



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office
4026 Fairview Industrial Dr SE
Salem, OR 97302
(503) 378-8240
FAX (503) 373-7944
TTY 711

January 3rd, 2025

Brian Brazil
801 42nd Street
Springfield, Oregon 97478

RE: Warning Letter with Opportunity to Correct
International Paper Company
2024 - WLOTC - 9778
NPDES Permit Number 101081/EPA Number OR0000515
File Number 96244
Lane County

Dear Brian Brazil:

On December 9, 2024, Oregon Department of Environmental Quality (DEQ) learned of foam discharging from the International Paper facility (IP) in Springfield, Oregon. Foam migrated into the street and onto nearby residential properties. An IP representative confirmed that IP's defoamer system failed, causing foam migration offsite. The defoamer system returned to normal operations on December 10, 2024. IP Springfield indicated in written correspondence with DEQ that corrective actions were focused on addressing the source of foam and preventing further spread of the foam onsite. On January 1, 2025 DEQ received a citizen complaint that foam was again discharging from the IP Springfield facility.

Based upon DEQ's review of these incidents, DEQ has concluded that IP is responsible for the following violation of Oregon environmental law:

VIOLATION

Schedule D, Special Condition 2 of IP Springfield's permit states "An adequate contingency plan for prevention and handling of spills and unplanned discharges shall be in force at all times. A continuing program of employee orientation and education shall be maintained to ensure awareness of the necessity of good inplant control and quick and proper action in the event of a spill or accident." Per written email correspondence with IP Springfield on December 11, 2024, corrective actions were limited to onsite activities and did not extend to foam that migrated offsite. Wastewater foam discharged offsite, not through a permitted outfall, and was documented in the public right-of-way, in residential yards, and on residential roofs. This is a Class II violation according to OAR 340-012-0053(2).

Class I violations are the most serious violations; Class III violations are the least serious. Compliance with your permit is required by Oregon Revised Statute 468B.025(2).

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REQUESTED CORRECTIVE ACTIONS

DEQ requests the following from IP:

1. By January 16, 2025, submit IP's foam management plan for DEQ review. DEQ made this request to IP on December 26, 2024, but has yet to receive a copy.
2. Within 14 days of receipt of DEQ's comments on the plan, revise the plan accordingly and resubmit to DEQ for our records. If necessary to address DEQ comments, IP may propose a schedule for improvements to its foam management activities in its plan.
3. By January 16, 2025, amend IP's emergency response plan to include the following and submit the plan to DEQ for review.
 - a. Notification processes to inform DEQ, the public, and the City of Springfield of any foam leaving the site.
 - b. Measures to clean up of foam both onsite and offsite.
4. Within 14 days of receipt of DEQ's comments on the response plan, revise the plan accordingly and resubmit to DEQ for our records.

This notice is a warning letter. DEQ does not intend to take formal enforcement action at this time. However, should you repeat any of these violations, the matter may be referred to the Department's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a DEQ order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this Warning Letter are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider new information you submit and take appropriate action.

DEQ endeavors to assist you in your compliance efforts. Should you have any questions about the content of this letter, please feel free to contact me in writing at Kenzie.Billings@deq.oregon.gov or by phone at 971-344-1055.

Sincerely,

Kenzie Billings

Kenzie Billings, PE
Senior Environmental Engineer

Cc: Ethan Marshall, Air Environmental Engineer
Ranei Nomura, Manager, Western Region, DEQ
Oregon Records Management Solution