

December 12, 2007

Kelly L. Wolff
Vice President - Manufacturing
Georgia Pacific Corporation, Consumer Products
Green Bay Operations
1919 South Broadway
P.O. Box 19130
Green Bay, WI 54307-9130

Re: Petition for an Alternative to the 2008 Emissions Monitoring and Reporting Requirements of the CAIR NO_x Programs

Dear Mr. Wolff:

This is in response to your July 12, 2007 petition under 40 CFR 97.175 and 97.375, in which Georgia-Pacific Corporation Consumer Products, LP (Georgia Pacific) requested an alternative to the provisions of the Clean Air Interstate Regulation (CAIR) Federal Implementation Plan (FIP) requiring Georgia Pacific to install and certify continuous emission monitoring systems (CEMS) on Boiler B25 at the Green Bay Broadway paper mill, and to begin reporting nitrogen oxides (NO_x) mass emissions and heat input from Boiler B25, by January 1, 2008. EPA approves the petition in part and with conditions, as discussed below.

Background

In a June 1, 2007 letter to EPA, Georgia Pacific asked the Agency to make a CAIR applicability determination for Boiler B25 at the Green Bay Broadway paper mill in Green Bay, Wisconsin. In particular Georgia Pacific requested that EPA decide whether Boiler B25 is subject to the CAIR NO_x annual and ozone season and SO₂ trading programs. If Boiler B25 is subject to the CAIR trading programs, then Georgia Pacific will have to meet the requirements of these programs concerning this boiler. For example, Georgia Pacific will be required by 40 CFR 97.170(b) to install and certify CEMS on Boiler B25 for, and begin reporting, NO_x mass emissions and heat input as of January 1, 2008. Further, Georgia Pacific will be required to hold CAIR NO_x allowances equal to Boiler B25's NO_x mass emissions beginning January 1, 2009 and to hold CAIR NO_x ozone season allowances equal to the unit's NO_x mass emissions beginning May 1, 2009. (The deadlines for the sulfur dioxide (SO₂) emissions monitoring and allowance holding requirements under the CAIR SO₂ trading program are January 1, 2009 and January 1, 2010 respectively.)

Georgia Pacific submitted a petition to EPA on July 12, 2007, proposing an alternative to the requirement to monitor and report NO_x mass emissions and heat input data in 2008 under the CAIR NO_x trading programs. In the petition, Georgia Pacific proposed that Boiler B25 be exempt from the emission monitoring and reporting requirements of the CAIR NO_x trading programs, on the condition that the boiler would be permanently shut down prior to January 1, 2009. According to Georgia Pacific, Boiler 25 is not subject to the Acid Rain Program, and the proposed exemption would have no adverse impact on the CAIR NO_x trading programs since, under these programs, CAIR NO_x allowances do not have to be held to cover 2008 NO_x mass emissions.

EPA's Determination

EPA conditionally approves Georgia Pacific's request for an exemption from the 2008 NO_x emissions and heat input monitoring and reporting requirements of the CAIR NO_x annual and ozone season trading programs. For the following reasons, the Agency is extending the deadline for Georgia Pacific to install and certify CEMS on Boiler B25 at the Green Bay Broadway paper mill and to begin reporting NO_x mass emissions and heat input to January 1, 2009:

1. EPA needs additional time to complete its CAIR applicability determination for Boiler B25 due to the complexity of the issues raised in the determination request because, for example, the boiler is on a common header with four other boilers. If Georgia Pacific were to install and certify CEMS on Boiler B25 and the Agency subsequently determined that the boiler is not a CAIR unit, Georgia Pacific would have incurred significant expense to purchase and certify CEMS that would not be required or used in the CAIR NO_x trading programs; and
2. While the CAIR NO_x trading programs require that NO_x mass emissions and heat input be monitored and reported for 2008, the CAIR emission reduction requirements -- and thus the requirement to hold CAIR NO_x allowances covering emissions -- do not begin until 2009. Therefore, the absence of CEMS on Boiler B25 in 2008 will have little or no effect on the CAIR NO_x trading programs and the achievement of CAIR-required reductions. For example, although 2008 CEMS data could be used to develop substitute data if substitute data become necessary starting in 2009, the CAIR FIP regulations provide for the use of other substitute data, e.g., maximum potential emissions.

Conditions of Approval

The conditions of this approval are as follows:

1. Georgia Pacific shall install and certify the required CEMS for Boiler B25's NO_x mass emissions and heat input, and shall begin electronic reporting of the unit's NO_x mass emissions, SO₂ mass emissions, and heat input data to EPA, in accordance with the CAIR trading programs (40 CFR part 97, subparts HH, HHH, and HHHH) by January 1, 2009.

2. Notwithstanding paragraph 1 above, Georgia Pacific shall be exempt from the requirements of that paragraph to install and certify CEMS on Boiler B25, and begin reporting, in accordance with the CAIR trading programs, if one of the following occurs:
 - (a) EPA determines before January 1, 2009 that Boiler B25 is not subject to the CAIR NO_x annual and ozone season and SO₂ trading programs;
 - (b) Georgia Pacific obtains a Federally enforceable permit condition requiring permanent shutdown, before January 1, 2009, of Boiler B25 and demonstrates to EPA that there is such a permit condition; or
 - (c) Georgia Pacific permanently retires Boiler B25 before January 1, 2009 and, within 30 days of the unit's permanent retirement, submits to the Wisconsin Department of Natural Resources and EPA the statement for permanently retired units as required under 40 CFR 97.105(a)(2), 97.205(a)(2), and 97.305(a)(2).

EPA's determination concerning Georgia Pacific's July 12, 2007 petition is appealable under 40 CFR part 78. In accordance with 40 CFR 97.175 and 97.375, EPA made this determination in consultation with the Wisconsin Department of Natural Resources. If you have any questions regarding this request, please contact Louis Nichols at (202) 343-9008. Thank you for your continued cooperation.

Sincerely,

/s/

Sam Napolitano, Director
Clean Air Markets Division

cc: Constantine Blathras, EPA Region V
Andy Seeber, WDNR