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Air Enforcement: U.S. Environmental Protection Agency/Arkansas Department of Environmental Quality Enter into Consent Decree with Operators of Crossett, Arkansas, Paper/Chemical Products Facilities

12/17/2018

The United States Environmental Protection Agency (“EPA”) in a December 14th news release announced that the federal agency and Arkansas Department of Environmental Quality (“ADEQ”) have entered into a settlement with the Georgia-Pacific Chemicals LLC (“GP Chemical”) and Georgia-Pacific Consumer Operations LLC (“GP Consumer”) addressing alleged Clean Air Act violations.

The United States Department of Justice represented EPA.

The Consent Decree states that:

- GP Chemical owns and operates a chemical manufacturing facility
- GP Consumer owns and operates a pulp/paper manufacturing facility

The facilities are stated to be located on adjoining properties in Crossett, Arkansas.

The GP Consumer facility is alleged to have operated in violation of:

- Section 111 of the Clean Air Act New Source Performance Standards (40 C.F.R. § 60, Subpart BB)
- Section 112 National Emission Standards for Hazardous Air Pollutants (40 C.F.R. Part 63, Subparts A, S, and MM)
- Chemical and Accident Prevention Provisions for Air Programs (40 C.F.R. Part 68, Subpart D)

GP Chemical is alleged to have violated:

- Section 112 National Emission Standards for Hazardous Air Pollutants (40 C.F.R. Part 63, Subparts G, H, and FFFF)
- Chemical and Accident Prevention Provisions for Air Programs (40 C.F.R. Part 68, Subparts D and H)

The Consent Decree provides that neither company admits liability to the United States or ADEQ arising out of the allegations filed in a prior Complaint.

The Consent Decree assesses a civil penalty of \$600,000 which will be divided between the United States and ADEQ evenly. Further, the Consent Decree outlines a number of actions that will be required to

address the alleged violations, including what is described as a “mitigation project” to reduce hydrogen sulfide emissions.

Finally, the companies agree to implement three Supplemental Environmental Projects which are described as potentially reducing hydrogen sulfide emissions from the company’s processes and the establishment of air monitoring for hydrogen sulfide along the facilities’ fence line for at least three years. The projects are stated to cost nearly \$2 million.

A link to the news release can be found [here](#).