

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
AIR POLLUTION CONTROL COMMISSION

In the matter of administrative proceedings
against PACKAGING CORPORATION OF
AMERICA, a corporation organized under the
laws of the State of Michigan and doing
business in the City of Filer City, County of
Manistee, State of Michigan.

SIP No. 23-1984

STIPULATION FOR ENTRY OF CONSENT ORDER
AND
FINAL ORDER

This proceeding resulted from allegations by the staff of the Air Quality Division of the Department of Natural Resources (hereinafter referred to as the "Staff"). The Staff alleges that Packaging Corporation of America, a Tenneco Company, a Michigan corporation (hereinafter referred to as the "Company"), located in the City of Filer City, County of Manistee, State of Michigan, is emitting visible emissions from its facilities in excess of allowable limits as established by Administrative Code 1980 AACRS, R 336.1301. The Company and the Staff agree to the termination of this proceeding by entry of a Final Order by consent.

The Company and the Staff agree as follows:

1. The Company admits that the Chief of the Air Quality Division of the Department of Natural Resources is authorized by resolution of the Air Pollution Control Commission (hereinafter "Commission") adopted June 28, 1977, as agent of the Commission to enter into this Final Order by consent.

2. The Company stipulates that the Chief of the Air Quality Division of the Department of Natural Resources is charged with the investigation and enforcement of all orders, regulations, rules, standards and statutes of the State of Michigan concerning the emission and control of air contaminants.

3. The Company stipulates that the termination of this matter by a Final Order to be entered as a Consent Order is proper and acceptable.

4. Pursuant to R 336.1301(1)(c), the Commission finds that compliance by the bark boiler with the 20 percent opacity limit provision of R 336.1301 is not technically and economically feasible at this time and that presently all other requirements of the Commission's rules are being met.

5. The Company and Staff acknowledge that this agreement and Final Order shall be submitted to the United States Environmental Protection Agency (EPA) as a revision to the Michigan State Implementation Plan (SIP).

6. The Company and the Staff agree that the signing of this Stipulation is for settlement purposes only and does not constitute an admission by the Company that the law has been violated. Both Staff and the Company agree that the visible emissions from the bark boiler should comply with R 336.1301. This shall be done in accordance with the following schedule:

(a) After the effective date of this Order and until December 31, 1989, the Company shall limit the density of the visible air contaminants from the bark boiler as follows:

- (1) When fired with 100 percent bark as fuel, the maximum 6-minute average opacity shall be limited to 40 percent, except for ten 6-minute averages per day of not more than 60 percent opacity during periods of start-up, shutdown and ash removal, as determined by Test Method 9, Appendix A to 40 CFR, Part 60 (July 1, 1980).
- (2) When fired with a combination of bark and wood chips as fuel, the maximum 6-minute average opacity shall be limited to 35 percent, except for ten 6-minute averages per day of not more than 60 percent opacity during periods of start-up, shutdown and ash removal, as

- determined by Test Method 9, Appendix A to 40 CFR, Part 60 (July 1, 1980).
- (b) The operation and maintenance program for the bark boiler and side stream collector as outlined in the "Application for Alternate Opacity Standard," Section VI (pages 24-25) and included as Appendix A, will continue to be utilized with record keeping as described below:
- (1) The Company will maintain records for all preventative and corrective maintenance performed on the bark boiler, multiclone collector, side-stream collector and ancillary equipment.
 - (2) The Company will maintain records of the amount and type of fuel burned in the bark boiler and the periods of start-up, shutdown and ash removal.
 - (3) The Company's record keeping procedure will be submitted to the district supervisor for review within 30 days after the effective date of this Consent Order. If satisfactory, notification of approval shall be given within 30 days of receipt.
 - (4) All records required by paragraphs 6(b)(1) through 6(b)(2), above, shall be kept on file for a period of at least two years and made available to the Air Quality Division upon request.
- (c) By December 31, 1985 and annually thereafter until termination of this Order, the Company shall submit to the district supervisor a report describing modifications made by the Company to the bark boiler, multiclone collector, sidestream collector and ancillary equipment which are intended in whole or in part to reduce visible emissions.
- (d) By December 31, 1988, the Company shall notify Staff in writing whether the bark boiler will be shut down after December 31, 1989.

- (e) After December 31, 1989, visible emissions from the bark boiler shall not exceed 20 percent opacity except as provided in R 336.1301.
- (f) If the Company notifies Staff that the bark boiler will be shut down, the Company shall permanently cease operation of the boiler by December 31, 1989.

7. The Company reserves the right to petition for an exception to the opacity limitations set forth in this Order or in R 336.1301 of the Commission's rules, based on any opportunities for relief found in that rule, any modification of that rule, or any rule which replaces that rule. The staff agrees to expeditiously process such a petition.

8. The Staff and the Company do not regard this abatement program as a variance subject to the 12-month limitation specified in Section 22 of the Air Pollution Act, being MCLA 336.32. Approval of this abatement program is not a major state action for purposes of further environmental review pursuant to Executive Order 1974-4.

9. Staff and the Company both acknowledge that a public hearing on this abatement program was held on November 27, 1984. Both the Staff and the Company consent to enforcement of the Stipulation and Final Order in the same manner and by the same procedures for all final orders entered pursuant to Section 16 of 1972 PA 257, MCLA 336.26; MSA 14.58(16), including enforcement pursuant to 1970 PA 127, MCLA 691.1201 et. seq.; MSA 14.528(201) et. seq.

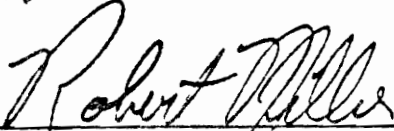
Approved as to Form and Content:

 PACKAGING CORPORATION OF AMERICA

Dated: By Paul A. Lazzarini
 Dated: EM/1/85 Vice President

Reviewed
 for compliance
 by Greiner

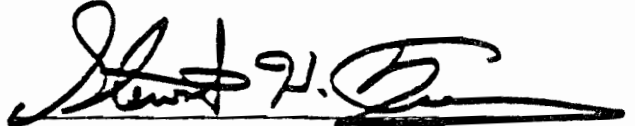
Approved as to Content:



Robert P. Miller, Chief
AIR QUALITY DIVISION
DEPARTMENT OF NATURAL RESOURCES

Dated: 7/8/85

Approved as to Form:



Stewart H. Freeman
Assistant Attorney General
DEPARTMENT OF ATTORNEY GENERAL

Dated: July 1, 1985

FINAL ORDER

This Commission having had opportunity to review the above stated Stipulation for Entry of Consent Order, and this Commission having authorized the Chief of the Air Quality Division of the Department of Natural Resources as agent of the Commission to enter into consent orders,

IT IS ORDERED that this Consent Order is approved and shall be entered in the record of this Commission as a Final Order.

AIR POLLUTION CONTROL COMMISSION

By: Robert Miller

Robert P. Miller, Chief
Air Quality Division
Department of Natural Resources

Dated: 7/8/85