolidated Corp.
- Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

- Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- 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	03/15/1999	(294072)
2	04/16/1999	(294075)
3	05/19/1999	(294077)
4	06/17/1999	(294079)
5	07/16/1999	(294081)
6	08/19/1999	(294083)
7	09/16/1999	(294086)
8	10/12/1999	(96230)
9	10/13/1999	(143558)
10	10/19/1999	(154756)
11	11/15/1999	(154760)
12	12/13/1999	(154764)
13	01/05/2000	(96231)
14	01/20/2000	(154768)
15	02/16/2000	(96232)
16	02/17/2000	(154724)
17	03/07/2000	(96233)
18	03/14/2000	(154731)
19	03/30/2000	(30440)
20	04/07/2000	(96234)
21	04/19/2000	(154732)
22	04/20/2000	(96235)
23	05/18/2000	(154736)
24	06/16/2000	(154740)
25	06/23/2000	(370883)
26	07/18/2000	(154744)
27	08/02/2000	(96236)
28	08/09/2000	(96237)
29	08/14/2000	(30441)
30	08/15/2000	(30442)
31	08/18/2000	(154747)
32	08/18/2000	(96238)
33	08/18/2000	(96239)
34	09/13/2000	(96240)
35	09/18/2000	(154750)
36	10/19/2000	(154753)
37	11/16/2000	(154757)
38	12/19/2000	(154761)
39	01/11/2001	(96241)
40	01/22/2001	(154765)
41	01/26/2001	(96242)
42	01/26/2001	(96243)
43	02/06/2001	(96244)
44	02/15/2001	(280774)
45	02/20/2001	(154725)
46	03/20/2001	(154728)
47	03/30/2001	(96245)
48	03/30/2001	(96246)
49	04/20/2001	(154733)
50	04/26/2001	(96247)
51	05/18/2001	(154737)
52	05/24/2001	(96248)
53	05/24/2001	(96249)
54	06/01/2001	(96250)
55	06/01/2001	(96251)

56 06/20/2001 (154741)
 57 06/27/2001 (96252)
 58 06/27/2001 (96253)
 59 07/20/2001 (154745)
 60 07/23/2001 (96254)
 61 08/14/2001 (96255)
 62 08/17/2001 (154748)
 63 08/31/2001 (96256)
 64 09/10/2001 (96257)
 65 09/19/2001 (154751)
 66 09/25/2001 (96258)
 67 10/19/2001 (154754)
 68 10/26/2001 (96259)
 69 11/20/2001 (154758)
 70 12/05/2001 (96260)
 71 12/18/2001 (154762)
 72 12/20/2001 (96261)
 73 01/22/2002 (154766)
 74 01/25/2002 (96262)
 75 02/21/2002 (154726)
 76 03/19/2002 (154729)
 77 03/27/2002 (96263)
 78 04/16/2002 (96264)
 79 04/16/2002 (96265)
 80 04/19/2002 (154734)
 81 05/21/2002 (154738)
 82 06/13/2002 (96266)
 83 06/19/2002 (154742)
 84 06/24/2002 (96267)
 85 07/19/2002 (154746)
 86 08/19/2002 (154749)
 87 08/21/2002 (8330)
 88 08/21/2002 (8576)
 89 08/23/2002 (7532)
 90 09/19/2002 (154752)
 91 10/17/2002 (154755)
 92 11/15/2002 (16282)
 93 11/18/2002 (154759)
 94 12/19/2002 (154763)
 95 01/17/2003 (154767)
 96 02/20/2003 (154727)
 97 03/20/2003 (154730)
 98 04/11/2003 (154735)
 99 05/20/2003 (154739)
 100 06/18/2003 (112386)
 101 06/23/2003 (154743)
 102 07/02/2003 (112369)
 103 07/18/2003 (294080)
 104 08/18/2003 (294082)

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

Date: 10/13/1999 (143558) CN600615744
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(18)
 Description: Failure to submit 4th progress report.
 Date: 11/30/1999 (154764) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 04/10/2000 (96235)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 PP5 OP
 Description: CEMS
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 Description: STD EX 107(A)(6)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 PP5 OP
 Description: STD EX 107(C)(2)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 Description: CALIBRATION ERROR
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 Description: CALIBRATION ERROR
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 Description: NO REL. ACC. TEST
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 112, SubChapter D 112.57(a)
 Description: NO REL. ACC. TEST
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)
 PPSC1 OP
 Description: UNAUTHORIZED EMISSIONS
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
 PP5 OP
 Description: CEMS
 Date: 06/23/2000 (370883) CN600615744
 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)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 12/31/2000 (154765) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2001 (154725) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2001 (154728) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2001 (96256)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)
 Description: FLR TO OBTAIN A PERMIT
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(2)(A)
 Description: FLR TO OBTAIN A PERMIT
 Self Report? NO Classification: Moderate
 Citation:

Description: 30 TAC Chapter 101, SubChapter A 101.20(1)
 OPACITY LIMIT
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 Description: VISIBLE EMISSIONS
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.6(b)(7)
 Description: CORRECT UPSET
 Date: 12/31/2001 (154766) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2002 (154742) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2003 (154730) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2003 (154743) CN600615744
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

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

