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NESHAP/Air Enforcement: U.S. Environmental Protection Agency and Port Townsend, Washington Pulp Mill Enter into Consent Agreement

06/04/2019

The United States Environmental Protection Agency ("EPA") and Port Townsend Paper Corporation ("PTPC") entered into a May 21st Consent Agreement ("CA") addressing alleged violations of the Clean Air Act. See Docket No. CAA-10-2019-0071.

The CA provides that PTPC is an owner and operator of a mill that:

... produces pulp from wood by cooking (digesting) wood chips in a water solution of sodium hydroxide and sodium sulfide at high temperature and pressure.

The mill is stated to use a "craft pulping" process as that term is defined in 40 C.F.R. § 63.441 to produce pulp, paper, or paperboard within the meaning of 40 C.F.R. § 63.440(a). Further, the mill is stated to be a "Major Source" as defined in Section 112 of the Clean Air Act and operating pursuant to a Clean Air Act Title V Operating Permit.

EPA is stated to have conducted an inspection of the mill on July 6 and 7, 2017 and made certain observations. Such inspection is alleged to have identified the following violations:

- Failure to enclose and route M&D digester emissions to a control device
- Failure to inspect and repair visible defects in the M&D digester and/or failure to conduct good operation and maintenance practices

PTPC neither admits nor denies the factual allegations and legal conclusions in the CA.

The CA assesses a civil penalty of \$342,000.

A copy of the CA can be found [here](#).