



State of Ohio Environmental Protection Agency

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**CERTIFIED MAIL # 91 7108 2133 3932 4450 0874**

January 23, 2009

Mr. Joe Sims  
Site Manager  
International Paper  
8800 Granville Road  
Mount Vernon, OH 43050

**Re: Notice of Violation** based upon the results of the Full Compliance Evaluation of International Paper (Facility Premise Number 01 42 01 0051)

Dear Mr. Sims:

On December 18, 2008, Ohio Environmental Protection Agency (Ohio EPA), Division of Air Pollution Control (DAPC), Central District Office (CDO) conducted a full compliance evaluation (FCE) of International Paper (IP), located at 8800 Granville Road in Mount Vernon, Ohio. The purpose of the FCE was to document IP's compliance status with the effective permits-to-install (PTIs).

Listed below are "Findings" based upon a review of emissions units at the facility, a review of specific record keeping maintained onsite, specific process information, and reports submitted to Ohio EPA. The "Findings" are followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address stated findings and violations.

1. Finding: Facility Name Change

During preparation for this inspection and during the pre-inspection meeting it was noted by CDO and IP personnel that the ownership of the facility had been transferred from Weyerhaeuser Company to International Paper. This transfer of ownership was not reflected in facility files maintained at CDO or in Ohio EPA's Air Services electronic records system.

Requested action:

CDO requested a letter from IP indicating the date that this transfer of ownership took place. This letter was received on December 23, 2008 and CDO personnel updated the appropriate facility records. No further action on this finding is required.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korieski, Director

2. Finding: Removal of Emissions Units

During the pre-inspection meeting it was noted by CDO and IP personnel that several permitted emissions units at the facility had been shut down and removed. These shutdowns are not reflected in facility files maintained at CDO or in Ohio EPA's Air Services electronic records system.

Requested action:

CDO requested a letter from IP indicating the shutdown date for the emissions units that were removed from the facility. This letter was received on December 23, 2008 and CDO personnel updated the appropriate facility records. No further action on this finding is required.

3. Finding: Emissions unit P001 operations

During the facility records review and December 18, 2008 inspection, CDO discovered that two emissions units (P004 and P005) that had originally been vented to emissions unit P001 had been removed from the facility. In addition, emissions units P010 and P011 had been installed following the removal of P004 and P005 and vented to P001.

CDO personnel noted that particulate emissions from emissions units P010 and P011 were controlled using emissions unit P001, but this is not reflected in the permit-to-install for emissions unit P001, or in the permits-to-install for emissions units P010 and P011. At this time, CDO cannot determine compliance with either the short term or annual particulate emissions limitation for emissions unit P001 because emissions unit P001 is not being operated in accordance with the underlying permit-to-install.

In addition, the installation of emissions units P010 and P011 may constitute a modification to emissions unit P001 as defined in OAC rule 3745-31-01(QQQ). PTI for emissions unit P001 limited emissions at the potential to emit for this emissions unit when operating under maximum loading from emissions units P003, P004, P005, and P006. Because emissions units P004 and P005 were removed and P010 and P011 were added, CDO personnel cannot determine if a modification to P001 has occurred.

Requested action:

If the changes to P001 do not meet the definition of a modification as defined in OAC rule 3745-31-01(QQQ), please submit a letter to Ohio EPA, Central District Office requesting that the terms and conditions for emissions unit

P001 be changed to incorporate emissions from P010 and P011 and remove emissions units P004 and P005. Please submit this request within thirty (30) days of receipt of this letter.

If the changes to P001 meet the definition of a modification as defined in OAC rule 3745-31-01(QQQ), CDO requests that IP submit a PTIO application using Ohio EPA's Air Services system to modify emissions unit P001 to reflect the current operations of the facility. This permit application should include calculations of actual and potential particulate emissions calculations for emissions unit P001 based upon the emissions units vented to it. Please submit this permit application within thirty (30) days of receipt of this letter.

4. Finding: Emissions unit P002 starch reports

During the December 18, 2008 inspection and facility records review, CDO personnel determined that the following monthly reports for starch receiving were not submitted to CDO as required in PTI 01-08484:

February and July 2006  
May and December 2007  
February 2008

When requested by the inspector, the facility could not produce either a copy of a certified letter receipt or copy of the reports in question. CDO did note that the underlying records for starch receiving were maintained as required.

Violation:

Failure to submit reports as required in PTI 01-08484 for emissions unit P002 is considered a violation of the terms and conditions of the permit-to-install. Violations of the terms and conditions of a permit-to-install are also a violation of Ohio Revised Code (ORC) 3704.05(C) which states that:

*"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

Requested action:

CDO requests that IP submit the monthly starch receiving reports as required by PTI 01-08484.

5. Finding: P002 material handling inspections

CDO personnel found that the inspections for material handling in PTI 01-08484 section A.I.C.2, C.3, and C.4 during starch loading had not been performed prior to December 15, 2008. This was verbally confirmed by facility personnel and reflected in a review of facility records.

Based upon the failure of IP to perform inspections of and maintain records for starch loading material handling activities, it was not possible to definitively state that no abnormal fugitive emissions occurred prior to the initiation of inspections and maintenance of the inspection records on December 15, 2008.

Violation:

Failure to perform monitoring and recordkeeping as required by PTI 01-08484 for emissions unit P002 is considered a violation of the terms and conditions of the permit-to-install. Violations of the terms and conditions of a permit-to-install are also violations of ORC 3704.05(C).

Requested action:

CDO requests that IP continue to perform inspections and maintain inspection records as required by PTI 01-0848. The facility instituted required daily inspection procedures on December 15, 2008. CDO requests no further action at this time.

6. Finding: Annual emissions records and Synthetic Minor Title V Fee Emissions Report (FER).

During the December 18, 2008 compliance inspection, CDO personnel noted that there was a difference between the 2007 annual emissions calculated for the facility and the 2007 FER. The annual emissions calculations indicated emissions of 0.5 tons of VOC more than that reported on the 2007 FER.

Requested action:

CDO requests that IP identify the source and cause of this difference and submit a written explanation of this difference within thirty (30) days of receipt of this letter. While CDO acknowledges that the difference between the calculated and reported emissions does not change the reporting category nor the fees assessed by the Division of Air Pollution Control, IP is required to accurately report air pollutant emissions to Ohio EPA.

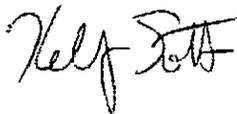
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Please recognize that the above Findings and Violations were discovered as part of International Paper's full compliance evaluation. They were based upon observations and information reviewed for each emissions unit listed in the applicable permits-to-install.

Also, please note that Ohio Environmental Protection Agency has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information submitted pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by Ohio Environmental Protection Agency at a later date.

If you have any questions, please contact John McGreevy of my staff at (614) 728-3813.

Sincerely,



Kelly Toth  
Supervisor, Permits and Compliance  
Division of Air Pollution Control  
Central District Office

Attachment: Inspection forms

c: John McGreevy, DAPC/CDO  
Adam Ward, Manager, DAPC/CDO  
John Paulian, DAPC/CO  
Lisa Holscher, U.S. EPA