



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

December 12, 2022

Bert Brown, Interim Mill Manager

Port Townsend Paper Corporation
100 Mill Road
Port Townsend, Washington 98368

Re: Notice of Penalty

Notice of Penalty Docket #	21441
Site Location	Port Townsend Paper Corporation
Penalty Amount	\$56,250
Due Date	Within 30 days after receiving this Notice of Penalty

The Department of Ecology (Ecology) has issued the enclosed Notice of Penalty to you for violating provisions of:

- Air Operating Permit #0000922
- Chapter 173-400 Washington Administrative Code (WAC) – General Regulations for Air Pollution Sources
- Chapter 70A.15 Revised Code of Washington (RCW) – Washington Clean Air Act

Please read the following enclosure(s):

- **Notice of Penalty:** Describes the violation(s) and the options for responding to the penalty.
- **News Release:** Ecology issues news releases for all major penalties and enforcement actions, including this one. A courtesy copy of the draft news release is included. If you have a comment or question, contact Ecology communication manager Jeff Zenk at 360-280-3704 or jeff.zenk@ecy.wa.gov by 9 A.M. the business day following receipt of the draft news release.

If you have questions, please contact Emily Toffol at 360-790-8363 or emily.toffol@ecy.wa.gov.

Sincerely,



James DeMay, P.E.
Industrial Section Manager
Sold Waste Management Program
Enclosures: Notice of Penalty Docket No. 21441

Draft News Release

cc: Micheal Clea, Port Townsend Paper Corporation
Penalty Desk – Fiscal Office, Ecology
Issuing Region Section Secretary
Program Manager's Secretary

State of Washington
Department of Ecology

In the Matter of Penalty Assessment Against
PORT TOWNSEND PAPER CORPORATION
Notice of Penalty Incurred and Due
Docket # 21441

To: Bert Brown, Interim Mill Manager
100 Mill Road
Port Townsend, WA 98368

The Department of Ecology (Ecology) has assessed a penalty against you in the amount of \$56,250 for violating provisions of:

- Permit #0000922
- Chapter 173-400 Washington Administrative Code (WAC) – General Regulations for Air Pollution Sources
- Chapter 70A.15 Revised Code of Washington (RCW) – Washington Clean Air Act

This Notice of Penalty is in reference to the Notice of Violation, Docket #21402 Ecology issued on September 30, 2022. Ecology has authority to issue this penalty under RCW 70A.15.3160.

1. Findings of Fact

Port Townsend Paper Corporation (PTPC) operates a Recovery Furnace which is subject to the requirements of 40 CFR Part 63 Subpart MM, the National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand-Alone Semichemical Pulp Mills. The Recovery Furnace is subject to the particulate matter standard from the rule under 40 CFR Part 63.862(a)(1)(i)(A), which states that the owner or operator of each existing kraft or soda Recovery Furnace must ensure that the concentration of particulate matter in exhaust gases discharged to the atmosphere is less than or equal to 0.044 grain per dry standard cubic foot corrected to 8 percent oxygen (gr/dscf at 8% oxygen). Emissions from PTPC's Recovery Furnace are controlled by three electrostatic precipitator cells. Precipitator Cell No.1 contains three fields (Field A, Field B, and Field C). Precipitator Cell No.2 contains four fields (Field A, Field B, Field C, and Field D). Precipitator Cell No.3 contains four fields (Field A, Field B, Field C, and Field D). PTPC demonstrates compliance with the 0.044 gr/dscf at 8% oxygen limit with a stack test by averaging results from three one-hour test runs.

On August 9, 2022, PTPC sent the Department of Ecology (Ecology) a letter via email. The email stated that a third party (Montrose Air Quality Services, LLC, "Montrose") performed stack testing on behalf of PTPC at the Recovery Furnace on July 6, 2022 and that PTPC received the associated draft stack test report on August 5, 2022. The stack test report indicated that the

three-run average during stack testing was 0.051 gr/dscf at 8% oxygen. The letter stated that preliminary results had originally indicated that the emission rate measured during the stack test would be below the 0.044 gr/dscf at 8% oxygen limit. The letter stated that the emissions Montrose measured during one of the three runs appeared to be significantly higher than the other two runs. The letter stated that even if PTPC excluded the high run, the stack test results would still exceed the limit of 0.044 gr/dscf at 8% oxygen. Ecology received a stack test report from PTPC for the July 6, 2022 stack testing at the Recovery Furnace on August 11, 2022.

The August 9, 2022 letter stated that PTPC performed scheduled maintenance on the Recovery Furnace on July 7, 2022. PTPC opened Precipitator Cell No.1 and found that the inlet perforated plate was partially plugged. PTPC's letter stated that the plugging may have channeled flue gas through Precipitator Cell No.1, resulting in reduced contact area and increased velocities throughout the unit. This flow pattern would reduce Precipitator Cell No.1's ability to remove particulate matter from the Recovery Furnace exhaust. PTPC cleaned the perforated plate while the unit was down. PTPC noted that opacity at the Recovery Furnace, on average, was reduced after the maintenance event on July 7, 2022.

The letter stated that Field A at the Precipitator Cell No.2 has been offline since March 26, 2022. The letter stated that repair attempts failed on March 26, April 14, and July 7, 2022. Sean Chase, PTPC interim environmental manager, stated via a phone call with Ecology on August 29, 2022, that PTPC planned to repair Field A at the Precipitator Cell No.2 during a maintenance outage scheduled for October 2022. Sean Chase said during the August 29, 2022 phone call that PTPC plans to have the original equipment manufacturer onsite during the outage to help with the repairs.

The letter stated that PTPC was having a partial mill outage from August 8 through August 18, 2022, and that the mill would not be producing amounts of black liquor necessary to perform a subsequent representative stack test at the Recovery Furnace.

Montrose completed subsequent stack testing at the Recovery Furnace on August 25, 2022, PTPC submitted the stack test report to Ecology on October 14, 2022. The stack test indicated that the Recovery Furnace emitted 0.035 gr/dscf at 8% oxygen. The measured emissions are below the limit of 0.044 gr/dscf at 8% oxygen and therefore demonstrated compliance.

2. Determination of Violations

Ecology based NOV 21402 based on the information below:

Table 1. Summary of Violation

Date of Stack Test	Unit	Pollutant	Emission Limit	Applicable Requirements	Reported Emissions
July 6, 2022	Recovery Furnace	Hazardous Air Pollutants (Particulate Surrogate)	0.044 gr/dscf at 8% oxygen	40 CFR 63.862(a)(1)(i)(A) Air Operating Permit No. 0000922, Condition A.1*	0.051 gr/dscf at 8% oxygen

*Air Operating Permit No. 0000922 issued January 17, 2007, and modified on April 28, 2010, was effective at the time of the violation.

3. Eligibility for Paperwork Violation Waiver and Opportunity to Correct

Ecology has determined the violation(s) described in this Notice of Penalty are not paperwork violations under RCW 34.05.110 and therefore you are not eligible for a waiver for a first-time paperwork violation.

4. Options for Responding to a Notice of Penalty

Option 1: Pay the penalty within 30 days after receiving the Notice of Penalty.

Make your payment payable to the Department of Ecology. Please include the penalty docket number on your payment.

Mail payment to:

Department of Ecology
Cashiering Unit
PO Box 47611
Olympia, WA 98504-7611

Note: Ecology may take legal action to collect the penalty if you have not paid 30 days after receiving the Notice of Penalty and have not appealed.

Option 2: Appeal to the PCHB and serve Ecology within 30 days after the date of receipt of the Notice of Penalty.

The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within 30 days after the date of receipt of this Notice of Penalty:

- File your appeal and a copy of this Notice of Penalty with the Pollution Control Hearings Board (PCHB) during regular business hours.
- Serve a copy of your appeal and this Notice of Penalty on Ecology in paper form, by mail or in person. E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

5. Address and Location Information

Street Addresses:

Department of Ecology

Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Pollution Control Hearings Board

4224 – 6th Avenue SE
Rowe Six, Building 2
Lacey, WA 98503

Mailing Addresses:

Department of Ecology

Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

Pollution Control Hearings Board

PO Box 40903
Olympia, WA 98504-0903

E-Mail Address:

Department of Ecology

Not currently available (see WAC 371-08)

Pollution Control Hearings Board

Pchb-shbappeals@elaho.wa.gov

6. Contact Information

Please direct all questions about this Notice of Penalty to:

Emily Toffol
Washington State Department of Ecology
Solid Waste Management Program, Industrial Section
PO Box 47600
Olympia, Washington 98504
Phone: 360-790-8363
Email: emily.toffol@ecy.wa.gov

7. Americans with Disabilities Act Information

Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7668 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

8. More Information

- **Pollution Control Hearings Board**
<https://www.eluho.wa.gov/Board/PCHB>
- **Chapter 43.21B RCW, Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
<https://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice and Procedure**
<https://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<https://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 70A.15 RCW, Washington Clean Air Act**
<https://app.leg.wa.gov/RCW/default.aspx?cite=70A.15>

9. Signature



James DeMay, P.E.
Industrial Section Manager
Solid Waste Management Program

12/12/2022

Date