CORRECTIVE ACTION PLAN
FOR
ROSEBURG EL DORADO MDF

Prepared for:

Roseburg Forest Products Co.

El Dorado, AR 71730

June 2024

Olsson Project No. 024-01393

1. INTRODUCTION

The Arkansas Department of Energy and Environment (E&E), Division of Environmental Quality (DEQ) issued a Consent Administrative Order (CAO; LIS No. 24-049; Attachment A), effective April 9, 2024, with Roseburg Forest Products Co. (Owner) regarding violations of National Pollutant Discharge Elimination System (NPDES) Permit No. AR0048461 (Permit; Attachment B). The permit, effective January 1, 2020, was issued for the Roseburg El Dorado MDF facility located at 1165 Del-Tin Highway, El Dorado, Union County, Arkansas (Facility). In accordance with Paragraph 1 in the Order and Agreement section of the CAO, Owner is required to submit a Corrective Action Plan (CAP) prepared by a Professional Engineer (PE) licensed in the state of Arkansas. Owner contracted Olsson FTN (Olsson) to prepare this CAP.

1.1 Findings of Fact Summary

The CAO's Findings of Fact section listed the permit violations that are to be addressed in the CAP. These permit violations are discussed below.

1.1.1 Effluent Violations

Paragraph 19 in the Findings of Fact section of the CAO listed effluent discharge limit violations for the parameters listed below from October 1, 2020 to October 31, 2023. The applicable Discharge Monitoring Report (DMR) data since October 2020 has been included as Table 1.

a. Fourteen (14) violations of Ammonia Nitrogen (NH_3-N);

   Note: As of the date of this CAP, twelve (12) additional NH_3-N violations have occurred since October 2023.

b. Three (3) violations of Carbonaceous Biochemical Oxygen Demand ($CBOD_5$);

   Note: As of the date of this CAP, two (2) additional $CBOD_5$ violations have occurred since October 2023.

c. Two (2) violations of Total Suspended Solids (TSS); and

d. One (1) violation of Temperature.

1.1.2 Missing Non-Compliance Reports

Paragraph 21 in the Findings of Fact section of the CAO states that Non-Compliance Reports (NCRs) for the effluent violations were not received for the following three (3) monitoring periods:

a. 2021: February, August, and December.

1.1.3 Late Discharge Monitoring Reports

Paragraph 22 in the Findings of Fact section of the CAO states that DMRs were not submitted by the due date for the following six (6) monitoring periods:

a. 2021: June, December;

b. 2022: January, February, March, and April.

1.1.4 Missing Discharge Monitoring Report

Paragraph 23 in the Findings of Fact section of the CAO states that monitoring and analysis was not conducted during February 2022.

Table 1. Sampling Result Summary for Outfall 003 of NPDES Permit No. AR0048461

Parameter	2020			2021											
	10	11	12	01	02*	03	04	05	06†	07	08*	09	10	11	12*†
MA Flow (MGD)	0.82	0.42	0.47	0.62	1.09	0.65	0.46	0.56	0.39	0.41	0.41	0.41	0.55	0.42	0.44
$CBOD_5$ (mg/L)	8.5	6.7	5.8	6.4	***22***	7.21	8.4	12	6.7	8.8	5.7	5.2	5	4.8	***24***
TSS (mg/L)	45	24	20	24	87	50	30	24	17	20	17	12	22	23	34
NH_3-N (mg/L)	**13**	***19***	0.1	***22***	<0.1	***15***	***38***	ND	***68***	***55***	***42***	***65***	***45***	***44***	***31***
DO (mg/L)	7.4	6.4	6.6	7.4	10.2	9.2	5.4	3.6	8.2	8.1	7.9	4.7	9.2	7	5.7
Temperature (°F)	61.1	60.4	52.3	50.7	49.6	53.2	68.9	68.1	84.7	83.8	**87**	77.5	71.4	51.5	55.5
O&G (mg/L)	5.2	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5
pH (s.u.)	7.69	7.83	7.72	8.01	7.67	7.51	7.84	7.62	7.44	7.61	7.66	7.82	7.87	7.09	7.46

Parameter	2022												2023		
	01†	02†‡	03†	04†	05	06	07	08	09	10	11	12	01	02	03
MA Flow (MGD)	0.41	0.45	0.48	0.39	0.29	0.24	0.2	0.62	0.43	0.5	0.02	0.33	0.36	0.44	0.31
$CBOD_5$ (mg/L)	5.1	NS	ND	7.92	5.95	2.81	4.31	7.6	2.89	4.32	5.13	4.0	4.9	7.59	5.07
TSS (mg/L)	<10	NS	6.2	<2	6	<2	5.06	33.3	8.91	16.7	***159***	82	10	15.9	3.33
NH_3-N (mg/L)	***39***	NS	***21.8***	***28.4***	***23***	***28.7***	***22***	***23.4***	***18.2***	9.33	**9.2**	***14.7***	***15.2***	**11.6**	***12.2***
DO (mg/L)	8.6	NS	5.6	11.9	8.4	6.3	6.5	6.9	6.3	7.4	7.5	8.8	8.3	8.6	5.8
Temperature (°F)	47.8	NS	66.2	74.4	75.3	84.2	80.2	81.3	80.2	71	55.9	58.4	57.3	55.7	55.2
O&G (mg/L)	ND	NS	ND	ND	ND	ND	4.4	ND	ND	ND	ND	ND	ND	ND	5.17

Table 1. Sampling Result Summary for Outfall 003 of NPDES Permit No. AR0048461 (continued)

pH (s.u.)	8.19	NS	7.7	7.7	7.68	7.9	7.61	7.44	7.48	6.92	7.00	7.26	7.22	7.48	7.46

Parameter	**2023**									**2024**				
	04	**05**	**06**	**07**	**08**	**09**	**10**	**11**	**12**	**01**	**02**	**03**	**04**	**05**
MA Flow (MGD)	0.37	0.51	0.27	0.16	0.03	0.06	0.18	0.24	0.27	0.43	0.3	0.86	0.39	0.24
$CBOD_5$ (mg/L)	6.21	5.92	5.77	8.28	3.65	5.79	4.44	7.01	**19.1**	**17.7**	11.7	6.03	6.93	3.75
TSS (mg/L)	3.8	4.3	15.6	63.9	27.5	24.9	10	2	3.1	37.7	2.5	4.1	41.5	6.90
NH_3-N (mg/L)	***8.5***	9.39	**14.8**	**11.4**	**13.6**	***20.6***	***44.6***	***46.5***	***42.1***	***29.5***	***36.9***	***20.8***	***10.8***	***17.1***
DO (mg/L)	7.31	5.6	4.03	5.77	5.1	4.46	5.73	5.31	7.79	9.19	7.43	8.5	8.41	7.5
Temperature (°F)	66.3	75.2	78.6	81.2	82.9	82.5	71.2	62.7	53.8	45.2	58.2	61.6	65.9	74.9
O&G (mg/L)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	8.15
pH (s.u.)	7.66	7.61	7.61	7.5	7.6	7.65	7.98	7.8	8.05	7.95	8.03	7.8	7.65	7.8

Note: NH_3-N limits became effective January 1, 2023.
MA Flow – Monthly Average Flow
DO – Dissolved Oxygen
O&G – Oil and Grease

ND – Non-detect
NS – Not sampled

Permit Violation
Exceeds current Monthly Average limit
Exceeds current Daily Maximum limit
* Failure to submit a Non-Compliance Report
† DMR submitted late
‡ Monitoring and analysis not conducted

2. FACILITY DESCRIPTION

2.1 Location

The Roseburg El Dorado MDF is located at 1165 Del-Tin Highway in El Dorado, Union County, Arkansas, within the Northeast ¼ of Section 10, Township 18 South, Range 16 West approximately 2.0 miles south of US Highway 82.

2.2 Operations

2.2.1 Raw Material Processing

Raw materials are delivered to the facility by truck and stored in an automated outside chip storage/reclaim system. Raw materials are reclaimed automatically from the chip stacker/reclaim system and screened to remove fines and "oversized" materials. Oversized chips are re-sized and recycled into the material flow.

2.2.2 Refiner System

Processed raw material is placed in a pre-steaming bin where it is continuously conveyed by a plug screw feeder to a pressurized digester, and then to a pressurized refiner system. Within the refiner, the wood is "fiberized" or mechanically broken down into individual wood fibers.

The fibers are discharged via blowlines from the refiner directly into a flash tube fiber dryer system. Urea-based thermosetting adhesives are injected into the blowlines to mix with the fibers prior to entering the dryers (i.e., “resinated”).

2.2.3 Dryers

Fiber drying occurs in one of two, two-stage flash tube dryer systems; one system for core material and another for face material. Fibers exit the two-stage dryer process at approximately 10 percent moisture content.

2.2.4 Former and Press System

The dried, resinated fibers exit the dryer systems and are conveyed to the face and core fiber bins. The fibers are then metered to the formers where the fibers are formed, pressed, and trimmed into a mat across a moving belt. All trimmings are recycled to their respective face or core fiber bin thereby creating a closed-loop system.

2.2.5 Board Finishing System

Panels exiting the former and press system are cut into panels, cooled, and sanded. Panels are then cut to final dimensions before packaging and shipping. Fugitive dust and trimmings are routed to respective storage silos. Sawdust and sander dust are pneumatically conveyed from their storage silos to the fuel mixing bin and metered into the Heat Energy System.

2.2.6 Heat Energy System

The heater is a direct-fired unit designed to startup on natural gas but maintain continuous operation using natural gas or wood dust as fuel (or any combination of the two).

2.3 Layout

A Site Map for the facility has been included as Attachment C. Entry into the facility is via Del-Tin Hwy in the northwest corner. The main office, primary parking lot, garbage collection, gasoline and diesel storage, and finished product shipping are in the north portion of the property. Mobile equipment staging, contractor parking, ammonia storage, fire protection storage, salvaged equipment storage, and miscellaneous storage are in the west portion of the property. Raw material offloading, bulk wood chip storage, and Pond A are in the southern portion of the property. Pond B is in the eastern portion of the property. Centrally located on the property are the covered manufacturing processes, auxiliary bag filters, intermediate material storage silos and piles, overflow material storage piles, the dry air heating system, and various conveyance and screening structures.

2.4 Drainage

The facility spans approximately 50 acres with stormwater runoff from about 10 acres permitted under the Stormwater Industrial General Permit (IGP; ARR00C057), and about 40 acres of stormwater runoff and non-process wastewater covered under NPDES Permit AR0048461.

The 10 acres covered by the IGP includes 11 stormwater outfalls across the north, west, and southwest portions of the property with Outfalls 001, 009, and 010 being sampled in accordance with ARR00C057.

Under AR0048461, discharges from the other 40 acres may include equipment wash down water, non-contact cooling water from the digester plug screw, reverse osmosis reject water, water from emergency firefighting activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, condensate from air

conditioners, coolers, compressors, and outside storage tanks of refrigerated gases, uncontaminated ground water, and stormwater through Outfall 003; and non-contact cooling water, boiler blowdown, and stormwater through Outfall 004.

Stormwater and wastewater are conveyed via roof drains, drainage ditches, and culverts primarily into Pond B which discharges via Outfall 003. Pond A, which discharges via Outfall 004, currently only receives stormwater runoff within the footprint of the pond. The stormwater received in Pond B includes runoff from the raw chip storage pile, baghouse and cyclone storage silo overflow piles, and intermediate material storage piles.

The IGP and NPDES outfalls discharge into an unnamed tributary, thence to Little Cornie Bayou, thence across the state line into Louisiana, thence to Corney Bayou, thence into Bayou D'Arbonne Lake, thence to the Ouachita River in Segment 2E of the Ouachita River Basin.

2.5 Existing Wastewater Treatment System

Currently, the treatment system for the discharge at Outfall 003 is a sedimentation pond according to Section IV.8.B of the Statement of Basis for AR0048461. Additional treatment includes aeration via two aerators and an oil sock at the outfall structure that is replaced approximately every 60 days. The treatment system for the discharge at Outfall 004 is also listed in the Statement of Basis as a sedimentation pond.

3. CURRENT CORRECTIVE ACTIONS

Included in this CAP are 1) the methods and best available technologies that will be used to correct the violations listed in the CAO's Findings of Fact and prevent future violations, 2) a system that will be implemented to ensure that all reporting requirements set forth in the permit are met, and 3) a milestone schedule with a reasonable date of final compliance preceding December 31, 2025.The following sections describe corrective actions taken, in progress, or under consideration to address the violations identified in the CAO.

3.1 Missing Analyses

Paragraph 23 of the CAO cites a failure to conduct the required analyses and monitoring for the February 2022 monitoring period. This violation was attributed to a failure by the contract laboratory to collect the required samples within the monitoring period. As a result, the Facility has contracted with a new laboratory for sample collection and analysis. Since

no analyses have been missed since February 2022, previous corrective actions taken by the Facility have addressed this issue. No further corrective actions are being considered to address this violation.

3.2 Late DMRs

Paragraph 22 of the CAO cites failure to submit DMRs by the due date for the June and December reporting periods in 2021 and the January, February, March, and April reporting periods in 2022. These violations, particularly the late DMRs for December 2021 through April 2022, are attributed to management and personnel changes at the Facility. Due to these changes, access to NetDMR was lost and the new management and personnel had to submit written requests for access to NetDMR. While these requests were processed, the Facility was unable to submit the required DMRs electronically. The Facility continued to conduct the required monitoring and sampling and was able to submit complete DMRs once access to NetDMR was granted. The Facility now has multiple personnel with access to NetDMR to avoid this situation in the future. Since April 2022, DMRs have been submitted by the due date; therefore, previous corrective actions taken by the Facility have addressed this issue. No further corrective actions are being considered to address this violation.

3.3 Missing NCRs

Paragraph 21 of the CAO cites failure to submit NCRs for effluent violations during the February, August, and December reporting periods in 2021. The cause of these violations is unknown as personnel responsible for completing NCRs at that time are no longer with the Facility. Current personnel are aware of their responsibility to submit NCRs for effluent violations and DMRs are reviewed by multiple personnel prior to submittal. These actions have adequately addressed this violation demonstrated by the fact that all required NCRs have been submitted since December 2021. No further corrective actions are being considered to address this violation.

3.4 Effluent Violations

Paragraph 19 of the CAO cites violations of the permitted discharge limits for temperature, TSS, $CBOD_5$, and NH_3-N.

3.4.1 Temperature

The CAO cites one violation of temperature limitations. The violation occurred at Outfall 003 in August 2021 when a temperature of 87° F was reported that exceeded the permitted limit of 86° F. Outfall 003 discharges water from Pond B which collects wastewater from a

variety of sources including non-contact cooling water. However, considering the volume of non-contact cooling water relative to the other commingled sources and the residence time in Pond B which allows the non-contact cooling water to reach ambient conditions, it is unlikely that the non-contact cooling water caused this violation. This is supported by compliance with the temperature limits in 41 of 42 samples taken since October 2020. Rather, the violation in August 2021 is attributed to an extended period of high ambient temperature. Temperature data from www.extremeweatherwatch.com show that the average high temperature for July and August 2021 was 91.6° F. It is assumed that these elevated temperatures, along with the residence time in Pond B, resulted in an elevated effluent temperature. Since this was an isolated violation attributed to natural causes, no specific corrective actions are proposed to address the temperature violation.

3.4.2 Total Suspended Solids

The CAO cites two violations of TSS. The violation occurred at Outfall 003 in November 2022 when a TSS concentration of 159 mg/L was reported. This TSS concentration exceeded both the monthly average and daily maximum limits, resulting in two violations. During the month of November 2022, the Facility conducted a clean out of Pond B to address elevated NH_3-N concentrations at Outfall 003. The TSS sample for the November 2022 reporting period was collected before disturbed sediment had time to settle after the cleanout. This is considered an isolated occurrence since 41 of 42 samples collected since October 2020 have complied with both the monthly average and daily maximum TSS limitations. Therefore, no further corrective actions are proposed to address the TSS violations.

3.4.3 Carbonaceous Biochemical Oxygen Demand

The CAO cites three violations of $CBOD_5$. These violations include exceedance of the monthly average limit in February 2021 and both the monthly average and daily maximum limits in December 2021. As noted in Section 1.1.1, two additional violations have occurred since the period covered by the CAO. These include violation of the monthly average limit in December 2023 and January 2024. The specific source of the $CBOD_5$ is unknown, but it is believed to be associated with wood fibers transported to Pond B by stormwater. These wood fibers have typically been treated with urea-based adhesives and are also a suspected source of NH_3-N violations. Since the same source is suspected of contributing to both $CBOD_5$ and NH_3-N violations, the corrective actions proposed below for addressing NH_3-N violations are also expected to address the $CBOD_5$ violations. Therefore, no additional corrective actions to specifically address $CBOD_5$ violations are being considered.

3.4.4 Ammonia Nitrogen

The CAO cites fourteen violations of NH_3-N limits since the final limitations took effect January 1, 2023. As noted in Section 1.1.1, twelve additional NH_3-N violations have occurred since the period covered by the CAO. The source of the NH_3-N is believed to be the urea-based resin used in the production process. Leaching or transport of resin-treated wood fibers to Pond B by stormwater is the suspected cause of NH_3-N violations. The Facility has enacted several corrective actions to address NH_3-N violations and others are either in progress or being considered. Completed corrective actions will be discussed below. Corrective actions in progress or being considered will be discussed in Section 4. For reference, a plot of observed ammonia concentrations is shown in Figure 1.

In 2021, the Facility attributed elevated NH_3-N concentrations to condensate commingling with raw material storage. The Facility rerouted existing pipes and added additional piping to return condensate to the production process or discharge it to the El Dorado publicly owned treatment works (POTW).

In December 2021, the Facility installed two aerators in Pond B to increase oxygen levels and facilitate ammonia nitrification.

In June 2022, the Facility removed the ash pile and cleared drainage channels of ash residue.

In November 2022, the Facility removed approximately 8,000 cubic yards of material from Pond B. The purpose of this action was to remove resin-treated wood fibers that had accumulated Pond B. The accumulation of fibers was suspected to be a contributing factor to NH_3-N violations.

In December 2022, the Facility removed the southwest biomass fuel storage pile.

As shown in Figure 1, the cumulative effect of these corrective actions resulted in a downward trend of NH_3-N concentrations between December 2021 and May 2023. In June 2023, the Facility was unable to operate the aerators for two weeks due to a scheduled plant-wide maintenance outage, resulting in a marked increase in NH_3-N concentrations for the next few months.

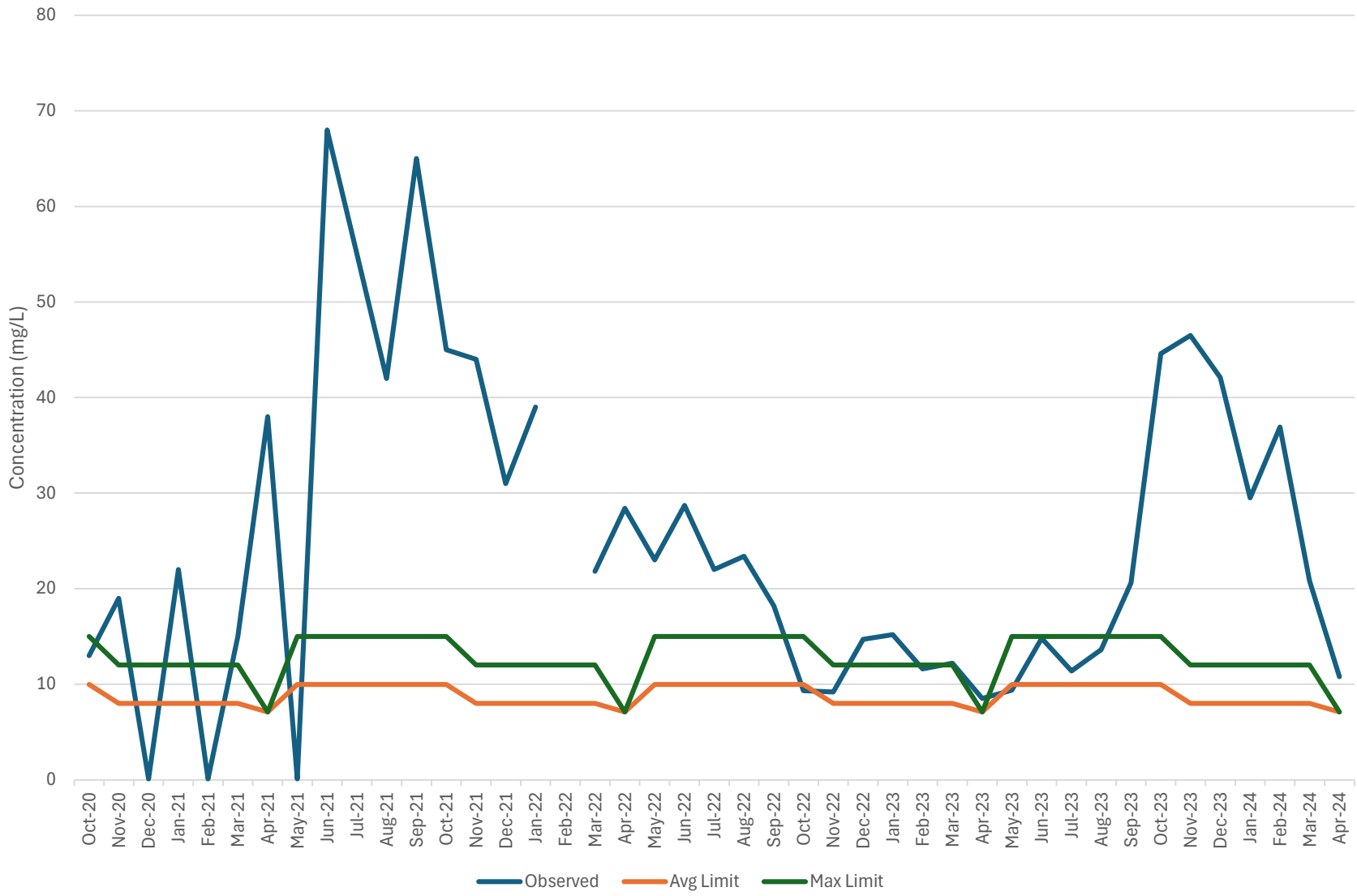
In the Fall of 2023, the Facility conducted a trial study using an Evoqua moving bed biofilm reactor (MBBR) to reduce NH_3-N concentrations. The trial study was unsuccessful, and this corrective action has been abandoned.

In March 2024, the Facility removed fugitive wood fibers from onsite drainage ditches. These wood fibers could potentially be transported to and/or leach resin to Pond B. The ditches were also vegetated for stabilization and to capture wood fibers before reaching

Pond B. The Facility is developing a schedule for routine maintenance of the drainage ditches to minimize wood waste accumulation and contact with stormwater.

In May 2024, the Facility identified a dry weather discharge into Pond B via a stormwater drainage northeast of Pond B. The source of the discharge was located and eliminated. It is unknown whether this discharge contributed to any NH_3-N or any other effluent violations.

Figure 1. Observed Ammonia Nitrogen Concentrations



4. PROPOSED CORRECTIVE ACTIONS

In addition to the completed corrective actions discussed in Section 3, the following corrective actions are in progress or under consideration. The following corrective actions are intended to address NH_3-N violations, and by extension $CBOD_5$, since these are the only remaining violations cited in the CAO that have not already been addressed.

4.1 Corrective Actions In Progress

The Facility is in the process of implementing a Heat Energy System which will utilize Sander Dust as a fuel source with a maximum combustion rate of approximately 19,710 oven dry tons (ODT) per year. This will reduce the amount of wood waste stored onsite and decrease the potential for this wood waste to be transported to Pond B. The Heat Energy System is anticipated to be fully operational by August 2024.

The Facility is also in the process of updating its Stormwater Pollution Prevention Plan (SWPPP). As part of the SWPPP review, the Facility will consider implementing additional best management practices (BMPs) to reduce the amount of stormwater contacting wood waste and the amount of wood waste transported to Pond B. One potential BMP is the use of silt fence or other control(s) along drainage channels to minimize the accumulation and transport of wood waste. Another potential BMP is the construction of curbs to minimize stormwater contact with wood waste storage piles. The SWPPP update will be completed by October 2024.

The Facility is also conducting an ammonia source identification and reduction program. Through source identification, the Facility located two sources with high ammonia concentrations. One source was the exterior condensate runoff from the refiner building. This runoff is collected in a sump and pumped to a holding tank that discharges to the POTW. Pump failures result in sump overflows that enter the stormwater collection system and are routed to Pond B. The Facility is currently in the process of upgrading this pump to ensure more reliable operation. The second source of high ammonia concentrations was runoff from the dry trim storage piles. The Facility is exploring options to relocate the storage piles to reduce the likelihood of stormwater contact. The corrective actions associated with source reduction will be implemented by January 2025.

The Facility is also developing process modifications that would recycle increased amounts of wood waste back into the production process to reduce the amount of wood waste stored onsite and exposed to stormwater. Implementation of these process modifications is anticipated by January 2025.

4.2 Corrective Actions Under Consideration

The following corrective actions are under consideration should the corrective actions described in Sections 3 and 4.1 above prove ineffective at achieving compliance with NH_3-N permit limitations. The order in which these corrective actions are listed does not indicate

priority of implementation. The corrective actions will be evaluated as needed based on several factors including, but not limited to, expected treatment efficiency, time required for implementation and effect, impact to production process, and cost/benefit analysis. Implementation of any of these or other corrective actions will be reported in the appropriate quarterly Progress Report (see Section 5.1).

Given the observed impact of aeration on NH_3-N concentrations, the Facility is considering ways to increase aeration in Pond B. This could be accomplished by possibly increasing the efficiency of existing aerators, replacing the existing aerators, or adding aerators to the existing setup. The Facility will determine the feasibility of increasing aeration in Pond B by January 2025.

Given the observed rapid increase in NH_3-N concentrations during the power outage in June 2023, the Facility is considering options for the addition of backup power generators or other sources of backup power for the aerators in Pond B. This would allow the aerators to continue operation during power outages and maintain NH_3-N nitrification levels. Backup power will be provided as needed during scheduled outages.

The Facility has considered routing stormwater from the plant site to Pond A and then Pond B to increase residence time prior to discharge via Outfall 003. This could also provide an opportunity for additional treatment in Pond A (e.g., aeration and/or pH adjustment). If needed, implementation of this corrective action is anticipated by August 2025.

Another potential corrective action is the use of vegetation, such as hornwort, to provide passive treatment of ammonia. Hornwort is a floating plant that thrives in ammonia- and nitrate-rich environments and oxygenates the water helping to facilitate ammonia nitrification. If needed, implementation of this corrective action is anticipated by January 2025.

In conjunction with other proposed corrective actions, the Facility may also consider further revisions to the current facility layout, including locations of storage piles and stormwater drainage, to minimize the impacts to Pond B. Implementation of this corrective action will be on an “as needed” basis.

5. REPORTING

5.1 Quarterly Progress Reports:

In accordance with Paragraph 2 of the Order and Agreement Section of the CAO, the Facility will submit quarterly Progress Reports no later than the fifteenth (15th) day of the month following the effective date of the CAO, and each quarter thereafter until the CAO is closed. The quarterly Progress Reports will detail the progress that has been made toward compliance with the effluent limitation found in Part IA of NPDES Permit AR0048461.

Table 2 shows the schedule for submitting the quarterly Progress Reports.

Report	Submittal Date
1st Progress Report	May 15, 2024
2nd Progress Report	August 15, 2024
3rd Progress Report	November 15, 2024
4th Progress Report	February 15, 2025
5th Progress Report	May 15, 2025
6th Progress Report	August 15, 2025
7th Progress Report	November 15, 2025

5.2 Final Compliance Report:

In accordance with Paragraph 2 of the Order and Agreement Section of the CAO, the Facility will submit a final compliance report that includes a certification of compliance. The final compliance report will be submitted within thirty (30) calendar days of the final compliance date established in the CAP or by December 31, 2025, whichever comes first.

6. SCHEDULE

Table 3 provides a schedule for the completed and active corrective actions. No schedule is provided for corrective actions under consideration since implementation of these corrective actions is dependent on the effectiveness of corrective actions already implemented or in progress.

Table 3 Corrective Action Implementation Schedule

Target Violation	Corrective Action	Start Date	Completion Date
Missing Analyses	Change contract laboratory	February 2022	March 2022
Late DMRs	Backup personnel registered with NetDMR	May 2022	May 2022
Missing NCRs	Review of DMRs prior to submittal	January 2022	Ongoing
Temperature violation	No corrective actions; attributed to natural causes	N/A	N/A
TSS violation	No corrective actions; attributed to isolated event	N/A	N/A
$CBOD_5$ violations	No corrective actions; NH_3-N corrective actions expected to address	N/A	N/A
NH_3-N violations	Reroute condensate back to process or to POTW	2021	2021
NH_3-N violations	Install aerators in Pond B	December 2021	December 2021
NH_3-N violations	Remove ash pile and clear drainage channels of ash residue	June 2022	June 2022
NH_3-N violations	Remove settled residuals from Pond B	October 2022	November 2022
NH_3-N violations	Remove southwest biomass fuel storage pile	August 2022	December 2022
NH_3-N violations	Conduct trial study of Evoqua MBBR	July 2023	December 2023
NH_3-N violations	Remove fugitive wood fibers from onsite drainage ditches	March 2024	As Needed
NH_3-N violations	Implement BMPs to to reduce the amount of stormwater contacting wood waste. (Silt fencing/barriers)	May 2024	Ongoing
NH_3-N violations	Locate and eliminate dry weather discharge into Pond B	May 2024	May 2024
NH_3-N violations	Install Heat to Energy System for combustion of wood waste	November 2023	August 2024
NH_3-N violations	Update SWPPP and implement BMPs to minimize stormwater contact with storage piles	June 2024	October 2024?
NH_3-N violations	Evaluate methods to recycle wood waste back into process	May 2024	Ongoing

APPENDIX A
CONSENT ADMINISTRATIVE ORDER LIS 24-049

ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT
DIVISION OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

Roseburg Forest Products Co.
1165 Del-Tin Highway
El Dorado, AR 71730

LIS No. 24- 049
Permit No. AR0048461, ARR00C057
AFIN 70-00480

CONSENT ADMINISTRATIVE ORDER

This Consent Administrative Order ("Order") is issued pursuant to the authority of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-101 *et seq.*, the Federal Water Pollution Control Act, 33 U.S.C. § 1311 *et seq.*, and rules issued thereunder by the Arkansas Pollution Control and Ecology Commission (APC&EC).

The issues herein having been settled by the agreement of the Roseburg Forest Products Company (Respondent) and the Division of Environmental Quality (DEQ), it is hereby agreed and stipulated that the following FINDINGS OF FACT and ORDER AND AGREEMENT be entered.

FINDINGS OF FACT

1. Respondent operates a minor industrial site ("facility") located in 1165 Del-Tin Highway, El Dorado, Union County, Arkansas.

2. Respondent discharges treated wastewater to an unnamed tributary, thence to Little Cornie Bayou, across the state line into Louisiana, thence to Corney Bayou, thence to Bayou D'Arbonee Lake, thence to Bayou D'Arbonne, thence to the Ouachita River in Segment 2E of the Ouachita River Basin.

3. Respondent is regulated pursuant to the National Pollutant Discharge Elimination System (NPDES).

4. Pursuant to the federal Clean Water Act, 33 U.S.C. § 1311(a) *et seq.*, the NPDES program prohibits the discharge of pollutants except as in compliance with a permit issued under the NPDES program in accordance with 33 U.S.C. § 1342(a).

5. DEQ is authorized under the Arkansas Water and Air Pollution Control Act ("Act") to issue NPDES permits in the state of Arkansas and to initiate an enforcement action for any violation of a NPDES permit.

6. Ark. Code Ann. § 8-4-217(a)(3) provides:

> (a) It shall be unlawful for any person to:
>
> ...
>
> (3) Violate any provisions of this chapter or of any rule or order adopted by the [APC&EC] under this chapter or of a permit issued under this chapter by the [DEQ].

7. DEQ regulates stormwater discharges associated with industrial activity pursuant to the NPDES Stormwater Industrial Permit, Permit Number ARR000000 ("General Permit"). DEQ issued the General Permit on November 6, 2018, with an effective date of July 1, 2019, and an expiration date of June 30, 2024. DEQ issued renewal of the General Permit on November 15, 2023, with an effective date of July 1, 2024, and an expiration date of June 30, 2029.

8. Ark. Code Ann. § 8-4-103(c)(1)(A) authorizes DEQ to assess an administrative civil penalty not to exceed ten thousand dollars ($10,000) per violation for any violation of any provision of the Act and any rule or permit issued pursuant to the Act.

9. Pursuant to Ark. Code Ann. § 8-4-103(c)(1)(B), "[e]ach day of a continuing violation may be deemed a separate violation for purposes of penalty assessment."

10. DEQ issued NPDES Permit Number AR0048461 ("Permit AR0048461") to Respondent on December 4, 2019. The Permit became effective on January 1, 2020, and expires on December 31, 2024.

11. DEQ issued coverage under the General Permit with Permit Tracking Number ARR00C057 (Permit ARR00C057) to Respondent on July 2, 2019, with an effective date of July 1, 2019. A minor modification to the Permit was issued on February 6, 2020. Respondent's coverage under the General Permit, Permit ARR00C057, will expire on June 30, 2024.

Inspection Violations

12. On February 3, 2022, DEQ received a complaint that the facility was discharging ash into the environment.

13. On February 16, 2022, DEQ conducted a reconnaissance inspection of the facility. The inspection found the following:

a. Runoff from the kiln ash storage was being directed to the sedimentation pond for Outfall 003, in violation of Part II, Condition 5 of Permit AR0048461 and therefore in violation of Ark. Code Ann. § 8-4-217(a)(3).

b. Good housekeeping practices were not being implemented, and appropriate measures were not being used to manage runoff from the sawdust storage area, in violation of Part III, Condition 3.1.6 of Permit ARR00C057 and therefore in violation of Ark. Code Ann. § 8-4-217(a)(3).

14. On March 30, 2022, DEQ notified Respondent of the inspection results and requested a written response to the inspection by April 13, 2022.

15. On June 8, 2022, DEQ again requested a written response to the February 16, 2022 inspection. The response was to be submitted by June 28, 2022.

16. On June 28, 2022, Respondent submitted a written response to the inspection.

17. On August 17, 2022, DEQ notified Respondent that the response was deemed adequate.

DMR Violations

18. On November 30, 2023, DEQ conducted a review of certified Discharge Monitoring Reports (DMRs) submitted by Respondent in accordance with Permit AR0048461.

19. The review revealed that Respondent reported the following violations of the permitted effluent discharge limits detailed in Part I, Section A of Permit AR0048461 from October 1, 2020 through October 31, 2023:

a. Fourteen (14) violations of Ammonia Nitrogen;

b. Three (3) violations of Carbonaceous Biochemical Oxygen Demand;

c. Two (2) violations of Total Suspended Solids; and

d. One (1) violation of Temperature.

20. Each of the twenty (20) discharge limitation violations listed in Paragraph 19 above constitutes a separate permit violation for a total of twenty (20) separate violations of Ark. Code Ann. § 8-4-217(a)(3).

21. The review of the DMRs revealed that Respondent failed to submit Non-Compliance Reports (NCRs) for effluent violations reported during the following three (3) monitoring periods:

a. 2021: February, August, and December.

Failure to submit a NCR for each effluent violation is a violation of Part III, Section D, Condition 7 of Permit AR0048461 and therefore is a violation of Ark. Code Ann. § 8-4-217(a)(3).

22. The review of the DMRs further revealed that Respondent failed to submit DMRs by the due date for the following six (6) monitoring periods:

a. 2021: June, December;

b. 2022: January, February, March, and April.

Failure to submit DMRs with the monitoring results obtained during the monitoring period no later than the 25th of the month following the completed monitoring period is a violation of Part III, Section C, Condition 5 of Permit AR0048461 and therefore is a violation of Ark. Code Ann. § 8-4-217(a)(3).

23. The review of the DMRs also revealed that Respondent failed to conduct analysis for the monitoring period ending February 28, 2022. Failure to monitor the effluent in accordance with the requirements set forth in Part I, Section A of Permit AR0048461 is a violation of Part I, Section A of Permit AR0048461 and therefore is a violation of Ark. Code Ann. § 8-4-217(a)(3).

ORDER AND AGREEMENT

WHEREFORE, the parties stipulate and agree as follows:

1. Within thirty (30) calendar days of the effective date of this Order, Respondent shall submit to DEQ, for review and approval, a comprehensive Corrective Action Plan (CAP) developed by a Professional Engineer licensed in the state of Arkansas. The CAP shall include, at minimum, the methods and best available technologies that will be used to correct the violations listed in Findings of Fact and prevent future violations. The CAP shall also identify a system that will be implemented to ensure that Respondent meets all reporting requirements set forth in Permit AR0048461. The CAP shall include a reasonable milestone schedule with a date of final compliance no later than December 31, 2025. Upon review and approval by DEQ, Respondent shall comply with the terms, milestone schedule, and final compliance date contained in the approved CAP. The milestone schedule and final compliance date shall be fully enforceable as terms of this Order.

2. On or before the fifteenth (15th) day of the month following the effective date of this Order, and each quarter thereafter for a period lasting until this Order is closed, Respondent shall submit quarterly progress reports detailing the progress that has been made towards compliance with the permitted effluent limits set forth in Part I, Section A of Permit AR0048461. Respondent shall submit a final compliance report that includes a certification of compliance, within thirty (30) calendar days of the final compliance date in the approved CAP or by December 31, 2025, whichever occurs first.

3. Respondent shall submit all DMRs in accordance with Part III, Section C, Condition 5 of Permit AR0048461, and ensure all required effluent testing is being conducted in accordance with Part I, Section A of Permit AR0048461.

4. Respondent shall submit a NCR for each violation of the effluent limitations in accordance with Part III, Section D, Condition 7 of Permit AR0048461.

5. In compromise and full settlement of the violations specified in the Findings of Fact, Respondent agrees to pay a civil penalty of Six Thousand Nine Hundred Fifty Dollars ($6950.00), or one-half of the full civil penalty of Three Thousand Four Hundred Seventy-five Dollars ($3475.00) if this Order is signed and returned to the Office of Water Quality Enforcement Branch, DEQ, 5301 Northshore Drive, North Little Rock, Arkansas, 72118-5317, within twenty (20) calendar days of receipt of this Order. Even if the conditions for receiving a reduced penalty of Three Thousand Four Hundred Seventy-five Dollars ($3475.00) have been met, failure to otherwise comply with this Order will result in the penalty reverting to the full civil penalty of Six Thousand Nine Hundred Fifty Dollars ($6950.00) and shall become due immediately and payable to DEQ. Payment is due within thirty (30) calendar days of the effective date of this

Order. Payment of the penalty shall be made payable to the Division of Environmental Quality, and mailed to the attention of:

DEQ, Fiscal Division
5301 Northshore Drive
North Little Rock, AR 72118

In the event that Respondent fails to pay the civil penalty within the prescribed time, DEQ shall be entitled to attorneys' fees and costs of collection.

6. Failure to meet any requirement or deadline of this Order constitutes a violation of this Order. If Respondent should fail to meet any such requirements or deadlines, Respondent consents and agrees to pay on demand to DEQ stipulated penalties according to the following schedule:

a. First day through fourteenth day: $100.00 per day
b. Fifteenth day through the thirtieth day: $500.00 per day
c. Each day beyond the thirtieth day: $1000.00 per day

These stipulated penalties for delay in performance shall be in addition to any other remedies or sanctions that may be available to DEQ by reason of failure by Respondent to comply with the requirements of this Order.

7. If any event, including but not limited to an act of nature, occurs that causes or may cause a delay in the achievement of compliance by Respondent with the requirements or deadlines of this Order, Respondent shall so notify DEQ, in writing, as soon as reasonably possible after it is apparent that a delay will result, but in no case after the due dates specified in this Order. The notification shall describe in detail the anticipated length of the delay, the precise cause of the delay, the measures being taken and to be taken to minimize the delay, and the timetable by which those measures will be implemented.

8. DEQ may grant an extension of any provision of this Order if Respondent requests such an extension in writing, and the delay or anticipated delay has or will be caused by circumstances

beyond the control of and without the fault of Respondent. The time for performance may be extended for a reasonable period, but in no event longer than the period of delay resulting from such circumstances. Respondent has the burden of proving that any delay is caused by circumstances beyond the control and without the fault of Respondent, as well as the length of the delay attributable to such circumstances. Failure to notify DEQ promptly, as provided in the preceding paragraph of this Section, shall be grounds for a denial of an extension.

9. All requirements by the Order and Agreement are subject to approval by DEQ. Unless otherwise specified herein, in the event of any deficiencies, Respondent shall, within the timeframe specified by DEQ, submit any additional information or changes requested, or take additional actions specified by DEQ to correct any such deficiencies. Failure to respond adequately to such Notice of Deficiency within the timeframe specified in writing by DEQ constitutes a failure to meet the requirements established by this Order.

10. This Order is subject to public review and comment in accordance with Ark. Code Ann. § 8-4-103(d) and APC&EC Rule 8 and shall not be effective until thirty (30) calendar days after public notice is given. DEQ retains the right to rescind this Order based upon the comments received within the thirty (30) calendar day public comment period. Notwithstanding the public notice requirements, the corrective actions necessary to achieve compliance shall be taken immediately. The publication of this Order shall occur on or about the 10th or 25th day of the month following the date this Order is executed. As provided by APC&EC Rule 8, this matter is subject to being reopened upon Commission initiative, or in the event a petition to set aside this Order is granted by the Commission.

11. Nothing in this Order shall be construed as a waiver by DEQ of its enforcement authority over alleged violations not specifically addressed herein. Also, this Order does not exonerate

Respondent from any past, present, or future conduct that is not expressly addressed herein, nor does it relieve Respondent of its responsibilities for obtaining any necessary permits.

12. By virtue of the signature appearing below, the individual represents that he or she is an Officer of Respondent, being duly authorized to execute and bind Respondent to the terms contained herein. Execution of this Order by an individual other than an Officer of Respondent shall be accompanied by a resolution granting signature authority to said individual as duly ratified by the governing body of the entity.

SO ORDERED THIS 6TH DAY OF MARCH, 2024.

CALEB J. OSBORNE, DIVISION OF ENVIRONMENTAL QUALITY, DIRECTOR
CHIEF ADMINISTRATOR, ENVIRONMENT

APPROVED AS TO FORM AND CONTENT:

Roseburg Forest Products Co.

BY: _____
(Signature)

Matthew Lawless
(Typed or printed name)

TITLE: VP, General Counsel + Corporate Secretary

DATE: 2/22/2024

APPENDIX B
NPDES PERMIT AR0048461

Permit Number: AR0048461
AFIN: 70-00480

AUTHORIZATION TO DISCHARGE WASTEWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT

In accordance with the provisions of the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. 8-4-101 et seq.), and the Clean Water Act (33 U.S.C. § 1251 et seq.),

Roseburg Forest Products Co.

is authorized to discharge equipment wash down water, non-contact cooling water from digester plug screw, reverse osmosis reject water, water from emergency firefighting activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, condensate from air conditioners, coolers, compressors, and outside storage tanks of refrigerated gases, uncontaminated ground water, and stormwater through Outfall 003; and non-contact cooling water, boiler blowdown, and stormwater through Outfall 004 from a facility located at 1165 Del-Tin Highway, El Dorado, AR 71730 in Union County. The facility's mailing address is 1165 Del-Tin Highway, El Dorado, AR 71730. The applicant's mailing address is PO Box 1088, Roseburg, OR 97470.

Facility Coordinates: Latitude: 33° 10' 41.67" N; Longitude: 92° 44' 32.54" W

Discharges from both outfalls are to receiving waters named:

> an unnamed tributary, thence to Little Cornie Bayou, across the state line into Louisiana, thence to Corney Bayou, thence to Bayou D'Arbonne Lake, thence to Bayou D'Arbonne, thence to the Ouachita River in Segment 2E of the Ouachita River Basin.

The outfalls are located at the following coordinates:

> Outfall 003: Latitude: 33° 10' 32.50" N; Longitude: 92° 44' 13.41" W
> Outfall 004: Latitude: 33° 10' 26.52" N; Longitude: 92° 44' 21.45" W

Discharge shall be in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit. Per Part III.D.10, the permittee must re-apply at least 180 days prior to the expiration date below for permit coverage to continue beyond the expiration date.

Effective Date: January 1, 2020
Expiration Date: December 31, 2024

Robert E. Blanz, Ph.D., P.E.
Associate Director, Office of Water Quality
Arkansas Department of Environmental Quality

12/4/2019
Issue Date

PART I
PERMIT REQUIREMENTS

SECTION A. INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 003 – equipment wash down water, non-contact cooling water from digester plug screw, reverse osmosis reject water, water from emergency firefighting, activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, condensate from air conditioners, coolers, compressors, and outside storage tanks of refrigerated gases, uncontaminated ground water, and stormwater.

During the period beginning on the effective date and lasting three years after the effective date, the permittee is authorized to discharge from Outfall 003. Such discharges shall be limited and monitored by the permittee as specified below as well as Parts II and III. See Part IV for all definitions and calculations.

Effluent Characteristics	Discharge Limitations				Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)		Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max	Monthly Avg.	Daily Max		
Flow	N/A	N/A	Report, MGD	Report, MGD	five/week	instantaneous
5-day Carbonaceous Biochemical Oxygen Demand (CBOD5)						
(May-October)	N/A	N/A	20.0	30.0	once/month	grab
(November-April)	N/A	N/A	15.0	22.5	once/month	grab
Total Suspended Solids (TSS)	N/A	N/A	90.0	135.0	once/month	grab
Ammonia-Nitrogen (NH3-N)	N/A	N/A	Report	Report	once/month	grab
Dissolved Oxygen (DO)						
(May-October)	N/A	N/A	3.0 (Inst. Min.)		once/month	grab
(November-April)	N/A	N/A	5.2 (Inst. Min.)		once/month	grab
Temperature	N/A	N/A	86 °F (Inst. Max.)		once/month	instantaneous
Oil and Grease (O&G)	N/A	N/A	10.0	15.0	once/month	grab
pH	N/A	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	once/month	grab

There shall be no discharge of process wastewater into waters of the state in accordance with 40 CFR 429.11(c). See Part II.5 of this permit for details.

Oil, grease, or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface or coat the banks and/or bottoms of the waterbody or adversely affect any of the associated biota. There shall be no visible sheen as defined in Part IV of this permit.

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. Samples shall be taken after the final treatment unit, prior to the receiving stream.

PART I
PERMIT REQUIREMENTS

SECTION A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 003 – equipment wash down water, non-contact cooling water from digester plug screw, reverse osmosis reject water, water from emergency firefighting, activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, condensate from air conditioners, coolers, compressors, and outside storage tanks of refrigerated gases, uncontaminated ground water, and stormwater.

During the period beginning three years after the effective date and lasting until the date of expiration, the permittee is authorized to discharge from Outfall 003. Such discharges shall be limited and monitored by the permittee as specified below as well as Parts II and III. See Part IV for all definitions and calculations.

Effluent Characteristics	**Discharge Limitations**				**Monitoring Requirements**	
	Mass (lbs/day, unless otherwise specified)		Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max	Monthly Avg.	Daily Max		
Flow	N/A	N/A	Report, MGD	Report, MGD	five/week	instantaneous
5-day Carbonaceous Biochemical Oxygen Demand (CBOD5)						
(May-October)	N/A	N/A	20.0	30.0	once/month	grab
(November-April)	N/A	N/A	15.0	22.5	once/month	grab
Total Suspended Solids (TSS)	N/A	N/A	90.0	135.0	once/month	grab
Ammonia-Nitrogen (NH3-N)						
(May-October)	N/A	N/A	10.0	15.0	once/month	grab
(November-March)	N/A	N/A	8.0	12.0	once/month	grab
(April)	N/A	N/A	7.1	7.1	once/month	grab
Dissolved Oxygen (DO)						
(May-October)	N/A	N/A	3.0 (Inst. Min.)		once/month	grab
(November-April)	N/A	N/A	5.2 (Inst. Min.)		once/month	grab
Temperature	N/A	N/A	86 °F (Inst. Max.)		once/month	instantaneous
Oil and Grease (O&G)	N/A	N/A	10.0	15.0	once/month	grab
pH	N/A	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	once/month	grab

There shall be no discharge of process wastewater into waters of the state in accordance with 40 CFR 429.11(c). See Part II.5 of this permit for details.

Oil, grease, or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface or coat the banks and/or bottoms of the waterbody or adversely affect any of the associated biota. There shall be no visible sheen as defined in Part IV of this permit.

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. Samples shall be taken after the final treatment unit, prior to the receiving stream.

PART I
PERMIT REQUIREMENTS

SECTION A. INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 004 – non-contact cooling water, boiler blowdown, and stormwater.

During the period beginning on the effective date and lasting three years after the effective date, the permittee is authorized to discharge from Outfall 004. Such discharges shall be limited and monitored by the permittee as specified below as well as Parts II and III. See Part IV for all definitions and calculations.

Effluent Characteristics	**Discharge Limitations**				**Monitoring Requirements**	
	Mass (lbs/day, unless otherwise specified)		Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max	Monthly Avg.	Daily Max		
Flow	N/A	N/A	Report, MGD	Report, MGD	five/week	instantaneous
5-day Carbonaceous Biochemical Oxygen Demand (CBOD5)						
(May-October)	N/A	N/A	20.0	30.0	once/month	grab
(November-April)	N/A	N/A	15.0	22.5	once/month	grab
Total Suspended Solids (TSS)	N/A	N/A	90.0	135.0	once/month	grab
Ammonia-Nitrogen (NH3-N)	N/A	N/A	Report	Report	once/month	grab
Dissolved Oxygen (DO)						
(May-October)	N/A	N/A	3.0 (Inst. Min.)		once/month	grab
(November-April)	N/A	N/A	5.2 (Inst. Min.)		once/month	grab
Temperature	N/A	N/A	86 °F (Inst. Max.)		once/month	instantaneous
Oil and Grease (O&G)	N/A	N/A	10.0	15.0	once/month	grab
pH	N/A	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	once/month	grab

There shall be no discharge of process wastewater into waters of the state in accordance with 40 CFR 429.11(c). See Part II.5 of this permit for details.

Oil, grease, or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface or coat the banks and/or bottoms of the waterbody or adversely affect any of the associated biota. There shall be no visible sheen as defined in Part IV of this permit.

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. Samples shall be taken after the final treatment unit, prior to the receiving stream.

PART I
PERMIT REQUIREMENTS

SECTION A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS: OUTFALL 004 – non-contact cooling water, boiler blowdown, and stormwater.

During the period beginning three years after the effective date and lasting until expiration date, the permittee is authorized to discharge from Outfall 004. Such discharges shall be limited and monitored by the permittee as specified below as well as Parts II and III. See Part IV for all definitions and calculations.

Effluent Characteristics	Discharge Limitations				Monitoring Requirements	
	Mass (lbs/day, unless otherwise specified)		Concentration (mg/l, unless otherwise specified)		Frequency	Sample Type
	Monthly Avg.	Daily Max	Monthly Avg.	Daily Max		
Flow	N/A	N/A	Report, MGD	Report, MGD	five/week	instantaneous
5-day Carbonaceous Biochemical Oxygen Demand (CBOD5)						
(May-October)	N/A	N/A	20.0	30.0	once/month	grab
(November-April)	N/A	N/A	15.0	22.5	once/month	grab
Total Suspended Solids (TSS)	N/A	N/A	90.0	135.0	once/month	grab
Ammonia-Nitrogen (NH3-N)						
(May-October)	N/A	N/A	10.0	15.0	once/month	grab
(November-March)	N/A	N/A	8.0	12.0	once/month	grab
(April)	N/A	N/A	7.1	7.1	once/month	grab
Dissolved Oxygen (DO)						
(May-October)	N/A	N/A	3.0 (Inst. Min.)		once/month	grab
(November-April)	N/A	N/A	5.2 (Inst. Min.)		once/month	grab
Temperature	N/A	N/A	86 °F (Inst. Max.)		once/month	instantaneous
Oil and Grease (O&G)	N/A	N/A	10.0	15.0	once/month	grab
pH	N/A	N/A	Minimum 6.0 s.u.	Maximum 9.0 s.u.	once/month	grab

There shall be no discharge of process wastewater into waters of the state in accordance with 40 CFR 429.11(c). See Part II.5 of this permit for details.

Oil, grease, or petrochemical substances shall not be present in receiving waters to the extent that they produce globules or other residue or any visible, colored film on the surface or coat the banks and/or bottoms of the waterbody or adversely affect any of the associated biota. There shall be no visible sheen as defined in Part IV of this permit.

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. Samples shall be taken after the final treatment unit, prior to the receiving stream.

SECTION B. PERMIT COMPLIANCE SCHEDULE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

Within three years of the effective date of the permit, the facility shall be in compliance with Ammonia-Nitrogen (NH3-N) limits at outfalls 003 and 004. The permittee shall submit progress reports addressing the progress towards compliance with NH3-N limits according to the following schedule:

ACTIVITY	DUE DATE
Progress Report[1, 2]	One (1) year from effective date
Progress Report[1, 3]	Two (2) years from effective date
Achieve Final Compliance[1, 4]	Three (3) years from effective date

All progress reports must be submitted to the Department via email at water-enforcement-report@adeq.state.ar.us or via mail to the following address:

Enforcement Branch
Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

[1] If the permittee is already in compliance with NH3-N limits, only documentation demonstrating compliance will be required for the progress report.

[2] If the permittee is not in compliance, the initial Progress Report must detail how the permittee plans to come into compliance within the remaining 2 years. Options must be provided that were considered along with which option was selected.

[3] The second Progress Report must contain an update on the status of the chosen option from the initial Progress Report. If the facility is not meeting any of the milestones provided in the initial Progress Report, the facility must update the milestone schedule to show how compliance with NH3-N limits will be achieved by the deadline.

[4] A final Progress Report must be submitted no later than 30 days following the final compliance date and include a certification that compliance with NH3-N limits has been achieved.

PART II
OTHER CONDITIONS

1. The operator of this wastewater treatment facility shall hold a Basic Industrial license from the State of Arkansas in accordance with APC&EC Regulation No. 3.

2. In accordance with 40 CFR Parts 122.62(a)(2) and 124.5, this permit may be reopened for modification or revocation and/or reissuance to require additional monitoring and/or effluent limitations when new information is received that actual or potential exceedance of State water quality criteria and/or narrative criteria are determined to be the result of the permittee's discharge(s) to a relevant water body or a Total Maximum Daily Load (TMDL) is established or revised for the water body that was not available at the time of the permit issuance that would have justified the application of different permit conditions at the time of permit issuance.

3. Other Specified Monitoring Requirements

   The permittee may use alternative appropriate monitoring methods and analytical instruments other than as specified in Part IA of the permit without a major permit modification under the following conditions:

   - The monitoring and analytical instruments are consistent with accepted scientific practices.
   - The requests shall be submitted in writing to the Permits Branch of the Office of Water Quality of the ADEQ for use of the alternate method or instrument.
   - The method and/or instrument is in compliance with 40 CFR Part 136 or approved in accordance with 40 CFR Part 136.5.
   - All associated devices are installed, calibrated, and maintained to ensure the accuracy of the measurements and are consistent with the accepted capability of that type of device. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

   Upon written approval of the alternative monitoring method and/or analytical instruments, these methods or instruments must be consistently utilized throughout the monitoring period. ADEQ must be notified in writing and the permittee must receive written approval from ADEQ if the permittee decides to return to the original permit monitoring requirements.

4. Stormwater runoff commingling with other wastewater discharged from Outfalls 003 and 004 shall be managed in accordance with Best Management Practices (BMPs) to control the quality of stormwater discharges associated with industrial activity that are authorized by this permit. Use of BMPs in lieu of numeric effluent limitations in NPDES permits is authorized under 40 CFR 122.44(k) when the Permitting Authority finds numeric effluent limitations to be infeasible to carry out the purposes of the Clean Water Act. All spilled products and other spilled wastes must be immediately cleaned up and properly disposed. The permittee must amend the BMPs whenever there is a change in the facility or a change in the operation of the facility.

5. Discharge of process wastewater defined by 40 CFR 429.11(c) into waters of the state is prohibited. Ash box quench water is considered a process wastewater since the quench water comes into direct contact with the ash (timber byproduct of combustion), therefore discharge of ash box quench water is not allowed.

   Boiler blowdown and non-contact cooling water are not process wastewaters according to 40 CFR 429.11(c).

   Water from emergency firefighting activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, air conditioner and compressor condensate, and uncontaminated ground water are allowable non-stormwater discharges, as noted from the Industrial Stormwater General Permit ARR000000, and are not considered process wastewaters specifically associated with timber products processing.

   Equipment wash down water and non-contact cooling water from the digester plug screw do not come into contact with timber products during processing, so are not considered process wastewaters.

PART III
STANDARD CONDITIONS

SECTION A – GENERAL CONDITIONS

1. **Duty to Comply**

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Water Act and the Arkansas Water and Air Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; and/or for denial of a permit renewal application. **Any values reported in the required Discharge Monitoring Report (DMR) which are in excess of an effluent limitation specified in Part I shall constitute evidence of violation of such effluent limitation and of this permit.**

2. **Penalties for Violations of Permit Conditions**

The Arkansas Water and Air Pollution Control Act provides that any person who violates any provisions of a permit issued under the Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for not more than one (1) year, or a fine of not more than twenty-five thousand dollars ($25,000) or by both such fine and imprisonment for each day of such violation. Any person who violates any provision of a permit issued under the Act may also be subject to civil penalty in such amount as the court shall find appropriate, not to exceed ten thousand dollars ($10,000) for each day of such violation. The fact that any such violation may constitute a misdemeanor shall not be a bar to the maintenance of such civil action.

3. **Permit Actions**

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to the following:

A. Violation of any terms or conditions of this permit.
B. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.
C. A change in any conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge.
D. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.
E. Failure of the permittee to comply with the provisions of APC&EC Regulation No. 9 (Permit fees) as required by Part III.A.11 herein.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

4. **Toxic Pollutants**

Notwithstanding Part III.A.3, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under APC&EC Regulation No. 2, as amended, or Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitations on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standards or prohibition and the permittee so notified.

The permittee shall comply with effluent standards, narrative criteria, or prohibitions established under APC&EC Regulation No. 2, as amended, or Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. **Civil and Criminal Liability**

Except as provided in permit conditions for "Bypass of Treatment Facilities" (Part III.B.4), and "Upset" (Part III.B.5), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of this permit or applicable state and federal statues or regulations which defeats the regulatory purposes of the permit may subject the permittee to criminal enforcement pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.).

6. **Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

7. **State Laws**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

8. **Property Rights**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

9. **Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provisions of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. **Applicable Federal, State or Local Requirements**

Permittees are responsible for compliance with all applicable terms and conditions of this permit. Receipt of this permit does not relieve any operator of the responsibility to comply with any other applicable federal requirements such as endangered species, state or local statute, ordinance or regulation.

11. **Permit Fees**

The permittee shall comply with all applicable permit fee requirements (i.e., including annual permit fees following the initial permit fee that will be invoiced every year the permit is active) for wastewater discharge permits as described in APC&EC Regulation No. 9 (Regulation for the Fee System for Environmental Permits). Failure to promptly remit all required fees shall be grounds for the Director to initiate action to terminate this permit under the provisions of 40 CFR Parts 122.64 and 124.5(d), as adopted in APC&EC Regulation No. 6 and the provisions of APC&EC Regulation No. 8.

SECTION B – OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. **Proper Operation and Maintenance**

A. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

B. The permittee shall provide an adequate operating staff which is duly qualified to carryout operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.

2. **Need to Halt or Reduce not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control

production or discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power for the treatment facility is reduced, is lost, or alternate power supply fails.

3. **Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment or the water receiving the discharge.

4. **Bypass of Treatment Facilities**

"Bypass" means the intentional diversion of waste streams from any portion of a treatment facility, as defined at 40 CFR 122.41(m)(1)(i).

A. Bypass not exceeding limitation

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III.B.4.B and 4.C.

B. Notice

1. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
2. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part III.D.6 (24-hour notice).

C. Prohibition of bypass

1. Bypass is prohibited and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal or preventive maintenance.
(c) The permittee submitted notices as required by Part III.B.4.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Part III.B.4.C(1).

5. **Upset Conditions**

A. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part III.B.5.B of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

B. Conditions necessary for demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the permittee can identify the specific cause(s) of the upset.
2. The permitted facility was at the time being properly operated.
3. The permittee submitted notice of the upset as required by Part III.D.6.
4. The permittee complied with any remedial measures required by Part III.B.3.

C. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. **Removed Substances**

A. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State. The Permittee must comply with all applicable state and Federal regulations governing the disposal of sludge, including but not limited to 40 CFR Part 503, 40 CFR Part 257, and 40 CFR Part 258.

B. Any changes to the permittee's disposal practices described in the Statement of Basis, as derived from the permit application, will require at least 180 days prior notice to the Director to allow time for additional permitting. Please note that the 180 day notification requirement may be waived if additional permitting is not required for the change.

7. **Power Failure**

The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators, or retention of inadequately treated effluent.

SECTION C – MONITORING AND RECORDS

1. **Representative Sampling**

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge during the entire monitoring period. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified,

before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director. Intermittent discharge shall be monitored.

2. **Flow Measurement**

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than +/- 10% from true discharge rates throughout the range of expected discharge volumes and shall be installed at the monitoring point of the discharge.

Calculated Flow Measurement

For calculated flow measurements that are performed in accordance with either the permit requirements or a Department approved method (i.e., as allowed under Part II.3), the +/- 10% accuracy requirement described above is waived. This waiver is only applicable when the method used for calculation of the flow has been reviewed and approved by the Department.

3. **Monitoring Procedures**

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals frequent enough to ensure accuracy of measurements and shall ensure that both calibration and maintenance activities will be conducted. An adequate analytical quality control program, including the analysis of sufficient standards, spikes, and duplicate samples to ensure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. At a minimum, spikes and duplicate samples are to be analyzed on 10% of the samples.

4. **Penalties for Tampering**

The Arkansas Water and Air Pollution Control Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under the Act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for not more than one (1) year or a fine of not more than ten thousand dollars ($10,000) or by both such fine and imprisonment.

5. **Reporting of Monitoring Results**

40 CFR 127.11(a)(1) and 40 CFR 127.16(a) require that monitoring reports must be reported on a Discharge Monitoring Reports (DMR) and filed electronically. Signatory Authorities must initially request access for a NetDMR account. Once a NetDMR account is established,

access to electronic filing should use the following link https://cdx.epa.gov. Permittees who are unable to file electronically may request a waiver from the Director in accordance with 40 CFR 127.15. Monitoring results obtained during the previous monitoring period shall be summarized and reported on a DMR dated and submitted no later than the 25th day of the month, following the completed reporting period beginning on the effective date of the permit.

6. **Additional Monitoring by the Permittee**

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated on the DMR.

7. **Retention of Records**

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

8. **Record Contents**

Records and monitoring information shall include:

A. The date, exact place, time and methods of sampling or measurements, and preservatives used, if any.
B. The individual(s) who performed the sampling or measurements.
C. The date(s) and time analyses were performed.
D. The individual(s) who performed the analyses.
E. The analytical techniques or methods used.
F. The measurements and results of such analyses.

9. **Inspection and Entry**

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. Sample, inspect, or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D – REPORTING REQUIREMENTS

1. **Planned Changes**

The Permittee shall give notice to the Director as soon as possible but no later than 180 days prior to any planned physical alterations or additions to the permitted facility [40 CFR 122.41(l)]. Notice is required only when:

A. The alteration or addition to a permitted facility may meet one of the criteria for new sources at 40 CFR 122.29(b).
B. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants subject to effluent limitations in the permit, or to the notification requirements under 40 CFR 122.42(b).

2. **Anticipated Noncompliance**

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. **Transfers**

The permit is nontransferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. **Monitoring Reports**

Monitoring results shall be reported at the intervals and in the form specified in Part III.C.5. **Discharge Monitoring Reports must be submitted even when no discharge occurs during the reporting period.**

5. **Compliance Schedule**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

6. **Twenty-four Hour Report**

A. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain the following information:

1. A description of the noncompliance and its cause.
2. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue.
3. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

B. The following shall be included as information which must be reported within 24 hours:

1. Any unanticipated bypass which exceeds any effluent limitation in the permit.
2. Any upset which exceeds any effluent limitation in the permit.
3. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part I of the permit to be reported within 24 hours to the Enforcement Branch of the Office of Water Quality of the ADEQ.

C. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours to the Enforcement Branch of the Office of Water Quality of the ADEQ.

7. **Other Noncompliance**

The permittee shall report all instances of noncompliance not reported under Parts III.D.4, 5, and 6, at the time monitoring reports are submitted. The reports shall contain the information listed at Part III.D.6.

8. **Changes in Discharge of Toxic Substances for Industrial Dischargers**

The Director shall be notified as soon as the permittee knows or has reason to believe:

A. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a)(1).

B. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a)(2).

9. **Duty to Provide Information**

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit. Information shall be submitted in the form, manner and time frame requested by the Director.

10. **Duty to Reapply**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The complete application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated in APC&EC Regulation No. 6.

11. **Signatory Requirements**

All applications, reports, or information submitted to the Director shall be signed and certified as follows:

A. All **permit applications** shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

   (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.
   (b) The manager of one or more manufacturing, production, or operation facilities, provided: the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship: by a general partner or proprietor, respectively.

3. For a municipality, State, Federal, or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

   (a) The chief executive officer of the agency.
   (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

B. All **reports** required by the permit and **other information** requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   1. The authorization is made in writing by a person described above.
   2. The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
   3. The written authorization is submitted to the Director.

C. Certification. Any person signing a document under this section shall make the following certification:

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. **Availability of Reports**

Except for data determined to be confidential under 40 CFR Part 2 and APC&EC Regulation No. 6, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department of Environmental Quality. As required by the Regulations, the name and address of any permit applicant or permittee, permit applications, permits, and effluent data shall not be considered confidential.

13. **Penalties for Falsification of Reports**

The Arkansas Air and Water Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this permit shall be subject

to civil penalties specified in Part III.A.2 and/or criminal penalties under the authority of the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.).

14. **Other Information**

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

PART IV
DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act and 40 CFR 122.2 shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. **"7-Day Average"** Also known as "average weekly" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. The 7-Day Average for Fecal Coliform Bacteria (FCB) or E-Coli is the geometric mean of the "daily discharges" of all effluent samples collected during a calendar week in colonies per 100 ml.
2. **"Act"** means the Clean Water Act, Public Law 95-217 (33.U.S.C. 1251 et seq.) as amended.
3. **"Administrator"** means the Administrator of the U.S. Environmental Protection Agency.
4. **"APC&EC"** means the Arkansas Pollution Control and Ecology Commission.
5. **"Applicable effluent standards and limitations"** means all State and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions, and pretreatment standards.
6. **"Applicable water quality standards"** means all water quality standards to which a discharge is subject under the federal Clean Water Act and which has been (a) approved or permitted to remain in effect by the Administrator following submission to the Administrator pursuant to Section 303(a) of the Act, or (b) promulgated by the Director pursuant to Section 303(b) or 303(c) of the Act, and standards promulgated under (APC&EC) Regulation No. 2, as amended.
7. **"Best Management Practices (BMPs)"** are activities, practices, maintenance procedures, and other management practices designed to prevent or reduce the pollution of waters of the State. BMPs also include treatment technologies, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw sewage. BMPs may include structural devices or nonstructural practices.
8. **"Bypass"** means the intentional diversion of waste streams from any portion of a treatment facility, as defined at 40 CFR 122.41(m)(1)(i).
9. **"Composite sample"** is a mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing a minimum of 4 effluent portions collected at equal time intervals (but not closer than one hour apart) during operational hours, within the 24-hour period, and combined proportional to flow or a sample collected at more frequent intervals proportional to flow over the 24-hour period.
10. **"Daily Discharge"** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling.
    A. **Mass Calculations**: For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of pollutant discharged over the sampling day.
    B. **Concentration Calculations**: For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

11. **"Daily Maximum"** discharge limitation means the highest allowable "daily discharge" during the calendar month.
12. **"Department"** means the Arkansas Department of Environmental Quality (**ADEQ**).
13. **"Director"** means the Director of the Arkansas Department of Environmental Quality.
14. **"Dissolved oxygen limit"** shall be defined as follows:
    A. When limited in the permit as a minimum monthly average, shall mean the lowest acceptable monthly average value, determined by averaging all samples taken during the calendar month.
    B. When limited in the permit as an instantaneous minimum value, shall mean that no value measured during the reporting period may fall below the stated value.
15. **"E-Coli"** a sample consists of one effluent grab portion collected during a 24-hour period at peak loads. For E-Coli, report the Daily Maximum as the highest "daily discharge" during the calendar month, and the Monthly Average as the geometric mean of all "daily discharges" within a calendar month, in colonies per 100 ml.
16. **"Fecal Coliform Bacteria (FCB)"** a sample consists of one effluent grab portion collected during a 24-hour period at peak loads. For FCB, report the Daily Maximum as the highest "daily discharge" during the calendar month, and the Monthly Average as the geometric mean of all "daily discharges" within a calendar month, in colonies per 100 ml.
17. **"Grab sample"** means an individual sample collected in less than 15 minutes in conjunction with an instantaneous flow measurement.
18. **"Industrial User"** means a nondomestic discharger, as identified in 40 CFR Part 403, introducing pollutants to a POTW.
19. **"Instantaneous flow measurement"** means the flow measured during the minimum time required for the flow-measuring device or method to produce a result in that instance. To the extent practical, instantaneous flow measurements coincide with the collection of any grab samples required for the same sampling period so that together the samples and flow are representative of the discharge during that sampling period.
20. **"Instantaneous Maximum"** when limited in the permit as an instantaneous maximum value, shall mean that no value measured during the reporting period may fall above the stated value.
21. **"Instantaneous Minimum"** an instantaneous minimum value, shall mean that no value measured during the reporting period may fall below the stated value.
22. **"Monitoring and Reporting"**
    When a permit becomes effective, monitoring requirements are of the immediate period of the permit effective date. Where the monitoring requirement for an effluent characteristic is monthly or more frequently, the Discharge Monitoring Report (DMR) shall be submitted by the 25th of the month following the sampling. Where the monitoring requirement for an effluent characteristic is Quarterly, Semi-Annual, Annual, or Yearly, the DMR shall be submitted by the 25th of the month following the monitoring period end date.
    A. **MONTHLY:**
    is defined as a calendar month or any portion of a calendar month for monitoring requirement frequency of once/month or more frequently.
    B. **BI-MONTHLY:**
    is defined as two (2) calendar months or any portion of 2 calendar months for monitoring requirement frequency of once/2 months or more frequently.

C. **QUARTERLY:**
   1. is defined as a **fixed calendar quarter** or any part of the fixed calendar quarter for a non-seasonal effluent characteristic with a measurement frequency of once/quarter. Fixed calendar quarters are: January through March, April through June, July through September, and October through December.
   2. is defined as a **fixed three month period** (or any part of the fixed three month period) of or dependent upon the seasons specified in the permit for a seasonal effluent characteristic with a monitoring requirement frequency of once/quarter that does not coincide with the fixed calendar quarter. Seasonal calendar quarters are: May through July, August through October, November through January, and February through April.

D. **SEMI-ANNUAL:**
   is defined as the fixed time periods January through June, and July through December (or any portion thereof) for an effluent characteristic with a measurement frequency of once/6 months or twice/year.

E. **ANNUAL or YEARLY:**
   is defined as a fixed calendar year or any portion of the fixed calendar year for an effluent characteristic or parameter with a measurement frequency of once/year. A calendar year is January through December, or any portion thereof.

23. **"Monthly Average"** means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. For Fecal Coliform Bacteria (FCB) or E-Coli, report the Monthly Average as the geometric mean of all "daily discharges" within a calendar month.
24. **"National Pollutant Discharge Elimination System"** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.
25. **"POTW"** means Publicly Owned Treatment Works;
26. **"Reduction of $CBOD_5$/BOD_5 and TSS in mg/l Formula"**
    [(Influent – Effluent) / Influent] × 100
27. **"Severe property damage"** means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in products.
28. **"Sewage sludge"** means the solids, residues, and precipitate separated from or created in sewage by the unit processes at a POTW. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and stormwater runoff that are discharged to or otherwise enter a POTW.
29. **"Treatment works"** means any devices and systems used in storage, treatment, recycling, and reclamation of municipal sewage and industrial wastes, of a liquid nature to implement section 201 of the Act, or necessary to recycle reuse water at the most economic cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities, and any

works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

30. **Units of Measure:**
    "MGD" shall mean million gallons per day.
    "mg/l" shall mean milligrams per liter or parts per million (ppm).
    "µg/l" shall mean micrograms per liter or parts per billion (ppb).
    "cfs" shall mean cubic feet per second.
    "ppm" shall mean parts per million.
    "s.u." shall mean standard units.
31. **"Upset"** means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. Any upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless of improper operations.
32. **"Visible sheen"** means the presence of a film or sheen upon or a discoloration of the surface of the discharge. A sheen can also be from a thin glistening layer of oil on the surface of the discharge.
33. **"Weekday"** means Monday – Friday.

Final Statement of Basis

This Statement of Basis is for information and justification of the permit limits only. Please note that it is not enforceable. This permitting decision is for the renewal of discharge Permit Number AR0048461 with Arkansas Department of Environmental Quality (ADEQ) Facility Identification Number (AFIN) 70-00480 to discharge to Waters of the State.

1. PERMITTING AUTHORITY

The issuing office is:

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

2. APPLICANT

The applicant's mailing address, and facility physical address, is:

Physical Address:
Roseburg Forest Products Co.
1165 Del-Tin Highway
El Dorado, AR 71730

Mailing Address:
Roseburg Forest Products Co.
PO Box 1088
Roseburg, OR 97470

3. PREPARED BY

The permit was prepared by:

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4. PERMIT ACTIVITY

Previous Permit Effective Date:	January 1, 2014
Previous Permit Modification Date:	October 1, 2016
Previous Permit Expiration Date:	December 31, 2018

The permittee submitted a permit renewal application on June 14, 2018. The current discharge permit is being reissued for a 5-year term in accordance with regulations promulgated at 40 CFR Part 122.46(a).

DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

APC&EC - Arkansas Pollution Control and Ecology Commission
BAT - best available technology economically achievable
BCT - best conventional pollutant control technology
BMP - best management practice
BOD_5 - five-day biochemical oxygen demand
BPJ - best professional judgment
BPT - best practicable control technology currently available
$CBOD_5$ - carbonaceous biochemical oxygen demand
CD - critical dilution
CFR - Code of Federal Regulations
cfs - cubic feet per second
COD - chemical oxygen demand
COE - United States Corp of Engineers
CPP - continuing planning process
CWA - Clean Water Act
DMR - discharge monitoring report
DO - dissolved oxygen
ELG - effluent limitation guidelines
EPA - United States Environmental Protection Agency
ESA - Endangered Species Act
FCB - fecal coliform bacteria
gpm - gallons per minute
MGD - million gallons per day
MQL - minimum quantification level
NAICS - North American Industry Classification System
NH_3-N - ammonia nitrogen
$NO_3 + NO_2$-N - nitrate + nitrite nitrogen
NPDES - National Pollutant Discharge Elimination System
O&G - oil and grease
Reg. 2 - APC&EC Regulation No. 2
Reg. 6 - APC&EC Regulation No. 6
Reg. 8 - APC&EC Regulation No. 8
Reg. 9 - APC&EC Regulation No. 9
RP - reasonable potential
SIC - standard industrial classification
TDS - total dissolved solids
TMDL - total maximum daily load
TP - total phosphorus

TRC - total residual chlorine
TSS - total suspended solids
UAA - use attainability analysis
USF&WS - United States Fish and Wildlife Service
USGS - United States Geological Survey
WET - Whole effluent toxicity
WQMP - water quality management plan
WQS - Water Quality standards
WWTP - wastewater treatment plant

Compliance and Enforcement History:

The compliance and enforcement history for this facility can be reviewed by using the following web link:

https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/NPDES/PermitInformation/AR0048461_Compliance%20Review_20180925.pdf

The facility has had issues meeting their COD limits at Outfall 003. The facility submitted a Corrective Action Plan (CAP) on January 30, 2018, with quarterly reports submitted on May 22, 2018, and August 30, 2018. An inspection was conducted on October 10, 2018, where it was noted that the facility had inadequate BMPs throughout. The facility shall continue to submit quarterly CAP progress reports to the Department until compliance with all conditions of the permit is achieved.

5. SIGNIFICANT CHANGES FROM THE PREVIOUSLY ISSUED PERMIT

The permittee is responsible for carefully reading the permit in detail and becoming familiar with all of the changes therein:

1. The facility ownership and name has changed.
2. The receiving stream was corrected from Little Cornie Creek to Little Cornie Bayou.
3. Part III.C.5 of the permit now requires that DMRs be submitted electronically via NetDMR.
4. CBOD5 replaced COD limits, TSS limits were revised, and NH3-N and DO limits were added based on a February 11, 2019 hydrological study and a water quality model dated March 18, 2019.
5. Part II.5 of the permit prohibits “ash box quench water” as a permitted discharge based on the definition of “process wastewater” in 40 CFR Part 429.11(c). The ash box quench water is considered a process wastewater because the quench water used to cool the wood ash comes into direct contact with the wood ash (byproduct of wood combustion). No compliance schedule is allowed for the elimination of the ash box quench water wastestream pursuant to 40 CFR 122.47(a)(1), which states that any final compliance date provided by a compliance schedule shall not be later than the applicable statutory deadline under the Clean Water Act. The statutory deadline of no discharge of process wastewater from facilities subject to 40 CFR 429, Subpart D was January 26, 1981.

6. RECEIVING STREAM SEGMENT AND DISCHARGE LOCATION

The outfalls are located at the following coordinates based on the previous permit and renewal application, confirmed with Google Earth using WGS84:

Outfall 003: Latitude: 33° 10' 32.50" N; Longitude: 92° 44' 13.41" W
Outfall 004: Latitude: 33° 10' 26.52" N; Longitude: 92° 44' 21.45" W

Discharges from both outfalls are to receiving waters named:

an unnamed tributary, thence to Little Cornie Bayou, across the state line into Louisiana, thence to Corney Bayou, thence to Bayou D'Arbonne Lake, thence to Bayou D'Arbonne, thence to the Ouachita River in Segment 2E of the Ouachita River Basin. The receiving stream with USGS Hydrologic Unit Code (H.U.C.) of 08040206 and Reach #716 is a Water of the State classified for secondary contact recreation, raw water source for domestic (public and private), industrial, and agricultural water supplies; propagation of desirable species of fish and other aquatic life; and other compatible uses.

7. 303(d) LIST, TOTAL MAXIMUM DAILY LOADS, ENDANGERED SPECIES, AND ANTI-DEGRADATION CONSIDERATIONS

A. 303(d) List

Reach #716 of Little Cornie Creek (i.e. Little Cornie Bayou) is listed in the 2016 303(d) list as a Category 1b stream for sulfates; i.e. a TMDL Report is in effect, but the stream is no longer impaired. See paragraph B below for further information.

Little Cornie Bayou is not listed on the Louisiana 2016 303(d) list. Therefore, no action has been taken regarding receiving waters in Louisiana.

B. Applicable Total Maximum Daily Load (TMDL) Reports

The facility is listed in the August 2011 "Sulfate TMDLs for Upper Cornie Bayou Watershed, AR" as a point source discharger. However, Section 4.7 of the TMDL Report stated that "loads from…point sources [without sulfate limits] were assumed to be negligible." Therefore, the facility was not assigned a WLA, and no further action regarding sulfates is required at this time.

C. Endangered Species

No comments on the application were received from the USF&WS. The draft permit and Statement of Basis were sent to the USF&WS for their review.

D. **Anti-Degradation**

The limitations and requirements set forth in this permit for discharge into waters of the State are consistent with the Anti-degradation Policy and all other applicable water quality standards found in APC&EC Regulation No. 2.

8. **OUTFALL, TREATMENT PROCESS DESCRIPTION, AND FACILITY CONSTRUCTION**

The following is a description of the facility described in the application:

A. Design Flow: variable (Outfalls 003 and 004)

B. Type of Treatment: Outfall 003 – sedimentation pond
Outfall 004 – sedimentation pond

C. Discharge Description:

Outfall 003 – equipment wash down water, non-contact cooling water from digester plug screw, reverse osmosis reject water, water from emergency firefighting, activities, fire hydrant flushes, potable water line flushes, building wash down, steam condensate, condensate from air conditioners, coolers, compressors, and outside storage tanks of refrigerated gases, uncontaminated ground water, and stormwater

Outfall 004 – non-contact cooling water, boiler blowdown, and stormwater

D. Facility Status: This facility was evaluated using the NPDES Permit Rating Worksheet (MRAT) to determine the correct permitting status. Since the facility's MRAT score of 40 less than 80, this facility is classified as a minor industrial.

E. Facility Construction: This permit does not authorize or approve the construction or modification of any part of the treatment system or facilities. Approval for such construction must be by permit issued under Reg. 6.202.

9. **ACTIVITY**

Under the Standard Industrial Classification (SIC) code of 2493 or North American Industry Classification System (NAICS) code of 321219, the applicant's activities are the operation of a medium density fiberboard manufacturing facility.

10. **SOLIDS PRACTICES**

Solids generated at this facility will remain in the treatment ponds until removal is necessary. ADEQ will be contacted for proper disposal/application method in accordance with Part III.B.6 of the permit.

11. DEVELOPMENT AND BASIS FOR PERMIT CONDITIONS

The Arkansas Department of Environmental Quality has determined to issue a permit for the discharge described in the application. Permit requirements are based on federal regulations (40 CFR Parts 122, 124, and Subchapter N), and regulations promulgated pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. 8-4-101 et seq.). All of the information contained in the application, including all of the submitted effluent testing data, was reviewed to determine the need for effluent limits and other permit requirements.

The following is an explanation of the derivation of the conditions of the permit and the reasons for them or, in the case of notices of intent to deny or terminate, reasons suggesting the decisions as required under 40 CFR Part 124.7.

Technology-Based Versus Water Quality-Based Effluent Limitations and Conditions

Following regulations promulgated at 40 CFR Part 122.44, the permit limits are based on either technology-based effluent limits pursuant to 40 CFR Part 122.44(a) or on State water quality standards and requirements pursuant to 40 CFR Part 122.44(d), whichever are more stringent as follows:

Parameter	Water Quality-Based		Technology-Based		Previous Permit		Final Permit	
	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l
Both Outfalls 003 and 004								
COD	N/A	N/A	N/A	N/A	50	75	N/A*	N/A*
CBOD5 (May-Oct)	20.0	30.0	N/A	N/A	N/A	N/A	20.0	30.0
CBOD5 (Nov-Apr)	15.0	22.5	N/A	N/A	N/A	N/A	15.0	22.5
TSS	90.0	135.0	N/A	N/A	35.0	52.5	90.0	135.0
NH3-N (May-Oct)	10.0	15.0	N/A	N/A	N/A	N/A	10.0	15.0
NH3-N (Nov-Mar)	8.0	12.0	N/A	N/A	N/A	N/A	8.0	12.0
NH3-N (April)	7.1	7.1	N/A	N/A	N/A	N/A	7.1	7.1
DO (May-Oct)	3.0 (Inst. Min.)		N/A		N/A		3.0 (Inst. Min.)	
DO (Nov-Apr)	5.2 (Inst. Min.)		N/A		N/A		5.2 (Inst. Min.)	
Temperature	86.0 °F (Inst. Max.)		N/A	N/A	Report (°F)	86 °F	86.0 °F (Inst. Max.)	

Parameter	Water Quality-Based		Technology-Based		Previous Permit		Final Permit	
	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l	Monthly Avg. mg/l	Daily Max. mg/l
O&G	10.0	15.0	N/A	N/A	10.0	15.0	10.0	15.0
pH	6.0-9.0 s.u.		N/A		6.0-9.0 s.u.		6.0-9.0 s.u.	

*COD limits from previous permit are being replaced with CBOD5 and NH3-N limits.

A. **Justification for Limitations and Conditions of the Permit**

Parameter	Water Quality or Technology	Justification
Both Outfalls 003 and 004		
CBOD5	Water Quality	Reg. 2.505, Hydrologic study dated February 11, 2019 and a MultiSMP Modeling analysis dated March 18, 2019.
TSS	Water Quality	Reg. 2.505, Hydrologic study dated February 11, 2019 and a MultiSMP Modeling analysis dated March 18, 2019.
NH3-N	Water Quality	(May-March): Reg. 2.505, Hydrologic study dated February 11, 2019, and a MultiSMP Modeling analysis dated March 18, 2019. (April): Reg. 2.512
DO	Water Quality	Reg. 2.505, Hydrologic study dated February 11, 2019 and a MultiSMP Modeling analysis dated March 18, 2019.
Temperature	Water Quality	Reg. 2.502, CWA § 402(o), and previous permit
O&G	Water Quality	Reg. 2.510, CWA § 402(o), and previous permit
pH	Water Quality	Reg. 2.504, CWA § 402(o), and previous permit

B. **Anti-backsliding**

The permit is consistent with the requirements to meet Anti-backsliding provisions of the Clean Water Act (CWA), Section 402(o) [40 CFR 122.44(l)]. The final effluent limitations for reissuance permits must be as stringent as those in the previous permit, unless the less stringent limitations can be justified using exceptions listed in CWA 402(o)(2), CWA 303(d)(4), or 40 CFR 122.44(l)(2)(i).

The permit meets or exceeds the requirements of the previous permit, with the following exceptions. The previous COD limit was replaced by CBOD5, NH3-N, and DO limits. In addition, the TSS limits were revised. All of these changes were based on a hydrological study and dissolved oxygen stream modeling, both of which are considered new

information that was not available at the time of last permit issuance. New information is an allowable exception to backsliding under CWA 402(o)(2).

C. **Limits Calculations**

1. Mass Limits:

   Mass limits have not been included in the permit due to the variability of the flow from the facility.

2. Daily Maximum Limits:

   The daily maximum limits for CBOD5, TSS, and NH3-N (May-March) are based on Section 5.4.2 of the Technical Support Document for Water Quality-Based Toxics Control:

   Daily maximum limits = monthly average limits × 1.5

   The daily maximum limits for NH3-N (April) are based on Reg. 2.512.
   The daily maximum limits for Temperature and O&G are based on Regs. 2.502 and 2.510, respectively.

D. **Applicable Effluent Limitations Guidelines**

Discharges from facilities of this type are covered by Federal effluent limitations guidelines promulgated under 40 CFR Part 429, Subpart D – Dry Process Hardboard Subcategory. 40 CFR §§429.51 and 53 state "there shall be no discharge of process wastewater pollutants into navigable waters." Therefore, the facility is not allowed to discharge process wastewater from the facility. Non-process wastewaters allowed to be discharged under this permit are described above the limit tables in Part IA of the permit.

E. **208 Plan (Water Quality Management Plan)**

The 208 Plan, developed by the ADEQ under provisions of Section 208 of the federal Clean Water Act, is a comprehensive program to work toward achieving federal water goals in Arkansas. The initial 208 Plan, adopted in 1979, provides for annual updates, but can be revised more often if necessary. The 208 Plan has been revised to add this facility with the following monthly average limits:

(May-October):	20.0/90.0/10.0/3.0*	mg/L	(CBOD5/TSS/NH3-N/DO*)
(November-March):	15.0/90.0/8.0/5.2*	mg/L	(CBOD5/TSS/NH3-N/DO*)
(April) :	15.0/90.0/7.1/5.2*	mg/L	(CBOD5/TSS/NH3-N/DO*)

*DO limits are expressed as Instantaneous Minimum

12. STORMWATER REQUIREMENTS

The federal regulations at 40 CFR 122.26(b)(14) require certain industrial sectors to have NPDES permit coverage for stormwater discharges from the facility. These requirements include the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to control the quality of stormwater discharges from the facility. This facility was issued stormwater permit coverage under NPDES Tracking number ARR00C057.

13. SAMPLE TYPE AND FREQUENCY

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity [40 CFR Part 122.48(b)] and to ensure compliance with permit limitations [40 CFR Part 122.44(i)(l)].

Requirements for sample type and sampling frequency for Flow, TSS, Temperature, O&G, and pH have been based on the current discharge permit. Requirements for sample type and sampling frequency for CBOD5, NH3-N, and DO have been based on the same frequency and type as the other parameters for consistency and ease of sampling scheduling.

Parameter	Previous Permit		Final Permit	
	Frequency of Sample	Sample Type	Frequency of Sample	Sample Type
Both Outfalls 003 and 004				
Flow	five/week	instantaneous	five/week	instantaneous
CBOD5	n/a	n/a	once/month	grab
TSS	once/month	grab	once/month	grab
NH3-N	n/a	n/a	once/month	grab
DO	n/a	n/a	once/month	grab
Temperature	once/month	instantaneous	once/month	instantaneous
O&G	once/month	grab	once/month	grab
pH	once/month	grab	once/month	grab

14. PERMIT COMPLIANCE SCHEDULE

A Schedule of Compliance has been included for the new NH3-N limits. In accordance with APC&EC Reg. 2.104, compliance must occur at the earliest practicable time, but not to exceed three years from the effective date.

15. MONITORING AND REPORTING

The applicant is at all times required to monitor the discharge on a regular basis and report the results monthly. The monitoring results will be available to the public.

16. SOURCES

The following sources were used to draft the permit:

A. Application No. AR0048461 received June 14, 2018.
B. Arkansas Water Quality Management Plan (WQMP).
C. APC&EC Regulation No. 2.
D. APC&EC Regulation No. 3.
E. APC&EC Regulation No. 6 which incorporates by reference certain federal regulations included in Title 40 of the Code of Federal Regulations at Reg. 6.104.
F. 40 CFR Parts 122 and 125.
G. 40 CFR Part 429.
H. Discharge permit file AR0048461.
I. Discharge Monitoring Reports (DMRs).
J. "2016 Integrated Water Quality Monitoring and Assessment Report", ADEQ.
K. "2016 List of Impaired Waterbodies (303(d) List)", ADEQ, July 2017.
L. USGS StreamStats web-based program.
M. Continuing Planning Process (CPP).
N. Technical Support Document For Water Quality-based Toxic Control.
O. "Sulfate TMDLs for Upper Cornie Bayou Watershed, AR," August 2011.
P. "Louisiana Corrected 2016 Integrated Report of Water Quality in Louisiana," August 23, 2017.
Q. Corrective Action Plan (CAP) approved on January 31, 2018.
R. Compliance Review Memo from G. Gray to A. Kreps dated September 25, 2018.
S. Inspection Report dated October 10, 2018.
T. MultiSMP modeling analysis dated March 18, 2019 and hydrologic study dated February 11, 2019.
U. Permit transfer request dated January 29, 2019.

17. PUBLIC NOTICE

The public notice of the draft permit was published for public comment on October 8, 2019. The last day of the comment period was thirty (30) days after the publication date. No public comments were received on the draft permit.

Copies of the draft permit and public notice were sent via email to the Corps of Engineers, the Regional Director of the U.S. Fish and Wildlife Service, the Department of Arkansas Heritage, the EPA, and the Arkansas Department of Health.

18. PERMIT FEE

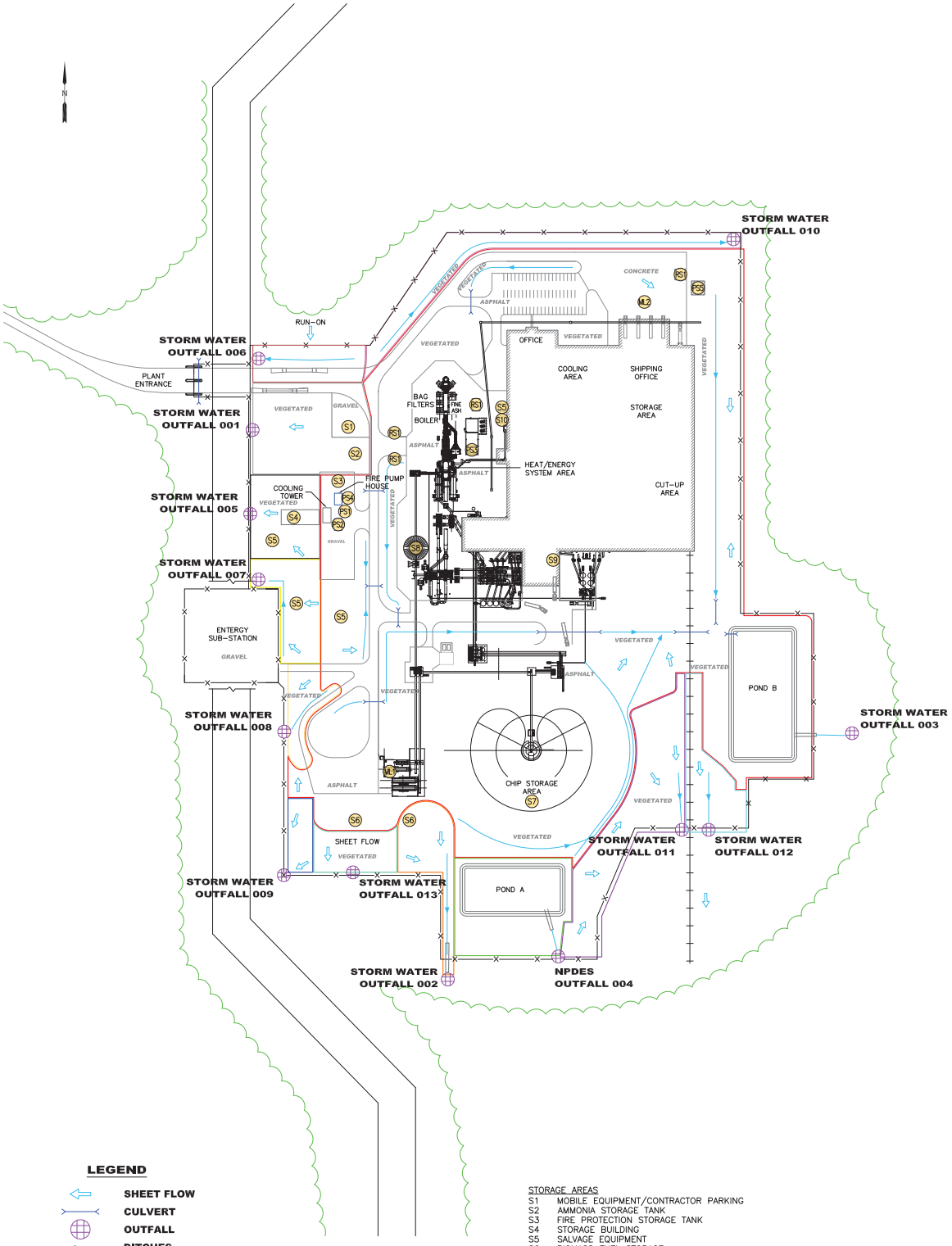
In accordance with Reg. No. 9.403(G), the annual fee for the permit is $300.

19. **POINT OF CONTACT**

For additional information, contact:

Shane Byrum
Permits Branch, Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317
Telephone: (501) 682-0618
E-mail: byrum@adeq.state.ar.us

APPENDIX C
SITE MAPS



LEGEND

- SHEET FLOW
- CULVERT
- OUTFALL
- DITCHES
- FENCE
- VEGETATION
- RAILROAD
- UNDERGROUND PIPING w/GRATED INLETS
- COVERED BUILDING

- OUTFALL 001 (1.34 ACRES)
- OUTFALL 002 (0.67 ACRES)
- OUTFALL 003 (37.6 ACRES)
- OUTFALL 004 (2.05 ACRES)
- OUTFALL 005 (0.66 ACRES)
- OUTFALL 006 (1.72 ACRES)
- OUTFALL 007 (0.80 ACRES)
- OUTFALL 008 (0.46 ACRES)
- OUTFALL 009 (0.30 ACRES)
- OUTFALL 010 (0.77 ACRES)
- OUTFALL 011 (2.05 ACRES)
- OUTFALL 012 (0.86 ACRES)
- OUTFALL 013 (0.56 ACRES)

STORAGE AREAS
S1 MOBILE EQUIPMENT/CONTRACTOR PARKING
S2 AMMONIA STORAGE TANK
S3 FIRE PROTECTION STORAGE TANK
S4 STORAGE BUILDING
S5 SALVAGE EQUIPMENT
S6 BIOMASS FUEL STORAGE
S7 CHIP STORAGE
S8 BARK FUEL STORAGE
S9 RESIN/GLUE STORAGE
S10 GAS CYLINDER STORAGE

PETROLEUM/OIL STORAGE AREAS
PS1 441 GALLON TRANSFORMER
PS2 USED OIL STORAGE BUILDING
PS3 HOT OIL HEATER
PS4 DIESEL FUEL TANK
PS5 GASOLINE & DIESEL ABOVE GROUND STORAGE TANKS (COVERED)

MATERIAL LOADING/UNLOADING AREAS
ML1 TRUCK DUMP (WOOD CHIPS)
ML2 FINAL PRODUCT

REFUSE STORAGE AREAS
RS1 DUMPSTER

- RECEIVING STREAM: UNNAMED TRIBUTARIES OF LITTLE CORNIE BAYOU
- OUTFALLS SAMPLED: 001, 002, 003
- SIMILAR OUTFALLS: 005, 006, 007, 008, 009, 010, 011, 012, 013

NO | DATE | REVISION | BY | CK. | APPR.

DESIGNED BY KJAB
CHECKED BY KJAB
APPR. BY
DRAWN BY IT

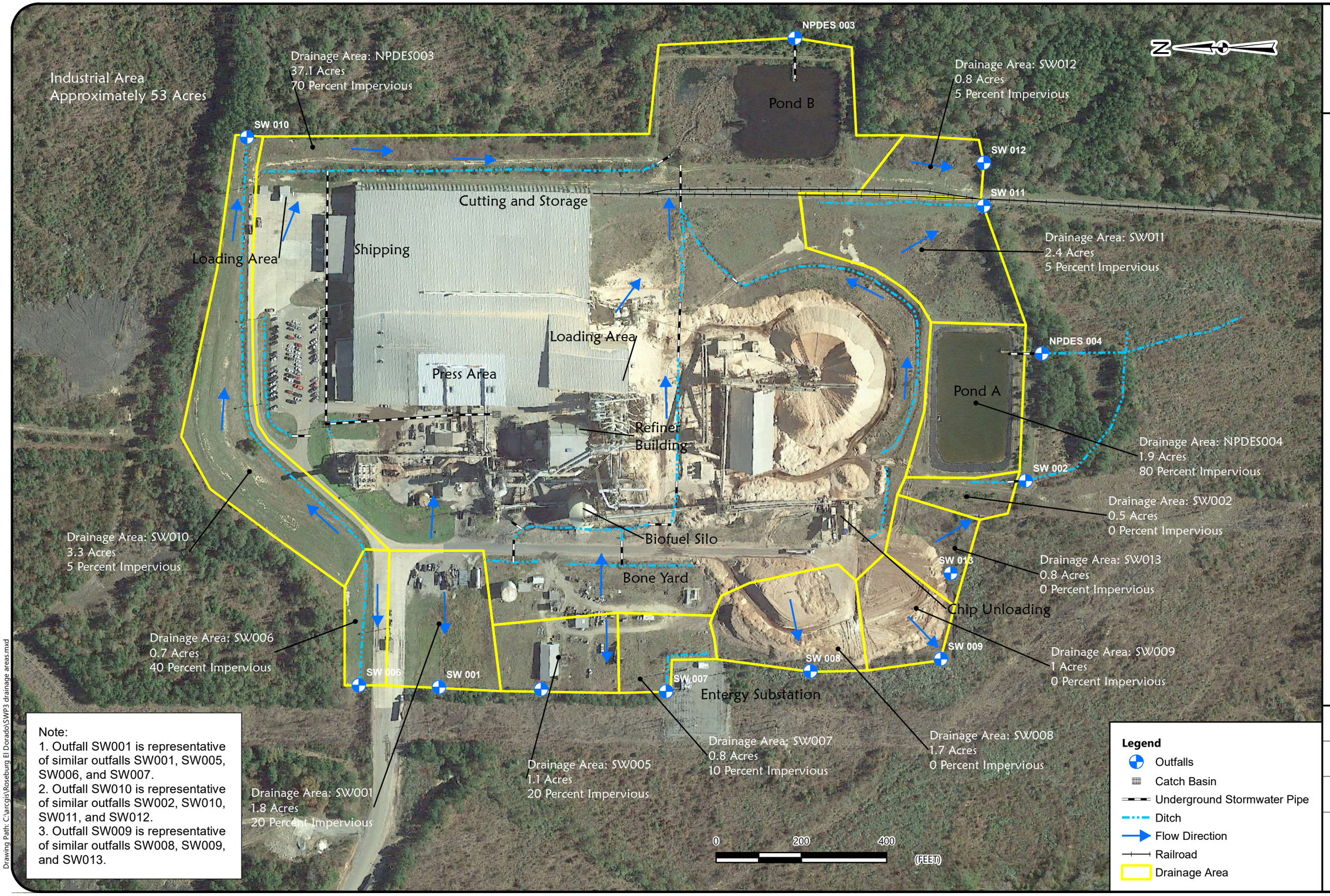
GBMC
Engineering Environmental Services
Bryant, Arkansas 72022

SHEET TITLE
SITE MAP

JOB NAME
STORM WATER POLLUTION PREVENTION PLAN
DEL-TIN FIBER, LLC
EL DORADO, ARKANSAS

SCALE NTS
DATE 06/17/2014
PROJECT NO. 2056-14-060
DWG. NO.
REV. NO.

2002, Architectural D, 24 x 36 in.



Note:
1. Outfall SW001 is representative of similar outfalls SW001, SW005, SW006, and SW007.
2. Outfall SW010 is representative of similar outfalls SW002, SW010, SW011, and SW012.
3. Outfall SW009 is representative of similar outfalls SW008, SW009, and SW013.

Legend
- Outfalls
- Catch Basin
- Underground Stormwater Pipe
- Ditch
- Flow Direction
- Railroad
- Drainage Area

DRAINAGE AREA MAP

ROSEBURG FOREST PRODUCTS - EL DORADO MDF
757 DEL-TIN HIGHWAY
EL DORADO, ARKANSAS 71730

SCALE: As Noted
DATE: JULY 2019
PROJECT NUMBER 4226-19-041
FIGURE NO. 3

Drawing Path: C:\arcgis\Roseburg El Dorado\SWP3 drainage areas.mxd