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Air Enforcement: Alabama Department of Environmental Management and Monroe County Pulp Mill Enter into Consent Order

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The Alabama Department of Environmental Management ("ADEM") and Alabama River Cellulose, LLC, ("ARC") entered into a March 30th Consent Order ("CO") addressing alleged violations of an air permit. See Consent Order No. 22-XXX-CAP.

The CO provides that ARC operates a pulp mill ("Facility") in Monroe County, Alabama.

The Facility is stated to operate pursuant to a Major Source Operating Permit ("Permit"). Therefore, the Facility is stated to operate under a Permit Application Shield.

The Permit is stated to contain a provision which provides:

Particulate matter emissions shall not exceed the more stringent of 0.12 pounds per ton of black liquor solids (dry weight) and 16.0 pounds per hour.

The Permit also contains a provision which states:

Carbon monoxide emissions shall not exceed the more stringent of 200 parts per million by volume at eight percent oxygen and 312.6 pounds per hour.

ADEM is stated to have received a November 4, 2021, particulate matter ("PM") stack test from ARC. The report indicated that No. 8 Smelt Dissolving Tank exceeded the permitted PM emission limit. Further, on December 9, 2021, the Facility is stated to have been scheduled to conduct five-year gaseous emissions testing for various air pollutants.

Due to instrumental data indicating the recovery furnace was operating above the carbon monoxide limit, the CO states that performance tests were not started. ADEM is stated to consider the instrumental data indicating the No. 8 Recovery Furnace was operating in excess of its carbon monoxide limit and that the Facility's subsequent decision to not proceed with the scheduled stack test to be indicative of a violation of the limit.

ARC in response to a Notice of Violation stated that the failure to meet the PM limit was due to an unusual increased loading event to the smelt tank during the second run of the performance test. The company is also stated to have indicated that the highest carbon monoxide readings during the December 9, 2021, stack test were the result of a faulty pressure transmitter that controls air dampers on the secondary air system of the recovery furnace. It is also indicated that the company does not believe the high carbon monoxide readings would have resulted in a failed stack test.

ARC notes in part that its decision not to proceed with stack testing on December 9, 2021, was not based on the brief increases in carbon monoxide seen on instrumentation that morning. Instead it was stated to be due to its belief that manual control of the air system as necessitated by the malfunction of a pressure transmitter was not indicative of representative operating conditions.

As to the postponement of the referenced test, ARC is stated to have consulted with the on-site ADEM representatives and did not understand at such time that the state agency would consider the postponement of the testing activities to be in violation.

Finally, with respect to the actual carbon monoxide emissions observed on the stack test's instrumentation, ARC contends that the brief 26-minute spike in carbon monoxide was not of sufficient magnitude or duration to have caused an exceedance of the relevant three-hour carbon monoxide emission standard.

A civil penalty of \$30,000 is assessed.

A copy of the CO can be downloaded [here](#).