



SC DEPARTMENT *of* **ENVIRONMENTAL SERVICES**

Bureau of Air Quality State Construction Permit

**New-Indy Catawba LLC
5300 Cureton Ferry Road
Catawba, South Carolina 29704
York County**

In accordance with the provisions of the Pollution Control Act, Sections 48-1-50(5), 48-1-100(A), and 48-1-110(a), the 1976 Code of Laws of South Carolina, as amended, and South Carolina Regulation 61-62, Air Pollution Control Regulations and Standards, the Bureau of Air Quality authorizes the construction of this facility and the equipment specified herein in accordance with the plans, specifications, and other information submitted in the construction permit application received on March 16, 2023, as amended. All official correspondence, plans, permit applications, and written statements are an integral part of the permit. Any false information or misrepresentation in the application for a construction permit may be grounds for permit revocation.

The construction and subsequent operation of this facility is subject to and conditioned upon the terms, limitations, standards, and schedules contained herein or as specified by this permit and its accompanying attachments.

Permit Number: CP-50000051 v1.0
Agency Air Number: 2440-0005

Issue Date: July 22, 2024



**Steve McCaslin, P. E., Director
Air Permitting Division
Bureau of Air Quality**

RECORD OF REVISIONS	
Date	Description of Changes

A. PROJECT DESCRIPTION, EQUIPMENT, AND CONTROL DEVICE(S)

Permission is hereby granted to implement the following activities as directed by the federal Consent Decree entered in Civil No. 0:21-cv-02053-SAL, United States of America v. New-Indy Catawba, LLC, dated November 16, 2022 (Consent Decree):

- Operate and maintain the existing steam stripper at all times during which unbleached kraft pulp is being produced at the mill and foul condensate is being generated other than for periods of scheduled and unscheduled steam stripper downtime,
- Maintain and operate a system to chemically treat the unstripped foul condensate before discharging it into the Aeration Stabilization Basin (ASB),
- Continue to operate and maintain continuous hydrogen sulfide fence-line monitors,
- Operate and maintain the wastewater treatment system (consisting of the Primary Clarifier, Equalization Stabilization (EQ) Basin, ASB, No. 1 Holding Pond, Post Aeration Tank (referred to as Post Aeration Holding Tank in the consent decree), and all connecting inlets, outlets, and ditches) in a manner consistent with safety and good wastewater treatment and air pollution control practices,
- Operate and maintain the cover and carbon filtration system on the Post Aeration Tank, and
- Operate and maintain the containment system to prevent any uncontrolled black liquor overflows or releases from reaching the ASB.

A.1 EQUIPMENT

Equipment ID	Equipment Description	Control Device ID	Emission Point ID
9800	<i>Existing</i> - 40,000-gallon Foul Condensate Collection Tank (from NCG Systems)	2605, 3705	2610S1, 2610S2
9801	<i>Existing</i> - 850 gallon/minute Condensate Steam Stripper	2605, 3705	2610S1, 2610S2
9820	<i>Existing</i> - Stripper Off Gases (SOGs) Collection System	2605, 3705	2610S1, 2610S2
9802	<i>Existing</i> - Chemical Oxidation Treatment System	None	Fugitive
2901	<i>Existing</i> - Primary Clarifier	None	2901
2901	<i>Existing</i> - Equalization Stabilization (EQ) Basin (formerly called Settling Pond)	None	2901
2901	<i>Existing</i> - Aerated Biotreatment (Aeration Stabilization Basin (ASB))	None	2901
2901	<i>Existing</i> - No. 1 Holding Pond (part of Holding Basins)	None	2901
2901	<i>Existing</i> - Post Aeration Tank	2901C	2901S
2490	<i>New</i> - Black Liquor Storage Tank Secondary Containment Spill Tank	None	NEWSPLTK

A.2 CONTROL DEVICES			
Control Device ID	Control Device Description	Pollutant(s) Controlled	Emission Point ID
2605	B&W No. 1 Combination Boiler	VOC, TRS, HAP	2610S1
3705	B&W No. 2 Combination Boiler	VOC, TRS, HAP	2610S2
2901C	Post Aeration Tank Cover and Carbon Filtration System	VOC	2901S

B. LIMITATIONS, MONITORING, AND REPORTING	
Condition Number	Conditions
B.1	<p>Equipment ID: 9800, 9801, 9820 Control Device ID: 2605, 3705</p> <p>(Consent Decree - Appendix A, Section I.a) [As of] November 16, 2022, the existing Steam Stripper shall operate at all times during which unbleached kraft pulp is being produced at the mill and foul condensate is being generated other than for periods of scheduled and unscheduled steam stripper downtime, which shall not exceed 576 hours annually for the first year and 460 hours annually thereafter.</p> <p>(Consent Decree - Appendix A, Section I.a.i) [The owner or operator] shall provide notification at least 48 hours prior to any scheduled downtime and within 24 hours of any unscheduled downtime.</p>
B.2	<p>Equipment ID: 9800, 9801, 9820 Control Device ID: 2605, 3705</p> <p>(Consent Decree - Appendix A, Section I.a.ii) [The owner or operator] shall monitor the existing Steam Stripper according to parameters consistent with the National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry at 40 CFR Part 63, Subpart S.</p>
B.3	<p>Equipment ID: 9802</p> <p>(Consent Decree - Appendix A, Sections I.b and VI.a.i) [As of] November 16, 2022, [the owner or operator] shall maintain and operate a system to chemically treat the unstripped foul condensate before discharging it into the Aeration Stabilization Basin (ASB). The system shall:</p> <ul style="list-style-type: none"> i. Continuously measure the oxidation reduction potential (ORP) of the foul condensate, ii. Automatically (using feedback and feed-forward control logic) control the dosage of a chemical oxidant (e.g., hydrogen peroxide) to maintain a rolling ninety-minute average of the ORP of the foul condensate above 0 millivolts (mV) before it is discharged to the ASB, and iii. Treat the maximum amount of foul condensate produced when the existing steam stripper is down. <p>[The owner or operator] shall maintain continuous records of the ORP monitoring and provide them to the Department upon request. [The owner or operator] shall submit semiannual reports to the</p>

B. LIMITATIONS, MONITORING, AND REPORTING	
Condition Number	Conditions
	<p>Department notifying of the date, time, and value of any instance of the rolling ninety-minute average of ORP falling below 0 mV during the previous six (6) months.</p> <p>(S.C. Regulation 61-62.70.6(a)(3)(iii)) If no incidents occurred during the reporting period, then a letter shall indicate such.</p> <p>As of November 16, 2022, semiannual reports shall be submitted. The semiannual report for the January – June period is due by the 31st day of July. The semiannual report for the July – December period is due by the 31st day of January.</p>
B.4	<p>Equipment ID: 2901 – Primary Clarifier, Equalization Stabilization (EQ) Basin, Aerated Biotreatment, No. 1 Holding Pond, Post Aeration Tank Control Device ID: 2901C</p> <p>(Consent Decree - Appendix A, Sections III and VI.a.iii) [As of] November 16, 2022, [the owner or operator] shall operate and maintain the wastewater treatment system (consisting of the Primary Clarifier, Equalization Stabilization (EQ) Basin, ASB, No. 1 Holding Pond, Post Aeration Tank, and all connecting inlets, outlets and ditches as depicted in Appendix C (Wastewater Treatment System Diagram [of the Consent Decree]) in a manner consistent with safety and good wastewater treatment and air pollution control practices, with a goal of minimizing the emissions of H₂S at the fence line. At a minimum, such practices shall include:</p> <ul style="list-style-type: none"> i. Periodic dredging of the ASB, as needed based on solids monitoring, and excavation of the EQ Basin, ii. Operation and maintenance of aerators in the ASB, iii. Biological and chemical analysis and monitoring (of at least dissolved oxygen (DO) and sulfides) of the ASB and No. 1 Holding Pond, iv. Pre-Clarifier solids removal..., and v. Chemical strategies to improve the treatment of BOD in the ASB and to inhibit the generation of H₂S in the ASB and No. 1 Holding Pond. <p>[The owner or operator] shall maintain records of DO and sulfides monitoring results on site and make available to the Department upon request.</p> <p>[The owner or operator] shall submit a semiannual report that summarizes the actions taken during the previous six (6) months regarding the operation and maintenance of the wastewater treatment system to include a discussion of the items in i. through v. above and include the locations of chemical additions and the amount and frequency of such additions.</p> <p>As of November 16, 2022, semiannual reports shall be submitted. The semiannual report for the January – June period is due by the 31st day of July. The semiannual report for the July – December period is due by the 31st day of January.</p>

B. LIMITATIONS, MONITORING, AND REPORTING	
Condition Number	Conditions
B.5	<p>Equipment ID: 2901 - Post Aeration Tank Cover and Carbon Filtration System Control Device ID: 2901C</p> <p>(Consent Decree - Appendix A, Sections IV.b, IV.c, IV.c.ii-iv, and VI.a.iv) [The owner or operator] shall maintain and operate the Post Aeration Tank Cover and Carbon Filtration System, consistent with the EPA approved plan, to include:</p> <ul style="list-style-type: none"> - Monitor the VOC outlet concentration of the filtration system on a weekly basis to ensure it is operating effectively, - Change out the filtration media before it reaches its breakthrough point, defined as 500 ppm total VOC above background, and <p>Maintain records of weekly VOC monitoring, and any filtration media-change outs for a period of 5 years from the date generated.</p>
B.6	<p>Equipment ID: 2490</p> <p>(Consent Decree - Appendix A, Sections V.a and VI.a.v) [As of] April 25, 2023, [the owner or operator] shall...maintain and operate a containment system (i.e., containment constructed of materials impervious to pulping liquors) using sumps, sewer systems, etc., to prevent any uncontrolled black liquor overflows or releases from reaching the ASB.</p>
B.7	<p>Equipment ID: 2490</p> <p>(Consent Decree - Appendix A, Sections V.b and VI.a.v) Before November 16, 2023, [the owner or operator] shall...maintain and operate a containment system (i.e., containment constructed of materials impervious to pulping liquors) equivalent to the volume of the largest tank plus sufficient freeboard for precipitation to prevent any uncontrolled black liquor overflows or releases from reaching the ASB.</p>
B.8	<p>Equipment ID: 2490</p> <p>(S.C. Regulation 61-62.5, Standard No. 4, Section IX) Where construction or modification began after December 31, 1985, emissions from this source (including fugitive emissions) shall not exhibit an opacity greater than 20%.</p>
B.9	<p>Equipment ID: 2490</p> <p>(S.C. Regulation 61-62.1, Section II(J)(2)) The owner or operator shall perform a visual inspection on a semiannual basis of sources subject to opacity limits. The inspection shall occur during normal source operation. Logs shall be kept to record all visual inspections, noting color, duration, density (heavy or light), cause, and corrective action taken for any abnormal emissions. If a source did not operate during the required visual inspection time frame, the log shall indicate such. The owner or operator shall submit semiannual reports. The report shall include records of abnormal emissions, if any, and corrective actions taken. If the unit did not operate during the semiannual period, the report shall state so.</p>

B. LIMITATIONS, MONITORING, AND REPORTING	
Condition Number	Conditions
	<p>Visual inspection means a qualitative observation of opacity during daylight hours. The observer does not need to be certified to conduct valid visual inspections. However, at a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, and observer position relative to lighting, wind, and the presence of uncombined water.</p>
B.10	<p>(Consent Decree - Appendix A, Sections II.a, II.c, and VI.a.ii) [As of] November 16, 2022, [the owner or operator] shall maintain and operate continuous hydrogen sulfide fence-line monitors at the three locations identified in Appendix B (Fence Line Monitor Locations) in accordance with the June 25, 2021 EPA-approved Quality Assurance Project Plan, and any subsequent EPA-approved versions. The monitors shall:</p> <ul style="list-style-type: none"> i. have a minimum detection limit of 10 parts per billion (ppb) by volume (ppbV) or lower, ii. have a span range up to 1,000 ppbV or higher, iii. be operated in accordance with the manufacturer’s recommendations, and, iv. be equipped with wind speed and wind direction monitors. <p>The mill’s average hydrogen sulfide (H₂S) fence line concentrations shall not exceed 600 ppb in any 30-minute period or 70 ppb in any seven-day period (the Fence Line Limits). If any average H₂S concentration recorded is above 600 ppb over 30 minutes or 70 ppb over seven (7) days at any monitor, [the owner or operator] must investigate the root cause of that average concentration recorded and, within 30 days of the monitoring event, make available to the Department a root cause analysis report, including recommended corrective measures, and which corrective measures it plans to take and when. [The owner or operator] shall comply with such corrective measures unless directed otherwise by the Department.</p> <p>[The owner or operator] shall notify the Department of any H₂S fence line concentrations above the Fence Line Limits within 24 hours of the end of the averaging period.</p>
B.11	<p>(Consent Decree, Appendix A, Section II.b) On a weekly basis (by 5:00 pm Friday), [the owner or operator] shall make available to the Department, for each monitor, the rolling 30-minute average concentration for the previous seven (7) days and the rolling seven-day average concentration for the previous seven (7) days. [The owner or operator] shall post this information (as well as the results of the offsite monitoring conducted pursuant to the EPA’s May 13, 2021 CAA Section 114 Request) each day (other than holidays) to its publicly available website at https://newindycatawba.com/. [The owner or operator] will use commercially reasonable efforts to cause this website to be indexed with the major search engines (e.g., Google, Bing, Yahoo) to allow the public to easily find the website (including, but not limited to the following search terms, “hydrogen sulfide,” “H₂S,” “fence line monitoring,” and “New-Indy” (and other name variations)).</p>
B.12	<p>Equipment ID: Facility Wide</p> <p>(Consent Decree, Appendix A, Section II.d) [The owner or operator] shall notify the Department within</p>

B. LIMITATIONS, MONITORING, AND REPORTING	
Condition Number	Conditions
	24 hours of an occurrence of any upset in mill operations that could reasonably be expected to result in a material increase in biochemical oxygen demand (BOD) or sulfides being discharged to the wastewater treatment system, and which could reasonably be expected to cause the average H ₂ S fence line concentrations to exceed the Fence Line Limits.
B.13	<p>Copies of the documents referenced in this construction permit, also listed below, shall be kept on site and readily available at the facility at all times.</p> <ul style="list-style-type: none"> • Civil No. 0:21-cv-02053-SAL, United States of America v. New-Indy Catawba, LLC, dated November 16, 2022 (Consent Decree) <ul style="list-style-type: none"> ○ Appendix A (Work to Be Performed) ○ Appendix B (Fence Line Monitor Locations) ○ Appendix C (Wastewater Treatment System Diagram) • EPA approved plan for the Post Aeration Tank Cover and Carbon Filtration System • June 25, 2021, EPA-approved Quality Assurance Project Plan (QAPP), or updated EPA-approved versions. The current version is October 12, 2022. • EPA's May 13, 2021, CAA Section 114 Request
B.14	As directed by the Consent Decree, the terms and requirements of this permit are federally enforceable unless otherwise specified.

C. NESHAP (40 CFR 61 AND 40 CFR 63)	
Condition Number	Conditions
C.1	(40 CFR §61.04(b); 40 CFR §63.9(a)(4)(ii) and §63.10(a)(4)(ii)) All NESHAP notifications and reports shall be sent to the Department. Electronic submission of notifications or reports to the United States Environmental Protection Agency (US EPA) via CEDRI (Compliance and Emissions Data Reporting Interface) shall serve as the submission to the Department. CEDRI can be accessed through the EPA's Central Data Exchange (CDX).
C.2	(40 CFR §61.04(b); 40 CFR §63.9(a)(4)(ii) and §63.10(a)(4)(ii)) All NESHAP notifications and reports requiring electronic submission to US EPA shall be submitted to EPA via CEDRI. Notifications and reports for specific NESHAP subparts not yet requiring electronic submission may also be submitted via CEDRI. Notifications and the accompanying cover letter for periodic reports not submitted via CEDRI shall be sent to the US EPA Region 4 Air and Radiation Division as required by the applicable subpart.

D. GENERAL FACILITY WIDE	
Condition Number	Conditions
D.1	The owner or operator shall comply with S.C. Regulation 61-62.6, Control of Fugitive Particulate Matter, Section III Control of Fugitive Particulate Matter Statewide.
D.2	The permittee shall pay permit fees to the Department in accordance with the requirements of S.C. Regulation 61-30, Environmental Protection Fees.
D.3	<p>In the event of an emergency, as defined in S.C. Regulation 61-62.1, Section II(L), the owner or operator may document an emergency situation through properly signed, contemporaneous operating logs, and other relevant evidence that verify:</p> <ol style="list-style-type: none"> 1. An emergency occurred, and the owner or operator can identify the cause(s) of the emergency; 2. The permitted source was at the time the emergency occurred being properly operated; 3. During the period of the emergency, the owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and 4. The owner or operator gave a verbal notification of the emergency to the Department within twenty-four (24) hours of the time when emission limitations were exceeded, followed by a written report within thirty (30) days. The written report shall include, at a minimum, the information required by S.C. Regulation 61-62.1, Section II(J)(1)(c)(i) through (J)(1)(c)(viii). The written report shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. <p>This provision is in addition to any emergency or upset provision contained in any applicable requirement.</p>
D.4	<p>(S.C. Regulation 61-62.1, Section II(O)) Upon presentation of credentials and other documents as may be required by law, the owner or operator shall allow the Department or an authorized representative to perform the following:</p> <ol style="list-style-type: none"> 1. Enter the facility where emissions-related activity is conducted, or where records must be kept under the conditions of the permit. 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. 3. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit. 4. As authorized by the Federal Clean Air Act and/or the S.C. Pollution Control Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
D.5	(S.C. Regulation 61-62.1, Section II(J)(1)(a)) No applicable law, regulation, or standard will be contravened.
D.6	(S.C. Regulation 61-62.1, Section II(J)(1)(e)) Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to this regulation or with

D. GENERAL FACILITY WIDE	
Condition Number	Conditions
	the terms of any approval to construct, or who commences construction after the effective date of these regulations without applying for and receiving approval hereunder, shall be subject to enforcement action.

E. EMISSIONS INVENTORY REPORTS - RESERVED
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F. GENERAL RECORD KEEPING AND REPORTING	
Condition Number	Conditions
F.1	(S.C. Regulation 61-62.1, Section II(J)(1)(g)) A copy of the Department issued construction and/or operating permit must be kept readily available at the facility at all times. The owner or operator shall maintain such operational records; make reports; install, use, and maintain monitoring equipment or methods; sample and analyze emissions or discharges in accordance with prescribed methods at locations, intervals, and procedures as the Department shall prescribe; and provide such other information as the Department reasonably may require. All records required to demonstrate compliance with the limits established under this permit shall be maintained on site for a period of at least five (5) years from the date the record was generated and shall be made available to a Department representative upon request.
F.2	The owner or operator shall submit reports required in this permit in a timely manner and according to the reporting schedule established through the Department's approved electronic permitting system.
F.3	All reports and notifications required under this permit shall be submitted to the Department.
F.4	(S.C. Regulation 61-62.1, Section II(A)(3)) The owner or operator shall submit written notification to the Department of the date construction is commenced, postmarked within thirty (30) days after such date.
F.5	(S.C. Regulation 61-62.1, Section II(J)(1)(c)) For sources not required to have continuous emission monitors, any malfunction of air pollution control equipment or system, process upset, or other equipment failure which results in discharges of air contaminants lasting for one (1) hour or more and which are greater than those discharges described for normal operation in the permit application, shall be reported to the Department within twenty-four (24) hours after the beginning of the occurrence and a written report shall be submitted to the Department within thirty (30) days. The written report shall include, at a minimum, the following: <ol style="list-style-type: none"> 1. The identity of the stack and/or emission point where the excess emissions occurred; 2. The magnitude of excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the excess emissions;

F. GENERAL RECORD KEEPING AND REPORTING	
Condition Number	Conditions
	<ol style="list-style-type: none"> 3. The time and duration of excess emissions; 4. The identity of the equipment causing the excess emissions; 5. The nature and cause of such excess emissions; 6. The steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction; 7. The steps taken to limit the excess emissions; and, 8. Documentation that the air pollution control equipment, process equipment, or processes were at all times maintained and operated, to the maximum extent practicable, in a manner consistent with good practice for minimizing emissions. <p>The initial twenty-four (24) hour notification should be made to the Department's local Regional Office.</p> <p>The written report should be sent to the Department.</p>

G. PERMIT EXPIRATION AND EXTENSION	
Condition Number	Conditions
G.1	<p>(S.C. Regulation 61-62.1, Section II(A)(4) and (5) and S.C. Regulation 61-62.1, Section II(J)(1)(f)) Approval to construct shall become invalid if construction:</p> <ol style="list-style-type: none"> a. Is not commenced within eighteen (18) months after receipt of such approval; b. Is discontinued for a period of eighteen (18) months or more; or c. Is not completed within a reasonable time as deemed by the Department. <p>The Department may extend the construction permit for an additional eighteen (18) month period upon a satisfactory showing that an extension is justified. This request must be made prior to the permit expiration.</p> <p>This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.</p>

H. PERMIT TO OPERATE	
Condition Number	Conditions
H.1	(S.C. Regulation 61-62.1, Section II(F)(3)) When a Department issued construction permit includes engineering and/or construction specifications, the owner or operator or professional engineer in charge of the project shall certify that, to the best of his/her knowledge and belief and as a result of periodic observation during construction, the construction under application has been completed in accordance with the specifications agreed upon in the construction permit issued by the Department. If construction is certified as provided above, the owner or operator may operate the source in compliance with the terms and conditions of the construction permit until the operating permit is issued by the Department. If construction is not built as specified in the permit application and associated construction permit(s), the owner or operator must submit to the Department a complete description of modifications that are at variance with the documentation of the construction permitting determination prior to commencing operation. Construction variances that would trigger additional requirements that have not been addressed prior to start of operation shall be considered construction without a permit.
H.2	(S.C. Regulation 61-62.1, Section II(F)(1)) The owner or operator shall submit written notification to the Department of the actual date of initial startup of each new or altered source, postmarked within fifteen (15) days after such date. Any source that is required to obtain an air quality construction permit issued by the Department must obtain an operating permit when the new or altered source is placed into operation and shall comply with the requirements of this section.
H.3	(S.C. Regulation 61-62.1, Section II(F)(4)(a)) For sources covered by an effective Title V Operating Permit, the modification request required by S.C. Regulation 61-62.70 shall serve as the request to operate for the purposes of S.C. Regulation 61-62.1, Section II(F). The request should be made using the appropriate Title V modification form.

I. AMBIENT AIR STANDARDS - RESERVED
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