

**Attachment B - RESPONSE TO COMMENTS Received from US EPA, Region IX  
on the Dow Chemical Proposed Title V Permit  
P#A0031, Application #16468**

Clean Air Act Section 112(j)

1. Symmetrical Tetrachloropyridine Production is a manufacturing category covered by the Miscellaneous Organic Chemicals Production and Processes (MON) MACT, 40 CFR Part 63, Subpart FFFF. We believe that there are several other organic chemical manufacturing operations at the Dow plant that are not regulated by other MACT standards that will also be subject to Subpart FFFF. These include the Dowcile plant, the N-Serve plant, the Trifluoro plant, the methyl ester intermediate (MEI) plant, and the AFTF plant. We would like to see the MACT requirements listed in the permit for these units.

*Response: This MACT was published very recently and Dow Chemical has not had adequate time to determine which of the production processes will be subject to this new regulation. The District feels that listing this regulation cited for specific production plants would be premature until that review has been completed. Therefore, the citation of the Miscellaneous Organic Chemicals Production and Processes (MON) MACT, 40 CFR Part 63, Subpart FFFF with its future effective compliance date has been listed in table IV-A, Source Specific Requirements Facility table. The permit will be reopened in the future to incorporate the requirements of this regulation in detail.*

2. Please note that the promulgation dates for the Site Remediation MACT (GGGGG) and MON MACT (FFFF<sup>1</sup>) standards are slightly different than what is given on page 30 of the Statement of Basis. The Site Remediation MACT was promulgated on October 8, 2003 and the MON MACT was promulgated on November 10, 2003. We would like to see these two MACT standards incorporated into the permit with the same level of detail as the HCL MACT standard (which was promulgated on April 17, 2003), i.e. cite at the subpart level, with specific details added as a significant modification prior to the compliance date.

*Response: Thank you, the correct promulgation dates have been noted in the permit citation of these future requirements, which have been moved from the 112(j) Part 2 application requirement list to individual citations in the same table, IV-A.*

Equipment Leaks

3. Both the Latex plant and the Symmetrical Tetrachloropyridine (SymTet) plant are subject to 40 CFR Part 43, Subparts H and I, equipment leak MACT standards for Hazardous Organic Chemicals. The requirements of this MACT are incorporated with a sufficient level of detail in Table IV-DB, however the title of the table leaves out the subject components for the Symtet plant. Please include this information in the table title.

*Response: A list of subject components for the SymTet Plant has not yet been developed, therefore that information is unavailable for addition to the permit. Note that the Latex plant is no longer subject to Subpart I, as specified by Subpart U. Latex is subject to the fugitive emission section of 40 CFR Part 63 Subpart U, section 63.502 and reports leaks under Subpart H as required by Section 63.502(g). Subpart I requirements have been removed from the Subpart H table and listed in a separate table which applies only to the SymTet Plant.*

4. We also recommend the following changes to table IV-DB:
  - a. 63.163(e): Add the italicized text: “Pump equipped with dual mechanical seal system including a barrier fluid system meeting specification is exempt from (a) through (d) *provided the requirements of 63.163(e)(1) – (e)(6) are met.*”
  - b. 63.163(j): Add the italicized text: “Unsafe to monitor pumps as defined in 63.181(b)(7)(i) are exempt from (b) through (e) if meeting specifications of *(j)(1) and (j)(2).*”
  - c. 63.164(f): Add the italicized text: “Leak is determined by sensor indication of seal *and/or barrier system failure.*”

*Response: These additions have been made.*

#### HCl Storage Tanks

5. The list of equipment subject to the HCL MACT (NNNNN) on page 20 of the Statement of Basis excludes all storage tanks associated with hydrochloric acid production. Section 63.8985 of the HCL MACT says that “The HCL production facility includes all HCL storage tanks that contain liquid HCL product that is produced in the HCL production unit ... [except] storage tanks that are dedicated feedstock tanks for another process and storage tanks that store HCL dedicated for use in wastewater treatment.” The following HCl storage tanks are subject to 40 CFR Part 63, Subpart NNNNN: S-649, S-650, S-651, S-652, S-449, S-576, S-644, S-645, S-449, S-137, S-138, S-139, S-140, and S-530. Please add the MACT standards to the permit for these units. In addition, S-648, the HCl absorber, is subject to the HCL MACT and the MACT standards for this unit need to be added to the permit.

*Response: The HCL MACT with its future effective date has been added to the Source-Specific Applicable Requirements tables for S-137, S-138, S-139, S-140, S-449, S-576, S-644, S-645, S-648, S-649, S-650, S-651, and S-652. The HCL MACT has not been added to the table for S-530, which is used to store 36% HCl for dedicated use to adjust the pH in treated water streams. It is not part of an HCl production unit and is covered under the exception in 63.8985(a)(2).*

#### Latex Plant Wastewater

6. The statement of basis states on page 17 that the facility is not subject to wastewater requirements because the wastewater is recycled to the process and is not “discarded from a chemical manufacturing process unit ...” (section 63.101 of subpart F, which is cross-referenced by 40 CFR part 63 subpart G). Please explain whether the wastewater stays within the process unit where it is generated or whether it is removed from the process unit(s) where it is generated and used elsewhere at the chemical plant. If the wastewater is removed from the process unit, it appears that a new applicability determination that considers the other criteria in the section 63.101 wastewater definition would be necessary to determine whether the Latex MACT wastewater requirements apply.

*Response: The “wastewater” at the Latex Plant is not wastewater in that it is not “discarded from a chemical processing unit” as defined in Subpart F. It is water that stays within the process unit where it is generated and is used as makeup water in the Latex process.*

Pesticide Active Ingredient MACT (MMM)

7. The compliance deadline for the MACT standard for Pesticide Active Ingredient Production is December 23, 2003. The District noted on page 24 of the Statement of Basis that the standards from this MACT are only cited in the permit at the broad subpart level because the compliance date has not passed and because the Dow's compliance strategies were not yet defined at the time of issuance of the proposed permit (the Statement of Basis gives an expected date of September 23, 2003). We believe that the final permit should have the Pesticide MACT standards incorporated in detail with the compliance deadline so near, adding requirements such as:  
63.1362(b)(3): HCl and Cl<sub>2</sub> emissions not to exceed 6.8 Mg/yr or shall be reduced by 94% or greater or 20 ppmv or less. Please note that the Statement of Basis indicated that only S-461 at the Lontrel Plant is subject to the Pesticide MACT, while the permit lists all units at the Lontrel Plant as being subject to the Pesticide MACT.

*Response: September 23, 2003 was the deadline for submittal of Dow's Precompliance Plan. Dow did submit this plan, which primarily contains the calculations and rationale to support parametric monitoring levels that will ensure compliance with the MACT abatement efficiency requirement. The facility plans to comply with the PAI HCl removal standard meeting the 94% reduction in HCl emissions from the Lontrel Plant, §63.1362(b)(3)(ii). However, this information is not adequate for the level of detail cited in the Title V permit (see Source-Specific Requirements table for the Latex MACT). District is in the process of working with Dow to develop this table. The permit will be reopened to incorporate these requirements at which time both the public and EPA will have the opportunity to review the requirements and provide comments.*

*S-461 is the only source subject to the PAI as specified in the Statement of Basis. No other Lontrel sources are subject to the future effective PAI MACT. The permit has been corrected to reflect this.*