

The PPRC is a grassroots organization representing the interests of the nation's pulp, paper, solid wood products, and other natural resource-based workers. We are people dedicated to conserving the environment while taking into account the economic stability of the workforce and surrounding community.

PPRC Position Paper on Sustainable Manufacturing

PPRC believes effective partnership and continued collaboration with EPA, other agencies and Congress is crucial for positioning the U.S. as a global sustainability leader.

Cumulative Regulatory Challenge

- As the EPA and other agencies reconsider many final regulations of the Biden Administration – including for air quality, water effluent, solid waste and beneficial use of mill residuals, and our bioenergy – we urge the Trump Administration to apply the “best reading” of the statute and to consider the costs and unintended harms of these regulations, using the U.S. Supreme Court’s recent decision in *Loper Bright v. Raimondo* as a guidepost. **These regulations, alone and especially in combination, would significantly increase the costs of the paper products we make and jeopardize the competitiveness of the U.S. paper industry and American manufacturing and the high-paying jobs it provides.**
- This could potentially cause leakage of U.S. manufacturing jobs to foreign competitors in countries that lack the environmental protections of the U.S., undermining American manufacturing competitiveness and jobs, harming rural communities, and increasing net emissions on the global scale.

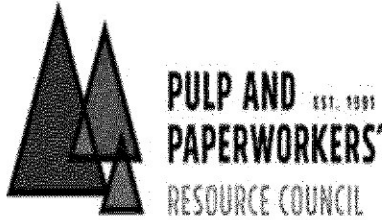
Air Regulation and Permitting

- We recommend that, in developing Clean Air Act rules, EPA should consider environmental, social, and economic effects to set sustainable standards and policies to keep our mills competitive and promote job growth in our facilities. Air quality in America has improved dramatically in the last several decades due in part to more efficient, cleaner operating manufacturing plants, including paper mills.

PM NAAQS Rule:

- **Our industry is deeply concerned about EPA’s recent sharp lowering of the National Ambient Air Quality Standard (NAAQS) for Particulate Matter (PM) close to background levels, which threatens modernization projects in manufacturing sectors across our country. We already have some of the cleanest air in the world, and much tougher standards than our competitor nations. Modernization projects at our mills and other manufacturing plants not only create jobs and ensure U.S. competitiveness in the global market, but also typically lower emissions per ton of production.**

PULP & PAPERWORKERS' RESOURCE COUNCIL



Representing members of:
USW, IAM, IBEW, IBT, and
Forest Products Industry Workers
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- Accounting for approximately 5% of the total U.S. manufacturing GDP, the forest products industry employs 925,000 people that produce about \$350 billion in products per year. Our facilities have an outsized impact on local communities – over 75% of all U.S. pulp and paper mills are located in counties that are more than 80% rural.
- Our mills often are located in rural areas – where the air typically is cleaner and theoretically in attainment with the NAAQS standards. But, ironically, the dramatically lower PM standard will have an **outsized adverse impact on our industry**, causing **immediate permit gridlock**. The “Catch-22” for mills and other manufacturing plants in cleaner attainment areas is that EPA makes its NAAQS standards **immediately effective** for cleaner attainment areas while providing more time and flexibility for non-attainment areas. The recent sharp lowering of the NAAQS leaves insufficient margins (“permit headroom”) for permits to be approved, even in most attainment areas -- resulting in permit gridlock at manufacturing plants across our nation for modernization projects that typically are a win-win for U.S. manufacturing jobs and the economy as well as the environment.
- As part of the President’s promise to reduce unreasonable regulatory burdens, **EPA should revisit the recent PM NAAQS given it was rushed, not adequately justified, and was not accompanied by an achievable implementation plan. In addition, EPA should address permitting gridlock by developing a credible and achievable implementation program based on sound technical and scientific principles.**

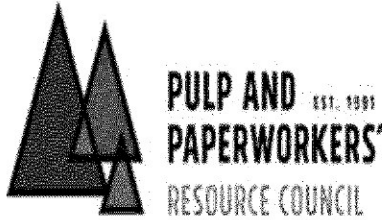
Good Neighbor Plan Rule:

- In addition, we recommend **EPA withdraw the 2023 “Good Neighbor Plan”** which inappropriately places enormous costs on many mills without appreciable air quality improvements. Even the U.S. Supreme Court recognized the rule failed to reasonably respond to public comments and issued a rare stay of the rule.

Pulp and Paper MACTs :

- Finally, as EPA contemplates further MACT regulations for pulp and paper mills, EPA should use both the Supreme Court’s recent *Loper Bright* decision and the inherent flexibility in the Clean Air Act as its guideposts and **only regulate additional pollutants and equipment where “necessary” considering all relevant factors, including costs and actual risks.** Moreover, EPA should **avoid mandating burdensome and unreliable pollutant testing in its ongoing information collection this spring.** It is critical that EPA **consider the significant emission reductions already achieved through billions of dollars in capital improvements that led EPA to conclude that public health risks from current emissions are acceptable.**

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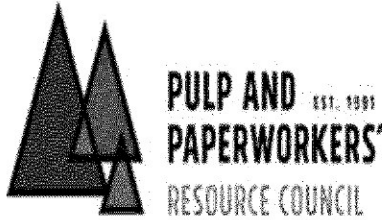
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Water Regulation and Permitting

- **We support attainable water quality standards that will allow mills to count on getting a permit to continue their operations.**
- Pulp and paper mills have invested billions of dollars to improve the quality of their water discharges (effluent) and collaborated with EPA, for example in the mid-1990s on its innovative pulp and paper cluster rule, which greatly reduced both air and water emissions in one comprehensive rulemaking.
- Those investments have yielded large water quality improvements. From 2000 to 2020, Total Suspended Solids (TSS) was reduced by 33 percent, Biochemical Oxygen Demand (BOD) by 28 percent, and Adsorbable Organic Halogens (AOx) by 60 percent.
- For EPA water regulatory policy, we recommend EPA considers:
 - For some pollutants, new standards can be approaching or even below background levels, making the standards unattainable, even with cost-prohibitive control technology. This can threaten a facility's ability to operate. Options such as a variance are extremely rare and subject to legal challenges by other parties, and thus do not provide the necessary regulatory certainty.
 - Achieving ultra-low standards frequently requires tertiary treatment, which can be extremely expensive, and also create negative environmental tradeoffs, such as increased energy use, greenhouse gas emissions, and solid waste.
 - Imposing expensive compliance obligations can threaten the viability and competitiveness of mills and the jobs and economic value they provide.

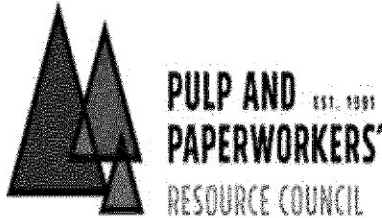
Water Permit Gridlock: EPA's Washington Human Health Water Quality Criteria Rule (WA HHWQC) and Tribal Reserved Rights Rule:

- Under the Clean Water Act, states have the primary responsibility for issuing water quality standards and establishing acceptable risk levels in those standards. Based on a novel and far-reaching tribal rights legal theory, EPA established extraordinarily stringent water policy in two rules, the HHWQC Rule for Washington State and the Tribal Reserved Rights Rule. Both rules will lead to unattainable water quality standards and unattainable limits in Clean Water Act NPDES permits essential to operate U.S. manufacturing plants and municipal facilities.
- **We recommend that EPA withdraw its recent approval of the Washington Department of Ecology HHWQC rule and reconsider its WA HHWQC Rule (RIN: 2040-AG21). We also recommend that EPA reconsider its Tribal Reserved Rights Rule (RIN: 2040-AG17).**



Beneficial Use of Mill Residuals and EPA CERCLA Rule Listing PFOA and PFOS as Hazardous Substances

- **We ask EPA and Congress to reconsider EPA's CERCLA rule listing PFOA and PFOA as hazardous substances and recognize the safe and beneficial use of paper mill residuals as a fertilizer or soil amendment and avoid other unintended harms of EPA's recent rule listing PFOA/PFOS as CERCLA hazardous substances.**
- In the papermaking process, a large quantity of mill residuals are generated that are largely composed of tree fiber (cellulose). These mill residuals often are used beneficially as fertilizers and soil amendments for agricultural or forest lands in lieu of chemical fertilizers, and provide many benefits that improve plant growth, including reduced soil erosion, less need for irrigation, increased soil nutrient-holding capacity, and reduced soil compaction.
- If P&P mill residuals can no longer be used as a fertilizer or soil amendment, then wasting and landfilling these beneficial materials, and the significant increase in greenhouse gases and conventional air emissions from transporting residuals by truck to specialized landfills, and the subsequent release of methane from those landfills, would result in a net negative environmental impact.
- Because PFAS such as PFOA and PFOS are widespread in the environment and have extremely low detection limits, they sometimes can be detected in a range of materials, including residuals, though at levels comparable or lower than the background levels found in house dust. These low levels in residuals are consistent with PFAS concentrations in water effluent data EPA reviewed for the Effluent Limitations Guidelines (ELG) Plan and residuals data published by the states.
- EPA's regulation issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) should have included a provision stating the land application of paper mill residuals falls within the scope of the "normal application of fertilizer" exclusion from CERCLA whenever the concentrations of PFOA and PFOS in residuals are comparable to levels found in conventional fertilizers and soil conditioners. Our request that the rule do so was modeled on EPA's position, since 1993, regarding land application of municipal biosolids as fertilizer or soil conditioner.
- **As Congress works on legislation to address PFAS, it should include language to avoid the unintended outcome of impeding the safe and beneficial use of paper mill residuals as fertilizer or soil amendments. EPA should reconsider the CERCLA rule to avoid a host of unintended outcomes that would result from the rule, including impeding the safe beneficial use of mills residuals.**



Biomass – Carbon Neutrality of Our Bioenergy:

- **We call on Congress, EPA, the Treasury Department and other policymakers to provide regulatory certainty for the carbon neutrality of the bioenergy produced at U.S. paper and wood products mills.** Unfortunately, for the last 15 years, we have sought regulatory certainty on the carbon benefits of our bioenergy from EPA and other agencies, and have yet to obtain it.
- The U.S. pulp and paper industry is a leading producer of carbon-neutral bioenergy from residuals of the manufacturing process. We use as much of the tree as possible to make pulp, paper, packaging, and wood products. Biomass residuals from the paper and wood products manufacturing process -- such as bark, liquid biomass from the papermaking process (i.e., black liquor), and paper recycling residuals -- are used to make approximately two-thirds of the energy used to power our mills, as well as to provide carbon neutral bioelectricity for the grid. Using these manufacturing residuals as a fuel source supports U.S. energy independence and provides a huge greenhouse gas reduction benefit, **equivalent to avoiding the emissions of about 35 million gasoline-powered cars.**
- The carbon benefits of using forest products manufacturing residuals are recognized globally, benefitting our competitors. Unfortunately, the United States is an outlier for failing to recognize the carbon benefits of our renewable biomass energy.
- **We ask Congress to include provisions in the upcoming Farm Bill recognizing the carbon neutrality of the bioenergy produced in pulp, paper and wood products mills.**
- **We also ask all agencies, including the Department of Treasury, Department of Energy, and EPA, to fully recognize in policies and regulations, including the clean electricity tax credits, the carbon benefits of the bioenergy produced in pulp, paper and wood products mills**