



REGION 1

BOSTON, MA 02109

Dated as indicated on electronic signature

Mike Breen, Environmental Manager
Soundview Paper Company
3 Mill Street
Putney, Vermont 05346

Re: U.S. Environmental Protection Agency ("EPA") December 14, 2023 Inspection at
Soundview Paper Company, Mill Street, Putney, Vermont under the Clean Water Act.

Dear Mr. Breen,

On November 2, 2023, EPA received from the National Response Center ("NRC") an incident report for an oil spill from Soundview Paper Company in Putney, Vermont ("Facility"). The report noted a spill of 700-gallons of heating fuel oil from a 30,000-gallon aboveground tank into Sackett's Brook which flows into the Connecticut River. Subsequent information provided by the Facility to EPA on December 22, 2023, indicates that the amount of oil discharged from the tank was actually closer to 3,440 gallons.

On November 30, 2023, EPA notified the Facility that EPA would be conducting an inspection of the Facility on December 14, 2023, in conjunction with the State of Vermont Department of Environmental Conservation ("VTDEC"). On December 6, 2023, and December 12, 2023, the Facility provided EPA with, among other things, a copy of the Facility's October 15, 2010, oil Spill Prevention, Control and Countermeasure ("SPCC") plan, amended March 31, 2022. Deficiencies of the SPCC plan are noted in the inspection report. The inspector was informed that the Facility's aggregate aboveground oil storage capacity since the removal of the 30,000-gallon aboveground oil tank is less than 1,320-gallons and below the regulated amount in 40 C.F.R. § 112.1(d)(2)(ii). Please verify whether the Facility intends to maintain below 1,320-gallons of above-storage oil capacity.

On January 1, 2022, Soundview Vermont Holdings LLC was reauthorized by the State of Vermont to discharge treated industrial wastewaters from paper manufacturing operations to the Connecticut River. Sanitary wastewaters from the mill are introduced into the Town of Putney's sanitary sewer system. According to discharge monitoring reports submitted by the Facility from January 1, 2022, through October 2023, the discharge, at certain times, is reported to have exceeded monthly average and daily maximum effluent permit limits for Biochemical Oxygen Demand, 5-day ("BOD₅"). The Discharge Monitoring Report Table is enclosed with this letter. The highest daily maximum value reported for BOD₅ is 2,583-lbs/day (215% above the daily

maximum limit) on July 13, 2023. Please describe what steps the Facility has taken since January 1, 2022, to try to ensure that it was meeting its BOD₅ limit.

On January 16, 2024, it was publicly announced the mill would be closing. Please provide a detailed response that addresses the Facility's plans for discontinuing wastewater discharges to the Connecticut River. If there is a timeline in place for closure of the mill provide such timeline. Please also provide the Facility's current status related to: (a) paper manufacturing operations which generate process wastewaters, (b) operation of the industrial wastewater treatment plant, and (c) storage of paper manufacturing chemicals, such as caustics at the Facility.

The Facility operates as a paper manufacturing operation which is classified under industrial classification code 2676. The EPA inspector observed industrial activities and materials exposed to rain at the site where runoff discharges into Sacketts Brook. This would require the Facility to obtain authorization to discharge stormwater from the site under the Vermont Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity. EPA could find no record of the Facility being covered under the VT MSGP. If the Facility has VT MSGP coverage, please provide the permit number associated with such coverage. If the Facility believes that it does not require VT MSGP coverage provide an explanation for that determination.

Attached to this letter is the inspection report and pictures taken during the inspection (some of which may contain comments shown in parentheses). EPA is requesting that the Facility provide a written response within 30-days of receipt of this letter to the items requested in this letter. You may also respond to any issues discussed in the inspection report. Please send your response electronically to Mr. Joseph Canzano, EPA Region 1 Oil Spill Prevention Compliance Coordinator, at canzano.joseph@epa.gov.

If you have any technical questions regarding this letter or the inspection report, contact Mr. Canzano at (617) 918-1763 or by email. If you have any legal questions regarding this matter, please have your attorney contact Mr. Jaegun Lee at (617) 918-1511 or by email at lee.jaegun@epa.gov. We are also providing a link to EPA's Small Business Resources Information Sheet¹. Finally, please confirm your receipt of this correspondence by providing Mr. Canzano with an email response.

Sincerely,

NEWTON
TEDDER

Digitally signed by
NEWTON TEDDER
Date: 2024.02.06
14:52:29 -05'00'

Newton Tedder, Acting Manager

Water Technical Unit 1

EPA Region 1, Enforcement and Compliance Assurance Division

cc: Michelle Kolb, Vermont Department of Environmental Conservation
michelle.kolb@vermont.gov

¹ <https://www.epa.gov/compliance/small-business-resources-information-sheet>

James Donaldson, Vermont Department of Environmental Conservation
james.donaldson@vermont.gov
Shap Smith, Dinse
ssmith@dinse.com
Joseph Canzano, EPA Region 1
Jaegun Lee, Enforcement Counsel, EPA Region 1

Enclosures: (electronic)
Inspection Report, Pictures, and Discharge Monitoring Result Table



REGION 1

BOSTON, MA 02109

Subj: Facility Inspection Report - Clean Water Act

Inspector: Joseph Canzano
Enforcement & Compliance Assurance Division ("ECAD")

Canzano, Joseph

Digitally signed by Canzano,
Joseph
Date: 2024.02.06 15:09:10 -05'00'

I. Facility Information

- A. *Facility Owner:* Soundview Paper Company
- B. *Facility Operator:* Soundview Paper Company (the "Facility")
3 Mill Street
Putney, VT 05346

42° 58' 31.60" N
72° 31' 14.24" W
- C. *Facility Operator
Contacts:* Mike Breen, Environmental Manager
mbreen@marcalpaper.com
(201) 294-9269
- D. *ID Nos.:* National Oil Database (R1-VT-00092)
Facility Registry Service Number (110071542765)
Vermont Pollutant Discharge Elimination System Permit
("VTPDES" - VT0000108)

II. Background Information

- E. *Date of inspection:* December 14, 2023
- F. *Weather Condition/s:* Sunny, 22-degree Fahrenheit

G. Significant Rainfall Events for Previous 30-days¹

November 9 th	.17-inchs
November 18 th	.22-inchs
November 22 nd	.36-inchs
November 27 th	.79-inchs
December 4 th	.55-inchs
December 11 th	1.03-inchs
December 12 th	.25-inchs

H. *US EPA Inspector/s:* Joseph Canzano

I. *VT-DEC Inspector/s:* Michelle Kolb

J. *Federally Enforceable Requirements Covered During the Inspection:*

- 40 C.F.R. Part 112, Oil Pollution Prevention Regulations
- 40 C.F.R. Part 110, Discharge of Oil

III. Type and Purpose of Inspection

The purpose of the site inspection is to view company operations associated with oil storage and transfer activities, locations where portable and/or mobile oil storage containers are positioned, spill containment controls, and wastewater treatment plant operations and outfalls. Additionally, the inspection included viewing oil spill location and ongoing oil spill collection and recovery operations.

IV. Disclaimer

Unless otherwise noted, this report describes conditions observed by EPA inspector/s, and/or obtained through records provided to and/or information reported to EPA by Facility representatives and as understood by EPA. This report may not capture all operations and activities ongoing at the Facility. This report does not make final determination/s on potential areas of concern and/or deficiencies. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigations.

V. Pre-inspection Facility File/Information Review

Federal Emergency Management Agency ("FEMA") records² indicate that the Facility is not located within a defined flood hazard area. However, due to its proximity to Sackett's Brook and reported November 2, 2023, oil spill to the NRC, the Facility has reasonable potential to

¹ <https://www.wunderground.com/history/monthly/us/vt/north-clarendon/KRUT/date/2023-11>

² Putney VT FEMA Map

discharge pollutants including oil into Sackett's Brook. The Facility is located on several parcels of land that total in area 4.5-acres. The mill complex, Upper-Level Mill and Main Mill (two sections) are adjacent to Sackett's Brook, and The Upper-Level Mill and Main Mill are on the south and north side of the Brook respectively. Sackett's Brook is a tributary to the Connecticut River, and the Facility draws/takes water from Sackett's Brook for paper manufacturing operations.

According to EPA's Enforcement Compliance History Online ("ECHO") database³, the Facility's standard industrial classification ("SIC") code is 2676, Sanitary Paper Products.

On January 1, 2022, Soundview Vermont Holdings, LLC (a.k.a. the "Facility") was reauthorized by the State of Vermont to discharge treated industrial wastewaters from paper manufacturing operations to the Connecticut River. Sanitary wastewaters from the mill are introduced into the Town's sanitary sewer system. According to discharge monitoring reports submitted by the Facility from January 1, 2022, through October 2023 the discharge, at certain times, is reported to have exceeded monthly average and daily maximum effluent permit limits for Biochemical Oxygen Demand, 5-day ("BOD₅"). See attached Discharge Monitoring Report Table. The highest daily maximum value reported for BOD₅ is 2,583-lbs/day (215% above the daily maximum limit) on July 13, 2023.

On November 2, 2023, EPA received from the National Response Center ("NRC") an Incident Report⁴ for an oil spill from Soundview Paper Company in Putney, Vermont. The Report noted a spill of 700-gallons of heating fuel (No. 2) oil from a 30,000-gallon tank into Sackett's Brook which flows into the Connecticut River. State of Vermont and New Hampshire emergency response units reported observing a sheen in the Connecticut River as far south as Brattleboro, Vermont, 14-miles downstream from spill source. According to information in the public domain⁵ the tank's "vault containment had cracks in it where fuel oil was released to the environment."

On November 30, 2023, the inspector notified the Facility EPA would be conducting an inspection at the Facility on December 14, 2023. On December 6, 2023, and December 12, 2023, the Facility provided EPA with, among other things, a copy of the Facility October 15, 2010₂ oil Spill Prevention, Control and Countermeasure ("SPCC") plan, amended March 31, 2022. The EPA has completed review of the plan and in certain areas it is deficient. The plan did not include a signed copy of the Certification of the Applicability of the Substantial Harm Criteria per 40 C.F.R. § 112.20(e). Also, secondary containment systems for the aboveground container (30,000-gallon oil tank) were not sufficiently impervious to contain oil as required by 40 C.F.R. § 112.8(c)(2). Based on the spill, it does not appear that the Facility tested or inspected each aboveground container for integrity on a regular schedule and whenever you make material repairs. Finally, the Facility did not determine, in accordance with industry standards, the

³ <https://echo.epa.gov/>

⁴ Report No. 1383309

⁵ <https://anrweb.vt.gov/DEC/ERT/Spills.aspx>

appropriate qualifications for personnel performing tests and inspections per 40 C.F.R. § 112.8(c)(6).

VI. In-Briefing & Site Walk

On December 15, 2023, EPA (Joseph Canzano) along with State of Vermont Department of Environmental Conservation (Michelle Kolb) arrive at the Facility at 9:00 a.m. and were greeted by Mr. Mike Breen, Environmental Manager representing the Facility. Mr. Breen informs EPA he is an employee for Marcal Paper Company⁶, parent corporation for the Facility.

Inspector Canzano informed Mr. Breen the inspection will cover the federal Oil Pollution Prevention Regulations at 40 CFR Part 112, and the November 2, 2023, oil spill. Additionally, industrial wastewater treatment plant for paper manufacturing operations would also be reviewed. Inspector Canzano presents his credentials and requested permission to conduct a site inspection. Mr. Breen agreed and introduced inspectors to Mr. Chris Poisson. Mr. Poisson identified himself as the operator for the wastewater treatment plant and is not a licensed operator as required by State regulations. Inspector Canzano informed Facility representatives operating the treatment plant without a license may be a deficiency.

While in the Facility wastewater sample equipment room, Mr. Poisson and Mr. Breen explain the mill operates 24-hours per day, 7-days week. Manufacturing tissue paper at 65-tons per day. The daily average effluent discharge flow rate from the mill to the Connecticut River is 150,000-gallons per day. The Facility monthly average permitted flowrate is 275,000-gallons per day.

Mr. Breen and Poisson, explain how samples are collected, technique/s used for collection the sample, and location where information is recorded for treated wastewaters. Mr. Poisson shows inspectors the Facility wastewater treatment plant logbook, calibration equipment and method/s for pH probe/s, dishwasher unit for sanitizing sample equipment, and an automatic sampler in a refrigerator unit used for collecting wastewater samples. Inspector Canzano is shown the mill effluent flowrate digital meter hanging on the wall, 120-gallons per minute at 10:07 a.m.

Inspector Canzano informs Facility representatives that effluent results reported on monitoring reports are significantly above permit limits for BOD₅. Mr. Poisson details the complications of maintaining consistent compliance due to equalization and settling issues, and the wastewater stream from paper manufacturing entering the treatment plant as potential to be inconsistent in nature which complicates treatment.

The inspection team was escorted to the oil spill location that occurred on November 2, 2023. Mr. Breen explains the Facility changed from #4/#6 fuel oil to #2 fuel oil for secondary back up fuel for boilers. The boilers main source of fuel is compressed natural gas. The Facility's contractor was hired to pump out old #4/#6 fuel oil from the tank and then clean the tank prior to changing to #2 fuel oil. Shortly after receiving (2) 7,500-gallon deliveries of #2 fuel oil into the tank, oil was detected in the tank containment system/vault by Facility personnel. The tank,

⁶ <https://www.marcalpaper.com/>

pipng and vault were removed during clean-up operations. Mr. Breen said the total oil storage capacity of the Facility, since the removal of the tank, is less than 1,320-gallons. Currently the Facility has on-site less than (20) 55-gallon oil lubrication drums.

Inspector Canzano asks Mr. Breen if the tank, piping, and containment system was formally inspected for integrity by a certified tank inspector following the change and prior to oil being placed in the tank. Mr. Breen said he was not sure, but the contractor told Facility personnel that the tank had holes in it and it could be filled but with no more than 20,000-gallons of oil.

The former location for the tank is along Mill Street at the Upper-Level Mill between the street and a Facility owned retaining wall boarding Sackett's Brook. Following the spill, Mr. Breen said the spill was reported, oil was then removed from the tank, piping and containment vault, and oil-stained soil under the containment vault was removed and backfilled with clean fill all by spill clean-up contractor. Inspector Canzano informs Mr. Breen the spill is ongoing. Mr. Breen explains the challenges of ongoing remediation due to a number of factors including structural condition of the retaining wall, the time of year and the subsurface groundwater flow along the retaining wall. Mr. Poisson and Mr. Breen explain the variability for oil flow through the wall increases during and following rainstorm event/s. Mr. Breen indicated that a plan is being developed by the Facility in conjunction with officials to address a long-term solution and to date the company spent close to \$600,000 addressing the spill.

Inspectors walk on a path along the edge of the wall and down to the shoreline/edge of Sackett's Brook. On the wall face, in certain locations, oil is observed flowing (seeping/leaking) from wall cracks and openings. Response contractor/s have placed plugs in wall openings to try and reduce/stop and control the spill. Oil staining is also observed at the base of the wall, shoreline and in the Sackett's Brook.

The inspection team walks from the Upper-Level Mill to the Main Mill byway of Main Street to view, among other things, industrial activities and materials, and outfalls. Facility representatives show inspectors the transfer location for off-loading caustic and coagulate chemical used in the Facility's paper manufacturing operations and wastewater treatment system. Inspector Canzano recommended the area be well lit and be under surveillance especially during off-loading chemicals. The upper section of an access road, which includes runoff flow from the chemical off-loading activities has potential to drain into a catch basin ("CB-1"). Inspector Canzano recommends the catch basin be cleaned out, protected using a control measure, and periodically monitored.

Facility representatives escort the inspection team to the back/rear area to the Main Mill yard. This section of the yard included, but not limited to, an uncovered waste container and waste solids stockpiled in from the wastewater treatment plant. Inspector Canzano recommends the waste container and solids be covered prior to a rainstorm event with a tarpaulin, and the road be periodically swept. Runoff from the area has potential to drain to an outfall that discharges into Sackett's Brook and/or one of two-yard storm drains ("CB-2/3") located down gradient from the waste sludge storage. Inspector Canzano asks Mr. Breen the flow path for liquids entering the

drain/s. Mr. Breen said he was not sure. Inspector Canzano recommends the flow path for all drains and yard runoff be determined and shown on a site diagram.

The inspection team is escorted into the mill and is shown oil drum storage location, wastewater treatment operations including the aeration basins, and paper manufacturing unit operations.

VII. Closing Conference

Inspector Canzano informs Mr. Breen and Mr. Poisson of the following:

- Due to the amount of oil spilled and potential for the amount to exceed the reportable amount in the regulation (i.e., 1,000-gallons in a single discharge) the Facility may want to submit certain information to EPA that addresses the spill. The information is outlined in 40 C.F.R. Part 112.4(a).
- The spill is ongoing, and at the moment, the Facility aggregate aboveground oil storage capacity is less than 1,320-gallons and is below the regulated amount in 40 C.F.R. Part 112.1(d)(2)(ii).
- The Facility may receive from EPA an information request letter under the authority of Section 308 of the Clean Water Act. The letter is designed to ask the Facility to provide certain information about the spill.
- Facility stormwaters that discharge into Sackett's Brook is subject to VT-DEC stormwater industrial multi-sector general permit (the "permit"). The Facility's standard industrial classification code of 2676 is identified in the permit. The inspector observed industrial activities and materials exposed to rain and a location on the property where runoff discharges into Sackett's Brook. The Facility should install stormwater control measure/s to improve runoff water quality, obtain permit coverage from VT-DEC and develop and implement a stormwater pollution prevention plan ("SWPPP").
- The EPA will send an inspection report, and it will request a response within 30-days of receipt.

Inspectors exited the Facility at 1:30 p.m. End of report.