



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

April 1, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. David Phillips, Mill Manager  
Weyerhaeuser NR Company, Columbus Cellulose Fibers  
PO Box 1830  
Columbus, Mississippi 39703-1830

**Re: Weyerhaeuser NR Company, Columbus Cellulose Fibers  
Agreed Order No. 6510 15**

Dear Mr. Phillips:

Enclosed you will find a copy of Agreed Order No. 6510 15, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Gary Rikard, on behalf of the Mississippi Commission on Environmental Quality.

The enclosed Order assesses a civil penalty. The penalty payment, when due, should be made by check payable to the Mississippi Department of Environmental Quality and returned in the enclosed, self-addressed envelope to the MDEQ Fees Division at P.O. Box 2339, Jackson, MS 39225.

If you have any questions regarding your obligations under the enclosed order, please contact Tim Aultman at (601) 961-5653.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Sanders".

Chris Sanders, P.E.  
Chief, Environmental Compliance and Enforcement Division

Enclosure  
cc: Tim Aultman

Agency Interest No. 899  
ENF20150001

BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6510 15

WEYERHAEUSER NR COMPANY, COLUMBUS CELLULOSE FIBERS  
PO BOX 1830  
COLUMBUS, MISSISSIPPI 39703-1830

RESPONDENT

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Weyerhaeuser NR Company, Columbus Cellulose Fibers, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated September 10, 2014, Respondent was contacted by Complainant and notified of the following violations at its facility located at 4335 Carson Road, Columbus, Mississippi in Lowndes County:

- A. Failure to comply with the applicable emissions limitations and operating limitations, and other requirements for Spark Ignition (SI) Engines as required in the Reciprocating Internal Combustion Engines Maximum Achievable Control Technology (RICE MACT) Standards. (40 CFR 63.6602)
  - 1. Respondent was to comply with the requirements of the MACT no later than October 19, 2013.
  - 2. Respondent operated the engine on October 22, 2013 which is after the compliance deadline.

B. Failure to conduct compliance testing. (40 CFR 63.6612)

1. Respondent failed to conduct an initial performance test to demonstrate compliance with the requirements to limit carbon monoxide (CO) in the engine exhaust by April 17, 2014.

On April 17, 2014, Respondent replaced the subject Lime Kiln Auxillary Drive gasoline engine with a new diesel engine which meets the Tier 4i standards of the RICE MACT and for which performance testing is not required.

2.

In lieu of a formal enforcement hearing concerning the violations listed above, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$17,500.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director. The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality  
Attn: Jennifer Parish  
P.O. Box 2339  
Jackson, MS 39225

3.

Nothing in this Agreed Order shall limit the rights of MDEQ or the Commission in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

4.

Nothing contained in this Agreed Order shall limit the rights of MDEQ or the Commission to take enforcement or other actions against Respondent for violations not

addressed herein and for future violations of environmental laws, rules, and regulations.

5.


The parties agree that, by entering into this Agreed Order and agreeing to the terms and conditions set forth herein, Respondent does not admit any of the allegations listed above and nothing contained herein shall be in any way construed as an admission of liability by Respondent. Without admitting any liability, Respondent consents to entry of this Agreed Order, which the parties agree shall serve as the full resolution of the violations alleged above. The parties further agree that the Commission continues to assert that the matters set forth above were violations of the environmental laws, regulations and/or permits applicable to Respondent.

6.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 1<sup>st</sup> day of APRIL, 2015.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY:   
GARY C. RIKARD  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY



AGREED, this the 25<sup>th</sup> day of MARCH, 2015.

WEYERHAEUSER NR COMPANY, COLUMBUS CELLULOSE FIBERS

BY: [Signature]

TITLE: MILL MANAGER

STATE OF MISSISSIPPI

COUNTY OF LOWNDES

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named DAVID L. PHILLIPS who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the MILL MANAGER of Weyerhaeuser NR Company, Columbus Cellulose Fibers and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 25<sup>th</sup> day of MARCH, 2015.

[Signature]  
NOTARY PUBLIC

My Commission expires: JULY 29, 2016

