

Mr. Gustave A. Von Bodungen
Office of Air Quality
Department of Environmental Quality
P.O. Box 82135
Baton Rouge, LA 70884-2135

February 20, 1998

REF: Public Comments for the Shintech Inc. and Its Affiliates air permits and PSD permit.

Dear Mr. Von Bodungen,

The following comments pertain to the operating permits, the PSD permit and the permit modifications for Shintech Inc. and Its Affiliates.

There are no vinyl chloride storage tanks included in the permits. All vinyl chloride storage tanks and storage facilities must be identified and included in the permits.

The scrubbers following P-1 and P-2 are not listed as emissions sources in the PVC permit.

The Louisiana Department of Environmental Quality (LDEQ) has failed to fulfill their obligation to work with and cooperate with all stakeholders in the permitting process regarding the Title V, Part 70 air permits and PSD permit for Shintech and Its Affiliates. LDEQ has refused the staff and workers of Louisiana Environmental Action Network, as well as other private citizens, access to important information needed to fully evaluate these permits. LDEQ has refused to meet with staff and workers of Louisiana Environmental Action Network to discuss these permits. At the same time LDEQ has worked closely with Shintech and Its Affiliates, members of the SOCFI industry, the Chemical Manufacturing Association, and the Louisiana Chemical Association to discuss and disseminate information pertaining to these permits.

Since LDEQ has federal delegation of the federally enforceable Title V, Part 70 permitting program, LDEQ has the same obligations and responsibilities as the Environmental Protection Agency to work and cooperate with all shareholders in the permitting process nor can the LDEQ exclude any citizens or groups of citizens access to information important to the permitting process when that information is available to other private sector stakeholders. Yet, LDEQ has excluded staff and workers of Louisiana Environmental Action Network, and other private citizens, access to important information concerning the Part 70 permits and the PSD for Shintech and Its Affiliates while making this information available to other private sector stakeholders.

The liquid incinerator is referenced in the PSD permit, but emissions from that source aren't included in the air permits.

Emission sources M-4 and M-5 in the VCM plant permit are used as hazardous waste incinerators and Shintech Inc. and Its Affiliates should be required to obtain Hazardous Waste Operating Permits for these incinerators.

Applicants failed to adhere to the general requirements of Section 112(r)(1) of the Clean Air Act, including but not limited to; identifying hazards which may result from releases of any substance listed pursuant to paragraph (3) of Section 112(r) or any other extremely hazardous substance, using appropriate hazard assessment techniques, to design and maintain a safe facility taking such steps as are necessary to prevent releases, and to minimize the consequences of accidental releases which do occur.

Pursuant to specific condition 4 of the PVC plant permit, there has been no demonstration, nor is there an expectation that the 99.99% removal of PM10 can be achieved.

Pursuant to specific condition 5 of the PVC plant permit, daily visual inspection for opacity is neither acceptable nor feasible as a monitoring method in general. This is especially true given that steam is expected to be issuing from these emissions points making visual observations of other visible emissions difficult or impossible.

Pursuant to specific condition 6 of the PVC plant permit, the emissions limits are listed as 99.99% removal of PM, but the compliance demonstration is based on PM10 emission limits. These PM10 emission are not stated.

Pursuant to specific condition 7 of the PVC plant permit, daily visual inspection for opacity is neither acceptable nor feasible as a monitoring method.

Pursuant to specific condition 8 of the PVC plant permit and specific condition 8 of the VCM plant permit, and specific condition 15 of the PSD permit, the amount of VOC emission reduction credits that will be required by Shintech Inc. and Its Affiliates to meet the federally approved St. James Parish ozone attainment maintenance plan should be stated in each permit.

Pursuant to specific condition 9 of the PVC plant permit and specific condition 10 of the VCM permit, the specific condition is unclear. In part (a) it's not clear how the non-HON components are to be monitored and what systems are required to adhere to which monitoring programs. In part (b) it's not clear what leak definitions and monitoring frequency will be required for which components throughout the PVC plant. In part (c) it's not clear which recordkeeping and reporting requirements will be required for which components throughout the PVC plant.

Those components that are covered under the HON should be specifically stated, and for the other components the monitoring programs, leak definitions, monitoring frequency, recordkeeping keeping and reporting requirements must be explicitly stated.

For emission sources P-1 and P-2 there is no demonstration data or reasonable expectation that a 99.99% removal efficiency for PM10 can be achieved.

For emission sources P-3, P-4, P-5, P-6, P-7, P-8, P-9 and the PVC silos there is no BACT demonstration data or reasonable expectation that a 99.99% removal efficiency can be attained.

For emission source P-SS all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-RS all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-GH1 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-GH2 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-KOT all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-RU1 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-RU2 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-C all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-D all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-S all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-1 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-2 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW2a all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-2b all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-2c all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-2d all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source PVCWW-2e all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-WWT all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

For emission source P-WWS all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, there is no MACT requirement stated for this emission source.

The biotreatment unit is referenced in the permits as being in the PCV plant, but there is no biotreatment unit listed in Table 2 of the PVC plant permit.

The compliance monitoring devices, activities, or methods in Table 3 of the PVC permit are not consistent with the Compliance Method/Provisions listed in Table 2 of the PVC permit and the Specific Conditions of the PVC permit. This includes but is not limited to:

P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, PVC silos, P-15, P-RS, P-GH1, P-GH2, P-KOT, P-RU1, P-RU2, P-C, P-D, P-S, PVCWW-1, PVCWW-2, PVCWW-2a, PVCWW-2b, PVCWW-2c, PVCWW-2d, PVCWW-2e, P-WWT and P-WWS.

The reference to oxidizers flue gas in Table 3 of the PVC permit is unclear. The exact position and frequency of the monitoring for each reference must be included. The same for the reference to VCM conc. in scrubber vents in that table.

The compliance testing requirements in Table 4 of the PVC permit are not consistent with the Compliance Method/Provisions listed in Table 2 of the PVC permit and the Specific Conditions of the PVC permit.

The equipment list in Table 5 of the PVC permit is incomplete.

The Air Quality Data Sheet, Page 1, is incomplete and does not include the emission point no., description, operating rate (max) or tank capacity, or operating schedule for P-SS through P-WWS.

Some of the EIQ's in the PVC permit contain hand written data.

The VCM plant permit page 2, under Type of Review, seems to specifically exclude, and fails to include, the requirement that as Hazardous Air Pollutants under the 1990 Clean Air Act, hydrochloric acid and chlorine must be controlled by Maximum Achievable Control Technology.

Specific condition 2 in the VCM permit needs to be more specific. It is not clear if the proposed oxygen monitors are to go in the stacks, the recycle lines, or somewhere else. This needs to be clarified. Emission points M-1, M-2 and M-3 need to have a minimum firebox temperature and minimum oxygen included as operating parameters to meet BACT requirements and to be consistent with the BACT analysis in the PSD permit. These requirements must be added into the specific condition and not referred to in an attachment. These operating conditions should be set by the known equipment capabilities. The initial performance test should be used to confirm that the equipment is capable of meeting these performance standards, and not to adjust the operating parameters.

Specific condition 3 in the VCM permit should not be adjustable to less stringent standards based on initial performance tests. These operating conditions should be set by the known equipment capabilities. The initial performance test should be used to confirm that the equipment is capable of meeting these performance standards, and not to adjust the operating parameters.

The visual inspection for opacity in Specific Condition 4 of the VCM permit is not acceptable nor feasible. The Condition states that steam will be issuing from the emission point, making visual observation for opacity difficult or impossible.

The MACT requirements for emission source M-14 should be 98% removal efficiency not 95% removal efficiency.

The MACT requirements for emission sources M-12 and M-13 should be 98% removal efficiency not 95% removal efficiency.

For emission source M-4 and M-5 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission sources VCM-1, VCM-2, and VCM-3 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission source VCM-4 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission sources OHC-1, OHC-2 and OHC-3 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission sources DC-1, DC-2 and DC-3 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission source EDCP-1, EDCP-2, EDCP-3, EDCP-4, EDCP-5 and EDCP-6 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission sources DC-1, DC-2 and DC-3 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted.

For emission sources DCW-1, DCW-2, OCRW-1,-2,-3, EQP-1, EPW-2 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, the references for the compliance method/provision was given for these sources, but the requirements were not given and should be.

For emission sources TOW-1 and TOW-2 all the data and information required by LAC 33:III 517.D and 40 CFR 70.5(c) was not submitted. Also, the references for the compliance method/provision was given for these sources, but the requirements were not given and should be.

The compliance monitoring devices, activities, or methods in Table 3 of the VCM permit are not consistent with the Compliance Method/Provisions listed in Table 2 of the VCM permit and the Specific Conditions of the VCM permit.

The compliance testing requirements in Table 4 of the VCM permit are not consistent with the Compliance Method/Provisions listed in Table 2 of the VCM permit and the Specific Conditions of the VCM permit.

The equipment list in Table 5 of the VCM permit is incomplete.

The BACT analysis for the PM/PM10 is incomplete. There is no demonstration or sufficient information given to believe that the proposed PM/PM10 technology will be BACT for PM10 and other small PM.

There is no demonstration, expectation or belief that adding 241.7 tons per year of VOC's into the air in St. James Parish will allow St. James Parish to maintain the federally mandated ozone maintenance plan currently in place in St. James Parish or that these emissions will not adversely affect the attainment status of St. James Parish.

In reference to three ozone exceedences in St. James Parish in 1995, the PSD permit states that "Using Urban Airshed Model (UAM), the causes of these exceedences were determined to be the result of overwhelming transport." This is an inaccurate statement of fact by LDEQ since the UAM modeling results they speak of were not finished until January 20, 1998 while the PSD permit was released on December 18, 1997. The use of nonexistent data shows that LDEQ plans to declare these ozone exceedences as due to transport whether they actually have the data or not.

Our analysis of these ozone exceedences shows that transport can't adequately explain away these exceedences no matter how desperately LDEQ tries to do so. The EPA has already denied the transport argument once.

We therefore ask the EPA to conduct an investigation into how St. James Parish was allowed to be changed to ozone attainment in the Redesignation of St. James Parish to Attainment [Federal Register: September 12, 1995 (Volume 60, Number 176)] the same year it had three ozone exceedences. This misuse of maintenance and implementation plans should never be allowed and should be fully investigated.

Specific condition 5 of the PSD permit is inconsistent with the BACT analysis for CO and VOC and with the attachment to the specific conditions in the PSD.

Specific condition 9 of the PSD states that 40 CFR 63, Subpart H is to be used as control for fugitive emissions. The fugitive emissions requirements in the PCV, VCM and Chlor-Alkali permits must be brought up to this standard.

Specific condition 11 of the PSD permit can't be met with the proposed control technology.

Specific condition 12 of the PSD permit should not allow for visual inspection for opacity given that steam emissions will make visual inspection difficult or impossible.

Specific condition 13 of the PSD permit doesn't require control for PM10.

Specific condition 14 should not allow for visual inspection for opacity.

Sincerely

Marylee Orr