

BAAQMD Responses to EPA Region 9 Comments on Proposed Renewal Title V Permit and Statement of Basis for Rhodia, Inc.; Plant B1661, Application 15374

Comment #1: The permit must include the citation to the BAAQMD's state plan that was approved by EPA in accordance with 40 CFR Part 60, Subpart Cd, which includes the emission guidelines and compliance deadlines for sulfuric acid production units. Although the permit references 60.30d to 60.32d of the emission guidelines as applicable requirements for S-1 in table IV, the permit must include the requirements of BAAQMD's actual state plan for sulfuric acid production units.

Response: The District and EPA Region 9 cannot find a copy of the District's state plan submitted pursuant to 40 CFR 60, Subpart Cd. However, the ultimate result of the plan was the adoption of District Regulation 12, Rule 6, "Acid Mist from Sulfuric Acid Plants". The applicable requirements of this regulation are listed in the part IV table for S-1.

Comment #2: The statement of basis states that the facility uses a mist eliminator for reducing sulfuric acid emissions and for recovering sulfuric acid. It also lists examples and states that EPA has determined that a mist eliminator is considered to be inherent process equipment because of these examples. Please provide more information on these examples, which are cited in the statement of basis.

Response: We have removed from the statement of basis the list of examples where EPA has determined that a mist eliminator is considered to be inherent process equipment. We have added a table that shows the pre-control device emissions for abated sources at the facility. The S-1 Sulfuric Acid Plant does not employ a mist eliminator. S-51 Oleum Storage Tank and S-52 Oleum Truck Loading Facility are abated by A-16 and A-17 Mist Eliminators. As shown in the table, the pre-control device emissions for S-51 and S-52 are less than the major source thresholds. Therefore, CAM does not apply to those sources.

Comment #3: Please address, in the statement of basis, whether Compliance Assurance Monitoring (CAM) applies to S-1 (Sulfuric Acid Plant) which is controlled by an ammonia scrubber. According to the permit, the emission limits that apply to S-1 are Ringelmann 1 for < 3 minutes/hr, 0.15 gr/dscf hourly PM limit based on throughput, 0.04 gr/dscf SO₃ and H₂SO₄, and SO₂ emissions < 300 ppm @ 12% O₂. If CAM applies, the requirements must be included in the permit.

Response: We have added an analysis to the statement of basis that addresses the applicability of CAM to the S-1 Sulfuric Acid Plant. As a result of the analysis, we have determined that CAM applies to S-1 for particulate matter, SO₃, and H₂SO₄. Accordingly, we have added the applicable requirements of 40 CFR 64 to the part IV and VII tables for S-1 and added permit conditions to implement CAM.

Comment #4: The statement of basis states that in 2007 Rhodia entered into a consent decree which requires the facility to submit one or more applications that would incorporate the consent decree requirements into its title V permit. The permit includes some of the consent decree requirements but only cites the consent decree as the basis. The permit should cite the applicable BAAQMD rules that were used to incorporate the consent decree requirements into any NSR and title V permit.

Response: The consent decree requirements were imposed as District permit conditions in response to an application from the facility. They were not imposed as a result of any District regulations. Therefore, the only valid basis for the conditions is the consent decree imposed by the court through its legal finding.