

JAMES H. DOUGLAS  
GOVERNOR



State of Vermont  
OFFICE OF THE GOVERNOR

October 19, 2005

The Honorable George E. Pataki  
Governor of the State of New York  
State Capitol  
Albany, NY 12224

RE: International Paper Company

Dear ~~Governor Pataki~~: *GEORGE*

Now that the New York Department of Environmental Conservation has issued a draft Title V Air Quality Permit amendment which would allow a test burn of Tire Derived Fuel (TDF) at International Paper's (IP) Ticonderoga plant, I feel compelled to follow up on our conversation of this summer and to further explain my opposition.

Like New York, Vermont receives economic benefits from this plant through direct employment and by providing a market for our forest products industry. We want it to continue to succeed. That said, as currently proposed we cannot support New York's draft permit for the trial burn. Our main objection stems from the persistent refusal of IP to accept the need to upgrade the pollution controls to include an Electrostatic Precipitator (ESP) on the power boiler before making a decision to proceed with the use of TDF on an on-going basis. Instead, IP has continually stated that the test burn will demonstrate that the plant will operate within current permit limits without the ESP.

IP's reliance on the dated and excessively generous standards established under their permit ignores the legitimate human health concerns repeatedly expressed by Vermonters. One of the first projections of emissions provided by IP predicted excessive zinc-oxide stack emissions which were, nonetheless, 'legally' within the existing permit limits. Using IP's numbers, modeling conducted by Vermont Department of Environmental Conservation indicated that such emissions would result in a violation of Vermont ambient air toxics standards. IP has revised their projections and now expects less zinc-oxide to be emitted, but the underlying concern remains: if the existing Title V permit allows emissions sufficient to cause a violation in Vermont, the existing permit is not adequately protective of Vermont's air quality.

The Honorable George E. Pataki  
Page Two  
October 19, 2005

Vermonters are, therefore, not satisfied when IP asserts that they can burn TDF within their existing permit limits without an ESP. IP has ESPs installed on every boiler that regularly burns TDF across the nation. Indeed, ESP control devices are considered the industry standard for any similar boiler using TDF as part of its fuel mix. This commitment to properly control heavy metal and fine particulate emissions apparently does not extend to the residents of Ticonderoga and Addison County, Vermont. Unless and until such a commitment is made, Vermont will oppose IP's efforts to pursue this proposal, and I ask you to do the same.

In addition, new research demonstrates the increased health risks associated with inhalation of particulate matter below 2.5 microns in size. While IP's proposed test protocol calls for testing of zinc compounds, it does not propose to differentiate between the fine particles and larger ones. The existing pollution control equipment is generally believed to perform better at removing the larger particles, but without testing for emissions by particle size, we will have no data on whether the measured releases are of lesser or greater concern from a health-risk perspective. Once again, the existing permit does not differentiate between the two, but proper protection for human health demands that they do so.

Vermont will be offering detailed critical comments on the draft permit amendment, but knowing of your concern for both the economic well-being and health of New Yorkers and Vermonters, I felt it appropriate to state my objections directly. International Paper could resolve most, if not all of these concerns by acknowledging that they intend to install the appropriate pollution control devices on this boiler before any test burn, regardless of whether it is required under their outdated permit. Such a commitment would demonstrate good environmental stewardship and their genuine concern for the long-term health of their neighbors in both New York and Vermont.

Sincerely,



James H. Douglas  
Governor

JHD/pmb

c: Senator Jeffords  
Senator Leahy  
Representative Sanders  
Senator Clinton  
Senator Schumer