

**Environmental Justice/Title VI Review**  
**International Paper Company**  
**I.D. No.:163010AEZ**  
**Application No.: 23090012**

*1. Introduction*

This document describes the various Environmental Justice (EJ) and Title VI<sup>1</sup>-related considerations undertaken by the Illinois EPA's Bureau of Air in evaluating the above-referenced construction permit application. Because the proposed project will be located in an EJ area of concern, the Illinois EPA's policies for enhanced public outreach and evaluating potential impacts to overburdened communities were addressed in the permit review process. In addition, a Title VI-related settlement agreement (i.e., Informal Resolution Agreement or IRA) entered between the Illinois EPA and the USEPA in February 2024<sup>2</sup> was applied to this review process and resulted in a written analysis of the applicant's history of prior adjudications and past compliance, as discussed later.

*2. Permitting Project:*

International Paper Company (International Paper) proposes to construct a new three-color die cutter and to modify an existing corrugator to enhance its cardboard box production capabilities. A colored die cutter is a machine used to cut custom shapes from colored paper or cardstock. A corrugator is a device used to form a type of packaging material from corrugated (or rippled) cardstock, which usually consists of two flat sheets of container board on the exterior surface and a rippled-shape sheet in the middle for added strength. The project also involves a request by the company to revise the potential-to-emit estimates for Particulate Matter (PM), including PM of less than 10 microns in size (PM<sub>10</sub>) and PM of less than 2.5 microns in size (PM<sub>2.5</sub>), used in prior permitting for the existing cyclone separator. This request seeks to update PM emission factors based on the latest published data on cyclone emissions. A cyclone separator is a process device operating as part of the facility's scrap/trim reclamation system that acts to separate out particulates from an air stream through vortex separation.

International Paper is historically known as a paper manufacturer, but they are also engaged in the manufacture of packaging supplies. The company's facility is located at 3001 Otto Street in Belleville, St. Clair County, Illinois, and is a container facility that manufactures, among other things, corrugated cardboard boxes and other packaging materials. Belleville is a community of roughly 42,000 people, many

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<sup>1</sup> Title VI refers generally to the requirements of Title VI of the federal Civil Rights Act of 1964, which is one of eleven titles to the law and is entitled "Nondiscrimination in Federally Funded Programs." See, 42 U.S.C. §§2000d to §§2000d-7.

<sup>2</sup> The negotiated terms of this IRA involved a Title VI disparate impacts complaint filed with the United States Environmental Protection Agency (USEPA) in 2020 stemming from the issuance of a construction permit to General III for the relocation of a scrap metal recycling facility to Chicago's Southeast Side. The *General III* IRA memorializes the Illinois EPA's commitment to consider additional factors in its review of certain construction permit applications, as well as to enhance its public participation policies, for the purpose of improving transparency and assuring meaningful public access to its programs and activities. Additional information concerning the settlement agreement can be found on the Illinois EPA's webpage (i.e., use the Environmental Justice tab from the General Information drop-down menu).

of whose residents are affiliated with nearby Scott Air Force Base as military or civilian personnel employed by the federal government. The company operates its box container facility in Belleville pursuant to a Federally Enforceable State Operating Permit (FESOP) permit issued from the Illinois EPA on August 10, 2022.

International Paper is a minor source of regulated pollutants, as it currently limits annual emissions of volatile organic material (VOM), Hazardous Air Pollutants (HAPs) and other pollutants to annual emission thresholds that are less than major source levels, for purposes of the Illinois Clean Air Act Permit Program (CAAPP) and Title I of the federal Clean Air Act, as authorized by 35 Ill. Adm. Code Parts 203 and 204. For purposes of this construction permit, the source is limiting emissions from its proposed project to assure that it remains a minor source (or nonmajor).

This construction project would result in proposed increases in annual permitted emissions of criteria pollutants from the facility, as follows:

Pollutants	Emission Unit	Current FESOP Emission Limits	Proposed Project/Revised FESOP Emission Limits	Proposed Emissions Increase
		(Tons/Year)	(Tons/Year)	(Tons per Year)
VOM	Flexo Folder Gluers, Die Cutters, Corrugator	34.10	26.29	-7.81
PM	Corrugator, Cyclone Separator	31.83	50.40	18.57
PM <sub>10</sub>	Cyclone Separator		8.64	8.64
PM <sub>2.5</sub>	Cyclone Separator		1.44	1.44
HAPs (combined)	Flexo Folder Gluers, Die Cutters, Corrugator	8.31	11.81	3.50
HAP (single – methanol)	Corrugator	8.31	5.15	-3.16

The company submitted a revised FESOP application for its equipment covered by this construction permit contemporaneous with its application for construction permit. The source will be allowed to operate the new and modified equipment under the revised FESOP, as this construction permit is being incorporated into the FESOP. The FESOP has also been revised to remove one two-color die cutter, one three-color die cutter, and one three-color, flexo folder gluer.

### 3. EJ Screen Results:

A copy of the USEPA's EJ Screen's Community Report was retrieved by the Illinois EPA for the facility's location utilizing a one-mile radius. For this location, a review of the EJ Indexes (combining data on low income and people of color populations with selected environmental indicators) and of the Supplemental Indexes (combining data on percent low income, percent persons with disabilities, percent less than high school education, percent limited English speaking, and percent low life expectancy with a single

environmental indicator) does not reveal percentiles greater than 80%<sup>3</sup> based on Illinois averages for any indicators.

A review of the Environmental Burden Indicators data from the Community Report, which provides estimated values for pollution impacts and proximity to other sources, does not reveal percentiles greater than 80% based on Illinois averages for any indicators.

#### *4. EJ Outreach and Public Participation Process:*

The Illinois EPA conducted enhanced outreach through the EJ notification process. The EJ notification letter was sent to 49 separate groups, individuals, and elected officials on October 5, 2023. No inquiries were received in response to the EJ notification letter.

In accordance with the Illinois EPA Language Access Plan (LAP), Illinois EPA reviewed the USEPA's EJ Screen community data for the area within one mile of the facility. The number of Limited English-Speaking is 1%, which is below the threshold for language access service found in the LAP.

#### *5. Air Quality Modeling Analysis:*

At the Illinois EPA's request, the project underwent an air quality modeling analysis to predict the air quality impacts from the project. In this regard, the modeling addressed the source impact from the proposed project's increases to the PM<sub>10</sub> and PM<sub>2.5</sub> emissions due to revisions of emission factors. International Paper's consultant performed an air quality dispersion modeling analysis, which the Modeling Unit of the Permit Section audited, and a source impact analysis of relevant National Ambient Air Quality Standards (NAAQS) and their respective averaging periods. This review initially found that both pollutants exceeded their applicable significant impact level (SIL): PM<sub>10</sub> relative to the 24-hour averaging period and PM<sub>2.5</sub> relative to the 24-hour and annual averaging periods. However, a subsequent NAAQS analysis of PM<sub>10</sub> and PM<sub>2.5</sub> emissions revealed that modeled impacts from the permitted source and inventoried sources would be below their respective standard and averaging period values.

An air toxics analysis was also performed by the consultant to evaluate the impact of multiple HAPs emitted by the project (i.e., acetaldehyde, acrolein, formaldehyde, propionaldehyde, acrylic acid and diethylene glycol monoethyl ether (DGME)). Modeled impacts were compared to reference exposure levels (RELs) adopted by California, USEPA's Integrated Risk Information System's (IRIS) reference concentrations for inhalation exposure (RfC), and/or Health Risk Values (HRV) adopted by Minnesota. Results of the toxics analysis showed modeled concentrations of all measured HAPs being below the various reference values for their respective averaging periods.

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<sup>3</sup> According to USEPA's EJ Screen technical manual [EJScreen Technical Documentation for Version 2.3 \(epa.gov\)](https://www.epa.gov/ej-screen-technical-documentation-for-version-2.3), USEPA identified the 80th percentile filter as an initial starting point when screening for EJ concerns. In other words, an area with any of the 13 EJ Indexes at or above the 80th percentile should be considered as a potential candidate for further review.

For additional discussion of the modeling analysis, see the appended Memorandum from the Modeling Unit to the FESOP Unit of the Permit Section, dated November 25, 2024.

6. *Permit Enhancements:*

Permit enhancements consist of permit conditions that are incorporated to construction permits by the Illinois EPA to assure that a source can achieve compliance with applicable requirements, or that are necessary to accomplish the purposes of the Illinois Environmental Protection Act (Act) and are not inconsistent with Illinois Pollution Control Board (PCB) regulations. The Illinois EPA frequently considers permit enhancements when authorized by existing law.

The issued construction permit contains limitations on VOM throughput and emissions for the new colored die cutter and the modified corrugator. Special Condition 8(a) and (b) provides for separate limits on the VOM throughput, VOM emissions, and HAPs (combined and individual) for the combined Flexo Folder Gluers and Three-Color Die Cutter and the Corrugator respectively. Special Condition 8(c) establishes revised emissions limits for PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions based on the use of updated emission factors.

7. *Past Adjudications and/or Past Compliance History of Applicant:*

Because the construction project implicated the requirements of the *General III* IRA, the EJ/Title VI review document for this permitting action affirmatively considered the prior adjudications and past compliance history of the permit applicant, consistent with existing permit authorities found in the Act.

A review of International Paper's history involving air pollution at the Belleville facility does not reveal any prior adjudications or the entry of agreed consent orders by Illinois state courts, federal courts, or by the PCB. Similarly, a review of the applicant's past compliance history for air-related matters for the Belleville facility (per USEPA's Enforcement and Compliance History Online (ECHO)) does not reveal any recent involvement by the source in the pre-enforcement processes of either the Illinois EPA or USEPA.

8. *Additional Considerations:*

Increased emissions of PM (especially PM<sub>2.5</sub>) and HAP-related emissions from a permitting project may present concerns to people residing in the vicinity of a project's planned location, particularly where there are other industrial sources located nearby. PM<sub>2.5</sub> is often a pollutant of concern in communities that border areas of industrial or manufacturing activity because of the adverse effects that smaller-sized particles of PM may pose to the environment or to human health. For this project, there are permitted increases in PM, PM<sub>10</sub>, and PM<sub>2.5</sub> occurring as a result of the proposed project. However, the air quality modeling analysis confirmed that modeled maximum concentrations of PM<sub>10</sub> or PM<sub>2.5</sub> would not exceed NAAQS for the relevant standards and averaging periods.

HAP-related emissions from a construction project may also pose public concerns due to their individual or collective impacts. For this project, the company addressed air quality modeling for several HAPs. As previously noted, the modeling analysis confirmed that modeled concentrations for these HAPs were

below the reference values used for comparison in the analysis. It can be noted that the construction permit contains a standard permit condition (Special Condition 1(b)) that is based on the source emitting less than 10 tpy of any single HAP and 25 tpy of any combined HAPs to avoid triggering the requirements of Section 112(g) of the CAA.

9. *Evaluation of Title VI Criteria for Disparate Impact Discrimination:*

As described by the Overview and Implementation webpage for the *General III* IRA, the criteria for evaluating whether agency action is responsible for disparate impact discrimination is 1) identifying the policy or practice at issue, 2) a showing of adversity/harm, 3) a showing of disparity and 4) a showing of causation. Although this examination can be complicated, the operative criterion in most cases involving the permitting of air pollution sources is adversity/harm. The Illinois EPA's analysis in this review document examines the issue of alleged adversity/harm by assessing whether circumstances would support an enforcement action brought under existing environmental laws and regulations.

a. Substantive Standards

The issued construction permit will increase annual permitted emissions of PM<sub>10</sub> and PM<sub>2.5</sub>, as well as certain HAP emissions. However, based on the air quality modeling analysis, increased emissions from the project will not violate the NAAQS or relevant reference values evaluated in the air toxics analysis. The construction permit will also limit VOM throughput and VOM emissions from its manufacturing processes to assure that the facility remains a minor source (nonmajor) for purposes of air permitting programs. Nothing presented in the permit review indicates that the proposed project would cause a violation of air emission standards addressed by the Act, the PCB's Subtitle C (Air Pollution) regulations, or applicable federal regulations adopted by USEPA and enforceable by the Illinois EPA under state law.

b. Narrative Standards

The Illinois EPA has no information that would demonstrate a violation of a narrative standard of air pollution based on possible health impacts.

c. Nuisance-Based Standards

There is no history of odor complaints or nuisance believed to be associated with the proposed facility, such that a claim of statutory or common law nuisance could be demonstrated.