

May 30, 2002

**Mr. Ken Kloc**  
**Golden Gate University School of Law**  
**Environmental Law and Justice Clinic**  
**536 Mission Street**  
**San Francisco, CA 94105-2968**

**ALAMEDA COUNTY**  
Roberta Cooper  
Scott Haggerty  
(Vice-Chairperson)  
Nate Miley  
Shelia Young

**SUBJECT: Response to Comments, dated May 10, 2002, for Proposed Major Facility Permit for Hexcel Corporation**

**CONTRA COSTA COUNTY**  
Mark DeSaulnier  
Mark Ross  
Gayle Uilkema

**Dear Mr. Kloc:**

The following responses are offered to your comments. They are arranged in the same order as your comments:

**MARIN COUNTY**  
Harold C. Brown, Jr.

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
Chris Daly  
(Vacant)  
(Vacant)

**SAN MATEO COUNTY**  
Jerry Hill  
Marland Townsend  
(Secretary)

**SANTA CLARA COUNTY**  
Randy Attaway  
(Chairperson)  
Liz Kniss  
Julia Miller  
Dena Mossar

**SOLANO COUNTY**  
William Carroll

**SONOMA COUNTY**  
Tim Smith  
Pamela Torliatt

William C. Norton  
**INTERIM CEO/EXECUTIVE**  
**SECRETARY**

Ellen Garvey  
**Air Pollution Control Officer**

1. You correctly note that Title V permits must "assure compliance" with applicable requirements. However, you have interpreted this to mean that a Title V permit may not be issued if there is a likelihood of future violations. As a general matter, the District disagrees with this interpretation. No permit can exclude the possibility that actions taken by a facility will lead to a violation. A Title V permit "assures compliance" by, among other things, providing a means to verify whether non-compliance has occurred. This information, coupled with an appropriate enforcement response, helps bring about compliance. If the Title V permit is not issued simply because future violations are likely to occur, the result will be that enforcement efforts will be disadvantaged by the lack of additional compliance information that would be required by the Title V permit. Although a history of egregious non-compliance may be a basis for denial of a Title V permit, the District believes that, for most facilities, the appropriate action is to issue the Title V permit so that it may begin functioning as a tool for ensuring future compliance.

Consistent with the above, the District also disagrees with your assertion that "intermittent compliance" is an inappropriate designation for a facility receiving a Title V permit. Again, the fact that future violations cannot be entirely ruled out should not, of itself, be a reason to deny the facility a permit to operate. In using the term "intermittent compliance", the District is indicating its view that the likelihood of future violations is within acceptable limits, and that the Title V permit is appropriately written to help the District identify violations that may occur.

The root cause for the large number of violations documented at Hexcel during the review period was an inadequate preventative maintenance program. In fact, prior to meeting with the District, Hexcel had no formal, documented preventative maintenance program for the facility thermal oxidizers. Not surprisingly, Hexcel experienced many equipment failures that lead to non-compliance. Since then, Hexcel has developed and presented to the District a program which appears to meet industry standards and which, if implemented diligently, is expected to

minimize failures of emission control equipment. In fact, although Hexcel received 51 violation notices in the 12-month period ending February 28, 2002, this facility has not been issued a violation notice in over a year. Based on this marked reduction in non-compliance events, it appears that Hexcel's new maintenance program has been successful. Although the District recognizes that future non-compliance events are a possibility, there no longer appear to be any obvious deficiencies that will inevitably lead to non-compliance, as was the case in the past.

Finally, it is inappropriate at this time to require specific maintenance activities in the proposed permit because the District cannot say with certainty which actions are necessary to avoid non-compliance. However, because the proposed permit contains monitoring requirements adequate to detect non-compliance, the District may require that additional steps be taken if the current program proves inadequate in the long term.

2. You have requested that a more detailed facility description be included in the permit Statement of Basis, including a discussion of the production process with a diagram of facility process equipment, and that such enhancement be included in other Statements of Basis. The Statement of Basis serves to provide some context for reviewers of a proposed permit and to explain changes made to the existing permit to ensure that adequate monitoring is in place.

First, it should be noted that the District did not receive comments from any other reviewer indicating that the Statement of Basis for the proposed permit was unclear or inadequate. Secondly, The District believes that a facility and process description as detailed as you have requested is beyond the scope of the Title V permit program. However, the District is prepared to answer specific questions about permitted source operations if the required information is in our records.

3. You indicated that several applicable SIP citations that do not appear in Table IV-A of the proposed permit should be added. These sections are not applicable, as described below:

- SIP Regulations 8-16-303.1.1 through 8-16-303.1.5 and 8-16-303.2 through 303.4 are cold cleaner requirements. The sources in Table IV-A (resin mixers and reactors) are not subject to these requirements.
- SIP Regulation 8-16-501.1 is a recordkeeping requirement for the trichloroethylene use limitation of 8-16-304. This facility does not use trichloroethylene. In fact, this facility does not have permits to use chlorinated solvents. The tanks where the solvents are stored are only allowed to contain MEK (methyl ethyl ketone) and acetone. For this reason, the facility is not subject to SIP 8-16-304, the National Emission Standard for Halogenated Solvent Cleaning, and the standards in 40 CFR 82 regarding the use of ozone-depleting compounds for manufacturing.
- The sources in Table IV-A are subject to the requirements of Regulation 8, Rule 36. Therefore, as specified in SIP Regulation 8-4-101, the more general requirements of Regulation 8, Rule 4, including 8-4-302, do not apply.

4. You noted that sources subject to Conditions 6978 and 7165 have a compliance option, under Regulation 8-36-301.2, which limits total emissions from facility sources subject to Regulation 8, Rule 36 to no more than 10 lb/day. [The other option is a 95% overall abatement requirement under 8-36-301.1]. You questioned the adequacy of the verification that this requirement will be

satisfied. In fact, this facility is expected to comply with the option requiring 95% overall abatement. Therefore, the option for compliance with 8-36-301.2 has been deleted.

You also noted that sources subject to Condition 4197 are limited to emissions of less than 120 lb/day of VOC and questioned the adequacy of the verification that this requirement will be satisfied. Compliance with this limit is monitored by determining how much VOC is used in coatings and cleanup solvents, and by applying the required destruction efficiency of the A-21 oxidizer (95%) to the VOC contained in coatings. The destruction efficiency of A-21 is monitored by verifying that A-21 operates at a minimum temperature of 1400 degrees F. The District has extensive experience with the operation of thermal oxidizers that suggests that an operating temperature of 1400 degrees F will achieve a destruction efficiency well over 95% and generally over 98%. Therefore, the proposed monitoring is adequate to assure compliance.

5. You indicated that the specific monitoring requirements of Condition 17566, Part 4 were not adequately spelled out. These requirements have been re-written in greater detail.

Attached is a copy of the final permit. If you have additional questions regarding this permit, please call Julian Elliot, Air Quality Engineer, at (415) 749-4705.

Sincerely yours,

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Ellen Garvey  
Air Pollution Control Officer

Enclosures

JJE:myl