



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 10009, Richmond, Virginia 23240
Fax (804) 698-4500 TDD (804) 698-4021
www.deq.virginia.gov

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Robert G. Burnley
Director

(804) 698-4000
1-800-592-5482

March 9, 2005

Mr. Henry H. Mitchell
P.O. Box 429
Chatham, Virginia 24531-0429

Dear Mr. Mitchell:

Thank you for your submittal, dated January 5, 2005, titled "Appeal of plastic-burning practice at Columbia Forest Products – Chatham". I recognize the considerable effort spent to research and produce this document. Consequently, the Department has also dedicated considerable resources to evaluate the issues raised. Our formal comments on the appeal are enclosed. I understand that the intent of the submittal is to provide evidence that the air pollutants from current fuel burning practices at Columbia Forest Products (CFP) are adversely affecting the health and welfare of the plant's neighbors. I further understand that you would like to see the practice of burning fuel that contains any non-wood constituents that may be degrading air quality discontinued or controlled more aggressively.

As you know, the DEQ implements a number of programs designed to protect human health and the environment from the adverse impacts of air pollution. Those most relevant to the issues raised in your submittal are the regulations that establish ambient air quality standards and significant ambient air concentration guidelines, various permit regulations, and the compliance assessment or inspection program.

National ambient air quality standards (NAAQS) for certain air pollutants are established at levels designed to protect human health by the U.S. Environmental Protection Agency pursuant to the federal Clean Air Act and are incorporated into Virginia's air pollution control regulations. One of the pollutants of concern that you have identified, carbon monoxide, is addressed by one of these standards (NAAQS).

Virginia's air pollution regulations also establish significant ambient air concentration (SAAC) guidelines for certain pollutants that are not subject to NAAQS standards, but have been identified in the federal clean air act as hazardous air pollutants. These guideline concentrations

are generally significantly lower than the threshold values used to determine if a work-place atmosphere is safe. Hydrogen cyanide, acrolein, and formaldehyde are subject to the SAAC guidelines. Air quality that meets the federal standards and state guidelines is not considered to be a threat to public health or welfare.

Once the pollutants of concern have been identified, the appropriate permitting program is used to evaluate facilities that could emit air pollutants in quantities that exceed established thresholds. Permit approval must be obtained prior to construction or operation of a facility, and DEQ cannot issue such a permit if the proposed activity would cause emissions to exceed a NAAQS or SAAC. The boiler referenced in your January 5, 2005, submittal was initially evaluated and permitted prior to the regulatory standards implementing the SAAC guidelines, and these pollutants were not considered at that time. The boiler is, however, covered by a state operating permit, which does evaluate the emissions which may have a potential for NAAQS and SAAC violations.

Once an air pollution source is permitted, it is subject to periodic compliance assessment through surveillance, on-site evaluation and review of self-recorded or reported information. These activities are used to gauge the compliance status of facilities with respect to permit conditions and regulatory requirements.

In response to issues raised in your January 5, 2005, submittal and at the SCRO's Community Open House, we have re-evaluated the current permit approval for the CFP facility. Provided below is a summary response based on this evaluation.

- The fuel currently burned in the CFP boiler, including the non-wood materials identified, is consistent with the fuel type that was approved through the new source review permit process. The fuel definition in the permit is intended to restrict the fuel to that which was considered during review of the permit application.
- The DEQ agrees that the chemicals of concern identified in the January 5, 2005, submittal could be present in the exhaust from the CFP boiler. Some of the identified compounds are potential combustion by-products of many fuels (e.g., coal, natural gas or wood) that are routinely considered during permit evaluation. The staff's evaluation of the CFP boiler, using dispersion modeling of predicted emissions, found no unacceptable ambient air impacts when compared to the NAAQS or SAAC. Ammonia is not a regulated air pollutant and, therefore, is not subject to evaluation under the current state program.
- The video tape sent with the January 5, 2005, submittal does indicate potential compliance issues with respect to standards for visible emissions. Recent visible emission evaluations were conducted on the boiler by South Central Regional Office staff and are being followed up with company personnel.

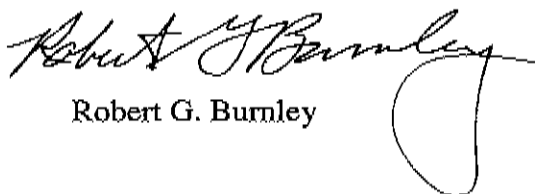
At this time, we do not plan to modify the CFP permit to place additional restrictions on the fuel used in the boiler. The DEQ will, however, continue with efforts to bring about improvements to the operation of the boiler and address any compliance issues existing at the

plant. I would encourage you to contact the South Central Regional Office staff whenever you have additional or continuing concerns or information. You are, of course, also welcome to continue to communicate with my office; however, it is important that the regional staff gain a first-hand understanding of any issue raised.

DEQ staff is ready to meet with you and the other individuals who signed the appeal to discuss these matters further. Please contact David Miles at 434-582-5120, ext. 6028, to arrange that meeting.

Again, I want to thank you for your commitment to a healthy environment and assure you that we will take all appropriate actions to assure compliance with all applicable environmental laws and regulations.

Sincerely,



Robert G. Burnley

C: Tom Henderson, Regional Director, SCRO
Helen Tansey, The Nature Conservancy
Donna Reynolds, American Lung Association
Harry & Sylvia Gillispie
Fletcher B., Watson, IV
Sarah E. Mitchell
Rebecca Edwards
Mary L. Yardley
Hon. Charles Hawkins, Senate of Virginia
Hon. Robert Hurt, Virginia House of Delegates
Hon. George Haley, Mayor, Town of Chatham

RGB:dlm