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Congress of the United States
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COMMITTEES
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OVERSIGHT AND REFORM
RANKING MEMBER, SUBCOMMITTEE
ON ENVIRONMENT
COMMITTEE ON
HOMELAND SECURITY

May 9, 2022

The Honorable Michael Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan:

I appreciate the collaboration and support of the U.S. Environmental Protection Agency (EPA) in addressing key environmental issues in South Carolina. While considerable progress has been made in odor violations attributed to New Indy Catawba, LLC, it is time for my constituents to receive the relief they deserve in an expeditious manner. To that end, I urge the EPA to use all the tools at their disposal to expedite the process of achieving permanent action to mitigate odor issues stemming from operations at the New Indy Container Board facility in Catawba, South Carolina.

The public comment period for the proposed Consent Decree between the U.S. Environmental Protection Agency and New Indy Catawba, LLC to address hydrogen sulfide concluded on March 11, 2022. As per the law, the EPA must now act with the U.S. Department of Justice to review all comments received and make its determination whether to proceed with the Consent Decree.

With over 600 comments submitted for review, the sheer volume of comments has undoubtedly contributed to a delay in process expediency as it is essential the review be conducted with appropriate thoroughness. Therefore, I am calling on EPA to send personnel assistance to EPA Region 4 to expedite the review and ultimately achieve relief for impacted residents as soon as possible. Specifically, EPA headquarters should allocate process experts to assist EPA Region 4. These experts would assist with the review of complex information included in the comments to the Consent Decree and provide guidance for air enforcement activities that may continue even after the consent decree is entered.

It is imperative that EPA Region 4 receives the assistance they need to achieve permanent injunctive relief to protect my constituents from harmful hydrogen sulfide emissions. These resources would also be used by EPA Region 4 to work with its state partners to reach a swift and fair conclusion to any enforcement actions it is pursuing against New Indy for its violations of environmental laws and permits. Furthermore, the EPA is encouraged to continue open lines of communications and shared resources with its state partners at the South Carolina Department

of Health and Environmental Control (SC DHEC) to provide a more comprehensive response to end the harm being done to the community.

Additionally, it is essential that the Emergency Order pursuant to Section 303 of the Clean Air Act gets closed out expeditiously and responsibly so that the EPA can practice better transparency with stakeholders regarding the EPA's response efforts. In previous communications between our offices, EPA Region 4 officials expressed that they cannot adequately address community concerns in a public forum until the Consent Decree order is finalized, and the comment review process is complete. After the settlement is reached, I hope that yourself, or an appropriate designee from the EPA will participate in a public discussion hosted by my office with SC DHEC, New Indy Catawba, and state and local officials regarding the specifications of the Consent Decree, overall odor mitigation efforts, as well as next steps for the EPA's involvement at the New Indy site.

As the Congressman elected to serve York and Lancaster counties, and as the Ranking Member of the Environment Subcommittee on the House of Representatives Oversight and Reform Committee, which has direct oversight over federal environmental protection matters, I request that EPA headquarters provide EPA Region 4 with all available support and technical resources to assist with these actions at once.

Sincerely,



Ralph Norman
Ranking Member
Subcommittee on Environment