

AGREEMENT

between

The Department of Environmental Protection and International Paper Company, Jay

This Agreement is made between the State of Maine Department of Environmental Protection (DEP) and the International Paper Company (IP) in Jay, Maine.

The parties agree as follows.

1. IP owns and operates a pulp and paper manufacturing facility in Jay, Maine. Pursuant to Maine Waste Discharge License number 623 and National Pollutant Discharge Elimination System permit number ME0001937, IP is authorized to discharge certain quantities of pollutants to the Androscoggin River, a Class C waterway, following treatment in its facility owned and operated wastewater treatment plant. One of the pollutants limited and discharged under IP's license is biochemical oxygen demand (BOD₅). The quantity of this pollutant is, among other ways, limited as a monthly average. The discharge of BOD₅ has an oxygen depleting effect on the receiving waters, with lower oxygen levels being known to have negative effects on the growth rate of indigenous fish at certain temperatures.
2. Pursuant to the Public Laws of 2005, Chapter 409, Section 2, the Department may enter into agreements to provide further protection for the growth of indigenous fish.
3. The DEP and IP agree that improving water quality in the Androscoggin River beyond the minimum specified in State law is an appropriate goal. Accordingly, IP will take the measures necessary to reduce its discharges of BOD₅ as follows:
 - a. Beginning immediately, during the period of June 1 through September 30 each year, the monthly average shall not exceed 7,400 pounds per day.
 - b. During the period of June 1 through September 30 each year, and as soon as possible, but not later than June 1, 2010, the monthly average shall not exceed 6,350 pounds per day.
 - c. During the period of June 1 through September 30 each year, and as soon as possible, but not later than June 1, 2015, the monthly average shall not exceed 5,330 pounds per day.
4. IP will make periodic reports to the DEP, but at least annually, describing the current status of BOD₅ discharges, treatment changes occurring in the previous year, compliance with the terms of this agreement, improvements proposed for the next year and the expected results from those improvements.
5. This agreement is enforceable as a DEP order according to the provisions of 38 M.R.S.A., Sections 347-A to 349.

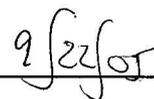
In witness whereof, the parties have executed this Agreement consisting of one page.

BY:

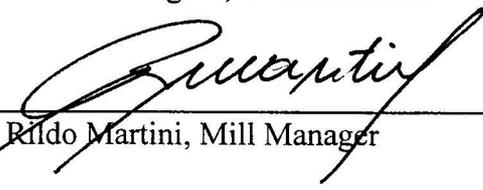


Dawn R. Gallagher, Commissioner

DATE:



BY:



Rildo Martini, Mill Manager

DATE:

