

DATE	TIME	OPACITY (%)	DATE	TIME	OPACITY (%)
9/1/2006	11:24 AM	30.16174	10/10/2006	10:18 AM	40.14387
9/1/2006	11:30 AM	31.6628	10/10/2006	10:24 AM	30.87475
9/1/2006	11:36 AM	24.11528	10/10/2006	5:18 PM	33.89106
9/1/2006	11:54 AM	21.02691	10/10/2006	5:24 PM	35.84425
9/1/2006	12:48 PM	21.86586	10/10/2006	5:30 PM	31.636
9/1/2006	1:00 PM	20.7358	10/10/2006	5:36 PM	20.008
9/1/2006	1:06 PM	22.63745	10/10/2006	11:54 PM	20.65608
9/1/2006	1:12 PM	28.96888	10/11/2006	12:54 AM	33.14032
9/1/2006	1:18 PM	40.80217	10/11/2006	1:00 AM	30.69232
9/1/2006	1:24 PM	34.66947	10/11/2006	1:06 AM	35.92554
9/1/2006	1:30 PM	25.75748	10/11/2006	1:12 AM	26.75256
9/1/2006	1:36 PM	28.47661	10/11/2006	1:18 AM	21.63207
9/1/2006	1:42 PM	31.79114	10/11/2006	1:24 AM	21.16342
9/1/2006	1:48 PM	28.9972	10/11/2006	1:36 AM	23.57184
9/1/2006	1:54 PM	31.64893	10/11/2006	1:42 AM	32.03334
9/1/2006	2:00 PM	31.62674	10/11/2006	1:48 AM	32.03334
9/1/2006	2:06 PM	29.73646	10/11/2006	1:54 AM	44.457
9/1/2006	2:12 PM	30.25531	10/11/2006	2:00 AM	43.20041
9/1/2006	2:18 PM	32.18071	10/11/2006	2:06 AM	29.70306
9/1/2006	2:24 PM	32.62915	10/11/2006	2:12 AM	20.8236
9/1/2006	2:30 PM	34.44448	10/11/2006	2:18 AM	41.58479
9/1/2006	2:36 PM	40.56125	10/11/2006	2:24 AM	49.87323
9/1/2006	2:54 PM	27.17746	10/11/2006	2:30 AM	57.60445
9/1/2006	3:00 PM	26.49979	10/11/2006	2:36 AM	53.21938
9/4/2006	1:18 PM	23.43944	10/11/2006	2:42 AM	52.36314
9/14/2006	8:00 AM	22.2248	10/11/2006	2:48 AM	51.32362
9/15/2006	11:48 PM	21.43547	10/11/2006	2:54 AM	53.1339
10/1/2006	11:36 AM	20.85189	10/11/2006	3:00 AM	74.83449
10/1/2006	12:42 PM	27.97935	10/11/2006	3:06 AM	59.76924
10/1/2006	12:48 PM	32.98912	10/11/2006	3:12 AM	48.92033
10/1/2006	12:54 PM	21.91876	10/11/2006	3:18 AM	41.42638
10/1/2006	2:36 PM	34.88164	10/11/2006	3:24 AM	41.49791
10/1/2006	2:42 PM	23.19366	10/11/2006	3:30 AM	48.74619
10/2/2006	11:54 PM	20.3824	10/11/2006	3:36 AM	60.37366
10/8/2006	8:18 AM	27.13936	10/11/2006	4:00 AM	34.91864
10/10/2006	6:12 AM	26.91915	10/11/2006	4:06 AM	95.00336
10/10/2006	6:18 AM	25.46294	10/11/2006	4:12 AM	91.78072
10/10/2006	6:24 AM	26.84283	10/11/2006	4:18 AM	86.79524
10/10/2006	6:30 AM	32.76078	10/11/2006	4:24 AM	74.74206
10/10/2006	6:36 AM	32.76078	10/11/2006	4:30 AM	61.94543
10/10/2006	7:30 AM	25.63623	10/11/2006	4:36 AM	55.73174
10/10/2006	8:42 AM	22.42662	10/11/2006	4:42 AM	45.85567
10/10/2006	10:12 AM	26.30362	10/11/2006	4:48 AM	44.90828

DATE	TIME	OPACITY (%)	DATE	TIME	OPACITY (%)
10/11/2006	4:54 AM	31.73353	11/28/2006	10:30 AM	23.3427
10/12/2006	8:12 AM	21.16843	12/2/2006	4:42 PM	67.71177
10/12/2006	10:36 AM	20.11326	12/3/2006	2:48 AM	27.58426
10/12/2006	10:42 AM	22.25723	12/3/2006	2:54 AM	69.80956
10/25/2006	8:18 AM	21.22715	12/3/2006	3:00 AM	24.45822
10/25/2006	11:42 AM	21.0451	12/3/2006	8:06 PM	23.13481
10/25/2006	1:12 PM	41.92305	12/4/2006	1:12 AM	26.41168
10/25/2006	3:30 PM	30.92523	12/4/2006	6:24 AM	21.46842
10/26/2006	3:18 PM	20.29353	12/4/2006	6:48 AM	24.48144
10/28/2006	3:00 PM	20.98597	12/6/2006	3:30 AM	45.22577
10/28/2006	3:06 PM	22.9722	12/6/2006	3:36 AM	74.03699
10/28/2006	3:12 PM	29.5075	12/6/2006	3:42 AM	57.22086
10/28/2006	3:18 PM	21.60723	12/6/2006	3:48 AM	23.91291
10/28/2006	3:24 PM	23.68118	12/6/2006	4:42 AM	34.94238
10/28/2006	3:30 PM	26.77585	12/10/2006	1:54 AM	67.78044
10/29/2006	11:00 PM	28.33037	12/11/2006	7:30 AM	41.31743
11/16/2006	8:24 PM	22.15854	12/11/2006	7:36 AM	61.36542
11/20/2006	5:24 AM	22.65284	12/11/2006	7:42 AM	23.46255
11/20/2006	7:00 AM	23.94527	12/15/2006	11:24 PM	23.41319
11/23/2006	6:06 PM	22.28786	12/17/2006	9:36 AM	23.40293
11/28/2006	9:30 AM	46.05745	12/19/2006	6:48 AM	31.93898
11/28/2006	9:36 AM	60.43242	12/19/2006	6:54 AM	57.66414
11/28/2006	9:42 AM	79.17849	12/19/2006	7:00 AM	52.79996
11/28/2006	9:48 AM	20.99047	12/19/2006	7:06 AM	34.61127

According to LAC 33:III.1101.B, the emission of smoke from any combustion unit shall be controlled so that the shade or appearance of emission is not darker than 20% average opacity except that emitted during the cleaning of a fire box or building of a new fire, soot blowing or lancing, charging of an incinerator, equipment changes, ash removal and rapping of precipitators which may have an opacity in excess of 20% for not more than one six-minute period in any 60 consecutive minutes. Therefore, each incident of opacity in excess of 20% from the Hogged Fuel Boiler No. 2 is a violation of LAC 33:III.1101.B, Specific Requirement No. 135 of Title V Permit No. 1980-00004-V0, LAC 33:III.501.C.4, La R.S. 30:2057(A)(1), and 30:2057(A)(2).

- D. According to the facility's Title V Semiannual Monitoring Report for the period encompassing May 24, 2006, through June 30, 2006, the Respondent failed to monitor visual emissions from the Coke Storage Silo (Emission Point No. EQT049) by visual inspection when performing loading operations on the following dates: May 24, 2006, May 25, 2006, May 26, 2006, May 28, 2006,

May 29, 2006, May 31, 2006, June 1, 2006, June 2, 2006, June 5, 2006, June 7, 2006, June 9, 2006, June 11, 2006, June 12, 2006, June 13, 2006, June 15, 2006, June 16, 2006, June 20, 2006, June 24, 2006, June 25, 2006, June 26, 2006, June 28, 2006, and June 29, 2006. Each failure to monitor visual emissions from the Coke Storage Silo by visual inspection when performing loading operations is a violation of Specific Requirement No. 256 of Title V Permit No. 1980-00004-V0, LAC 33:III.501.C.4, and La R.S. 30:2057(A)(2).

- E. The Respondent failed to submit the facility's Title V Semiannual Monitoring Report for the period encompassing June through December 2006 by the March 31, 2007, due date. This report was postmarked on April 2, 2007. The failure to timely submit this report is a violation of Part 70 General Condition K of Title V Permit No. 1980-00004-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- F. The Respondent failed to submit the facility's Title V Annual Compliance Certification for the period encompassing May 24, 2006, through December 31, 2006, by the March 31, 2007, due date. This report was postmarked on April 2, 2007. The failure to timely submit this report is a violation of Part 70 General Condition M of Title V Permit No. 1980-00004-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

III.

The Respondent owns and/or operates the Zwolle Plywood and Sawmill (Agency Interest No. 3443), a plywood manufacturing facility, located at 2792 Obrie Street in Zwolle, Sabine Parish, Louisiana. The facility currently operates under Title V Permit No. 2700-00007-V2, issued on November 23, 2004.

IV.

On or about August 29, 2007, a file review of the Zwolle Plywood and Sawmill (Agency Interest No. 3443) was performed to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted during the course of the file review:

- A. According to the facility's 2005 Title V Annual Compliance Certification and Title V Semiannual Monitoring Reports for the periods encompassing January through June 2005 and July through December 2005, the Respondent failed to comply with the facility's Parametric Monitoring Plan (PMP) three times during the period encompassing April 1, 2005, through September 16, 2005, twice during the period encompassing July 1, 2005, through August 31, 2005, and once during the period encompassing July 1, 2005, through December 31, 2005. According to the facility's 2006 Title V Annual Compliance Certification and Title V Semiannual Monitoring Report for the period encompassing July through December 2006, the Respondent failed to comply with the facility's PMP six times during the period encompassing July 1, 2006, through December 31, 2006. Each failure to comply with the facility's PMP is a violation of Specific Requirement No. 5 for the RTO (RCO) (Emission Point No. EQT19) of Title V Permit No. 2700-00007-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- B. According to the facility's 2005 Title V Annual Compliance Certification, the Respondent performed the visual inspection of baghouse filters outside the specified inspection frequency of semiannually. The failure to perform the visual inspection of baghouse filter semiannually is a violation of Specific Requirement No. 1 for the Plytrim & Hogged Wood Cyclone with PFF (Emission Point No. EQT12) of Title V Permit No. 2700-00007-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- C. According to the facility's 2005 Title V Annual Compliance Certification, the Respondent performed the visual inspection of the cyclone outside the specified inspection frequency of every six months. The failure to perform the visual inspection of the cyclone every six months is a violation of Specific Requirement No. 1 for the Green Veneer Cyclone Separator (Emission Point No. EQT13) of Title V Permit No. 2700-00007-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).

V.

Willamette Industries, Inc. owned and/or operated the Dodson Division (Agency Interest No. 4294), a plywood plant and sawmill located at 706 Louisiana Highway 167 in Dodson, Winn Parish, Louisiana. The facility currently operates under Title V Permit No. 3240-00010-V2,

issued on October 10, 2006. On or about June 30, 2002, Willamette Industries, Inc. merged into Weyerhaeuser Company.

VI.

On or about August 29, 2007, a file review of the Dodson Division (Agency Interest No. 4294) prior to Willamette Industries, Inc. merging into Weyerhaeuser Company was performed to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted at the time of the file review:

According to the facility's Title V Semiannual Monitoring Reports for the periods encompassing July through December 2000 and January through June 2001, the Respondent self-reported exceedances of the permitted maximum hourly production/emissions rate for the veneer dryers (Emission Point Nos. 025-06 and 025-07) and the press vent (Emission Point No. 025-08) during a meeting with the Department on or about November 30, 2000. During the period encompassing July 1, 2000, through December 31, 2000, the Respondent reported that the permitted maximum hourly production/emissions rate for the press vent was exceeded on two separate eight hour shifts. During the period encompassing January 1, 2001, through June 30, 2001, the Respondent reported that the permitted maximum hourly production/emissions rate for the veneer dryer (Emission Point No. 025-07) was exceeded during an eight hour shift. According to Louisiana General Condition III, each exceedance of the permitted maximum hourly production/emissions rate is a violation of Title V Permit No. 3240-00010-V2, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2). Title V Permit No. 3240-00010-V3 with increased maximum hourly production/emissions rates for each emission point was issued on January 7, 2002.

VII.

Willamette Industries, Inc. owned and/or operated the Arcadia OSB Division (Agency Interest No. 26547), an oriented stand board plant located at 130 Girl Scout Road in Simsboro, Lincoln Parish, Louisiana. The facility currently operates under Title V Permit No. 1720-00032-V3, issued on April 25, 2006. On or about June 30, 2002, Willamette Industries, Inc. merged into Weyerhaeuser Company.

VIII.

On or about August 29, 2007, a file review of the Arcadia OSB Division (Agency Interest No. 26547) prior to Willamette Industries, Inc. merging into Weyerhaeuser Company was performed to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted at the time of the file review:

- A. According to the facility's Title V Semiannual Monitoring Reports for the periods encompassing January through June 2000, July through December 2000, July through December 2001, and January through June 2002, various loads of resin at Emission Point Nos. TK-01, TK-02, TK-03, and TK-04 had free HCHO concentrations in excess of stipulated values throughout the reporting period. The deviation ended on March 14, 2002, when the Respondent received a permit modification that allowed for free formaldehyde (HCHO) concentrations below 0.10%. The period of noncompliance by the Respondent is a violation of the State Only Specific Conditions and Table 2 of Title V Permit No. 1720-00032-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2).
- B. According to the Respondent's Title V Semiannual Monitoring Reports for the periods encompassing July through December 2000, July through December 2001, and January through June 2002, the actual resin usage by the Respondent was in excess of volumes permitted, thereby causing exceedances in the permitted maximum hourly emission limits as well as the permitted annual emission limits for Emission Point Nos. TK-01, TK-02, TK-03, TK-04, PF-02, and PF-03. The deviation ended when the Respondent received a permit modification on March 14, 2002, which allowed for higher annual resin usage volumes and associated emissions. According to General Condition II of Title V Permit No. 1720-00032-V0, each exceedance is a violation of Title V Permit No. 1720-00032-V0, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(2) of the Act.
- C. The Department received the Respondent's letter dated June 12, 2001, regarding a release that occurred at the Respondent's facility on or about June 12, 2001. During this incident, 1.767 pounds (lbs) of particulate matter (PM), 1.814 lbs of particulate matter with a diameter less than or equal to

10 microns (PM₁₀), 3.845 lbs of carbon monoxide (CO), 3.213 lbs of volatile organic compounds (VOC), and 0.012 lbs of formaldehyde were released to the atmosphere. According to the Respondent, the incident occurred when the wet electrostatic precipitator (WESP) operator inadvertently locked out the wrong unit for servicing causing Dryer #2 (Emission Point No. D-02) to abort unexpectedly. Therefore, the root cause of the incident was operator error. This incident is a violation of LAC 33:III.905, which states "When facilities have been installed on a property, they shall be used and diligently maintained in proper working order whenever any emissions are being made which can be controlled by the facilities, even though the ambient air quality standards in affected areas are not exceeded." Control equipment as defined by LAC 33:III.111 is "any device or contrivance, operating procedure or abatement scheme used to prevent or reduce air pollution." This is also a violation of La R.S. 30:2057(A)(1) and 30:2057(A)(2).

IX.

On or about August 29, 2007, a file review of the Arcadia OSB Division (Agency Interest No. 26547) after Willamette Industries, Inc. merged into Weyerhaeuser Company was performed to determine the degree of compliance with the Act and the Air Quality Regulations. While the Department's investigation is not yet complete, the following violations were noted at the time of the file review:

The Respondent failed to submit the facility's Semiannual Compliance Reports for 40 CFR 63 Subpart QQQQ—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products for the periods encompassing May 28, 2006, through June 30, 2006, and July 1, 2006, through December 31, 2006, by the July 31, 2006, and January 31, 2007, respective, due dates. A Semiannual Compliance Report for 40 CFR 63 Subpart QQQQ covering the period of May 28, 2006, through June 30, 2007, was submitted on or about July 5, 2007. Each failure to timely submit a Semiannual Compliance Report for 40 CFR 63 Subpart QQQQ is a violation of 40 CFR 63.4720(a)(1) which language has been adopted as a Louisiana regulation in LAC 33:III.5122, and La. R.S. 30:2057(A)(2).

LDEQ-EDMS Document 5950439, Page 30 of 34

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with all applicable air regulations, including, but not limited to, 40 CFR 63.4720(a)(1), LAC 33:III.2301.D.4, LAC 33:III.1101.B, LAC 33:III.905, Title V Permit No. 1980-00004-V1 for the Red River Mill (Agency Interest No. 2645), Title V Permit No. 2700-00007-V2 for the Zwolle Plywood and Sawmill (Agency Interest No. 3443), Title V Permit No. 3240-0010-V2 for the Dodson Divison (Agency Interest No. 4294), and Title V Permit No. 1720-00032-V3 for the Arcadia OSB Division (Agency Interest No. 26547).

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Chanda Henne
Enforcement Tracking No. AE-CN-07-0105
Agency Interest Nos. 2645, 3343, 4294, & 26547

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the **Enforcement Tracking Number** and **Agency Interest Number**, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-07-0105
Agency Interest Nos. 2645, 3443, 4294, & 26547

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative

Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violation(s) described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violation(s) described herein. Written comments may be filed regarding the violation(s) and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Chanda Henne at (225) 219-3748 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

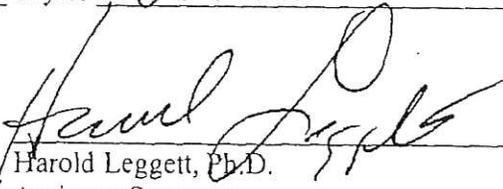
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days

of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 31 day of October, 2007.


Harold Leggett, Ph.D.
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Chanda Henne

BOBBY JINDAL
Governor



HAROLD LEGGETT, PH.D.
Secretary

Louisiana Department of Environmental Quality
Office of Environmental Compliance

February 08, 2008

CERTIFIED MAIL (7003 2260 0001 2747 9208)
RETURN RECEIPT REQUESTED

WEYERHAEUSER COMPANY
c/o National Registered Agents, Inc.
Agent of Service
1280 Clause Street
Mandeville, LA 70448

RE: AMENDED CONSOLIDATED COMPLIANCE ORDER &
NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-07-0105A
AGENCY INTEREST NOS. 2645, 3443, 4294, 26547

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **WEYERHAEUSER COMPANY (RESPONDENT)** for the violations described therein.

Any questions concerning this action should be directed to Chanda Henne at (225) 219-3748.

Sincerely,

Peggy M. Hatch
Assistant Secretary

PMH/CSH/csh
All ID Nos. 1980-00004, 2700-00007, 3240-00010, & 1720-00032
Attachment

c: Weyerhaeuser Company
c/o Shane Wells, Regional Manager
130 Girl Scout Road
Simsboro, LA 71275

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

IN THE MATTER OF	*	
	*	
WEYERHAEUSER COMPANY	*	ENFORCEMENT TRACKING NO.
MULTI-PARISH	*	
ALT ID NOS. 1980-00004 2700-00007	*	AE-CN-07-0105A
3240-00010 1720-00032	*	
	*	AGENCY INTEREST NOS.
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	2645 3443
ENVIRONMENTAL QUALITY ACT,	*	4294 26547
La. R.S. 30:2001, <u>ET SEQ.</u>	*	

AMENDED
CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The Louisiana Department of Environmental Quality (the Department) hereby amends the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** issued to **WEYERHAEUSER COMPANY (RESPONDENT)** on October 31, 2007, in the above-captioned matter as follows:

I.

The Department hereby removes Paragraph IX of the Findings of Fact portion of the **COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-07-0105**, in its entirety.

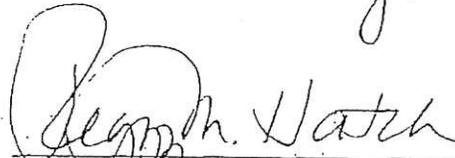
II.

The Department incorporates all of the remainder of the original CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY, ENFORCEMENT TRACKING NO. AE-CN-07-0105 and AGENCY INTEREST NOS. 2645, 3443, 4294, & 26547 as if reiterated herein.

III.

This AMENDED CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY is effective upon receipt.

Baton Rouge, Louisiana, this 8th day of February, 2008.



Peggy M. Hatch.
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Chanda Henne

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

November 5, 2010

CERTIFIED MAIL (7004 2510 0005 5763 9228)
RETURN RECEIPT REQUESTED

WEYERHAEUSER NR COMPANY
c/o National Registered Agents, Inc.
Agent for Service of Process
1011 North Causeway Blvd., Ste. 3
Mandeville, LA 70471

**RE: CONSOLIDATED COMPLIANCE ORDER
& NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-CN-10-01202
AGENCY INTEREST NO. 4294**

Dear Sir:

Pursuant to the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is hereby served on **WEYERHAEUSER NR COMPANY (RESPONDENT)** for the violations described therein.

Compliance is expected within the maximum time period established by each part of the **COMPLIANCE ORDER**. The violations cited in the **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** could result in the issuance of a civil penalty or other appropriate legal actions.

Any questions concerning this action should be directed to Mark E. Brown at (225) 219-3782.

Sincerely,

Celena J. Cage
Administrator
Enforcement Division

CJC/MEB/meb
Alt ID No. 3240-00010
Attachment

c: Weyerhaeuser NR Company
Dodson Division
Mr. Shane Wells
Environmental Manager
190 Jefferson Oaks Drive
Ruston, LA 71270

**STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE**

<p>IN THE MATTER OF</p> <p>WEYERHAEUSER NR COMPANY</p> <p>WINN PARISH</p> <p>ALT ID NO. 3240-00010</p> <p>PROCEEDINGS UNDER THE LOUISIANA</p> <p>ENVIRONMENTAL QUALITY ACT,</p> <p>La. R.S. 30:2001, ET SEQ.</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>ENFORCEMENT TRACKING NO.</p> <p>AE-CN-10-01202</p> <p>AGENCY INTEREST NO.</p> <p>4294</p>
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CONSOLIDATED
COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY

The following **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is issued to **WEYERHAEUSER NR COMPANY (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, et seq., and particularly by La. R.S. 30:2025(C), 30:2050.2 and 30:2050.3(B).

FINDINGS OF FACT

I.

The Respondent owns and/or operates Dodson Division, a plywood plant and saw mill located at 706 Louisiana Highway 167 in Dodson, Winn Parish, Louisiana. The facility currently operates under Title V Permit No. 3240-00010-V6, issued on or about January 30, 2009.

II.

On or about August 10, 2010, a file review of the facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

While the investigation by the Department is not yet complete, the following violations were noted during the course of the file review:

- A. In correspondence dated June 11, 2010, the Respondent reported the results of emission testing conducted on or about May 5, 2010 for Wood-Fired Boiler

(EQT 0006). Test results indicated an average Particulate Matter (PM₁₀) emission level of 6.71 pounds per hour (lb/hr) which exceeded the permit limit for PM₁₀ of 5.83 lb/hr maximum. The failure to demonstrate compliance with the limits of the permit for emission of PM₁₀ is a violation of Title V Permit No. 3240-00010-V6 and LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- B. In correspondence dated June 11, 2010, the Respondent reported the results of emission testing conducted on or about May 5, 2010 for Wood-Fired Boiler (EQT 0006). Title V Permit No. 3240-00010-V6 required that the emission testing be completed within 180 days of the issue date of the permit. The testing should have been completed prior to July 29, 2009. The failure to conduct testing within 180 days is a violation of Specific Requirement 33 of the permit, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is hereby ordered:

I.

To immediately take, upon receipt of this **COMPLIANCE ORDER**, any and all steps necessary to achieve and maintain compliance with Title V Permit No. 3240-00010-V6 and comply with the Air Quality Regulations and the Act.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Mark E. Brown
Re: Enforcement Tracking No. AE-CN-10-01202
Agency Interest No. 4294

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-10-01202
Agency Interest No. 4294

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from

contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violations described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violations described herein. Written comments may be filed regarding the violations and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross

revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Batón Rouge, Louisiana, this _____ day of _____, 2010.

Beau James Brock
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Mark E. Brown

(EQT 0006). Test results indicated an average Particulate Matter (PM₁₀) emission level of 6.71 pounds per hour (lb/hr) which exceeded the permit limit for PM₁₀ of 5.83 lb/hr maximum. The failure to demonstrate compliance with the limits of the permit for emission of PM₁₀ is a violation of Title V Permit No. 3240-00010-V6 and LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

- B. In correspondence dated June 11, 2010, the Respondent reported the results of emission testing conducted on or about May 5, 2010 for Wood-Fired Boiler (EQT 0006). Title V Permit No. 3240-00010-V6 required that the emission testing be completed within 180 days of the issue date of the permit. The testing should have been completed prior to July 29, 2009. The failure to conduct testing within 180 days is a violation of Specific Requirement 33 of the permit, LAC 33:III.501.C.4 and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

COMPLIANCE ORDER

Based on the foregoing, the Respondent is **hereby ordered**:

I.

To submit to the Air Permits Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, an application to modify Title V Permit No. 3240-00010-V6 to incorporate the permit limit for PM to the level addressed in the interim limits request, if such an application has not been submitted to date. To submit to the Enforcement Division a copy of the cover letter for the permit application.

II.

To submit to the Enforcement Division, within thirty (30) days after receipt of this **COMPLIANCE ORDER**, a written report that includes a detailed description of the circumstances surrounding the cited violations and actions taken or to be taken to achieve compliance with the Order. Portion of this **COMPLIANCE ORDER**. This report and all other reports or information required to be submitted to the Enforcement Division by this **COMPLIANCE ORDER** shall be submitted to:

Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Mark E. Brown
Re: Enforcement Tracking No. AE-CN-10-01202
Agency Interest No. 4294

THE RESPONDENT SHALL FURTHER BE ON NOTICE THAT:

I.

The Respondent has a right to an adjudicatory hearing on a disputed issue of material fact or of law arising from this **COMPLIANCE ORDER**. This right may be exercised by filing a written request with the Secretary no later than thirty (30) days after receipt of this **COMPLIANCE ORDER**.

II.

The request for an adjudicatory hearing shall specify the provisions of the **COMPLIANCE ORDER** on which the hearing is requested and shall briefly describe the basis for the request. This request should reference the Enforcement Tracking Number and Agency Interest Number, which are located in the upper right-hand corner of the first page of this document and should be directed to the following:

Department of Environmental Quality
Office of the Secretary
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302
Attn: Hearings Clerk, Legal Division
Re: Enforcement Tracking No. AE-CN-10-01202
Agency Interest No. 4294

III.

Upon the Respondent's timely filing a request for a hearing, a hearing on the disputed issue of material fact or of law regarding this **COMPLIANCE ORDER** may be scheduled by the Secretary of the Department. The hearing shall be governed by the Act, the Administrative Procedure Act (La. R.S. 49:950, et seq.), and the Department's Rules of Procedure. The Department may amend or supplement this **COMPLIANCE ORDER** prior to the hearing, after providing sufficient notice and an opportunity for the preparation of a defense for the hearing.

IV.

This **COMPLIANCE ORDER** shall become a final enforcement action unless the request for hearing is timely filed. Failure to timely request a hearing constitutes a waiver of the Respondent's right to a hearing on a disputed issue of material fact or of law under Section 2050.4 of the Act for the violation(s) described herein.

V.

The Respondent's failure to request a hearing or to file an appeal or the Respondent's withdrawal of a request for hearing on this **COMPLIANCE ORDER** shall not preclude the Respondent from

contesting the findings of facts in any subsequent penalty action addressing the same violation(s), although the Respondent is estopped from objecting to this **COMPLIANCE ORDER** becoming a permanent part of its compliance history.

VI.

Civil penalties of not more than twenty-seven thousand five hundred dollars (\$27,500) for each day of violation for the violations described herein may be assessed. For violations which occurred on August 15, 2004, or after, civil penalties of not more than thirty-two thousand five hundred dollars (\$32,500) may be assessed for each day of violation. The Respondent's failure or refusal to comply with this **COMPLIANCE ORDER** and the provisions herein will subject the Respondent to possible enforcement procedures under La. R.S. 30:2025, which could result in the assessment of a civil penalty in an amount of not more than fifty thousand dollars (\$50,000) for each day of continued violation or noncompliance.

VII.

For each violation described herein, the Department reserves the right to seek civil penalties in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties.

NOTICE OF POTENTIAL PENALTY

I.

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violations described herein. Written comments may be filed regarding the violations and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

II.

Prior to the issuance of additional appropriate enforcement action(s), you may request a meeting with the Department to present any mitigating circumstances concerning the violation(s). If you would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

III.

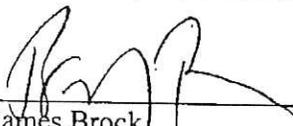
The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross

revenue statement along with a statement of the monetary benefits of noncompliance for the cited violation(s) to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify that statement.

IV.

This **CONSOLIDATED COMPLIANCE ORDER & NOTICE OF POTENTIAL PENALTY** is effective upon receipt.

Baton Rouge, Louisiana, this 5 day of November, 2010.



Beau James Brock
Assistant Secretary
Office of Environmental Compliance

Copies of a request for a hearing and/or related correspondence should be sent to:

Louisiana Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
P.O. Box 4312
Baton Rouge, LA 70821-4312
Attention: Mark E. Brown

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

December 21, 2011

CERTIFIED MAIL (7004 2510 0005 5763 9549)
RETURN RECEIPT REQUESTED

WEYERHAEUSER NR COMPANY
c/o National Registered Agents, Inc.
Agent for Service of Process
1011 North Causeway Blvd., Ste. 3
Mandeville, LA 70471

**RE: NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-PP-10-01382
AGENCY INTEREST NO. 26547**

Dear Sir:

On or about May 2, 2011, a file review of **ARCADIA OSB, (the facility)**, owned and/or operated by **WEYERHAEUSER NR COMPANY (RESPONDENT)**, was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. The facility is located at 130 Girl Scout Road in Simsboro, Lincoln Parish, Louisiana. At the time the violations occurred, the facility operated under Title V Permit No. 1720-00032-V3, issued on or about April 25, 2006, and under Title V Permit No. 1720-00032-V4, issued on or about April 9, 2009. The facility currently operates under Title V Permit No. 1720-00032-V4, issued on or about April 9, 2009.

While the investigation by the Louisiana Department of Environmental Quality (the Department) is not yet complete, the following violations were noted during the course of the file review:

- A. The facility is required to establish compliance with Plywood and Composite Wood Products (PCWP) MACT for emission reduction. NESHAP Subpart DDDD, 40 CFR 63 Table 2 requires a minimum of 90% removal of Hazardous Air Pollutants (HAP), as measured by Total Hydrocarbons (THC). In correspondence dated April 15, 2003, the Department accepted the results of stack tests conducted on Regenerative Thermal Oxidizer (RTO) RTO-02. In correspondence dated August 4, 2006 and in correspondence dated October 19, 2006, the Respondent reported results of stack tests conducted on RTO-01 and RTO-03.

During those stack tests, the Respondent established the following minimum combustion chamber temperature in degrees Fahrenheit (°F) for each RTO:

Unit	Date of Stack Test	Minimum temperature to achieve MACT
RTO-01 (EQT001)	8/4/2006	1507°F
RTO-02 (EQT002)	2/18/2003	1526°F
RTO-03 (EQT003)	10/19/2006	1537°F

In correspondence dated December 28, 2007, the Respondent submitted the facility's 2007 Third Quarter Deviation Report. The report indicated that RTO-02 (EQT002) experienced two time intervals where the combustion chamber temperature was below the established minimum of 1526°F. On or about July 31, 2007, the combustion chamber temperature averaged 1521°F for a one-hour period. On or about August 8, 2007, the combustion chamber temperature averaged 1501°F for a one-hour period. Each failure to maintain the RTO-02 average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).

- B. In correspondence dated January 16, 2008, the Respondent submitted the facility's 2007 Fourth Quarter Excess Emissions Report for the period encompassing October 1, 2007 through December 31, 2007. The report indicated that the Continuous Emission Monitor (CEM) on RTO-02 (EQT002) experienced 10,842 minutes of monitor downtime, equal to 11.3% of the total operating time for that quarter, exceeding the limit of $\leq 5.0\%$. The failure to properly utilize installed monitoring devices on any emission source is a violation of LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
- C. In correspondence dated June 27, 2008, the Respondent submitted the facility's 2008 First Quarter Deviation Report for the period encompassing January 1, 2008 through March 31, 2008. The report indicated that RTO-01 (EQT001) experienced one one-hour time interval, on or about March 26, 2008, where the combustion chamber temperature, at 1490°F, was below the established minimum of 1507°F. The report indicated that RTO-03 (EQT003) experienced two one-hour time intervals, on or about January 27, 2008, where the combustion chamber temperature, at 1447°F, and on or about March 6, 2008, where the combustion chamber temperature, at 1502°F were below the established minimum of 1537°F. Each failure to maintain each RTO average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).
- D. In correspondence dated September 28, 2008, the Respondent submitted the facility's 2008 First Semiannual Monitoring Report for the period encompassing January 1, 2008 through June 30, 2008. The report indicated that RTO-01 (EQT001)

Notice of Potential Penalty
 Weyerhaeuser NR Company, Arcadia
 page 3

experienced two two-hour time intervals, one on or about June 12, 2008, and one on or about June 16, 2008, where the combustion chamber temperature was below the established minimum of 1507°F. The failure to maintain the RTO average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).

- E. In correspondence dated January 9, 2009, the Respondent reported results of stack tests conducted on the facility's RTOs to establish compliance with PCWP MACT for emission reduction. The Respondent established a minimum combustion chamber temperature for each RTO:

Stack Tests Conducted 11/11/2008	
Unit	Minimum temperature to achieve MACT
RTO-01 (EQT001)	1562°F
RTO-02 (EQT002)	1551°F
RTO-02 (EQT003)	1559°F

In correspondence dated September 28, 2009, the Respondent submitted the facility's 2009 First Semiannual Monitoring Report. The report indicated that RTO-01 (EQT001) experienced a three hour time interval on or about January 11, 2009, where the combustion chamber temperature was below the established minimum of 1562°F. The report indicated that RTO-02 (EQT002) experienced a three hour time interval on or about April 2, 2009, where the combustion chamber temperature was below the established minimum of 1551°F. The report indicated that RTO-03 (EQT003) experienced a three hour time interval on or about March 4, 2009, where the combustion chamber temperature was below the established minimum of 1559°F. Each failure to maintain each RTO average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).

- F. In correspondence dated October 16, 2009, the Respondent reported a startup event that was not in compliance with the facility's Startup, Shutdown and Malfunction (SSM) Plan. During startup of the Fuel Cell (EQT 014), emissions of Volatile Organic Compounds (VOC) were vented to atmosphere rather than through the Wet Electrostatic Precipitator (WESP) control device on Rotary Dryer #3 (EQT017). The excursion event lasted for 4.5 minutes. The failure to utilize installed emission control devices on any emission source is a violation of Specific Requirement 98 of Title V Permit No. 1720-00032-V4, LAC 33:III.905, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1), and 30:2057(A)(2).
- G. In correspondence dated February 27, 2010, the Respondent reported a malfunction of RTO-01 (EQT001) which was not in compliance with the facility's SSM Plan.

On or about February 26, 2010, during repairs to the burner on the RTO, the burner was operated in manual mode. As a result, the average combustion chamber temperature was maintained for a period of twelve hours in the range of 1557°F to 1558°F, below the established minimum temperature of 1562°F. The failure to maintain the RTO average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).

- H. In correspondence dated June 17, 2010, the Respondent submitted the facility's 2010 First Quarter Deviation Report for the period encompassing January 1, 2010 through March 31, 2010. The report indicated that RTO-02 (EQT002) experienced a 2.9 hour time interval on or about March 20, 2010, where the combustion chamber temperature was below the established minimum of 1551°F. Each failure to maintain each RTO average combustion chamber temperature equal to or above the established minimum temperature is a violation of 40 CFR 63 Table 2 Item (1) of Subpart DDDD, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).
- I. In correspondence dated December 16, 2010, the Respondent submitted the facility's 2010 Third Quarter Deviation Report for the period encompassing July 1, 2010 through September 30, 2010, including a report of an incident that was inconsistent with the facility's SSM plan. The incident occurred on or about November 22, 2010. An operator attempted to start RTO-03 (EQT003) with the abort gate open. The incident occurred for a period of 7.0 minutes due to operator error. The failure to properly operate all installed equipment to insure preventing emission of pollutants to the atmosphere is a violation of LAC 33:III.905, LAC 33:III.501.C.4, La. R. S. 30:2057(A)(1) and 30:2057(A)(2).
- J. In correspondence dated December 16, 2010, the Respondent submitted the facility's 2010 Third Quarter Deviation Report for the period encompassing July 1, 2010 through September 30, 2010, including a report of an incident that was inconsistent with the facility's SSM plan. During a re-start of RTO-03 (EQT003), the Dryer Abort Gate was left open due to operator error. The incident occurred on or about November 22, 2010, but was not reported until the Deviation Report was submitted. The failure to report the incident within seven days of the incident is a violation of Part 70 General Condition R and State Only Condition XI of Title V Permit No. 1720-00032-V4, LAC 33:III.501.C.4, and La. R. S. 30:2057(A)(2).

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violations described herein. Written comments may be filed regarding the violations and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violations. If you

Notice of Potential Penalty
Weyerhaeuser NR Company, Arcadia
page 5

would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance in order to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify this statement.

For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

Sincerely,



Cheryl Sonnier Nolan
Assistant Secretary

CSN/MEB/meb
Alt ID No. 1720-00032

c: Weyerhaeuser NR Company
Arcadia OSB
Mr. Shane Wells
Environmental Manager
190 Jefferson Oaks Drive
Ruston, LA 71270



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL COMPLIANCE

October 22, 2012

CERTIFIED MAIL (7004 2510 0005 5763 9624)
RETURN RECEIPT REQUESTED

WEYERHAEUSER COMPANY
c/o National Registered Agents, Inc.
Agent for Service of Process
1011 North Causeway Blvd., Ste. 3
Mandeville LA 70471

**RE: NOTICE OF POTENTIAL PENALTY
ENFORCEMENT TRACKING NO. AE-PP-11-01080
AGENCY INTEREST NO. 19875**

Dear Sir:

On or about April 17, 2012, a file review of **HOLDEN WOOD PRODUCTS MILL** (the Facility), owned and/or operated by **WEYERHAEUSER COMPANY (RESPONDENT)**, was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. The facility is located at 17391 Florida Boulevard in Holden, Livingston Parish, Louisiana. The facility currently operates under Title V Permit No. 1740-00015-V2, issued on or about June 3, 2009.

While the investigation by the Louisiana Department of Environmental Quality (the Department) is not yet complete, the following violations were noted during the course of the file review:

In correspondence dated June 24, 2011, the Respondent submitted the facility's amended 2010 First Semiannual Monitoring Report. In electronic correspondence dated August 24, 2011, the Respondent reported deviations for the period encompassing July 1, 2010 through June 6, 2011. The Semiannual Monitoring report listed the days when the facility failed to observe opacity readings. Some days had multiple failures to observe. The days missed are shown in Table A and in Table B:

Notice of Potential Penalty
Weyerhaeuser Company, Holden
Page 2

TABLE A

Title V Permit No. 1740-00015-V2				
EQT 0002 1-01 Dry Kiln No. 5 Specific Requirement 3	EQT 0003 1-79 Dry Kiln No. 1 Specific Requirement 12	EQT 0005 1-89 Dry Kiln No. 3 Specific Requirement 23	EQT 0007 1-93 Dry Kiln No. 4 Specific Requirement 34	EQT 0009 2-79 Dry Kiln No. 2 Specific Requirement 45
1/13/2010	1/10/2010	1/6/2010	1/6/2010	1/6/2010
1/26/2010	1/26/2010	1/10/2010	1/13/2010	1/10/2010
3/2/2010	2/2/2010	1/13/2010	1/20/2010	1/13/2010
3/9/2010	2/16/2010	1/26/2010	1/26/2010	1/20/2010
3/16/2010	2/23/2010	2/23/2010	2/2/2010	1/26/2010
3/25/2010	3/9/2010	3/2/2010	2/16/2010	2/2/2010
3/30/2010	3/16/2010	3/9/2010	2/23/2010	2/16/2010
4/9/2010	3/25/2010	3/16/2010	3/2/2010	2/23/2010
4/12/2010	3/30/2010	3/25/2010	3/16/2010	3/2/2010
4/19/2010	4/9/2010	3/30/2010	3/25/2010	3/9/2010
4/25/2010	4/12/2010	4/9/2010	3/30/2010	3/16/2010
4/30/2010	4/19/2010	4/12/2010	4/9/2010	3/25/2010
5/3/2010	4/19/2010	4/19/2010	4/12/2010	3/30/2010
5/10/2010	4/25/2010	4/25/2010	4/19/2010	4/9/2010
5/18/2010	4/30/2010	4/30/2010	4/25/2010	4/12/2010
5/24/2010	5/3/2010	5/18/2010	4/30/2010	4/19/2010
5/28/2010	5/10/2010	5/28/2010	5/3/2010	4/19/2010
6/8/2010	5/28/2010	6/7/2010	5/10/2010	4/25/2010
7/12/2010	6/14/2010	6/14/2010	5/18/2010	4/30/2010
7/18/2010	6/19/2010	6/19/2010	5/28/2010	5/3/2010
7/26/2010	7/12/2010	7/18/2010	6/15/2010	5/10/2010
8/3/2010	8/10/2010	7/26/2010	6/19/2010	5/18/2010
8/9/2010	8/16/2010	8/2/2010	7/6/2010	5/24/2010
8/17/2010	8/30/2010	8/9/2010	7/12/2010	5/28/2010
8/30/2010	9/7/2010	8/16/2010	7/18/2010	6/15/2010
9/14/2010	9/21/2010	9/7/2010	7/26/2010	6/19/2010
9/21/2010	10/5/2010	9/14/2010	8/2/2010	7/18/2010
10/4/2010	10/12/2010	9/21/2010	8/31/2010	7/26/2010
10/11/2010	10/18/2010	1/4/2011	9/7/2010	8/2/2010
10/19/2010	10/26/2010	1/10/2011	9/14/2010	8/10/2010
10/25/2010	11/8/2010	1/24/2011	9/21/2010	8/16/2010
11/2/2010	11/15/2010	2/8/2011	10/5/2010	9/7/2010
11/9/2010	12/6/2010	2/14/2011	10/12/2010	9/14/2010
11/15/2010	12/10/2010	2/19/2011	10/26/2010	9/21/2010

Notice of Potential Penalty
Weyerhaeuser Company, Holden
Page 3

Title V Permit No. 1740-00015-V2				
EQT 0002 1-01 Dry Kiln No. 5 Specific Requirement 3	EQT 0003 1-79 Dry Kiln No. 1 Specific Requirement 12	EQT 0005 1-89 Dry Kiln No. 3 Specific Requirement 23	EQT 0007 1-93 Dry Kiln No. 4 Specific Requirement 34	EQT 0009 2-79 Dry Kiln No. 2 Specific Requirement 45
12/6/2010	1/4/2011	2/21/2011	11/2/2010	10/4/2010
12/10/2010	1/10/2011	2/28/2011	11/9/2010	10/18/2010
1/3/2011	1/24/2011	3/7/2011	11/15/2010	11/2/2010
1/10/2011	2/1/2011	3/14/2011	12/6/2010	11/15/2010
1/24/2011	2/7/2011	3/22/2011	12/10/2010	12/7/2010
1/29/2011	2/15/2011	3/29/2011	1/24/2011	12/10/2010
1/31/2011	2/19/2011	4/5/2011	1/29/2011	1/3/2011
2/8/2011	2/21/2011	4/11/2011	1/31/2011	1/10/2011
2/14/2011	2/28/2011	5/2/2011	2/7/2011	1/24/2011
2/19/2011	3/7/2011	5/9/2011	2/14/2011	1/29/2011
2/22/2011	3/14/2011	5/17/2011	2/21/2011	2/1/2011
2/28/2011	3/21/2011		2/28/2011	2/7/2011
3/7/2011	3/29/2011		3/14/2011	2/14/2011
3/14/2011	4/4/2011		3/21/2011	2/21/2011
3/21/2011	4/11/2011		3/29/2011	2/28/2011
4/4/2011	4/25/2011		4/4/2011	3/7/2011
4/11/2011	5/3/2011		4/12/2011	3/14/2011
4/18/2011	5/7/2011		4/18/2011	3/21/2011
4/25/2011	5/9/2011		4/25/2011	3/29/2011
5/3/2011	6/6/2011		5/2/2011	4/5/2011
5/10/2011			5/10/2011	4/11/2011
5/17/2011			5/17/2011	4/16/2011
6/6/2011				4/26/2011
				5/2/2011
				5/7/2011
				5/9/2011
				5/18/2011
57 Missed days	54 Missed days	45 Missed days	56 Missed days	61 Missed days

Notice of Potential Penalty
Weyerhaeuser Company, Holden
Page 4

TABLE B

Title V Permit No. 1740-00015-V2				
EQT 0011 2-93 Green Sawdust Cyclone Specific Requirement 65	EQT 0012 4-01 Trim Block Cyclone Specific Requirement 65	EQT 0013 4-93 Trim Cyclone No. 2 Specific Requirement 65	EQT 0014 5-79 Fuel Silo Cyclone Specific Requirement 65	EQT 0015 2-01 No. 1 Planer Cyclone Specific Requirement 65
1/13/2010	1/6/2010	1/6/2010	1/6/2010	1/6/2010
1/20/2010	1/13/2010	1/13/2010	1/13/2010	1/13/2010
1/26/2010	1/20/2010	1/20/2010	1/20/2010	1/20/2010
2/2/2010	1/26/2010	1/26/2010	1/26/2010	1/26/2010
2/16/2010	2/2/2010	2/2/2010	2/2/2010	2/2/2010
2/23/2010	2/16/2010	2/16/2010	2/16/2010	2/16/2010
3/2/2010	2/23/2010	2/23/2010	2/23/2010	2/23/2010
3/9/2010	3/2/2010	3/2/2010	3/2/2010	3/2/2010
3/16/2010	3/9/2010	3/9/2010	3/9/2010	3/9/2010
3/25/2010	3/16/2010	3/16/2010	3/16/2010	3/16/2010
3/30/2010	3/25/2010	3/25/2010	3/25/2010	3/25/2010
4/9/2010	3/30/2010	3/30/2010	3/30/2010	3/30/2010
4/12/2010	4/9/2010	4/9/2010	4/9/2010	4/9/2010
4/19/2010	4/12/2010	4/12/2010	4/12/2010	4/12/2010
4/19/2010	4/19/2010	4/19/2010	4/19/2010	4/19/2010
4/25/2010	4/25/2010	4/25/2010	4/25/2010	4/25/2010
5/3/2010	5/3/2010	5/3/2010	5/3/2010	5/3/2010
5/10/2010	5/10/2010	5/10/2010	5/10/2010	5/10/2010
5/18/2010	5/18/2010	5/18/2010	5/18/2010	5/18/2010
5/24/2010	5/24/2010	5/24/2010	5/24/2010	5/24/2010
6/7/2010	6/7/2010	6/7/2010	6/7/2010	6/7/2010
6/14/2010	6/14/2010	6/14/2010	6/14/2010	6/14/2010
7/12/2010	7/12/2010	7/12/2010	7/19/2010	7/12/2010
7/19/2010	7/19/2010	7/19/2010	7/26/2010	7/19/2010
7/26/2010	7/26/2010	7/26/2010	8/2/2010	7/26/2010
8/2/2010	8/2/2010	8/2/2010	8/9/2010	8/2/2010
8/9/2010	8/9/2010	8/9/2010	8/16/2010	8/9/2010
8/16/2010	8/16/2010	8/16/2010	8/30/2010	8/16/2010
8/30/2010	8/30/2010	8/30/2010	9/6/2010	8/30/2010
9/6/2010	9/6/2010	9/6/2010	9/14/2010	9/6/2010
9/14/2010	9/14/2010	9/14/2010	9/21/2010	9/14/2010
9/21/2010	9/21/2010	9/21/2010	9/27/2010	9/21/2010
9/27/2010	9/27/2010	9/27/2010	10/4/2010	9/27/2010
10/4/2010	10/4/2010	10/4/2010	10/11/2010	10/4/2010
10/11/2010	10/11/2010	10/11/2010	10/18/2010	10/11/2010
10/18/2010	10/18/2010	10/18/2010	10/25/2010	10/18/2010
10/25/2010	10/25/2010	10/25/2010	11/2/2010	10/25/2010
11/2/2010	11/2/2010	11/2/2010	11/8/2010	11/2/2010

Notice of Potential Penalty
Weyerhaeuser Company, Holden
Page 5

Title V Permit No. 1740-00015-V2				
EQT 0011 2-93 Green Sawdust Cyclone Specific Requirement 65	EQT 0012 4-01 Trim Block Cyclone Specific Requirement 65	EQT 0013 4-93 Trim Cyclone No. 2 Specific Requirement 65	EQT 0014 5-79 Fuel Silo Cyclone Specific Requirement 65	EQT 0015 2-01 No. 1 Planer Cyclone Specific Requirement 65
11/8/2010	11/8/2010	11/8/2010	11/15/2010	11/8/2010
11/15/2010	11/15/2010	11/15/2010	12/6/2010	11/15/2010
12/6/2010	12/6/2010	12/6/2010	12/10/2010	12/6/2010
12/10/2010	12/10/2010	12/10/2010	1/3/2011	12/10/2010
1/3/2011	1/3/2011	1/3/2011	1/10/2011	1/3/2011
1/10/2011	1/10/2011	1/10/2011	1/17/2011	1/10/2011
1/17/2011	1/17/2011	1/17/2011	1/24/2011	1/17/2011
1/24/2011	1/24/2011	1/24/2011	1/31/2011	1/24/2011
1/31/2011	1/31/2011	1/31/2011	2/7/2011	1/31/2011
2/7/2011	2/7/2011	2/7/2011	2/14/2011	2/7/2011
2/14/2011	2/14/2011	2/14/2011	2/21/2011	2/14/2011
2/21/2011	2/21/2011	2/21/2011	2/28/2011	2/21/2011
2/28/2011	2/28/2011	2/28/2011	3/7/2011	2/28/2011
3/7/2011	3/7/2011	3/7/2011	3/14/2011	3/7/2011
3/14/2011	3/14/2011	3/14/2011	3/21/2011	3/14/2011
3/21/2011	3/21/2011	3/21/2011	3/29/2011	3/21/2011
3/29/2011	3/29/2011	3/29/2011	4/4/2011	3/29/2011
4/4/2011	4/4/2011	4/4/2011	4/11/2011	4/4/2011
4/11/2011	4/11/2011	4/11/2011	4/18/2011	4/11/2011
4/25/2011	4/18/2011	4/18/2011	4/25/2011	4/18/2011
5/2/2011	4/25/2011	4/25/2011	5/2/2011	4/25/2011
5/9/2011	5/2/2011	5/2/2011	5/9/2010	5/2/2011
5/16/2011	5/9/2011	5/9/2011	5/16/2011	5/9/2011
6/6/2011	5/16/2011	5/16/2011	6/6/2011	5/16/2011
	6/6/2011	6/6/2011		6/6/2011
62 Missed days	63 Missed days	63 Missed days	62 Missed days	63 Missed days

Each failure to conduct daily opacity observations on each emission source is a violation of the Specific Requirement shown of Title V Permit No 1740-00015-V2, LAC 33:III.501.C.4, La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

Pursuant to La. R.S. 30:2050.3(B), you are hereby notified that the issuance of a penalty assessment is being considered for the violations described herein. Written comments may be filed regarding the violations and the contemplated penalty. If you elect to submit comments, it is requested that they be submitted within ten (10) days of receipt of this notice.

Prior to the issuance of any additional appropriate enforcement action, you may request a meeting with the Department to present any mitigating circumstances concerning the violations. If you

Notice of Potential Penalty
Weyerhaeuser Company, Holden
Page 6

would like to have such a meeting, please contact Mark E. Brown at (225) 219-3782 within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**.

The Department is required by La. R.S. 30:2025(E)(3)(a) to consider the gross revenues of the Respondent and the monetary benefits of noncompliance in order to determine whether a penalty will be assessed and the amount of such penalty. Please forward the Respondent's most current annual gross revenue statement along with a statement of the monetary benefits of noncompliance for the cited violations to the above named contact person within ten (10) days of receipt of this **NOTICE OF POTENTIAL PENALTY**. Include with your statement of monetary benefits the method(s) you utilized to arrive at the sum. If you assert that no monetary benefits have been gained, you are to fully justify this statement.

For each violation described herein, the Department reserves the right to seek civil penalties and the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such penalties and compliance.

To reduce document handling, please refer to the Enforcement Tracking Number and Agency Interest Number on the front of this document on all correspondence in response to this action.

Sincerely,



Cheryl Sonnier Nolan
Assistant Secretary

CSN/MEB/meb
Alt ID No. 1740-00015

c: Weyerhaeuser Company
c/o Shane Wells, Regional Manager
Post Office Box 98
Dodson, LA 71422-0098