

**Attachment A - RESPONSE TO COMMENTS Received from Dow Chemical  
on the Dow Chemical Proposed Title V Permit  
P#A0031, Application #16468**

1. *Corrections to Descriptions:*
  - a. Page 20 of the permit: A-179 is a packed bed scrubber instead of a “backed bed”
  - b. Page 22 of the permit: A-199 is 26” I.D. X 12 feet, rather than 26” X 12”
  - c. Page 24 of the permit: S-336 name is Manufacturing Services Thermal Oxidizer
  - d. Permit Conditions, Condition 6859: Please change the name from Environmental Services Thermal Oxidizer to Manufacturing Services Thermal Oxidizer.
  - e. Page 48, Table IV-R: Condition 16610, Part 5, A-34 should be A-42.
  - f. Page 51, Table IV-V: In the title it says, “Followed by S-389, Sym-Tet Thermal Oxidizer, if operating”. This is not correct. The permit condition states, “The A-192 Vent Recovery system shall be vented to the S-389 Thermal Oxidizer at least 89.0% of the total annual Dowicil Plant operating time, rather than when ever the S-389 is operating.
  - g. Page 46 of the Statement of Basis - In the description of S-474 and S-476; A-101 should be A-100.
  - h. Page 46 of the Statement of Basis - In the description of S-648 and S-649; S-184 should be A-184.

*Response: These corrections to the permit and Statement of Basis have been made.*

*Correcting internal consistency within and between the Statement of Basis and permit*

2. Page 25 of the permit: S-400, in the monitored parameters column it should be Annual Tuning instead of Oxygen.  
Page 65 of IV: condition #2213 Part 10 refers to Maximum Flue Gas Oxygen. The requirement of 9-7-304 will be met with 9-7-304.2 Tune once every 12 months rather than 9-7-304.1, minimum flue gas oxygen. Please remove Part 10 under condition #2213.  
In condition #2213, number 13. in item h. it refers to All strip charts or other temperature and outlet oxygen concentration records. The reference to outlet oxygen concentration records needs to be removed since the tuning option is being used per 9-7-304.2.

*Response: The oxygen monitoring, which is one compliance option, has been deleted from Table II B and Condition 2213. The elected compliance option – annual tuning was noted in the Applicable Requirements section of the permit, but Table II B and the condition had not been updated to reflect this change. This has been corrected. (Note that the annual tuning is not a monitored parameter, so it has not been included in Table II B.)*

3. Page 40 of the Statement of Basis - PM Sources Table - S-454 Vikane Plant and S-449 T-30, show no new monitoring. The vents from the Vikane Plant are scrubbed with a caustic scrubber and S-449 has new continuous temperature monitoring which limit HCl emissions to a very low level or it is vented to a caustic scrubber. Please make Permit Condition 18128, part 12 agree with the conclusion of the PM Sources Table in the Statement of Basis.  
Page 43 of the Statement of Basis - HCl Storage Tanks and Loading including S-644 through S-646. Because of the large margin of compliance between the maximum emissions and the limits in Regulation 6, periodic monitoring of these sources for

particulate and visible emissions is not required. Please make Permit Condition 7775, part 5 agree with the Statement of Basis.

*Response: The permit has been corrected to reflect the decisions in the Statement of Basis.*

4. Page 72 of IV and page 250 of VII in the permit: Condition #18128, part 9. Replace acid concentration limit and monitoring with the continuous temperature monitoring in Table IV. In Table VII-AK replace HCl concentration with the continuous temperature monitoring.

*Response: The compliance monitoring approved under NSR Application #7475 replaced monitoring of acid concentration at S-449 with temperature monitoring at A-91 in Condition 18128. This was identified in the Section IV and VII tables for S-454, but the permit tables for S-449 were inadvertently not updated to reflect this change. The references to acid concentration limits and monitoring have now been removed from the permit tables for S-449. However, since the temperature monitoring applies to A-91 and S-454, not S-449, the temperature references have not been listed as requirements for S-449. The temperature monitoring has instead been added as a monitored parameter for A-91 in Table II B.*

5. Page 190 Permit Condition 8894 part 9 says Non-federally enforceable throughput limit. However on page 109 of Table IV-CB under Condition 8894 part 9 it shows Yes for Federally Enforceable. Which is correct?

*Response: Part 9 is a non-federally enforceable permit condition based upon the District's Toxics Risk Management Plan. The citation of basis in the Permit Condition section of the permit and designation as non-federally enforceable (with an asterisk) is correct. Table in Section IV for S-648 has been corrected to reflect this fact. The District also noticed and has corrected this problem in the Section IV table for S-321, S-322, S-336, S-604, and S-693.*

6. Page 58 of IV and Page 62 of IV: condition #8161 was cancelled and covered under #1785. Please remove reference to #8161.

*Response: The proposed deletion of this permit condition was noted and explained in the Permit Condition section of the proposed permit. The tables in Section IV for S-336 and S-389 have been updated to reflect the deletion of this condition.*

7. Page 106 Table IV and page 274 Table VII-BQ, S-644 and S-645. There is some confusion here. Looking at Permit Condition 7775, part 5, page 187. It refers to part 6 and I don't see a part 6. Also part 5 refers to visible emission check results and there is no condition requiring visible checks and there is no visible check in Table IV-BY or Table VII-BQ, so the visible check in Permit Condition 7775, part 5 must have ended up there in error. The same comment applies to S-646 in Table IV-BZ and Table VII-BR.

*Response: The permit was not completely updated to reflect the decisions from the Statement of Basis. Visible emission checks were deemed unnecessary due to the large margin of compliance between the maximum emissions and applicable emission limits. The reference to Part 6 and a visible emission check have been removed from Condition #7775.*

8. Page 287 Table VII-CE, S-693. The permit condition that applies to S-693 is 15932. Under monitoring requirement citation column for 6-310 and 6-311, it lists condition 15944 which is not the correct condition.

*Response: These two monitoring citations have been corrected to match the rest of the table Condition #15932, Part 4 – weekly records of caustic circulation rate.*

9. Page 288 Table VII-CF, S-694. The permit condition that applies to S-694 is 15932. Under monitoring requirement citation column for 6-310 and 6-311, it lists condition 15944 which not the correct condition.

*Response: The citations of Regulation 6 standards in this table are incorrect. The table has been revised to match the requirements in the Section IV table for S-694 instead.*

10. *Correcting Omitted Fields:*
- Section IV Page 29 - it is not indicated in Table IV-A whether the rules are federally enforceable or not.
  - Page 110 Table IV-CC under Condition 8894, it does not indicate whether part 15, 16 or 17 are Federally Enforceable.

*Response: Thank you, these fields have been completed. The District also noticed some designations were missing in the Section IV table and Section VII tables for the Latex Plant tanks (which start with S-198), S-402, S-431, S-432, S-434, S-446, S-454, S-489, S-507, S-607, S-641, S-644, S-645, S-648, S-694, S-696, and S-712. These fields have also been completed.*

#### *Corrections to Citations*

11. Page 39 of IV TBD-1 Part 2 - Recordkeeping Requirement; Regulation 2-2-301 covers BACT Requirement, not record keeping. What record keeping should be referenced?

*Response: The citation of basis for Part 1 should be Regulation 2-1-301, Authority to Construct, since an application would be required before these tanks could be used to store materials with vapor pressure greater than 0.5 psia. The citation of basis for Part 2 should be Regulation 2-1-403, which provides the District general authority to impose conditions and Regulation 2-6-501, which requires records at Title V facilities be maintained for 5 years. These citations have been corrected.*

12. Page 89 of IV: Under Regulation 1 Rule 18, it should be 8-18-113 instead of 8-5-113. I looked at 8-5-113 and it had been deleted, so I think it should be 8-18-113.

*Response: This citation should be Regulation 8-18-113 and has been corrected. (The Section IV table for S-519 and S-520)*

13. Page 300 Table-VII-CQ, under emission limit in the 8-18-304, is that 500 or 100 ppm?

*Response: Thank you, this emission limit is 100 ppm and has been corrected.*

14. Please change the responsible official to: John Sampson, Site Leader 925 432-5353

*Response: This change has been made to the permit.*

#### *Trade Secret/Confidential Business Information*

As discussed in the Statement of Basis, there are several permit conditions containing throughput limits that Dow has claimed as Confidential Business Information/Trade Secret. These limits were proposed for deletion in the proposed permit. The District has deleted these limits from the Title V permit as proposed, except for those conditions listed

below. The District intends to reopen the Title V permit to replace the conditions deleted due to the confidentiality claim with two exceptions.

No replacement conditions are necessary for the two deleted throughput limits in Condition #14438, Part 1 and Condition #4780. The Dowicil Plant Condition #14438 (see comment below) already contains the emission limit associated with the confidential throughput limit in Part 1, and compliance with this emission limit has already been addressed with operation of the existing continuous emission monitor. Therefore, the throughput limit for the Dowicil Plant in Part 1 of the condition is redundant and can be deleted. Likewise, Condition #4780 for the MEI Plant also already contains the associated emission limit, and compliance monitoring was proposed in the Title V permit. No comments were received on the proposed monitoring, therefore it will be added to the permit as proposed and the throughput limit in Part 10 of this condition will be deleted.

15. Throughput conditions no longer considered Confidential Business Information/Trade Secret by Dow:
- a. #3712, Part 5 for S-588: The throughput condition will remain. This throughput is no longer considered CBI.
  - b. #7775, Parts 1 and 3 for S-644, S-645, and S-646: The throughput conditions will remain. This throughput is no longer considered CBI.
  - c. #15372, Part 3 for S-683. The throughput condition will remain. This throughput is no longer considered CBI.
  - d. #15932, Part 13 for S-699. The throughput condition will remain. This throughput is no longer considered CBI.
  - e. #17878, Part 3 for S-704. The throughput condition will remain. This throughput is no longer considered CBI.

*Response: The numerical limits in these conditions have been added back to Section VI, Permit Conditions, and Section VII, Applicable Emission Limits and Compliance Monitoring Requirements.*

16. Emission monitoring for replacement of Confidential Business Information/Trade Secret throughput information in permit condition: #14438, Part 1 for S-303 and S-304. The Dowicil Plant is equipped with continuous emission monitoring which limits the emissions to the permit emission limit contained in part 6 of condition #14438. The continuous monitoring is detailed in part 7 of condition 14438 and the record keeping is described in part 8. I believe the throughput conditions could be removed from the permit conditions and compliance will still be insured by the existing continuous emission monitoring.

*Response: The District agrees. This throughput limit in Condition #14438, Part 1, has been deleted from the permit. No replacement condition is necessary.*

*Tanks:*

17. Submitted Calculations for Tanks S-400, S-402, S-530

*Response: This information has been added to the calculations in Appendix C of the Statement of Basis; it supports the position that no monitoring is necessary.*

18. Page 37 of IV and page 224 of VII - S-27 and S-30 are out of service, therefore the provisions of NSPS subpart Kb do not apply at this time.

*Response: The permit must include all applicable requirements for all permitted modes of operation. As these two tanks can be put back into service at any time, the requirements of the NSPS Subpart Kb must remain in the permit. However, Subpart Kb only applies with the tanks are used to store volatile organic liquid as defined in 40 CFR Part 51.100. If the tanks were used to store some material that does not meet the definition of volatile organic liquid, then Subpart Kb would not apply. Therefore, this reference has been included within the Subpart Kb citation in Section IV.*

19. Dow has pointed out that the following tanks exclusively store materials with vapor pressure < 0.5 psia at the storage temperature, and that these tanks are therefore exempt from the control and monitoring requirements in Regulation 8, Rule 5 requirements under Section 8-5-117:

S#	Name	Size (gal)	VP (psia)
45	T-1 N-Serve	15,000	0.0068
222	T-3 Latex Plant**	5,800	0.003
345	T-1 Vikane Plant	400	0.241
346	T-241	400	0.241
372	T-20 Block 560 Storage Tank	500	0.214

\*\* S-222 was renamed T-3 from T-112

*Response: The District agrees. The individual tables for these sources in Section IV and VII have been deleted. These tanks have instead been included in Tables IV-H and VII-H with the other tanks storing only low vapor pressure liquids and also added to permit condition, which explicitly limits vapor pressure to no greater than 0.5 psia. The description for S-222 has been corrected to T-3. (Note: The Section IV table for S-625 incorrectly referenced Condition 2213, Part 7; this condition does not apply to this tank and the citation has been removed.)*

20. Page 44 of IV and page 229 of Table VII: Table IV-M and Table VII-M: S-48 and S-49 are 2000 gallon storage tanks containing chlorinated pyridine. This material is a solid at room temperature. The vapor pressure is 0.112 psia at 248 degree F storage temperature. The boiling point is 520 F. These tanks are not subject to Regulation 8 Rule 5, see 8-5-117. S-48 and S-49 are not subject to 8-18-401 because of 8-18-113, provisions of 8-18-400 do not apply to organics with a boiling point greater than 302 F.

*Response: The citation of Regulation 8, Rule 5 has been removed from the tables in Sections IV and VII for S-48 and S-49. The tanks remain subject to Condition 5148. Review of Application 4459, under which the abatement device, A-154, Vent Recovery Equipment, was evaluated and permitted, has confirmed that these tanks were evaluated as exempt from Regulation 8, Rule 5.*

21. Dow has pointed out that the following pressure tanks exclusively store materials with vapor pressure < 0.5 psia at the storage temperature, and that these tanks are therefore exempt from the Regulation 8, Rule 5 requirements under Section 8-5-117, except for Section 8-5-307 and also exempt from Regulation 8, Rule 6 requirements:

S#	Name	Size (gal)	VP (psia)
209	T-1 Latex Plant	34,000	0.07
580	Specialty Chemicals Storage Tank, T-3A	4,000	0.413
581	Specialty Chemicals Storage Tank, T-3B	7,500	0.413
582	Specialty Chemicals Storage Tank, T-215	15,100	0.413
583	Specialty Chemicals Storage Tank, T-200	15,100	0.413
625	T-610 Perc Expansion Tank	275	0.214

683	Storage Vessel, D-110A	10,000	0.04
695	Storage Tank, T-526	1,000	0.174
696	T-585	8,800	0.174

*Response: The tables for these tanks have been revised to include only the requirement of Section 8-5-307, any pre-existing condition, and the restriction on storing liquids with vapor pressure < 0.5 psia with recordkeeping to demonstrate compliance. For S-683, the source is subject to a pre-existing permit condition #15372, Part 1, which was developed based on storage of material with vapor pressure of 1.5 psia. The basis at that time was cited as Regulation 8-5-303. Regulation 8, Rule 5 has been revised since that time, so the basis will be changed to Regulation 8-5-307. References to Regulation 8, Rules 5 and 6 were proposed for the bases of Part 2 of this condition and have now been removed.*

22. Page 86 of IV. Just wanted to make sure you understood that S-506, T-404 is not being operated as a pressure vessel, but is complying with NSPS Subpart Kb Sections; 60.112b(a)3(ii), 60.112b(b), 60.115b, 60.115(c)(1), 60.115(c)(2), 60.116b(a) and 60.116b(b).

*Response: Thank you. The permit must contain all applicable requirements so the table for S-506 in Section IV includes requirements that would apply when operated as a pressure vessel as well as those that apply when operated with an abatement device. Where a requirement applies only in one mode or the other, the mode in which the requirement applies has been identified in the table. Section 60.116b(g) has been removed.*

23. Page 38 of IV: Table IV-G- 60.116b(g) only applies if the CAR (Consolidated Air Rule) is applied. Dow Pittsburg has not proposed this option and the requirement should be deleted since it is not applicable.

*Response: Section 60.116b(g) has been removed.*

24. Page 126, Table IV-CT, S-704. This storage tank is a pressure vessel with a design pressure of 50 psig. It is equipped with frangible disks backed up by pressure safety valves which will relieve at 50 psig. This tank does not have a pressure vacuum valve. Therefore 8-5-303, 8-5-403, 8-5-404 and 8-5-605 do not apply.

*Response: These sections have been removed from the Section IV table for S-704.*

25. Page 34 of IV and page 221 of VII- the header should include the statement “All Non-Exempt Material Loading Abated by S-336 or S-389, Thermal Oxidizers” as do S-5 and S-7, as this loading area is subject to condition 11276.

Page 34 S-6- Table IV-D; This source was permitted to vent to the S-336 or S-389 Thermal Oxidizers. Table IV-D cites the BAAQMD condition for that application in Condition #11276. No non-exempt materials are being loaded at S-6 at this time but Dow would like to maintain the ability to load non-exempt materials at this source and will comply with Condition #11276 as listed in the table.

*Response: The requirements in the Section IV table for S-6 were based on loading of only exempt materials (vapor pressure ≤ 0.5 psia). However, it should include requirements for all permitted modes of operation, therefore the reference to abatement of non-exempt material loading has been added to the table descriptions. The tables in both Sections IV and VII have been revised to include requirements for loading of both exempt and non-exempt materials.*

*The abatement requirement in Part 1 of Condition #11276 applies only for loading of non-exempt materials, which is not clear from the current wording of the condition text. Therefore, Condition #11276 will also be modified to reflect that abatement by a thermal oxidizer is only required when non-exempt materials are being handled. The asterisk in Part 1 of the condition for S-6 will be removed as will reference to 'voluntary limit' in the basis of Parts 1 and 2; the voluntary abatement of exempt material loading is identified in Part 4 with an asterisk.*

26. Page 50 and 235, Table IV-T and Table VII-T. What does the term TBD3 mean? When is it determined?

*Response: Condition identification numbers are assigned when the permit conditions are entered into the District's database. For the new conditions proposed in the Title V permit, time constraints did not allow for this entry prior to proposal of the permit. Entry of all new permit conditions will be completed prior to permit issuance, and the actual condition numbers will be assigned at that time.*

27. Page 70 and 74 of IV: Table IV-AL and IV-AQ. These units are natural gas fired units used to heat a heat transfer medium called Dowtherm. The table specifies 6-401, appearance of emissions. This section says every person responsible for an emission (except from gas fired heat transfer operations regulated by Sections 6-301, 6-303 and 6-304) shall have and maintain whereby the operator of the plant shall be able to know the appearance of the emission at all times. Since this is a heat transfer operation and is subject to 6-301 it appears that 6-401 may not apply. Let me know. Also what does know the appearance of the emissions at all times mean?

*Response: This is correct – Section 6-401 does not apply and has been deleted from the tables for S-444 and S-460. As far as the meaning of this section, it states “ ... shall have and maintain **means** whereby the operator of the plant shall be able to know the appearance of the emission at all times.” This section is intended to ensure that the operator has the ability to view the emissions at any time (i.e. line of sight). The section on its own does not require an operator to **monitor** visible emissions at all times.*

28. Page 132 Table IV-CZ, SIP Regulation 8 Rule 25. Since there seems to be a problem with Regulation 8 Rule 25 being in the SIP but Regulation 8 Rule 18 is the most current rule that is being followed, should this be covered in the Permit Shield? What is the situation with Regulation 8 Rule 25 and the fact that Regulation 8 Rule 18 is much more current and the leak limits are much lower? Page 133 Table IV-CZ Regulation 8 Rule 28; 8-28-301 was deleted 12/17/97 in the March 18, 1998 version of the rule. This citation appears to be for a version of Regulation 8 Rule 28 that is no longer in effect, 12/9/94. Dow is complying with the March 18, 1998 version of the rule. Should this be covered in the Permit Shield? What is the situation with Regulation 8 Rule 28?

*Response: Regulation 8, Rule 25 has been deleted from the District's current rulebook. However, it does remain in the District's State Implementation Plan (SIP) and is therefore an applicable requirement which must be listed in the Title V permit. Also, the current version of Regulation 8, Rule 28 dated March 18, 1998 has not yet been adopted into the*

*SIP. Therefore, the version of Rule 8-28 that is in the SIP must also be included in the permit. These requirements are not eligible for inclusion in a Permit Shield, as the shield cannot be used to remove applicable requirements, but only to designate non-applicable requirements or to subsume duplicative monitoring requirements.*

*These regulations and the requirements in the current version of Regulation 8, Rule 18 all apply. The District has been working toward a SIP that reflects the current regulations since this issue was first identified due to the Title V program. This is one of the last areas in which the SIP still contains provisions no longer in the District's current rulebook. However, in this case there should be no conflict with respect to compliance as the current Regulation 8, Rule 18 is the most stringent of these rules.*

29. The production of 1,1,1 trichloroethane is banned and the solvent is no longer in use. No halogenated solvents are used to clean the small recyclable containers. In condition 3712, part 1, remove the reference to trichloroethane as it will no longer be loaded and it will no longer be in any agricultural products that are loaded. Condition 2 of Permit Condition 3195 (3712) should be corrected to remove the reference to using trichloroethane.

Part 5 should also have trichloroethane deleted as it will not be loaded in the future.

*Response: The references to trichloroethane have been removed from Condition 3712. Since A-143 was only required for abatement of trichloroethane cleaning, the references to and requirements that apply to A-143 have also been removed from the condition and the permit.*

*Effective date on the permit:*

30. The time allowed for developing and commenting on The Dow Chemical Company Title V permit has been very short. We have been told that the final permit will be issued on December 1, 2003. We will not know what the specific content and requirements of the permit will be until it is issued and we have an opportunity to read and understand it. For this reason, we are requesting an effective date of 60 days after the issue date to give us time to determine the new monitoring requirements, prepare the necessary procedures and train our employees in the procedures.

*Response: The District believes that issuance of a permit with an effective date 60 days after issuance is not essentially different from issuance of the same permit 60 days later. As the vast majority of the requirements in the permit are applicable requirements that currently apply, and which Dow has been complying with for years, there is no need for additional time to prepare compliance monitoring procedures for these requirements. However, for the new monitoring requirements being added to the permit, the District understands that the facility needs time to write procedures and train personnel. This approach has been used with Title V permits issued in the past. Therefore, the permit will not be issued with a future effective date, but specific new permit terms may be.*

*Regulation 8, Rule 10*

31. Dow Pittsburg is operating in compliance with the requirements of 8-10-301.4. All vessels containing organic compounds are brought down to close to atmosphere as possible before any vessel is opened. The current rule 8-10 DOES NOT require

record keeping for chemical plants. This is not a current requirement for chemical plants. This is one area where a compliance schedule is warranted. This is especially so since the rule is currently being work shopped for changes. The current Regulation 8 Rule 10 was primarily designed for refineries. I read over the recent Staff Report for the proposed changes to Regulation 8 Rule 10. The whole report talks about refineries, no where are chemical plants mentioned.

*Response: Regulation 8, Rule 10 currently applies to chemical plants, but the recordkeeping requirements in the current rule do not apply to chemical plants. Title V requires addition of monitoring for any requirements that are not already monitored, unless it can be demonstrated that monitoring is unnecessary. For this reason, the District proposed a specific permit condition in the Title V permit that requires recordkeeping equivalent to that specified in the current rule for refineries.*

*Revisions to Regulation 8, Rule 10 have been noticed to the public and have been discussed through the public workshop process. As proposed, the revised rule will continue to apply to both refineries and chemical plants. The author of the rule has indicated that this is the intent. He did not identified specific chemical plants subject to the rule, but does intend the requirements to apply to any process meeting the definitions in the rule at both refineries and chemical plants.*

*The revisions to Regulation 8, Rule 10 are proposed for adoption in early January. However, District staff cannot be certain when and if the revisions will actually be adopted, if the adopted revisions will include the proposed monitoring requirements, and the effective date of new monitoring requirements. It is not our intent to impose two separate sets of monitoring/recordkeeping terms for the same requirement, therefore the permit condition containing the proposed monitoring for Regulation 8, Rule 10 will be modified with a sunset clause. The recordkeeping added through the Title V process will expire if and when the monitoring in the revised rule becomes effective.*

32. This rule covers CONTINUOUS operations such as oil refineries, as can be seen in the definition in 8-10-203 for Process Units. A process unit is a manufacturing process which is independent of other processes and is continuous when supplied with a constant feed of raw materials and sufficient storage facilities for the final product. Many process at the Pittsburg Plant are batch operations, not continuous. The continuous processes are:

- S-44 N-Serve
- S-446 Symtet
- S-434 Manufacturing Services
- S-693/694 AFTF

Please remove references to 8-10 from the following batch operations from Table VII.

- S-474/S-474 Trifluoro Plant
- S-504/505 Chlorinolysis
- S-507 Latex Plant
- S-593 MEI Plant
- S-647/648 Catalytic Hydrogen Chloride Plant

also S-712 Sulfuryl Fluoride Plant- it does not contain organic compounds  
(Page 296 of VII-CP; S-712 Sulfuryl Fluoride Plant. Type of limit column for POC.

This plant S-712 contains no Precursor Organic Compounds therefore 8-10-301 does not apply.)

*Response: The requirements of Regulation 8, Rule 10 will be removed from the Section IV and VII tables for the batch operations identified and the Sulfuryl Fluoride Plant.*

33. I would propose that Dow be allowed 60 days from issuance of the permit in which to write specific procedures for the affected plants and train the personnel to comply with 8-10-402 Turnaround Records.

*Response: As indicated earlier, the District understands that time is needed to document new monitoring procedures and to train personnel on the new procedures. Therefore, an effective date has been added to the specific permit condition proposed to address monitoring compliance with Regulation 8, Rule 10. Depending on when the revisions to Regulation 8, Rule 10 are adopted, the effective date and the sunset clause in this condition may result in the new permit condition terms never being implemented. However, in the instance that adoption of the revisions to Regulation 8, Rule 10 is delayed, this permit condition will provide interim monitoring.*

#### *New Monitoring Requirements*

34. The SOB states that visible emission monitoring is not required for S-644 through S-646 or for S-454 and S-449 due to low levels of emissions. However Permit Condition 7775 for S-644 through S-646 still refers to visible emission monitoring and Permit Condition 19128, part 12 for S-454 and S-449 refers to visible emission monitoring.

We are trying to put together a procedure template for the Daily Visible Monitoring recordkeeping. This is also a new requirement. One problem is that the sources subject to Daily Visible Monitoring changed between the draft permit and the Public Draft permit. In addition there were some inconsistencies between the Public Draft SOB and the Public Draft Requirement Tables as to which sources were impacted. I am therefore not sure which sources will be in the final permit that will require Daily Visible Monitoring. This makes it impossible to start record keeping on December 1. We need time to get this going. This is not a current requirement and it would be good to have 60 days to implement this procedure as well.

*Response: Several areas of the permit and Statement of Basis were incompletely updated to reflect facts that were established right before proposal of the permit. The permit and Statement of Basis are documents created without any database support, so maintaining internal consistency between the documents and within all sections of the permit has been a challenge. In this case, the particulate emission calculations for S-644 through S-646 and S-449/S-454 supported no visible emission monitoring as explained in the Statement of Basis. The references to visible emission monitoring for these sources were inadvertently left in the permit conditions. Those references have been removed.*

*For S-461 through S-463 and S-474 and S-476, the Statement of Basis proposed visible emission monitoring. This should have been changed since the very low emissions from these sources supports no monitoring, consistent with the discussion for other particulate sources. The references to visible emission monitoring for these sources have therefore been removed from the Statement of Basis and removed from the permit. An*

*effective date has been added to the new permit conditions requiring visible emission monitoring.*

*Future Effective MACT Issues*

35. Section IV. Page 30- The EPA made their deadlines for the Organic Liquids Distribution, Site Remediation, and Symmetrical Tetrachloropyridine MACTS. The rules have been signed therefore the Part 2 MACT application requirement does not apply. On page 30 of the SOB, it should be corrected to indicate that a Part 2 Application is not required for Organic Liquids Distribution, Site Remediation and Symmetrical Tetrachloropyridine.

*Response: The Site Remediation MACT, Subpart GGGGG, was published on October 8, 2003, just prior to the public notice of this proposed permit. The Miscellaneous Organic Chemical Manufacturing MACT, which includes Symmetrical Tetrachloropyridine Production, Subpart FFFF was published on November 10, 2003 during the public notice period for this permit. Therefore, the Part 2 application requirements for these source categories have been removed from Facility table in Section IV of the permit. Instead, these future MACT standards will be listed in the Facility table with future effective dates.*

*The Organic Liquids Distribution MACT, Subpart EEEE, has been signed and been moved to the promulgated list of MACTs on EPA's website. The District has contacted EPA about whether signature of the rule releases a facility from the obligation to submit a Part 2 application. The developer of the Organic Liquid Distribution MACT has indicated that a signed rule is not considered promulgated. Therefore, the Organic Liquids Distribution MACT application requirements will be retained in the permit. The District has discovered that the deadlines for the Part 2 applications indicated in the Statement of Basis are incorrect. The due date for the Part 2 application, found in Table 1 to 40 CFR 63.53(b), amended May 30, 2003, is actually October 30, 2003. Therefore, the facility is out of compliance with this requirement. The District has inserted a custom schedule of compliance into the permit for this item with a Part 2 application due date of February 1, 2004 in accordance with BAAQMD Regulation 2-6-409.10.3. Note that a schedule of compliance does not sanction non-compliance.*

*Also note that the due dates for the process heater MACTs have also been corrected to reflect the dates in Table 1 to 40 CFR 63.53(b).*

36. S-466 and S-467 are NOT subject to the PAI MACT. There must have been a misunderstanding. S-466 and S-467 are not pressure vessels. They contain water, and the salt of an organic acid dissolved in water. The requirements of Reg 8 Rule 5 do not apply because there is no organic in the tanks that has a vapor pressure of .05 psia or greater.

Page 78 of IV. S-466 and S-467 are not subject to 40 CFR Part 63, Subpart MMM, the PAI MACT. These tanks are used to store a salt of an organic acid at the Lontrel Plant. The Lontrel Plant is subject to the PAI MACT because of generation of HCl in the reactor. The HCL is the HAP that makes the Lontrel Plant subject to the PAI MACT. There is no HCl in S-466 and S-467 and they are not subject to the PAI MACT.

*Response: Tables IV-AT has been deleted and the two tanks have instead been included in Tables IV-H and VII-H with the other tanks storing only low vapor pressure liquids and*

also added to permit condition TBD-1, which explicitly limits vapor pressure to less than 0.5 psia.

*Latex MACT*

Due to the time constraints on the permit development, Dow did not have an opportunity to review and comment on the Latex MACT table prior to proposal of the permit and the public comment period. Dow has submitted the following comments on this table:

37. Page 134 Table IV-DA 40 CFR, Part 63, Subpart A. This section does not match the requirements of Table 1 of Subpart U – National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins. Table 1 is the applicability of the General Provisions of Subpart A to the specific regulation of Subpart U. This whole section of the table needs to be updated to match Table 1 of Subpart U. The reference given in Table 1 where it says, “Applies to subpart U”, where it says YES, these are the items that should be listed in the Table IV-DA as they apply to the Latex Plant. Where it says NO, those sections of Subpart A do not apply to the Latex Plant.

*Response: Some revisions to this section of the table have been made. The following are the Subpart A sections in Table 1 of Subpart U that are listed as applicable, but were not included in the proposed permit and the reasons for which they still have not been included:*

§63.1(a)(7)	Reserved
§63.1(a)(8)	Reserved
§63.1(a)(13)	Removed
§63.1(a)(14)	Removed
§63.1(b)(2)	Reserved
§63.1(c)(4)	Reserved
§63.1(c)(5)	Applies to area sources
§63.4(a)(3)	Reserved
§63.4(a)(5)	Reserved
§63.5(b)(1)	This applies to new affected sources
§63.5(b)(5)	Reserved
§63.6(c)(5)	This applies to area sources
§63.6(e)(2)	Reserved
§63.6(i)(8)	This defines action by the Administrator
§63.6(i)(9)	This defines action by the Administrator
§63.6(i)(10)	This defines action by the Administrator
§63.6(i)(12)	This defines action by the Administrator
§63.6(i)(13)	This defines action by the Administrator
§63.8(f)(2)	This defines action by the Administrator
§63.8(f)(3)	This defines action by the Administrator
§63.8(f)(5)(i)	This defines action by the Administrator
§63.11	The only requirements in this section are for flares
§63.12	This defines State authority

38. The following table summarizes the Subpart G citations (Table IV-DA; 40 CFR, Part 63, Subpart G), the requested change and basis, and whether the change was made:

63.114(a)(4)	Remove - No halogenated streams at Latex	Done
63.114(c)	Remove - No alternate monitoring	Done
63.115	Remove - Not doing group determinations	Done – group determination not required per §63.113(h)
63.116(b)(1)	Remove - Control device is boiler < 44 MW	Done
63.116(b)(2)	Remove – Correct citation is 63.116(b)(4)(i)	Done

63.117-63.117(a)(8)	Remove - No group determinations were made, section does not apply	Done – group determination not required per §63.113(h)
63.148(b)(1)(i)	Add	Done
63.148(b)(1)(ii)	Add	Done
63.148(k)	Remove	Done

39. The following table summarizes the Subpart U citations (Pages 141 through 154; Table IV-DA; 40 CFR, Part 63, Subpart U), the requested change and basis, and whether the change was made:

63.480(i)(3)	Add	Done
63.480(i)(4)	Add	Done
63.481(c)	Add	Done
63.481(d)	Add	Done
63.481(j)	Remove: these sections do not apply	Done
63.481(k)	Remove: these sections do not apply	Done
63.481(l)	Remove: these sections do not apply	Clarified by addition of 63.481(l)(1)(i), which applies to heat exchangers subject to Subpart F
63.482	Add	Done
63.483(a)(3)	Add - The vents are batch combined with continuous vents	Done
63.483(a)(4)	Remove: The vents are not back end process vents	Done
63.483(b)(2)(i)	Add	Done
63.484(i)	Remove - Does not apply because 63.120 does not apply (no Group 1 storage vessels)	Done
63.485(c)	Remove - There are no halogenated vents from the Latex Plant	Done
63.485(f)	Add	Done
63.485(o)(1)	Add - this section applies	Done
63.485(p)	Remove - No gas streams outside of the affected source	Done
63.485(r)	Add	Done
63.485(t)	Remove - Exempt from performance testing due to certifying compliance under EPA interim status rules of Part 266 subpart H.	Done, §63.116(c)(3) does not apply
63.493	This section only applies to the extent that it says “Owners and operators of affected sources whose only elastomer products are latex products, liquid rubber products, or products produced in a gas-phased reaction process <b>are not subject to the provisions of 63.494 through 63.500.</b> The Latex Plant produces only latex products”.	Done
63.494	Remove all references to this section	Done
63.496	Remove all references to this section	Done
63.497	Remove all references to this section	Done
63.498	Remove all references to this section	Done
63.499	Remove all references to this section	Done
63.500	Remove all references to this section	Done
63.502(b)(2)	Remove - There are no latex products other than styrene butadiene latex	Done
63.502(b)(3)	Remove - No high conversion latex products	Done
63.502(b)(6)	Remove - No acrylamide	Done
63.502(b)(7)	Remove - No epichlorohydrin	Done
63.502(c)	Add	Done
63.502(e)	Add	Done
63.502(n)	Description should read “Heat exchange system provisions – must comply with 63.104, <b>except</b> as in (n)(1) through (n)(6)”	Done

63.504	Emissions Averaging – This is actually 63.503, but 63.503 does not apply. Remove.	Done
63.504	Remove: This section is for Additional requirements for performance testing. A performance test was not required because the control device was certified compliance under EPA interim status rules of Part 266 subpart H and was not required to perform an additional test for Subpart U.	Done
63.505(a)	only procedure in (b) applies - the monitoring parameter was set during the testing under Part 266 subpart H.	Done
63.505(b)(4)	Remove - There are no aggregate batch vent streams	Done
63.505(c)	Remove - Option 63.505(b) was used not 63.505(c)	Done
63.505(d)	Remove - Option 63.505(b) was used not 63.505(d)	Done
63.505(g)(3)	Remove - There are no Group 1 vessels	Done
63.505(i)(1)	Change - it should be 63.505(i)(6)	Done
63.506(a)	Change - it should be 63.506(a)(1)	Done
63.506(c)	Remove - This section is RESERVED therefore is does not apply	Done
63.506(d)(3)	Should read “Calculate daily average or batch cycle daily average values”	Done
63.506(d)(4)	Remove - These sections are RESERVED therefore they do not apply	Done
63.506(d)(5)	Remove - These sections are RESERVED therefore they do not apply	Done
63.506(e)(3) through 63.506(e)(3)(viii)	Remove - No Precompliance Report was required since the control device had already certified compliance under EPA interim status rules of Part 266 subpart H.	Done
63.506(e)(7)(i)	Remove - There are no Group 1 vessels	Done
63.506(e)(7)(iii)	Remove - This section does not apply as the back-end process vents from latex plants are excluded from the rule	Done

40. TABLE VII-CR:

Page 305, Organic HAP, 4<sup>th</sup> section down the page under monitoring citation: 63.497 should be 63.485 Continuous front-end process vent provisions. Citation looks like 63.485 (o)(1)(i).

Page 306 in the Monitoring Requirement Citation column, it is 63.485 (a) is the section that applies, not 63.497(a).

*Response: These corrections have been made.*

*Fugitive MACT*

41. Page 17 of the Statement of Basis: Under the 40 CFR Part 63, Subparts H and I: Where it starts “The Latex Plant is a styrene-butadiene rubber etc. ---instead--- Fugitive Emissions: The Latex Plant is subject to the fugitive emission section of the 40 CFR Part 63, Subpart U rule, Section 63.502 and reports leaks under Subpart H as required by Section 63.502(g).  
Page 23 of the Statement of Basis: Under the 40 CFR 63, Subparts H and I section: Replace what is there with the following:  
“The Pittsburg Plant does not have any Synthetic Organic Chemical Manufacturing Processes as defined in the Hazardous Organic NESHAP. The Pittsburg Plant does have a process that is subject to the “Other Process Subject to the Negotiated Regulation for Equipment Leaks”. This process, the Symmetrical Tetrachloropyridine Plant is subject to Subpart H and I only for the National

Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks. The reference for the process can be found in Subpart I Section 63.190(b)(4)(vi) for Symmetrical Tetrachloropyridine production.”

*Response: These changes have been made.*

42. The following table summarizes the H requirements (40 CFR, Part 63, Subpart H, Page 155 through page 164; Table IV-DB Equipment Leaks), the request and basis, and whether the change was made:

63.161	Add	Done
63.163(g)	Remove - Does not apply, no pumps with closed-vent system	Done
63.163(h)	Remove - Does not apply, no unmanned plant site	Done
63.164(a) through 63.164(h)	Are not applicable because we comply with 63.164(i) however they can be left in the table	Left in table
63.165(c)	Remove - PRD's not routed to a process	Done
63.168(j)	Remove - Does not apply, >250 valves	Done
63.170	Remove - Doesn't apply- no surge control vessels	Done
63.172 through 63.172(m)	Remove - No closed vent systems for equipment leaks	Done
63.173(f)	OK- does not apply at this time	Left in table
63.173(g)	Remove - No unmanned site	Done
63.173(h)-63.173(j)	OK- does not apply at this time	Left in table
63.174(c)(1)	Should be 63.174(c)(1)(i)	Done
63.174(c)(1)	Should be 63.174(c)(1)(ii)	Done
63.174(c)(1)(iii)	Add	Done
63.174(c)(2)	Add	Done
63.174(h)(2)	(second one) should be 63.174(h)(3)	Done
63.175 and 63.176	OK- do not apply at this time	Left in table
63.177 through 63.179	Remove - Do not apply to this facility	Done
63.181(e)	Remove - Not demonstrating compliance by pressure testing	Done
63.181(g)	Remove - No closed vent systems for fugitives	Done
63.181(i) through 63.181(k)	Remove - do not apply to this facility	Done
63.182(a)	Should be only be these two sections: 63.182(a)(2) and 63.182(a)(3)	Done
63.182(b)	Remove - Does not apply, Initial Notification not required	Done
63.182(c)	Section applies, but the date does not, the date in 63.502(f) applies instead	Done

43. NOTE: 40 CFR, Part 63, Subpart I: SUBPART I was superceded by SUBPART U for the Latex Plant. Subpart I does not apply to the Latex Plant.

*Response: Subpart I has been removed from this table and listed in a separate table for only the SymTet Plant.*

44. TABLE VII-CS, Organic HAP, 5<sup>th</sup> section down the page; under monitoring citation: page 307, 63.181(h)(3)(i) should be 63.163(b)(1)  
Page 309- Organic HAP 5<sup>th</sup> section down the page: under monitoring citation: 63.174(b)(3)(i) Should Be: 63.174(b)(3)(ii) and 63.174(b)(3)(i) Should Be: 63.174(b)(3)(iii)

*Response: These corrections have been made.*

Other Changes: In addition to the above corrections, the District has added Part 9 of Condition #17985 to the permit. This is a future effective condition that was inadvertently

left out of the permit. Also, Section VII tables for S-229, S-609, and S-648 were revised to match the Section IV tables for these sources.