

January 31, 2023

**Submitted via CDX**

Re: New-Indy Catawba LLC's submission in response to *Section VI Reporting Requirements 23 (a)*

To whom it may concern:

With this letter, we submit our Semi-Annual report in response to *Section VI Reporting Requirements 23 (a)* of the Consent Decree. Please note, this report includes: a summary of the actions taken in accordance with Appendix A and a summary of any problems that we encountered or anticipated, together with our implemented or proposed solutions. Further, our report includes a description of any non-compliance with the requirements of this Consent Decree along with an explanation of the violation's likely cause and the remedial steps taken, or to be taken, to prevent or minimize such violation.

Please note, *Section VI 23 (a)* calls for a "semi-annual report for the preceding six months". However, the consent decree has only been effective (and therefore, we have only had Appendix A available to us and in force) since November 16, 2022 (Effective Date). Therefore, this first semi-annual report only represents a summary as outlined above since that Effective Date.

Lastly, in accordance with Section VI 25, on the next page of this cover letter, is the required certification signed by an official of New-Indy Catawba LLC.

Thank you,



Pete Cleveland  
Technical Manager

Certification required under *Section VI 25* with submission of semi-annual report:

*I certify under penalty of perjury 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 have no personal knowledge that the information submitted is other than 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.*



---

Tony Hobson  
Sr. Vice President Strategy and Kraft Operations

Effective Date		11/16/2022		SCHEDULE		INITIATIVES			
APPENDIX "A"	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS (INCL. Problems Encountered or Anticipated, AND Solutions)		
Foul Condensate Monitoring and Treatment	I.a.	11 / 16 / 2022	05 / 10 / 2021	Operate Stripper at all times during production and foul condensate generation, other than for periods of scheduled and unscheduled downtime.	Downtime shall not exceed 576 hours in first year, 460 hours annually thereafter.	Compliant	In place, ongoing. Detailed downtime calculation protocols are being prepared for review with EPA. No exceedance.		
							Stripper operational upset conditions experienced occasionally; New Indy continues to develop and improve Trouble-Cause Correction documents, operating guidelines for key process parameters; improve strategies for preventative maintenance activities and schedules. The stripper is currently down for maintenance. This downtime event has revealed some mechanical problems in the stripper which had not been identified prior to shutting down (could not have been identified). Solutions are mechanical repairs and cleaning of the equipment. There could be additional discoveries in the coming day or two.		
							Stripper operational upset conditions experienced occasionally; New Indy continues to develop and improve Trouble-Cause Correction documents, operating guidelines for key process parameters; improve strategies for preventative maintenance activities and schedules. The stripper is currently down for maintenance. This downtime event has revealed some mechanical problems in the stripper which had not been identified prior to shutting down (could not have been identified). Solutions are mechanical repairs and cleaning of the equipment. There could be additional discoveries in the coming day or two.		
	ii.	11 / 16 / 2022	05 / 10 / 2021	Provide Notification of downtime	At least 48 hours prior to scheduled downtime; Within 24 hours of unscheduled downtime.	Pending	In place, ongoing.		
							Review & Revise downtime tracking mechanism with downtime reporting guidelines and notification protocols.		
							Working to propose modifications to the CD for EPA review with respect to reporting of short duration unavailability.		
	iii.	11 / 16 / 2022	05 / 10 / 2021	Monitor Stripper	Per Subpart S.	Non-Compliant	.See table below for detail.		
	I.b.	ii.	11 / 16 / 2022	05 / 10 / 2021	Maintain, operate, and calibrate according to manufacturer recommendations a system to chemically treat unstripped foul condensate before discharging it into the ASB		Compliant	In place, ongoing.	
iii.	11 / 16 / 2022	05 / 10 / 2021	Automatically control dosage of a chemical oxidant (e.g. hydrogen peroxide)	Maintain a rolling 90-minute average of the ORP of the foul condensate above 0 millivolts before it is discharged into the ASB.	Compliant	In place, ongoing.			
I.c.	11 / 16 / 2022	05 / 10 / 2021	Maintain continuous records of the ORP monitoring.	Maintain records and provide to EPA upon request.	Compliant	In place, ongoing.			
I.d.	01 / 31 / 2023	01 / 31 / 2023	Semi-Annual Reporting	Include the date, time, and value of any instance of a rolling 90-minute average of ORP falling below 0 millivolts during the previous 6 months.	Compliant	This material is provided in Attachment A to this table.			

Effective Date		11/16/2022		SCHEDULE		INITIATIVES		
APPENDIX "A"	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS	
Fence Line Monitoring	II.a.	11 / 16 / 2022	05 / 26 / 2021	Maintain and operate continuous hydrogen sulfide fence-line monitors at three locations identified in Appendix B.	Minimum detection limit of 10 ppb by volume or lower, span range up to 1,000 ppbV or higher, and operated in accordance with manufacturer's recommendations.	Compliant	In place, ongoing.	
		11 / 16 / 2022	05 / 26 / 2021		Monitors shall also be equipped with wind speed and wind direction monitors.	Compliant	In place, ongoing.	
	II.b.	11 / 18 / 2022	05 / 27 / 2021	Reporting 30-minute average values.	Make available to EPA weekly, for each monitor, by 5:00 pm Friday, the rolling 30-minute average concentrations for the previous 7 days and the rolling seven-day average concentration for the previous 7 days.	Compliant	Weekly and Daily reporting protocols now established.	
		11 / 18 / 2022	05 / 27 / 2021		Post this information, as well as the results of the offsite monitoring pursuant to EPA's May 13, 2021 CAA Section 144 Request, each day to <a href="https://newindycatawba.com/">https://newindycatawba.com/</a> and index to major search engines (e.g. Google, Bing, Yahoo), using search terms "hydrogen sulfide", "H2S", "fence line monitoring", "New Indy" and other name variations.	Compliant	In place, ongoing.	
	II.c.	11 / 16 / 2022	05 / 27 / 2021	Fence Line Limits	H2S fence line concentrations shall not exceed 600 ppb in any 30-minute period or 70 ppb in any seven-day period. Notify EPA within 24 hours of any H2S concentrations above the Fence Line Limits.	Compliant	In place, ongoing	
	II.d.	11 / 16 / 2022	05 / 27 / 2021	Upset in Mill Operations	Notify EPA within 24 hours of an occurrence of any upset in mill operations that could reasonably be expected to result in a material increase in BOD or sulfides being discharged to the wastewater treatment system, and which could reasonably be expected to cause fence line concentrations to exceed the Fence Line Limits.	Compliant	Notifications will be made as needed.	

Effective Date		11/16/2022		SCHEDULE		INITIATIVES		
APPENDIX "A"	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS	
Wastewater Treatment System	III.a.	11 / 16 / 2022	11 / 16 / 2022	Operate and Maintain the Wastewater Treatment System	Primary Clarifier, EQ Basin, ASB, No. 1 Holding Pond, Post Aeration Holding Tank and all connecting inlets, outlets and ditches as depicted in Appendix C.	Compliant	Ongoing.	
		11 / 16 / 2022	11 / 16 / 2022	ASB & EQ Solids Removal	Periodic dredging of the ASB as needed based on solids monitoring.	Compliant	Ongoing.	
	i.	11 / 16 / 2022	11 / 16 / 2022		Excavation of the EQ Basin.	Compliant	In progress.	
		11 / 16 / 2022	11 / 16 / 2022	Aerators in ASB	Operation and maintenance of aerators in the ASB.	Compliant	Ongoing.	
	ii.	11 / 16 / 2022	11 / 16 / 2022	Biological and chemical analysis and monitoring of ASB and No. 1 Holding Pond	Of at least dissolved oxygen and sulfides.	Compliant	Ongoing.	
		11 / 16 / 2022	11 / 16 / 2022					
	iii.	TBD	TBD	Pre-Clarifier Solids Removal	Upon approval by DHEC.	Pending	Working to resolve with DHEC	
		11 / 16 / 2022	11 / 16 / 2022	Chemical treatment strategies	Improve BOD treatment in ASB and inhibit generation of H2S in ASB and No. 1 Holding Pond.	Compliant	Ongoing.	
	iv.	11 / 16 / 2022	11 / 16 / 2022					
		11 / 16 / 2022	11 / 16 / 2022					
v.	11 / 16 / 2022	11 / 16 / 2022						
	11 / 16 / 2022	11 / 16 / 2022						
III.b.	01 / 31 / 2023	01 / 31 / 2023	Semi-Annual Reporting	Provide an update summarizing actions taken during the previous 6 months for the above items.	Compliant	First Semi-Annual report represented by this table.		
III.b.	01 / 31 / 2023	01 / 31 / 2023	Semi-Annual Reporting	Provide locations of chemical additions and the amount and frequency of such additions.	Compliant	This information is provided in Attachment B to this table.		
III.c.	11 / 16 / 2022	11 / 16 / 2022	Maintain DO and Sulfides Records	Maintain records of DO and sulfides monitoring results and provide to EPA upon request.	Compliant	Ongoing.		

Effective Date		11/16/2022		SCHEDULE		INITIATIVES			
APPENDIX "A"	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS		
Post Aeration Tank	IV.a.	01 / 15 / 2023	06 / 29 / 2022	Plan for Cover on Post Aeration Tank	Within 60 days of the Effective Date, submit a plan to install a cover on the PAT that utilizes a carbon filtration system to ensure no detectable emissions of VOC's (500 ppm total VOC above background).	Compliant	Summary document submitted to EPA on 01/26/2023		
		01 / 15 / 2023	06 / 29 / 2022	Sample ports in PAB cover design	Any piping and duct work shall include test sample ports on the inlet and outlet of the filtration system.	Compliant	Summary document submitted to EPA on 01/26/2023		
	IV.b.	03 / 16 / 2023	06 / 29 / 2022	PAB carbon filter	Within 120 days of the Effective Date, install, maintain and operate the cover and carbon filtration system on the PAT, consistent with the EPA approved plan.	Compliant	Complete		
	IV.c.	i.	12 / 16 / 2022	07 / 28 / 2022	Completion Report for installed PAB carbon filter system	Within 30 days of completion, provide a completion report describing the cover and filtration system, including how we will monitor and change out the filtration media to ensure that a breakthrough does not occur.	Compliant	Complete	
		ii.	11 / 23 / 2022	11 / 04 / 2022	Scentroid TR8+ Pollutracker Monitor	Monitor VOC outlet concentration on a weekly basis using Scentroid TR8+ Pollutracker monitor. Follow manufacturers maintenance, operations, and calibration requirements.	Compliant	Experienced reliability issues with Scentroid TR8+ Pollutracker. Working to propose modification to CD for EPA review.	
		iii.	09 / 29 / 2022	07 / 28 / 2022	Change out Plan for Filtration Media	Change out filtration media before it reaches its breakthrough point (500 ppm total VOC above background).	Pending	Modification Plan submitted to EPA on 1/16/2023.	
		iv.	11 / 23 / 2022	11 / 04 / 2022	Maintain VOC Monitoring and Filtration Media Change-outs Records.	Maintain records of weekly VOC monitoring and records of any filtration media change-outs, and provide to EPA upon request.	Compliant	Ongoing	

Effective Date		11/16/2022		SCHEDULE		INITIATIVES		
APPENDIX "A"	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS	
Black Liquor Storage Tank Secondary Containment	V.a.	04 / 25 / 2023	10 / 25 / 2022	Containment System "A"	Within 160 days of Effective Date, install, maintain, and operate a containment system using sumps, sewer systems, etc. to prevent any uncontrolled black liquor overflows or releases from reaching the ASB.	Compliant	Operational. Refining operational settings for optimal performance.	
	V.b.	11 / 16 / 2023		Containment System "B"	Within 365 days of Effective Date, install, maintain, and operate a containment system 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.	Pending	Demo/construction is ongoing.	
State and Title V Permits	VI.a.	03 / 16 / 2023		State and Title V Permits	Within 120 days of the Effective Date, apply for a federally enforceable non-title V permit incorporating the I.a. and I.d. (among other requirements - see WW Action Items).	Pending	In process.	
	VI.b.	04 / 15 / 2023		ASB & EQ Solids Removal	Upon issuance of a federally enforceable non-Title V permit, apply for and obtain a Title V permit incorporating all of the same items listed in VI.a.	Pending	Assuming 30 days for issuance delay.	
Reporting	Section VI.23.a	01 / 31 / 2023	1/31/2023	Semi-Annual Reports		Compliant	First submittal complete 1/31	
		07 / 31 / 2023		Annual Reports		Pending	Not yet due.	

Consent Decree Compliance	Reference #	DUE DATE	Completion Date	DESCRIPTION	ACTION ITEM	STATUS	COMMENTS
Subpart S	I.a.ii	ongoing	ongoing	New-Indy Catawba submitted notifications of non-compliance with Subpart-S to SC DHEC for the late November and some December periods. New-Indy failed to collect foul condensate from all condensate streams and to destroy the proper quantity of HAPs in the steam stripper and the ASB.	New-Indy has taken the steam stripper down for scheduled maintenance to improve its performance.		The steam stripper is expected to return to operation on or before February 3, 2023.