

Feds Reach Settlement With Paper Companies For Cleanup At Columbus County Cleanup Site

By Donna Martinez

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The Department of Justice and the U.S. Environmental Protection Agency (EPA) today announced a settlement with Honeywell International Inc., and International Paper Co., for cleanup of contaminated soils and sediments at the LCP-Holtrachem plant in Riegelwood, Columbus County, North Carolina. The United States brought its action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as the Superfund Law, and the Resource Conservation and Recovery Act (RCRA). The LCP-Holtrachem Superfund Site (the Site) is about 24 acres adjacent to the Cape Fear River at 636 John Riegel Road. From 1963 to 2000, the LCP-Holtrachem plant made chemicals such as sodium hydroxide, liquid chlorine, hydrogen gas, liquid bleach and hydrochloric acid using a mercury cell process. According to the complaint, filed simultaneously with the settlement today in the Eastern District of North Carolina, the two companies are liable for historic industrial discharges of metals, including mercury, and polychlorinated biphenyls (PCBs) at the Site.

“This settlement incisively corrects historic environmental issues impinging on the Cape Fear River,” said Assistant Attorney General Jeffrey Bossert Clark of the Department of Justice’s Environment and Natural Resources Division. “The Department of Justice will continue to work with its partners at EPA to ensure that companies are held accountable for past environmental damage as required by CERCLA.”

“Environmental law violations will be vigorously pursued by our office through civil and other enforcement tools, in coordination with our partners at the EPA and U. S. Department of Justice,” said United States Attorney Robert J. Higdon, Jr. of the Eastern District of North Carolina. “The required full remediation, along with repayment of all EPA response costs, sends a message to polluters that violators will be held accountable for restoring our beautiful rivers and land here in North Carolina.”

Under the proposed settlement, Honeywell and International Paper will address contaminated soils and sediments through a combination of in-situ treatment, on-site storage, and off-site treatment and disposal. The two companies will also reimburse the United States for all past and future costs associated with the cleanup. In exchange, the two companies will receive a covenant not to sue and protection from suit by third parties.

The two companies previously performed investigations and preliminary cleanup work under prior agreements with EPA.

“The environmental benefits that will result from today’s settlement are a win for the

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communities near this Superfund site,” said EPA Acting Regional Administrator Mary S. Walker. “This agreement demonstrates EPA’s commitment to hold companies responsible for contamination they caused.”

EPA uses the Superfund Alternative Approach (SAA) for the Site, so it has not been proposed for addition to the National Priorities List (NPL). Under the SAA, EPA uses the same investigation and cleanup process and standards it uses for NPL sites, and saves the time and resources associated with NPL listing.

Honeywell is the current owner of the Site. The Site is contiguous to about 1,300 acres of land owned by International Paper. Since 1951, International Paper has operated a bleached kraft paper mill there, which manufactures paperboard from wood fiber. International Paper used many of the chemicals manufactured at the LCP-Holtrachem plant. Hazardous substances from the LCP-Holtrachem plant were disposed of at the International Paper property and are being addressed under the settlement.

The consent decree is subject to a 30-day public comment period and final approval by the court. A copy of the consent decree is available on the Department of Justice web site at www.usdoj.gov/enrd/Consent_Decrees.html. Additionally, EPA will hold a public meeting in Riegelwood during the public comment process.