Environmental Justice/Title VI Review
International Paper Company
I.D. No.: 089055AAK
Application No.: 24100022

1. Introduction

This document describes the various Environmental Justice (EJ) and Title VI[1]-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 United States Environmental Protection Agency (USEPA) in February 2024[2] was applied to the review process.

2. Permitting Project:

International Paper Company (IPC) proposes to construct new emission units and to revise emission factors for particulate matter (PM) and its smaller components, PM_{10} and $PM_{2.5}$, to reflect recently published emission data for cyclones. The emission units will be constructed as part of an equipment placement project at IPC's existing corrugated box manufacturing facility located at 1001 Knell Road in Montgomery, Illinois. Montgomery is a small suburban community that straddles both Kane and Kendall Counties, is adjacent to the City of Aurora and lies on the farthest most western edge of the Chicago metropolitan area. The town is comprised of a little over 20,000 people. The largest employer in the area is a Caterpillar facility located along the southern edge of two that manufactures wheel-loaders.

IPC is historically known as a paper manufacturer, but they are also engaged in the manufacture of packaging supplies. The Montgomery facility is a container facility that manufactures, among other things, corrugated sheets and boxes. A corrugator is a device used to form a type of packaging material from corrugated (or rippled) paper or cardstock. At this facility, the manufacturing process creates a corrugated medium that is held together by a starched-based adhesive. The process is aided by converting and printing equipment, which perform folds, apply glues and inks, and make cuts to create the final corrugated packaging product. A cyclone separator helps separate corrugated scraps of paper or cardboard from a Trim Paper Handling system.

[1] 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.

[2] The negotiated terms of this IRA involved a Title VI disparate impacts complaint filed with 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).

The project is designed to replace existing equipment in the converting and printing processes with one (1) mini Flexographic Folder Gluer (FFG) and a Rotary Die Cutter (RDC), which is a machine used to cut custom shapes from paper or cardstock. The project also seeks to update emissions-related information, including emissions factors, for the Trim Paper Handling system and the Corrugator.

For this construction permit, IPC is limiting both material usage and emissions to restrict its potential-to-emit estimates of criteria pollutants and Hazardous Air Pollutants (HAPs) to less than major source thresholds. The issued construction permit contains Volatile Organic Material (VOM) usage limits (expressed as 1.63 tons per month (tpm) and 16.30 tons per year (tpy)) and VOM emission limits (expressed as 1.63 tpm and 16.30 tpy) for the Flexographic operations (both FFG and RDC). HAP emissions from the same operation are set for both single HAP (specifically, diethylene glycol monomethyl ether (DGME)) and combined HAP usage and emissions (expressed as 0.27 tpm and 2.71 tpy for single and combined HAP usage and emissions. For the new Corrugator, there are VOM usage and emission limits set by the permit (expressed as 0.60 tpm and 5.96 tpy, for each parameter) and HAP emissions for both single HAP (specifically, methanol) and combined HAP usage and emissions (expressed as 0.27 tpm and 2.71 tpy for each parameter). For the changes to the Trim Paper Handling System, there are production rates and PM-related emissions limits set by the issued construction permit. The production limits are expressed as 6,583.5 maximum pounds baled per hour (lbs baled/hr) and 44,845,100 lbs baled/year. The emission limits for PM, PM_{10} and $PM_{2.5}$ are expressed as 6.91 pounds per hour (lbs/hr), 1.19 lbs/hr, and 0.20 lbs/hr per respective pollutant and 24.1 tpy, 4.13 tpy, and 0.69 tpy per respective pollutant.

This construction project would result in proposed increases in annual permitted emissions of PM and its subparts, PM_{10} and $PM_{2.5}$, from the existing facility:

Pollutants	Proposed Emissions Increase in Annual Permitted Emissions
	(Tons per Year)
Particulate Matter (PM)	20.14

The afore-mentioned increase in permitted emissions results from a proposed PM emission limit of 25.25 tpy for the changes to the Trim Paper Handling System that is being offset by a current facility operating limit for the same operation of 5.12 tpy. The increases in VOM and HAP usage and emission limits reflected in the FFG, RDC and Corrugator operations do not result in increases in annual permitted emissions of VOM or HAPs, as these increases are offset by current facility operating limits.

Under the Illinois Environmental Protection Act, 415 ILCS 5/39 and 39.5, IPC must obtain both a construction and an operating permit for its emissions-related activities. A renewal application for the existing Federally Enforceable State Operating Permit (FESOP) submitted by the applicant on January 24, 2025, is not being approved at this time. However, the issued construction permit will allow the facility to operate its new and modified equipment until a FESOP is issued.

3. EJ Screen Results:

At the time of this permit review, EJ Screen results previously obtained through the U.S. Environmental Protection Agency's EJScreen webpages are no longer available. Other federal agency screening guides, including the Environmental Justice Index administered by the Centers for Disease Control (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR) and the Climate and Environmental Justice Screening Tool administered by the White House Council for Environmental Quality (CEQ), are also unavailable.

The Illinois EPA continues to implement its EJ Policy through the use of EJ Start, which relies on census data for identifying potential areas of EJ concern based on low income and minority populations. In this case, the Illinois EPA conducted enhanced public outreach because the mapping tool identified the area surrounding the proposed site as a potential area of EJ concern. See, EJ Outreach below.

Demographical information relating to the affected community can be found on Wikipedia: The Free Encyclopedia at Des Plaines, Illinois- Wikipedia and on a detailed facility report for this facility generated by USEPA's enforcement and tracking database known as the Enforcement and Compliance History Online (ECHO) Detailed Facility Report | ECHO | US EPA.

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 52 separate groups, individuals, and elected officials on November 13, 2024. 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 American Community Survey results from the 2020 Census Bureau for the area of the proposed site. The percentage of households who speak English less than very well at home is 1.2% (Language Spoken at Home | American Community Survey | U.S. Census Bureau).

5. Air Quality Modeling Analysis:

At the Illinois EPA's request, the project underwent a comprehensive air quality modeling analysis to predict the air quality impacts, within the context of both the National Ambient Air Quality Standards (NAAQS) and air toxics, associated with the project. An initial modeling report and electronic modeling files was submitted by IPC's consultant ALL4, LLC (ALL4) to the Illinois EPA on October 25, 2024, as part of the permit application. Subsequent modeling reports were submitted to the Illinois EPA on December 12, 2024, April 23, 2025, and May 13, 2025.

An initial source impact (or significant impact) analysis of the project's impact on $PM_{2.5}$ (24-hr and annual) and PM_{10} (24-hr) was performed by the consultant. Modeled impacts were compared to USEPA's significant impact levels (SILs) for $PM_{2.5}$ (24-hr – 1.2; annual – 0.13) and for PM_{10} (24-hr – 5). ALL4's modeling of maximum modeled concentrations, as well as the Modeling Unit's auditing of ALL4's

submission, showed all three parameters exceeding the SILs. These findings warranted additional analysis.

A cumulative impact analysis evaluating the project's impact for $PM_{2.5}$ (24-hr and annual) and for PM_{10} (24-hr) was performed by ALL4, which was developed from background concentrations and nearby emissions inventory sources. The Modeling Unit audited the consultant's findings in a separate analysis. Both results indicated that predicted impacts from the project combined with background concentrations for all averaging periods of $PM_{2.5}$ and PM_{10} were below their respective NAAQS.

For additional details concerning the modeling analysis, see the Memorandum from the Modeling Unit to the State Permits and FESOP Unit of the Permit Section, dated May 29, 2025.

6. Permit Enhancements:

Permit enhancements consist of permit conditions that are incorporated into 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.

As previously noted, the issued construction permit contains limitations on material usage, production rate and permitted emissions of both criteria pollutants and HAPs from the added emission units. See generally, Special Condition 8(a), 8(b) and 8(c). In doing so, the construction permit generally restricts emissions of VOM and PM to levels below that which would both potentially cause or contribute to a NAAQS exceedance and avoid triggering major source requirements under the nonattainment areas regulations found at 35 Ill. Adm. Code Part 203. The finding of non-applicability of the major source rules for new construction or modification and for HAPs is shown in Special Condition 1(a) and 1(b) respectively.

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.

In this instance, the applicant does not appear to have a history of past operation for the Montgomery, Illinois facility. A search of the applicant's name does not reveal any prior adjudications or the entry of agreed consent orders by Illinois state courts or by the PCB. A review of the applicant's compliance history for air-related matters from USEPA's Enforcement and Compliance History Online (ECHO) does not show any compliance concerns in the last five years.

8. Additional Considerations:

Increased emissions of PM (especially $PM_{2.5}$) 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. $PM_{2.5}$ 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 increases in permitted annual emissions of PM emissions with the project of 20.14 tpy. However, the air quality modeling analysis confirmed that modeled concentrations of PM2.5 and PM10 emissions for this project would be below the applicable NAAQS standards and respective averaging periods.

HAP-related emissions from a construction project may also pose public concerns due to their individual or collective impacts. The issued construction permit contains separate limits for single HAPs (methanol and DGME) and combined HAPs for both the Flexographic and Corrugator operations that are of relatively small amounts (See, Special Condition 8(a) and (b)(ii)). The issued permit also contains a permit restriction common to minor source permits, as shown in Special Condition 1(a), limiting the project's potential to emit to less than 10 tpy for any single HAP and 25 tpy for any combination of total HAPs, assuring that the source avoids major source status under the requirements of Section 112(g) of the Clean Air Act.

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. Based on the air quality modeling analysis, the increased emissions for the pollutant of concern associated with the project, PM10 and PM2.5, will not violate the NAAQS. As noted, the construction permit will limit material usage, production rate and emissions from the new equipment to assure that the source 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.