BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:	)	DOCKET NO. CAA-10-2025-0033
	)	
CLEARWATER PAPER CORPORATION	)	**CONSENT AGREEMENT**
	)	
Lewiston, Idaho,	)	
	)	
Respondent.	)	

I. STATUTORY AUTHORITY

1.1. This Consent Agreement is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency ("EPA") by Section 113(d) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(d).

1.2. Pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties," 40 C.F.R. Part 22, EPA issues, and Clearwater Paper Corporation ("Respondent") agrees to issuance of, the Final Order attached to this Consent Agreement ("Final Order").

II. PRELIMINARY STATEMENT

2.1. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b), issuance of this Consent Agreement commences this proceeding, which will conclude when the Final Order becomes effective.

2.2. The Director of the Enforcement and Compliance Assurance Division, EPA Region 10 ("Complainant") has been delegated the authority pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d), to sign consent agreements between EPA and the party against whom an administrative penalty for violations of the CAA is proposed to be assessed.

2.3. EPA and the United States Department of Justice jointly determined, pursuant to 42 U.S.C. § 7413(d) and 40 C.F.R. § 19.4, that this matter, although it involves alleged violations that occurred more than one year before the initiation of this proceeding, is appropriate for an administrative penalty action.

2.4. Part III of this Consent Agreement contains a concise statement of the factual and legal basis for the alleged violations of the CAA together with the specific provisions of the CAA and the implementing regulations that Respondent is alleged to have violated.

III. ALLEGATIONS

Statutory and Regulatory Background

3.1. Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and its implementing regulations at 40 C.F.R. Part 68, require the owner or operator of a stationary source at which a regulated substance is present in more than a threshold quantity to develop and implement a Risk Management Plan ("RMP") and program to detect and prevent or minimize accidental releases of such substances from the stationary source and to provide a prompt emergency response to any such releases in order to protect human health and the environment.

3.2. Section 112(a)(9) of the CAA, 42 U.S.C. § 7412(a)(9), defines an "owner or operator" as any person who owns, leases, operates, controls, or supervises a stationary source.

3.3. Section 302(e) of the CAA, 42 U.S.C. § 7602(e), defines "person" to include, among other things, a corporation, partnership, or association.

3.4. Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3 define "stationary source" in relevant part as any buildings, structures, equipment, installations, or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur.

3.5. "Threshold quantity" ("TQ") is the quantity specified for regulated substances pursuant to Section 112(r)(5) of the CAA, 42 U.S.C. § 112(r)(5), listed in 40 C.F.R. § 68.130, and determined to be present at a stationary source as specified in 40 C.F.R. § 68.115.

3.6. Section 112(r)(2)(B) of the CAA, 42 U.S.C. § 7412(r)(2)(B), and 40 C.F.R. § 68.3 define "regulated substance" as any substance listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), in 40 C.F.R. § 68.130.

3.7. Chlorine is a regulated substance with a TQ of 2,500 pounds, as listed in 40 C.F.R. § 68.130.

3.8. Chlorine dioxide is a regulated substance with a TQ of 1,000 pounds, as listed in 40 C.F.R. § 68.130.

3.9. Section 112(r)(2)(A) of the CAA, 42 U.S.C. § 7412(r)(2)(A), and 40 C.F.R. § 68.3 define "accidental release" as an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source.

3.10. 40 C.F.R. § 68.3 defines "process" as any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or a combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

3.11. 40 C.F.R. § 68.3 defines "covered process" as a process that has a regulated substance present in more than a threshold quantity, as determined under 40 C.F.R. § 68.115.

3.12. The regulations at 40 C.F.R. Part 68 classify covered processes into three program levels, designated as Program 1, Program 2, and Program 3, which contain specific requirements for owners and operators of stationary sources to ensure that risk management program requirements appropriately match the size and risks of regulated processes.

3.13. Under 40 C.F.R. § 68.10(i), a covered process is subject to Program 3 if the process does not meet the eligibility requirements for Program 1 and is either classified in one of ten North American Industry Classification System ("NAICS") codes or is subject to the Occupational Safety and Health Administration ("OSHA") process safety management ("PSM") standard at 29 C.F.R. § 1910.119.

3.14. A facility with a Program 3 covered process must submit a single RMP as provided in 40 C.F.R. §§ 68.150 through 68.185 that includes a registration that reflects all covered processes; develop and implement a management system as provided in 40 C.F.R. § 68.15; conduct a hazard assessment as provided in 40 C.F.R. §§ 68.20 through 68.42; implement the Program 3 prevention requirements of 40 C.F.R. §§ 68.65 through 68.87; coordinate response actions with local emergency planning and response agencies as provided in § 68.93; develop and implement an emergency response program as provided in 40 C.F.R.

§§ 68.90 through 68.96; and submit as part of the RMP the data on prevention program elements for Program 3 processes as provided in 40 C.F.R. § 68.175. 40 C.F.R. § 68.12(a) and (d).

3.15. Under 40 C.F.R. §68.10(a), with some exceptions, an owner or operator of a stationary source that has more than a TQ of a regulated substance in a process, as determined under 40 C.F.R. § 68.115, must comply with the requirements of Part 68 no later than the latest of the following dates: (1) June 21, 1999; (2) three years after the date on which a regulated substance is first listed under § 68.130; (3) the date on which a regulated substance is first present above a threshold quantity in a process; or (4) for any revisions to Part 68, the effective date of the final rule that revises Part 68.

General Allegations

3.16. Respondent is a corporation formed in the State of Delaware and authorized to do business in the State of Idaho.

3.17. At all times relevant to this Consent Agreement, Respondent has been the owner and operator of a pulp and paper manufacturing facility at 803 Mill Road, Lewiston, Idaho 83501 (the "Facility").

3.18. Respondent is a "person" as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

3.19. The Facility includes buildings, structures, equipment, installations, or substance emitting stationary activities from which an accidental release of a regulated substance may occur; which belong to the same industrial group; which are located on one or more contiguous properties; and which are under the control of the same person (or persons under common control). The Facility is therefore a single "stationary source" as defined in 40 C.F.R. § 68.3.

3.20. An RMP was first submitted for the Facility on June 21, 1999, and was most recently submitted for the Facility on July 25, 2022.

3.21. The Facility has a chlorine unloading and transfer system that at all relevant times contained more than 2,500 pounds of chlorine and constitutes a single "covered process" under 40 C.F.R. § 68.3 ("Chlorine Unloading and Transfer Process").

3.22. The Facility has a chlorine dioxide process that at all relevant times contained more than 1,000 pounds of chlorine dioxide and constitutes a single "covered process" under 40 C.F.R. § 68.3 ("Chlorine Dioxide Process").

3.23. Both the Chlorine Unloading and Transfer Process and the Chlorine Dioxide Process are classified as Program 3 covered processes under 40 C.F.R. § 68.10(i) because these processes do not meet the eligibility requirements for Program 1, these processes are in NAICS codes 32211 (pulp mills), and these processes are subject to the OSHA PSM standard at 29 C.F.R. § 1910.119.

3.24. On September 14, 2020, EPA issued an Information Request Letter to Respondent under Section 114 of the CAA, 42 U.S.C. § 7414. Respondent submitted information in response on December 2, 2020, and February 16, 2021, and provided additional information in follow-up at EPA's request on March 31, 2022, and June 24, 2022, and at various times since.

3.25. The United States, on behalf of Complainant, entered a tolling agreement with Respondent to facilitate settlement negotiations without altering the claims and defenses available to any party except as specifically provided in the tolling agreement. Pursuant to the tolling agreement, the period commencing on September 15, 2024, and ending on March 15, 2025, shall not be included in computing the running of any statute of limitations potentially applicable.

Violation of Mechanical Integrity Requirements

3.26. Under 40 C.F.R. § 68.73(a) and (b), the owner or operator of a stationary source with Program 3 covered process is required to establish and implement written procedures to maintain the on-going integrity of pressure vessels and storage tanks, piping systems, relief and vent systems and devices, emergency shutdown systems, controls (including monitoring devices and sensors, alarms, and interlocks), and pumps (collectively, "subject process equipment").

3.27. Under 40 C.F.R. § 68.73(d)(1) through (3), the owner or operator is required to perform inspections and tests on subject process equipment using procedures that follow recognized and generally accepted good engineering practices at a frequency consistent with applicable manufacturer's recommendations and good engineering practices, more frequently if determined to be necessary by prior operating experience.

3.28. At the Facility, subject process equipment includes but is not limited to the following equipment at the Chlorine Unloading and Transfer Process and Chlorine Dioxide Process:

a. Liquid Chlorine Headers Nos. 1, 2, and 3 (Equip. #178003, #178004, and #178005);

b. 50% Caustic Tank Chlorine (Equip. #178007) (removed from service);

c. CL-PRV#1 Vaporizer Pressure (Equip. #178347) and CL-PRV#2 Vaporizer Pressure (Equip. #178353); and

d. Lurgi Chlorine Scrubber (Equip. #179470).

3.29. Between December 2, 2020, and November 27, 2024, Respondent failed to establish and implement written procedures to maintain the ongoing integrity of the process equipment listed in Paragraph 3.28.a. – d. at the Facility that follow recognized and generally

accepted good engineering practices at a frequency of inspections and tests consistent with applicable manufacturer's recommendations, good engineering practices, and prior operating experience, as required by 40 C.F.R. §§ 68.73(b) and (d)(1)–(3).

3.30. Respondent therefore violated 42 U.S.C. § 7412(r)(7) and 40 C.F.R. § 68.73.

Violation of Incident Investigation Requirements

3.31. Under 40 C.F.R. § 68.81(a), the owner or operator of a stationary source with a Program 3 covered process is required to investigate each incident which resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance.

3.32. "Catastrophic release" is defined in 40 C.F.R. § 68.3 to mean a major uncontrolled emission, fire, or explosion, involving one or more regulated substances, that presents an imminent and substantial endangerment to public health and the environment.

3.33. 40 C.F.R. § 68.81(b) requires the owner or operator to initiate the incident investigation as promptly as possible, but not later than 48 hours following the incident.

3.34. 40 C.F.R. § 68.81(c) requires the owner or operator to establish an incident investigation team, consisting of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of the contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident.

3.35. 40 C.F.R. § 68.81(d) requires a report to be prepared at the conclusion of the investigation which includes, among other things, any recommendations resulting from the investigation. 40 C.F.R. § 68.81(d)(5). 40 C.F.R. § 68.81(f) requires the report to be reviewed with all affected personnel whose job tasks are relevant to the incident findings, including contract employees where applicable.

3.36. On September 20, 2019, the Facility experienced a release of approximately 122 pounds of chlorine gas. The chlorine release on September 20, 2019, is an incident that resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance such that the incident investigation requirements of 40 C.F.R. § 68.81 apply.

3.37. Following the chlorine release on September 20, 2019, Respondent failed to initiate an investigation as promptly as possible, but not later than 48 hours following the incident, as required by 40 C.F.R. § 68.81(b).

3.38. Following the chlorine release on September 20, 2019, Respondent failed to establish an incident investigation team consisting of at least one person knowledgeable in the process involved and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident, as required by 40 C.F.R. § 68.81(c).

3.39. Following the chlorine release on September 20, 2019, Respondent failed to prepare a report including any recommendations resulting from the investigation, as required by 40 C.F.R. § 68.81(d)(5), and failed to review the report with all affected personnel whose job tasks are relevant to the incident findings, as required by 40 C.F.R. § 68.81(f).

3.40. On September 16, 2019, the Facility experienced a release of up to 171 pounds of chlorine gas. The chlorine release on September 16, 2019, is an incident resulted in, or could reasonably have resulted in, the catastrophic release of a regulated substance such that the incident investigation requirements of 40 C.F.R. § 68.81 apply.

3.41. On January 6, 2020, the Facility experienced a release of up to 55 pounds of chlorine gas. The chlorine release on January 6, 2020, is an incident resulted in, or could reasonably have resulted in, the catastrophic release of a regulated substance such that the incident investigation requirements of 40 C.F.R. § 68.81 apply.

3.42. Following the chlorine releases on September 16, 2019, and January 6, 2020, Respondent failed to review the incident investigation report with all affected personnel whose job tasks are relevant to the incident findings, as required by 40 C.F.R. § 68.81(f).

3.43. Respondent therefore violated 42 U.S.C. § 7412(r)(7) and 40 C.F.R. § 68.81.

Violation of Emergency Response Program Coordination Requirements

3.44. Under 40 C.F.R. §§ 68.90 and 68.93, the owner or operator of a stationary source with a Program 3 covered process is required to coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance.

3.45. Under 40 C.F.R. § 68.93(a), coordination must occur annually, or more frequently if necessary, to address changes at the stationary source, changes in the stationary source's emergency response and/or emergency action plan, and/or changes in the community emergency response plan.

3.46. Under 40 C.F.R. § 68.93(b), coordination must include providing to the local emergency planning and response organizations the stationary source's emergency response plan if one exists, emergency action plan, updated emergency contact information, and other information necessary for developing and implementing the local emergency response plan; and requesting an opportunity to meet with the local emergency planning committee (or equivalent) and/or local fire department as appropriate to review and discuss those materials.

3.47. Under 40 C.F.R. § 68.93(c), the owner or operator must document coordination with local authorities, including: the names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and nature of coordination activities.

3.48. Respondent provided information to EPA regarding its coordination and communication with local emergency planning and response organizations on December 2, 2020.

3.49. In 2019 and 2020, Respondent failed to coordinate to address any changes at the Facility, in the Facility's emergency response plan, and in the community emergency response plan, as required by 40 C.F.R. § 68.93(a).

3.50. In 2019 and 2020, Respondent failed to request an opportunity to meet with the local emergency planning committee and/or local fire department to review and discuss the Facility's emergency response plan and other information provided to local authorities, as required by 40 C.F.R. § 68.93(b).

3.51. In 2019 and 2020, Respondent failed to document coordination activities, including the names of individuals involved and their contact information, dates of coordination activities, and the nature of coordination activities, as required by 40 C.F.R. § 68.93(c).

3.52. Respondent therefore violated 42 U.S.C. § 7412(r)(7) and 40 C.F.R. § 68.93.

Violation of Emergency Response Program Requirements

3.53. Under 40 C.F.R. §§ 68.90 and 68.95, unless subject to exceptions not relevant here, the owner or operator of a stationary source with a Program 3 covered process is required to develop and implement an emergency response program for the purpose of protecting public health and the environment. The emergency response program must include, among other

things: an emergency response plan containing documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures, 40 C.F.R. § 68.95(a)(1)(ii); procedures for the use of emergency response equipment and for its inspection, testing, and maintenance, 40 C.F.R. § 68.95(a)(2); and training for all employees in relevant procedures, 40 C.F.R. § 68.95(a)(3).

3.54. On December 2, 2020, Respondent provided EPA with documents comprising its emergency response program, including the Facility's Emergency Evacuation Plan and environmental standard operating procedures.

3.55. From at least December 2, 2020, through June 21, 2021, Respondent's emergency response plan failed to include proper documentation of first aid and emergency medical treatment necessary to treat accidental human exposures to chlorine or chlorine dioxide, as required by 40 C.F.R. § 68.95(a)(1)(ii).

3.56. From at least December 2, 2020, through June 21, 2021, Respondent's emergency response program failed to include procedures for the use of emergency response equipment and for its inspection, testing, and maintenance, as required by 40 C.F.R. § 68.95(a)(2).

3.57. From at least December 2, 2020, through June 21, 2021, Respondent's emergency response program failed to include training for all employees in relevant procedures, as required by 40 C.F.R. § 68.95(a)(3).

3.58. Respondent therefore violated 42 U.S.C. § 7412(r)(7) and 40 C.F.R. § 68.95.

Enforcement Authority

3.59. Violations of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and 40 C.F.R. Part 68 are subject to federal enforcement under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3).

3.60. Under Section 113(d) of the CAA, 42 U.S.C. § 7413(d), and 40 C.F.R. Part 19, EPA may assess a civil penalty of not more than $57,617 per day of violation.

IV. TERMS OF SETTLEMENT

4.1. Respondent admits the jurisdictional allegations of this Consent Agreement.

4.2. Respondent neither admits nor denies the specific factual allegations contained in this Consent Agreement.

4.3. In determining the amount of penalty to be assessed, EPA has taken into account the factors specified in Section 113(e)(l) of the CAA, 42 U.S.C. § 7413(e)(l). After considering these factors, EPA has determined and Respondent agrees that an appropriate penalty to settle this action is $440,393 (the "Assessed Penalty").

4.4. Respondent agrees to pay the Assessed Penalty within 30 days of the effective date of the Final Order.

4.5. Payments under this Consent Agreement and the Final Order may be paid by check (mail or overnight delivery), wire transfer, ACH, or online payment. Payment instructions are available at: www.epa.gov/financial/makepayment. Payments made by check must be payable to the order of "Treasurer, United States of America" and delivered to the following address:

Address format for standard delivery (no delivery confirmation requested):	*Address format for signed receipt confirmation (FedEx, DHL, UPS, USPS certified, registered, etc):*
U.S. Environmental Protection Agency P.O. Box 979078 St. Louis, MO 63197-9000	U.S. Environmental Protection Agency Government Lockbox 979078 3180 Rider Trail S. Earth City, MO 63045

Respondent must note on the check the title and docket number of this action.

4.6. Concurrently with payment, Respondent must serve photocopies of the check, or proof of other payment method, described in Paragraph 4.5 on the Regional Hearing Clerk and EPA Region 10 at the following electronic addresses:

Regional Hearing Clerk U.S. Environmental Protection Agency Region 10 R10_RHC@epa.gov	Javier Morales U.S. Environmental Protection Agency Region 10 Morales.Javier@epa.gov

4.7. If Respondent fails to pay any portion of the Assessed Penalty in full by its due date, the entire unpaid balance of penalty and accrued interest shall become immediately due and owing. If such a failure to pay occurs, Respondent may be subject to a civil action pursuant to Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), to collect the Assessed Penalty under the CAA. In any collection action, the validity, amount, and appropriateness of the Assessed Penalty shall not be subject to review.

4.8. If Respondent fails to pay any portion of the Assessed Penalty in full by its due date, Respondent shall be responsible for payment of the following amounts:

a. Interest. Any unpaid portion of the Assessed Penalty shall bear interest at the rate established pursuant to 26 U.S.C. § 6621(a)(2) from the effective date of the Final Order, provided, however, that no interest shall be payable on any portion of the Assessed Penalty that is paid within 30 days of the effective date of the Final Order contained herein.

b. Attorneys' Fees, Collection Costs, Nonpayment Penalty. Pursuant to 42 U.S.C. § 7413(d)(5), should Respondent fail to pay the Assessed Penalty and interest on a timely basis, Respondent shall also be required to pay the United States' enforcement expenses, including but not limited to attorneys' fees and costs incurred by

the United States for collection proceedings, and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be ten percent of the aggregate amount of Respondent's outstanding penalties and nonpayment penalties accrued from the beginning of such quarter.

4.9. The Assessed Penalty, including any additional costs incurred under Paragraph 4.8, represents an administrative civil penalty assessed by EPA and shall not be deductible for purposes of federal taxes.

4.10. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to send to the Internal Revenue Service ("IRS") annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, $50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. In order to provide EPA with sufficient information to enable it to fulfill these obligations, EPA herein requires, and Respondent herein agrees, that:

a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at https://www.irs.gov/pub/irs-pdf/fw9.pdf;

b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN;

c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Division at Henderson.Jessica@epa.gov, within 30 days after the Final Order ratifying this Agreement is filed, and EPA recommends encrypting IRS Form W-9 email correspondence; and

d. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide EPA's Cincinnati Finance Division with Respondent's TIN, via email, within five (5) days of Respondent's receipt of a TIN issued by the IRS.

4.11. The undersigned representative of Respondent certifies that he or she is authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to this document.

4.12. The undersigned representative of Respondent also certifies that, as of the date of Respondent's signature of this Consent Agreement, Respondent has corrected the violation(s) alleged in Part III.

4.13. Except as described in Paragraph 4.8, each party shall bear its own costs and attorneys' fees in bringing or defending this action.

4.14. For the purposes of this proceeding, Respondent expressly waives any affirmative defenses and the right to contest the allegations contained in this Consent Agreement and to appeal the Final Order.

4.15. By signing this Consent Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the Consent Agreement.

4.16. The provisions of this Consent Agreement and the Final Order shall bind Respondent and its agents, servants, employees, successors, and assigns.

4.17. Respondent consents to the issuance of any specified compliance or corrective action order, to any conditions specified in this consent agreement, and to any stated permit action.

4.18. The above provisions in Part IV are STIPULATED AND AGREED upon by Respondent and EPA Region 10.

DATED:

2/14/2025

FOR RESPONDENT:

Michael S. Gadd

MICHAEL S. GADD, Senior Vice President and
General Counsel
Clearwater Paper Corporation

FOR COMPLAINANT:

EDWARD KOWALSKI Digitally signed by EDWARD KOWALSKI
Date: 2025.02.19 13:20:06 -08'00'

EDWARD J. KOWALSKI, Director
Enforcement & Compliance Assurance Division
EPA Region 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:	)	DOCKET NO. CAA-10-2025-0033
	)	
CLEARWATER PAPER CORPORATION	)	**FINAL ORDER**
	)	
Lewiston, Idaho,	)	
	)	
Respondent.	)	

1.1. The Administrator has delegated the authority to issue this Final Order to the Regional Administrator of EPA Region 10, who has redelegated this authority to the Regional Judicial Officer in EPA Region 10.

1.2. The terms of the foregoing Consent Agreement are ratified and incorporated by reference into this Final Order. Respondent is ordered to comply with the terms of settlement.

1.3. The Consent Agreement and this Final Order constitute a settlement by EPA of all claims for civil penalties under the CAA for the violations alleged in Part III of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(a), nothing in this Final Order shall affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order does not waive, extinguish, or otherwise affect Respondent's obligations to comply with all applicable provisions of the CAA and regulations promulgated or permits issued thereunder and any applicable implementation plan requirements.

1.4. This Final Order shall become effective upon filing with the Regional Hearing Clerk.

IT IS SO ORDERED.

Mednick, Richard Digitally signed by Mednick, Richard
Date: 2025.02.20 09:33:42 -08'00'

Regional Judicial Officer
EPA Region 10

Certificate of Service

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER, In the Matter of: Clearwater Paper Corporation, Docket No.: CAA-10-2025-0033**, was filed with the Regional Hearing Clerk and that a true and correct copy was served on the date specified below to the following addressees via electronic mail:

Erin Tanimura
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 10, Mail Stop 11-C07
1200 6th Avenue, Suite 155
Seattle, Washington 98101

tanimura.erin@epa.gov

Michael S. Gadd
Senior Vice President and General Counsel
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601 West Riverside, Suite 1100
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Boise, Idaho 83702

wade.foster@stoel.com

SALEE PORTER Digitally signed by SALEE PORTER
Date: 2025.02.20 09:50:36 -08'00'

Regional Hearing Clerk
EPA Region 10