



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 20, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Kent Walker
Weyerhaeuser NR Company, Columbus Cellulose Fibers
PO Box 1830
Columbus, MS 39703

**Re: Weyerhaeuser NR Company, Columbus Cellulose Fibers
Agreed Order No. 5983 11**

Dear Mr. Walker:

Enclosed you will find a copy of Agreed Order No. 5983 11, which has been executed by the Executive Director of the Mississippi Department of Environmental Quality, Trudy Fisher, 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 black ink that reads "Jerry W. Cain".

Jerry W. Cain, P.E., DEE
Director, Office of Pollution Control

Enclosure
cc: Tim Aultman

Agency Interest No. 899
ENF20100001

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 5983 11

WEYERHAEUSER NR COMPANY, COLUMBUS CELLULOSE FIBERS
P O 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 November 10, 2009, 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 test the package boiler for Nitrous Oxides (NOx) prior to 400 hours of operation or once per calendar year. The facility operated the package boiler a total of 557 hours between the February 5, 2008 test and the February 11, 2009 test. **(TVOP, Section 5.B.9.1)**
- B. Failure to test within permitted limit for Particulate Matter (PM) for the test conducted on April 2, 2009. The permitted limits for PM are 1.9 lbs/hr and 0.0048 lbs/MMBTU. The test results were 2.07 lbs/hr and 0.0074 lbs/MMBTU. **(TVOP, Section 3.B.1.10)**

- C. Failure to test within permitted limit for Particulate Matter (PM) for the re-test conducted on May 30, 2009. The test results were 1.97 lbs/hr and 0.0065 lbs/MMBTU. **(TVOP, Section 3.B.1.10)**

The package boiler tested in compliance with the permit limits on June 29, 2009.

Additional violations were identified subsequent to the issuance of the November 10, 2009, Notice of Violation. Respondent was contacted by Complainant and notified by letter dated May 24, 2010, of the following additional violations:

- A. Failure to test within the permitted limit for Particulate Matter (PM) for the test conducted on the Smelt Dissolving Tank on July 21, 2009. The permitted limit for PM is 0.12 lb/ton black liquor solids (BLS). The test result was 0.284 lb/ton BLS. **(TVOP, Section 3.B.1.9)**
- B. Failure to test within the permitted limit for Particulate Matter (PM) for the first test conducted on July 22, 2009 on the Smelt Dissolving Tank. The permitted limit for PM is 0.12 lb/ton black liquor solids (BLS). The test result was 0.241 lb/ton BLS. **(TVOP, Section 3.B.1.9)**
- C. Failure to test within the permitted limit for Particulate Matter (PM) for the second test conducted on July 22, 2009 on the Smelt Dissolving Tank. The permitted limit for PM is 0.12 lb/ton black liquor solids (BLS). The test result was 0.123 lb/ton BLS. **(TVOP, Section 3.B.1.9)**
- D. Failure to test within the permitted limit for Total Reduced Sulfur (TRS) for the test conducted on the Smelt Dissolving Tank on July 28, 2009. The permitted limit for TRS is 0.033 lb/ton black liquor solids (BLS). The test result was 0.118 lb/ton BLS. **(TVOP, Section 3.B.1.9)**
- E. Failure to test within the permitted limit for Particulate Matter (PM) for the test conducted on the Smelt Dissolving Tank on July 29, 2009. The permitted limit for PM is 0.12 lb/ton black liquor solids (BLS). The test result was 0.160 lb/ton BLS. **(TVOP, Section 3.B.1.9)**
- F. Failure to test within the permitted limit for Particulate Matter (PM) for the test conducted on the Recovery Furnace on September 30, 2009. The permitted limit for PM is 0.0230 grains/dry standard cubic feet (gr/dscf). The test result was 0.0350 gr/dscf. **(TVOP, Section 3.B.1.9)**

- G. Failure to test within the permitted limit for Particulate Matter (PM) for the re-test conducted on the Recovery Furnace on October 21, 2009. The permitted limit for PM is 0.0230 grains/dry standard cubic feet (gr/dscf). The test result was 0.238 gr/dscf. (TVOP, Section 3.B.1.9)

The Smelt Dissolving Tank tested in compliance with the permit limits on September 29, 2009. The Recovery Furnace tested in compliance with the permit limits on November 5, 2009.

2.

In lieu of a formal enforcement hearing concerning the violation(s) 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 \$50,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director, or her Designee.

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.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. Section 49-17-31 (Rev. 2003), and that it has made an informed waiver of that right.

ORDERED, this the 15th day of June, 2010.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
for TRUDY D. FISHER
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 9th day of June, 2010. ~~2010~~ ²⁰¹¹ _{KLW}

WEYERHAEUSER NR COMPANY, COLUMBUS CELLULOSE FIBERS

BY: Kent L Walker

TITLE: V.P. Site Manager

STATE OF Mississippi
COUNTY OF Loundes

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

SWORN AND SUBSCRIBED BEFORE ME, this the 9th day of June, 2010. ²⁰¹¹ _{KLW}

Mary Jean Hudson
NOTARY PUBLIC

My Commission expires: July 29, 2012

