

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

<b>IN THE MATTER OF:</b>	*	<b>Settlement Tracking No.</b>
	*	<b>SA-AE-11-0012</b>
<b>HUNT FOREST PRODUCTS, INC.</b>	*	
	*	<b>Enforcement Tracking No.</b>
<b>AI # 31170</b>	*	<b>AE-PP-10-00628</b>
	*	
<b>PROCEEDINGS UNDER THE LOUISIANA</b>	*	
<b>ENVIRONMENTAL QUALITY ACT</b>	*	
<b>LA. R.S. 30:2001, <u>ET SEQ.</u></b>	*	

**SETTLEMENT**

The following Settlement is hereby agreed to between Hunt Forest Products, Inc. (“Respondent”) and the Department of Environmental Quality (“DEQ” or “the Department”), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. (“the Act”).

I

Respondent is a corporation that owned and/or operated a plywood mill facility located in Natalbany, Tangipahoa Parish, Louisiana (“the Facility”).

II

On September 17, 2010, the Department issued to Respondent a Notice of Potential Penalty, Enforcement No. AE-PP-10-00628, which was based upon the following findings of fact:

On or about April 9, 2010, a file review of Natalbany Plywood Mill, owned and/or operated by Hunt Forest Products, Inc. (Respondent), was performed to determine the degree of compliance with the Louisiana Environmental Quality Act (the Act) and the Air Quality Regulations. The facility is located at 48177 United States Highway 51 in Natalbany, Tangipahoa Parish, Louisiana. At the time of the violation cited, the facility operated under Title V Permit No. 2840-000141-V1,

issued on or about July 21, 2008. In correspondence dated April 12, 2010, the Respondent submitted a request to rescind the permit. Title V Permit No. 2840-000141-V1 was rescinded by the Department on or about May 26, 2010.

The following violation was noted during the course of the file review:

In correspondence dated April 1, 2009, the Respondent notified the Department of the facility's failure to stack test 1-94 – Wood-fired boiler (EQT1) within 180 days of the renewal date of Title V Permit No. 2840-000141-V1, issued on or about July 21, 2008. The stack test should have been conducted before January 17, 2009. The failure to conduct the stack test is a violation of Specific Requirement 13 of Title V Permit No. 2840-000141-V1, LAC 33:III.501.C.4, and La. R.S. 30:2057(A)(1) and 30:2057(A)(2).

### III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

### IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of FIVE THOUSAND NINE HUNDRED NINETY-TWO AND 62/100 DOLLARS (\$5,992.62), of which Four Hundred Four and 57/100 Dollars (\$404.57) represents the Department's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to the Department as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

### V

Respondent further agrees that the Department may consider the inspection report(s), the Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent,

and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

## VI

This agreement shall be considered a final order of the Secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

## VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in La. R. S. 30:2025(E) of the Act.

## VIII

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Tangipahoa Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted an original proof-of-publication affidavit and an original public notice to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

IX

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

X

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XI

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

HUNT FOREST PRODUCTS, INC.

BY: Cecil Sibley  
(Signature)

Cecil Sibley  
(Printed)

TITLE: General Production Manager

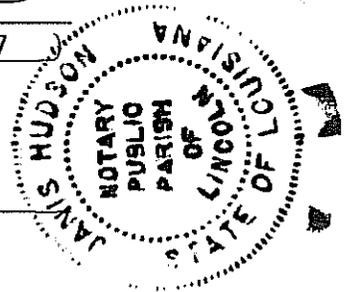
THUS DONE AND SIGNED in duplicate original before me this 31st day of October, 20 11, at Ruston, LA.

Janis Hudson

NOTARY PUBLIC (ID # 53157)

Janis Hudson, Notary Public  
Notary ID Number: 53157  
Commission is for Life

(stamped or printed)



LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Peggy M. Hatch Secretary

BY: Cheryl

Cheryl Sonnier Nolan, Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 27th day of February, 20 12, at Baton Rouge, Louisiana.

Dikana King  
NOTARY PUBLIC (ID # 20390)

Permit #  
Life Commission

Dikana King  
(stamped or printed)

Approved: Cheryl  
Cheryl Sonnier Nolan, Assistant Secretary