



Louisville Metro Air Pollution Control District
850 Barret Avenue
Louisville, Kentucky 40204-1745



Permit No.: C-0011-1014-15-V

Plant ID: 0011

Effective Date: 0/00/2014

Expiration Date: 0/00/2015

American Synthetic Rubber Company, a Division of Michelin North America, Inc.
4500 Camp Ground Rd
Louisville, KY 40216

is authorized to install the described process equipment by the Louisville Metro Air Pollution Control District. Authorization is based on information provided with the application submitted by the company and in accordance with applicable regulations and the conditions specified herein.

Process equipment description:

One (1) New "In Kind" Replacement No. 5 Crumb Tank T-9E/T (Title V Emission Point E-U1/U2-T-9E/T); Closed System; Make Custom; Model Custom; and 47,000 Gallons Capacity

Applicable Regulation(s): 1.05, 2.03, 2.16, 5.00, 5.01, 5.02 (40 CFR Part 63 Subpart U), 5.20, 5.21, 5.22, 5.23 and 7.25

Control reference(s): Not Applicable (Closed System)

Application No. 73523

Application Received: 9/21/2015

Permit Writer: Randy Schoenbaechler

Date of Public Comment 12/13/2015

{Manager1}
Air Pollution Control Officer
{date1}

Construction Permit Revisions/Changes

Revision No.	Permit No.	Issue Date	Public Notice Date	Change Type	Change Scope	Description
Initial	C-0011-1014-15-V	TBD	12/13/2015	Initial	Entire Permit	Initial Permit Issuance

This permit covers only the provisions of Kentucky Revised Statutes Chapter 77 Air Pollution Control, the regulations of the Louisville Metro Air Pollution Control District (District) and, where appropriate, certain federal regulations. The issuance of this permit does not exempt any owner or operator to whom it has been issued from prosecution on account of the emission or issuance of any air contaminant caused or permitted by such owner or operator in violation of any of the provisions of KRS 77 or District regulations. The permit contains general permit conditions and specific permit conditions. General conditions are applicable unless a more stringent requirement is specified elsewhere in the permit.

General Conditions

- G1. The owner or operator of the affected facility covered by this permit shall notify the District of any process change, equipment change, material change, or change in method or hours of operation. This requirement is applicable to those changes (except equipment changes) that may have the potential for increasing the emission of air contaminants to a level in excess of the applicable limits or standards specified in this permit or District regulations.
- G2. The owner or operator shall obtain new or revised permits from the District when:
(See District Regulation 2.16 for Title V sources. See District Regulation 2.17 for FEDOOP sources. See District Regulation 2.03 for other sources.)
- a. The company relocates to a different physical address.
 - b. The ownership of the company is changed.
 - c. The name of the company as shown on the permit is changed.
 - d. Permits are nearing expiration or have expired.
- G3. The owner or operator shall submit a timely application for changes according to G2. For minor sources only, the District does not require application for permit renewal. The District automatically commences the process of permit renewal for minor sources upon expiration. Timely renewal is not always achievable; therefore, the company is hereby authorized to continue operation in compliance with the latest District permit(s) until the District issues the renewed permit(s).
- G4. The owner or operator shall not be authorized to transfer ownership or responsibility of the permit. The District may transfer permits after appropriate notification (Form AP-100A) has been received and review has been made.
- G5. The owner or operator shall pay the required permit fees within 45 days after issuance of the SOF by the District, unless other arrangements have been proposed and accepted by the District.

- G6. This permit allows operation 8,760 hours per year unless specifically limited elsewhere in this permit.
- G7. The owner or operator shall submit emission inventory reports as required by Regulation 1.06.
- G8. The owner or operator shall timely report abnormal conditions or operational changes, which may cause excess emissions as required by Regulation 1.07.
- G9. Unless specified elsewhere in this permit, the owner or operator shall complete required monthly record keeping within 30 days following the end of each calendar month.
- G10. If a change in the Responsible Official (RO) occurs during the term of this permit, the owner or operator shall provide written notification (Form AP-100A) to the District within 30 calendar days of the date the RO change occurs.

Specific Conditions

S1. Standards (Regulation 2.03, section 6.1)¹

a. VOC

- i. For new replacement Emission Point T-9E/T², the owner or operator shall comply with the APCD-approved Regulation 1.05 Plan that accounts for the daily VOC emissions from Title V Emission Unit U1/U2, of which this new replacement Emission Point T-9E/T is part. New replacement No. 5 Crumb Tank T-9E/T is a closed system that does not have a process vent that vents directly to either the atmosphere or to a control device. (APCD Regulation 1.05, section 4)
- ii. For new replacement Emission Point T-9E/T, the owner or operator shall utilize VOC BACT as defined below. (Regulation 7.25, section 3)

New replacement Emission Point T-9E/T, which is a closed system, has been determined by the District to be VOC BACT for Regulation 7.25. (Regulation 7.25, section 3.1)³
- iii. For U1/U2 Emission Points: General Tank Farm Truck Unloading, C-2, C-2M, C-2T, C- 604A, C-615, C-623, X-2M, X-2T, C-1A, C-1T, D-10A, D-8A, D-44, D-44M, D-45M, R-651, R-652, R-653, R-654, Reactor 14, D-24M, D-24T, D-25M, D-25T, D-26M, D-26T, No. 3 Stripper Vessels, D-645, D-657, D-658, D-6A, T-9A, T-9B, T-9C, T-9D, and T-9E/T; U3 Emission Points: General Tank Farm Truck Unloading, Rail Car Unloading, D-49LB, DR-2, and DR-3; and U4 Emission Point: Truck Fuel Oil Loading/Unloading (when unloading): the owner or operator shall not allow the VOC emissions, from all the emission points combined, to exceed 5.0 tons per 12-consecutive month period. (Regulation 7.25, section 2.1 and 3.1)⁴

¹ There are no standards under Regulation 5.15 applicable to new replacement Emission Point T-9E/T. This new replacement Emission Point does not contain any substances subject to the Risk Management Plan submitted by ASRC to the District and to U.S. EPA.

² New “in kind” replacement No. 5 Crumb Tank T-9E/T is formally designated for Title V purposes as Emission Point E-U1/U2-T-9E/T (cited in this Permit as Emission Point T-9E/T). The Crumb Tank’s associated Process Condenser E-32E/T (part of this Emission Point’s Description) is not being replaced under this Permit; only the Crumb Tank is being replaced.

³ New replacement Emission Point T-9E/T is a closed system that does not have a process vent that vents directly to either the atmosphere or to a control device. This closed system has been determined by the District to be VOC BACT for Regulation 7.25.

⁴ The combined potential uncontrolled VOC emissions from U1/U2 Emission Points: General Tank Farm Truck Unloading, C-2, C-2M, C-2T, C- 604A, C-615, C-623, X-2M, X-2T, C-1A, C-1T, D-10A, D-8A, D-44, D-44M, D-45M, R-651, R-652, R-653, R-654, Reactor 14, D-24M, D-24T, D-25M, D-25T, D-26M, D-26T, No. 3 Stripper Vessels, D-645, D-657, D-658, D-6A, T-9A, T-9B, T-9C, T-9D, and T-9E/T; U3 Emission Points: General Tank Farm Truck Unloading, Rail Car Unloading, D-49LB, DR-2, and DR-3; and U4 Emission Point: Truck Fuel Oil Loading/Unloading (when unloading) are less than the plant-wide combined 5 tpy limit. A BACT determination is required to be performed for any future construction/modification subject to Regulation 7.25 provided the associated VOC PTE increases are in excess of the < 5 tpy bucket limit

b. 40 CFR Part 63 Subpart U HAP (Non-LDAR)⁵

- i. The emission limitations set forth in 40 CFR Part 63 Subpart U and the emission limitations referred to in 40 CFR Part 63 Subpart U shall apply at all times except during periods of non-operation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which 40 CFR Part 63 Subpart U applies. However, if a period of non-operation of one portion of an affected source does not affect the ability of a particular emission point to comply with the emission limitations to which it is subject, then that emission point shall still be required to comply with the applicable emission limitations of 40 CFR Part 63 Subpart U during the period of non-operation. For example, if there is an overpressure in the reactor area, a storage vessel that is part of the affected source would still be required to be controlled in accordance with the emission limitations in 40 CFR 63.484. (40 CFR 63.480(j)(1))
- ii. The owner or operator shall not shut down items of equipment that are required or utilized for compliance with 40 CFR Part 63 Subpart U during times when emissions (or, where applicable, wastewater streams or residuals) are being routed to such items of equipment if the shutdown would contravene requirements of 40 CFR Part 63 Subpart U applicable to such items of equipment. (40 CFR 63.480(j)(3))
- iii. In response to an action to enforce the standards set forth in 40 CFR Part 63 Subpart U, an owner or operator may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by a malfunction, as defined in 40 CFR 63.2. Appropriate penalties may be assessed, however, if the owner or operator fails to meet the burden of proving all the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief. (40 CFR 63.480(j)(4))
 - 1) To establish the affirmative defense in any action to enforce such a limit, the owners or operators of a facility must timely meet the notification requirements of 40 CFR 63.480(j)(4)(ii), and must prove by a preponderance of evidence that the requirements of 40 CFR 63.480(j)(4)(i)(A) through (I) were met. (40 CFR 63.480(j)(4)(i))

⁵ New replacement Emission Point T-9E/T does not meet the LDAR applicability requirements of 40 CFR 63.160 of 40 CFR Part 63 Subpart H, and it is therefore not subject to the equipment leak (LDAR) provisions of 40 CFR 63.502(a) of 40 CFR Part 63 Subpart U, which references 40 CFR Part 63 Subpart H, with the exceptions as noted in 40 CFR 63.502(b) through (m). Specifically, this equipment item does not meet the definition of “in organic HAP service” in 40 CFR 63.161 of 40 CFR Part 63 Subpart H. That is, this piece of equipment does not either contain or contact a fluid (liquid or gas) that is at least 5 percent by weight total organic HAPs as determined according to the provisions of 40 CFR 63.180(d) of 40 CFR Part 63 Subpart H. New replacement No. 5 Crumb Tank T-9E/T will not be “in organic HAP service”. Consequently, there are no LDAR standards, and no LDAR monitoring and recordkeeping, and no LDAR reporting requirements, applicable to new replacement Emission Point T-9E/T.

- (a) The excess emissions were caused by a sudden, infrequent, and unavoidable failure of air pollution control and monitoring equipment, or a process to operate in a normal and usual manner; and could not have been prevented through careful planning, proper design, or better operation and maintenance practices; did not stem from any activity or event that could have been foreseen and avoided, or planned for; and were not part of a recurring pattern indicative of inadequate design, operation, or maintenance; (40 CFR 63.480(j)(4)(i)(A))
- (b) Repairs were made as expeditiously as possible when the applicable emission limitations were being exceeded. Off-shift and overtime labor were used, to the extent practicable to make these repairs; (40 CFR 63.480(j)(4)(i)(B))
- (c) The frequency, amount, and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions; (40 CFR 63.480(j)(4)(i)(C))
- (d) If the excess emissions resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; (40 CFR 63.480(j)(4)(i)(D))
- (e) All possible steps were taken to minimize the impact of the excess emissions on ambient air quality, the environment, and human health; (40 CFR 63.480(j)(4)(i)(E))
- (f) All emissions monitoring and control systems were kept in operation, if at all possible, consistent with safety and good air pollution control practices; (40 CFR 63.480(j)(4)(i)(F))
- (g) All of the actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs; (40 CFR 63.480(j)(4)(i)(G))
- (h) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions; and (40 CFR 63.480(j)(4)(i)(H))
- (i) The owner or operator has prepared a written root cause analysis, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using the best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction. (40 CFR 63.480(j)(4)(i)(I))

- 2) *Notification.* The owner or operator of the facility experiencing an exceedance of its emission limit(s) during a malfunction shall notify the Administrator⁶ by telephone or facsimile (FAX) transmission as soon as possible, but no later than 2 business days after the initial occurrence of the malfunction, if it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in 40 CFR Part 63 Subpart U to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in 40 CFR 63.480(j)(4)(i). The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45 day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance. (40 CFR 63.480(j)(4)(i)(ii))
- iv. At all times, each owner or operator must operate and maintain any affected source subject to the requirements of 40 CFR Part 63 Subpart U, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (40 CFR 63.483(a))
- v. For all Back-End Process Operations^{7,8}, which include new replacement Emission Point T-9E/T, the monthly weighted average residual organic

⁶ The Administrator as referenced in this permit is the Louisville Metro Air Pollution Control District.

⁷ New replacement Emission Point T-9E/T is, for the purposes of the 40 CFR Part 63 Subpart U MACT, part of the Back-End Process Operations. It is not, however, a Back-End Process Vent due to it being a closed system. ASRC's Back-End Process Operations consist of all U1/U2 Crumb Tanks and all U1/U2 Finishing Lines. (Refer to the definition of "Back-End" found in 40 CFR 63.482, *Definitions*, which specifically includes crumb storage.) ASRC's Back-End Process Operations comply with the 40 CFR Part 63 Subpart U residual organic HAP limitation of 40 CFR 63.494(a)(2)(i) through the use of stripping technology, and compliance is demonstrated through sampling. When stripping technology alone does not result in meeting this applicable residual organic HAP limitation, the combination of stripping technology and a control (the existing Regenerative Thermal Oxidizer RTO-1 and/or one or both of the existing coal-fired boilers) is used, as needed, to demonstrate compliance with this limitation.

⁸ All Back-End Process Operations are not subject to the 40 CFR Part 63 Subpart U MACT maintenance wastewater provisions of 40 CFR 63.501(b), which references 40 CFR 63.105. 40 CFR 63.501(c)(2) exempts back-end

HAP content of all grades of elastomer processed, measured after the stripping operation, shall not exceed 10 kg total organic HAP per Mg crumb rubber (dry weight)⁹. (40 CFR 63.494(a)(2)(i))

c. **TAC**

The owner or operator shall not allow emissions of any TAC to exceed environmentally acceptable (EA) levels, whether specifically established by modeling or determined by the District to be de minimis. (Regulations 5.00 and 5.21)¹⁰

S2. **Monitoring and Record Keeping** (Regulation 2.03, section 6.1)

The owner or operator shall maintain the required records for a minimum of 5 years and make the records readily available to the District upon request.

a. **VOC**

i. The owner or operator shall calculate emissions from production lines by using the following formulas, unless another method is approved in writing by the District: (Regulation 1.05, section 4)

U1/U2 VOC Daily Emissions = Front-End VOC Emissions + Production VOC Emissions + Back-End VOC Emissions + Fugitive/Other VOC Emissions

Where:

Front-End VOC Emissions = (Average Inlet to Control Device) x (1 - Control Efficiency)

Production VOC Emissions = ((Production x Adjusted Residual VOC) - (Production x Average Bale Residual VOC)) x (1 - Capture Efficiency (90%))

Back-End VOC Emissions = ((Production x Adjusted Residual VOC) - (Production x Average Bale Residual VOC)) x (Capture Efficiency (90%)) x (1 - Control Efficiency)

Fugitive/Other VOC Emissions = Average Solvent Consumption - (Solvent to Inlet to Front-End Control Device + Production Solvent

streams at affected sources that are subject to a residual organic HAP limitation in 40 CFR 63.494(a)(1) through (3), and that are complying with these limitations through the use of stripping technology, from these provisions. (ASRC has no Subpart U MACT process wastewater as defined in 40 CFR 63.482.)

⁹ For Polybutadiene Rubber and Styrene Butadiene Rubber produced by the solution process at 40 CFR Part 63 Subpart U MACT existing affected sources, which ASRC is for the purposes of this MACT Standard.

¹⁰ Because new replacement No. 5 Crumb Tank T-9E/T is a closed system, compliance with the District-only enforceable APCD Regulation 5 STAR Program environmental acceptability (EA) goals is achieved through it being such a closed system and having no associated toxic air contaminant (TAC) emissions. There are therefore no standards, and no monitoring and recordkeeping, and no reporting requirements, for STAR Program compliance for the "in kind" replacement No. 5 Crumb Tank T-9E/T.

Emissions + Solvent to Inlet to Back-End Control Device + Solvent Remaining in Product + Solvent in Waste Rubber)

- ii. For U1/U2 VOC Emission Points, for any given day when operating, the owner or operator shall maintain the following records and monthly calculate daily VOC emissions by the formulas contained in Specific Condition S2.a.i. If not operating on a given day, a negative declaration may be entered into the appropriate record. (Regulation 1.05, section 4)
 - 1) Daily production (pounds).
 - 2) Monthly daily average inlet to front-end control device (existing Flare Thermal Oxidizer and/or existing Flare Control System).
 - 3) Daily adjusted residual VOC.
 - 4) Monthly average bale residual VOC.
 - 5) Daily applicable control efficiencies (existing Flare Thermal Oxidizer and/or existing Flare Control System, and existing Regenerative Thermal Oxidizer RTO-1 and/or one or both of the existing coal-fired boilers).
 - 6) Monthly daily average solvent consumption.
 - 7) Daily average solvent in waste rubber.
- iii. For following emission points combined U1/U2 Emission Points: General Tank Farm Truck Unloading, C-2, C-2M, C-2T, C- 604A, C-615, C-623, X-2M, X-2T, C-1A, C-1T, D-10A, D-8A, D-44, D-44M, D-45M, R-651, R-652, R-653, R-654, Reactor 14, D-24M, D-24T, D-25M, D-25T, D-26M, D-26T, No. 3 Stripper Vessels, D-645, D-657, D-658, D-6A, T-9A, T-9B, T-9C, T-9D, and T-9E/T; U3 Emission Points: General Tank Farm Truck Unloading, Rail Car Unloading, D-49LB, DR-2, and DR-3; and U4 Emission Point: Truck Fuel Oil Loading/Unloading (when unloading): the owner or operator shall monthly calculate and record the monthly and 12-consecutive month VOC emissions to demonstrate compliance with the less than 5 tons per 12-consecutive month period limit.

b. 40 CFR Part 63 Subpart U HAP (Non-LDAR)

Unless otherwise specified in 40 CFR Part 63 Subpart U, the owner or operator of an affected source shall keep copies of all applicable records required by 40 CFR Part 63 Subpart U for at least 5 years, as specified in 40 CFR 63.506(a)(1). (40 CFR 63.506(a))

All applicable records shall be maintained in such a manner that they can be readily accessed. The most recent 6 months of records shall be retained on site or shall be accessible from a central location by computer or other means that provide access within 2 hours after a request. The remaining 4 and one-half years of records may be retained offsite. Records may be maintained in hard copy or computer-readable form including, but not limited to, on microfilm, computer, floppy disk, magnetic tape, or microfiche. (40 CFR 63.506(a)(1))

i. For all Back-End Process Operations, which include new replacement Emission Point T-9E/T, the owner or operator uses stripping technology in accordance with 40 CFR 63.495. When stripping technology alone does not result in meeting the applicable residual organic HAP limitation, the combination of stripping technology and a control device (the existing Regenerative Thermal Oxidizer RTO-1 (C-U1/U2-RTO-1) and/or one or both of the existing coal-fired boilers (C-U1/U2-BLR1/2)) is used to comply with the residual organic HAP limitation in Specific Condition S1.b.v.^{11,12}

- 1) The owner or operator shall determine the monthly weighted average residual organic HAP content for each month in which any portion of the back-end of an elastomer production process is in operation. A single monthly weighted average shall be determined for all back-end process operations at the affected source. (40 CFR 63.495(a))
- 2) Periodic sampling procedures have been chosen in lieu of stripper parameter monitoring for demonstrating compliance. This demonstration shall be in accordance with 40 CFR 63.495(b)(1) through (b)(5). (40 CFR 63.495(b))
 - (a) The sample shall be a sample of crumb rubber taken as soon as safe and feasible after the stripping operation, but no later than the entry point for the first unit operation following the stripper. (40 CFR 63.495(b)(1) and 40 CFR 63.495(d)(2))
 - (b) The frequency of the sampling shall be at least one representative sample is to be taken each operating day. The sample is to be taken at the location specified in 40 CFR 63.495(d)(2), and identified by elastomer type and by the date and time the sample was taken. (40 CFR 63.495(b)(2)(ii))
 - (c) The residual organic HAP content in each sample shall be determined using either Method 313a or 313b of 40 CFR Part 63 Appendix A for either styrene butadiene or

¹¹ ASRC's Back-End Process Operations comply with the applicable 40 CFR Part 63 Subpart U residual organic HAP limitation of 40 CFR 63.494(a)(2)(i) through the use of stripping technology, and compliance is demonstrated through sampling. When stripping technology alone does not result in meeting this applicable residual organic HAP limitation, the combination of stripping technology and a control device (the existing Regenerative Thermal Oxidizer RTO-1 and/or one or both of the existing coal-fired boilers) is used, as needed, to demonstrate compliance with this limitation.

¹² The two existing coal-fired boiler(s), used as needed, when stripping technology alone does not result in meeting the residual organic HAP limitation specified in 40 CFR 63.494(a)(2)(i), are rated at 212 MM Btu/hr (approximately 62.1 MW) heat input capacity each. In accordance with 40 CFR 63.496(b)(7) and (b)(7)(ii), ASRC is not required to conduct a performance test for the two existing coal-fired boilers to determine outlet organic HAP emissions. Furthermore, the control efficiency of each boiler is assumed to be 98%, which is the nominal control efficiency, pursuant to 40 CFR 63.496(b)(8)(ii).

polybutadiene rubber production by solution process. (40 CFR 63.495(b)(3), 40 CFR 63.495(e)(2) and 40 CFR 63.495(e)(3))

- (d) The quantity of material (weight of latex or dry crumb rubber) represented by each sample shall be recorded. Acceptable methods of determining this quantity are production records, measurement of stream characteristics, and engineering calculations. (40 CFR 63.495(b)(4))
- (e) The monthly weighted average shall be determined using the following equation, and all representative samples taken and analyzed during the month shall be used in the determination of the monthly weighted average. (40 CFR 63.495(b)(5) and 40 CFR 63.495(f))

$$HAPCONT_{avg,mo} = \frac{\sum_{i=1}^n (C_i)(P_i)}{P_{mo}}$$

Where:

$HAPCONT_{avg,mo}$ = Monthly weighted average organic HAP content for all rubber processed at the affected source, kg organic HAP per Mg latex or dry crumb rubber.

n = Number of samples in the month.

C_i = Residual organic HAP content of sample i, determined in accordance with 40 CFR 63.495(b)(3) or (c)(3), kg organic HAP per Mg latex or dry crumb rubber.

P_i = Weight of latex or dry crumb rubber represented by sample i.

P_{mo} = Weight of latex or dry crumb rubber (Mg) processed in the month.

- 3) If stripping technology alone does not result in meeting the residual organic HAP limitation in Specific Condition S1.b.v., and the combination of the stripping technology and the existing Regenerative Thermal Oxidizer RTO-1 (C-U1/U2-RTO-1) and/or one or both of the existing coal-fired boilers (C-U1/U2-BLR1/2)) is used, the outlet emissions shall be calculated using the following equation: (40 CFR 63.496(b)(8))

$$E_o = E_i(1 - R)$$

Where:

E_o = Mass rate of total organic HAP at the outlet of the control or recovery device, dry basis, kg/hr.

E_i = Mass rate of total organic HAP at the inlet of the control or recovery device, dry basis, kg/hr, determined using the procedures in 40 CFR 63.496(b)(5)(iv).

R = Control efficiency of control device (nominal 98% efficiency for one or both of the existing coal-fired boilers per 40 CFR 63.496(b)(8)(ii) and 99.79% efficiency for the existing Regenerative Thermal Oxidizer RTO-1 based on performance testing unless this RTO-1 efficiency is updated by a more recent performance test).¹³

- 4) If stripping technology alone does not result in meeting the residual organic HAP limitation in Specific Condition S1.b.v., and the combination of stripping technology and the existing Regenerative Thermal Oxidizer RTO-1 is used to meet the limitation, the owner or operator shall continuously monitor the combustion temperature of the existing Regenerative Thermal Oxidizer RTO-1 when it is being used. The minimum daily average temperature shall be 1549°F unless this RTO-1 minimum combustion temperature is updated by a more recent performance test.¹⁴ (40 CFR 63.497(a)(1))
- 5) An owner or operator complying with the residual organic HAP limitation in Specific Condition S1.b.v. using a control device, shall redetermine the compliance status through the requirements described in 40 CFR 63.496(b) whenever process changes are made. For the purposes of 40 CFR 63.496, a process change is any action that would reasonably be expected to impair the performance of the control device. For the purposes of 40 CFR 63.496, the production of an elastomer with a residual organic HAP content greater than the residual organic HAP content of the elastomer used in the compliance demonstration constitutes a process change, unless the overall effect of the change is to reduce organic HAP emissions from the source as a whole. Other examples of process changes may include changes in production capacity or production rate, or removal or addition of equipment. For the purposes of 40 CFR 63.496(d), process changes do not include: Process upsets; unintentional, temporary process changes;

¹³ The existing Regenerative Thermal Oxidizer RTO-1 was performance tested on September 5, 2008 in accordance with the applicable provisions of 40 CFR 63.496. The compliance test report, which was submitted to the District on November 7, 2008 (with APCD approval), showed the average control efficiency of the existing Regenerative Thermal Oxidizer RTO-1 to be 99.79% at the average minimum combustion temperature of 1549°F.

¹⁴ For 40 CFR Part 63 Subpart U MACT non-LDAR purposes, the existing Regenerative Thermal Oxidizer RTO-1 (C-U1/U2-RTO-1) is only considered an incinerator for the purpose of 40 CFR 63.497, based on the 40 CFR 63.111 definition of incinerator. Existing RTO-1 is not considered an incinerator for any other regulatory purposes.

- or changes that reduce the residual organic HAP content of the elastomer. (40 CFR 63.496(d))
- 6) An owner or operator of an affected source with a controlled back-end process vent using a vent system that contains bypass lines that could divert a vent stream away from the control device used to comply with the residual organic HAP limitation in Specific Condition S1.b.v. shall comply with 40 CFR 63.497(d)(1) or (2).¹⁵ Equipment such as low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, and pressure relief valves needed for safety purposes are not subject to 40 CFR 63.497(d). (40 CFR 63.497(d))
- (a) Properly install, maintain, and operate a flow indicator that takes a reading at least once every 15 minutes. Records shall be generated as specified in 40 CFR 63.498(d)(5)(iii). The flow indicator shall be installed at the entrance to any by-pass line that could divert the vent stream away from the control device to the atmosphere; or (40 CFR 63.497(d)(1))
 - (b) Secure the bypass line valve in the non-diverting position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the non-diverting position and the vent stream is not diverted through the bypass line. (40 CFR 63.497(d)(2))
- ii. For all Back-End Process Operations, which include new replacement Emission Point T-9E/T: Each owner or operator of a back-end process operation using stripping technology to comply with a residual organic HAP limitation in 40 CFR 63.494(a)(1) through (3), and demonstrating compliance using the periodic sampling procedures in 40 CFR 63.495(b), shall maintain the records specified in 40 CFR 63.498(b)(1), and in 40 CFR 63.498(b)(2) or 40 CFR 63.498(b)(3), as appropriate. (40 CFR 63.498(b))
- 1) Records associated with each sample taken in accordance with 40 CFR 63.495(b). These records shall include the following for each sample: (40 CFR 63.498(b)(1))
 - (a) Elastomer type, (40 CFR 63.498(b)(1)(i))
 - (b) The date and time the sample was collected, (40 CFR 63.498(b)(1)(ii))
 - (c) The corresponding quantity of elastomer processed over the time period represented by the sample. Acceptable

¹⁵ ASRC has no bypass lines that can divert a vent away from a control device used to comply with the residual organic HAP limitation in Specific Condition S1.b.v.

methods of determining this quantity are production records, measurement of stream characteristics, and engineering calculations. (40 CFR 63.498(b)(1)(iii)) For solution processes, this quantity shall be the crumb rubber dry weight of the rubber leaving the stripper. (40 CFR 63.498(b)(1)(iii)(B))

- (d) The organic HAP content of each sample. (40 CFR 63.498(b)(1)(iv))
- 2) The monthly weighted average organic HAP content, calculated in accordance with 40 CFR 63.495(f). (40 CFR 63.498(b)(2))
- 3) If the organic HAP contents for all samples analyzed during a month are below the appropriate level in 40 CFR 63.494(a), the owner or operator may record that all samples were in accordance with the residual organic HAP limitation in Specific Condition S1.b.v., rather than calculating and recording a monthly weighted average. (40 CFR 63.498(b)(3))
- 4) If stripping technology alone does not result in meeting the residual organic HAP limitation in Specific Condition S1.b.v., and the combination of stripping technology and the existing Regenerative Thermal Oxidizer RTO-1 is used to meet the limitation, the owner or operator shall keep the following records readily accessible: (40 CFR 63.498(d)(5))
 - (a) Continuous records of the combustion temperature. (40 CFR 63.498(d)(5)(i) and 40 CFR 63.497(a)(1))
 - (b) Records of the daily average value of the combustion temperature for each operating day, except as provided in 40 CFR 63.498(d)(5)(ii)(D). (40 CFR 63.498(d)(5)(ii))
 - (i) The daily average shall be calculated as the average of all values for a monitored parameter recorded during the operating day, except as provided in 40 CFR 63.498(d)(5)(ii)(B). The average shall cover a 24-hour period if operation is continuous, or the number of hours of operation per operating day if operation is not continuous.¹⁶ (40 CFR 63.498(d)(5)(ii)(A))
 - (ii) Monitoring data recorded during periods of monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments shall not be included in computing the hourly or daily averages. In addition, monitoring

¹⁶ ASRC operates its U1/U2 reactors in a continuous mode, and is therefore, by the definition of "Continuous process" in 40 CFR 63.482, a continuous process (operation) for the purposes of 40 CFR Part 63 Subpart U.

data recorded during periods of non-operation of the EPPU (or specific portion thereof) resulting in cessation of organic HAP emissions shall not be included in computing the hourly or daily averages. Records shall be kept of the times and durations of all such periods and any other periods of process or control device operation when monitors are not operating. (40 CFR 63.498(d)(5)(ii)(B))

- (iii) The operating day shall be the period defined in the operating permit or the Notification of Compliance Status in 40 CFR 63.506(e)(8) or (e)(5). It may be from midnight to midnight or another 24-hour period. (40 CFR 63.498(d)(5)(ii)(C))¹⁷
 - (iv) If all recorded values for a monitored parameter during an operating day are below the maximum, or above the minimum, level established in the Notification of Compliance Status in 40 CFR 63.506(e)(5) or in the operating permit, the owner or operator may record that all values were below the maximum or above the minimum level, rather than calculating and recording a daily average for that operating day. (40 CFR 63.498(d)(5)(ii)(D))
- (c) Hourly records of whether the flow indicator specified under 40 CFR 63.497(d)(1) was operating and whether a diversion was detected at any time during the hour, as well as records of the times of all periods when the vent stream is diverted from the control device or the flow indicator is not operating. (40 CFR 63.498(d)(5)(iii))
 - (d) Where a seal mechanism is used to comply with 40 CFR 63.497(d)(2), hourly records of flow are not required. (40 CFR 63.498(d)(5)(iv))

For compliance with 40 CFR 63.497(d)(2), the owner or operator shall record whether the monthly visual inspection of the seals or closure mechanisms has been done, and shall record instances when the seal mechanism is broken, the bypass line damper or valve position has changed, or the key for a lock-and-key type configuration has been checked out, and records of any car-seal that has broken. (40 CFR 63.498(d)(5)(iv)(A))

¹⁷ Definition of "Day" for U1/U2 is the 24-hour time period from 6 am to 6 am, except for the existing Flare Thermal Oxidizer and the existing Flare Control System, where the 24-hour time period is from midnight to midnight. Therefore, ASRC's operating day for the U1/U2 Back-End Process Operations is from 6 am to 6 am.

c. **TAC**

- i. The owner or operator shall maintain records sufficient to demonstrate environmental acceptability, including, but not limited to MSDS, analysis of emissions, and/or modeling results.
- ii. The owner or operator shall re-evaluate, at the time of the change, the environmental acceptability and document the environmentally acceptable emissions if a new TAC is introduced or the content of a TAC in a raw material increases above de minimis.

S3. **Reporting** (Regulation 2.03, section 6.1)

The owner or operator shall submit compliance reports that include the information in this section. All reports shall include the company name, plant ID number, and the beginning and ending date of the reporting period. The compliance reports shall clearly identify any deviation from a permit requirement. Duplicative reporting is not required. For example, information required to be submitted in the MACT Non-LDAR Periodic Reports is not required to also be submitted in any Construction Permit or Semiannual Title V Compliance Reports. If no deviations occur in a reporting period, the owner or operator shall report a negative declaration in the appropriate report. The compliance reports shall be postmarked within 60 days following the end of each reporting period. All compliance reports shall include the following certification statement per Regulation 2.16, section 3.5.11.

- “Based on information and belief formed after reasonable inquiry, I certify that the statements and information in this document are true, accurate, and complete”.
- Signature and title of the responsible official of the company.

<u>Report Description</u>	<u>Report Period</u>	<u>Report Due Dates</u>
1 st Semiannual TV Compliance	January 1 through June 30	August 29
2 nd Semiannual TV Compliance	July 1 through December 31	March 1 ¹
1 st Semiannual Subpart U Non-LDAR ² Periodic Report	November 16 through May 15	July 14
2 nd Semiannual Subpart U Non-LDAR ² Periodic Report	May 16 through November 15	January 14
1 st Quarter for BD/HAP/VOC ³	January 1 through March 31	April 30
2 nd Quarter for BD/HAP/VOC ³	April 1 through June 30	July 30
3 rd Quarter for BD/HAP/VOC ³	July 1 through September 30	October 30
4 th Quarter for BD/HAP/VOC ³	October 1 through December 31	January 30

Notes:

¹ The date for leap years is February 29.

² Semiannual LDAR Reports for Subpart U Periodic Reports are not required for new “in kind” replacement No. 5 Crumb Tank because it is not “in organic HAP service” and thus not subject to LDAR requirements.

- ³ Includes the 1,3-Butadiene Emissions Quarterly Reports (BD), the HAP Emissions Quarterly Reports (HAP) and the VOC Combustion By-Pass Activity Quarterly Reports (VOC). The 1,3-Butadiene Emissions Quarterly Reports are not applicable to the subject construction because 1,3-Butadiene is not contained in any of the source's Back-End Process Operations. The HAP Emissions Quarterly Reports pertain to HAP emissions, and new replacement No. 5 Crumb Tank is a closed system. The VOC Combustion By-Pass Activity Quarterly Reports pertain to Back-End VOC emissions which are unchanged for applicable regulatory compliance purposes by the subject construction.

a. **VOC**

i. **VOC Combustion By-Pass Activity Quarterly Reports**

The owner or operator shall report the following information regarding VOC Combustion By-Pass Activity within 30 days of the end of the calendar quarter. This VOC Combustion By-Pass Activity quarterly reporting shall be included in the BD/HAP/VOC Quarterly Report. (Title V Operating Permit 154-97-TV(R1))

- 1) Number of times the VOC vent stream controlled by either existing Regenerative Thermal Oxidizer RTO-1 (C-U1/U2-RTO-1) and/or one or both of the existing coal-fired boilers (C-U1/U2-BLR1/2) by-passes both existing control devices and is vented to the atmosphere;
- 2) Duration of each by-pass; and
- 3) Calculated quantity of tons of VOC emitted for each by-pass.

ii. **Semiannual Title V Compliance Reports**

- 1) For U1/U2 VOC Emission Points, there are no Regulation 1.05 VOC compliance reporting requirements for daily VOC emissions.

iii. **Other VOC Reports**

The owner or operator shall report for the following emission points combined: U1/U2 Emission Points: General Tank Farm Truck Unloading, C-2, C-2M, C-2T, C-604A, C-615, C-623, X-2M, X-2T, C-1A, C-1T, D-10A, D-8A, D-44, D-44M, D-45M, R-651, R-652, R-653, R-654, Reactor 14, D-24M, D-24T, D-25M, D-25T, D-26M, D-26T, No. 3 Stripper Vessels, D-645, D-657, D-658, D-6A, T-9A, T-9B, T-9C, T-9D, and T-9E/T; U3 Emission Points: General Tank Farm Truck Unloading, Rail Car Unloading, D-49LB, DR-2, and DR-3; and U4 Emission Point: Truck Fuel Oil Loading/Unloading (when unloading):

- 1) Emission Unit ID number and Emission Point ID number.
- 2) Identification of each exceedance of the VOC Standard (i.e. all periods of time for which the 12-consecutive month VOC emission limit of 5 tons per 12 consecutive month period were exceeded).
- 3) Description of any corrective action taken for each identified exceedance.

b. 40 CFR Part 63 Subpart U HAP (Non-LDAR)**i. Semiannual Title V Compliance Reports**

There are no HAP (Non-LDAR) semiannual reporting requirements.

ii. 40 CFR Part 63 Subpart U Periodic Reports (Non-LDAR)

The owner or operator shall submit a Periodic Report semiannually no later than 60 days after the end of each 6-month period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status is due. (40 CFR 63.506(e)(6)(i))

If none of the compliance exceptions in 40 CFR 63.506(e)(6)(iii) through (e)(6)(ix) occurred during the 6-month period, the Periodic Report shall be a statement that there were no compliance exceptions as described in 40 CFR 63.506(e)(6)(ii) for the 6-month period covered by that report and that none of the activities specified in 40 CFR 63.506(e)(6)(iii) through (e)(6)(ix) occurred during the 6-month period covered by that report. (40 CFR 63.506(e)(6)(ii))

The Periodic Report shall contain the following information pertaining to all Back-End Process Operations, which include new replacement Emission Point T-9E/T: (40 CFR 63.506(e)(6)(iii))

- 1) All information specified in 40 CFR 63.499 for back-end process operations.¹⁸ (40 CFR 63.506(e)(6)(iii)(A))
- 2) The daily average values of monitored parameters for all excursions as defined in 40 CFR 63.505(g) and 40 CFR 63.505(h). For excursions caused by lack of monitoring data, the start time and durations of periods when monitoring data were not collected shall be specified. (40 CFR 63.506(e)(6)(iii)(B))
 - (a) For all Back-End Process Operations, which include new replacement Emission Point T-9E/T, when stripping technology alone does not result in meeting the residual organic HAP limitation in Specific Condition S1.b.v., and the combination of stripping technology and the existing Regenerative Thermal Oxidizer RTO-1 (C-U1/U2-RTO-1) is used to meet this limitation: For existing control device C-U1/U2-RTO-1, when being used to comply with the 40

¹⁸ 40 CFR 63.506(e)(6)(iii)(A) states that, for Back-End Process Operations, all information specified in 40 CFR 63.499 should be submitted in the 40 CFR Part 63 Subpart U MACT Non-LDAR Periodic Reports. However, the information specified in 40 CFR 63.499 applies to Back-End Process Operations using stripping technology and demonstrating compliance through stripper parameter monitoring, the latter of which the source has not elected to use. (The source elected to demonstrate compliance by sampling.) This reporting citation is thus not applicable to the source.

CFR Part 63 Subpart U MACT requirements, an excursion means any of the three cases listed in 40 CFR 63.505(g)(1)(i) through (g)(1)(iii). For a control device where multiple parameters are monitored, if one or more of the parameters meets the excursion criteria in 40 CFR 63.505(g)(1)(i) through (g)(1)(iii), this is considered a single excursion for the control device. For each excursion, the owner or operator shall be deemed out of compliance with the provisions of 40 CFR Part 63 Subpart U, except as provided in 40 CFR 63.505(i). (40 CFR 63.505(g)(1) as referenced by 40 CFR 63.506(e)(6)(iii)(B))

- (i) When the daily average value of one or more monitored parameters is above the maximum level or below the minimum level established for the given parameters. (40 CFR 63.505(g)(1)(i))
- (ii) When the period of control device operation, with the exception noted in 40 CFR 63.505(g)(1)(v), is 4 hours or greater in an operating day and monitoring data are insufficient, as defined in 40 CFR 63.505(g)(1)(iv), to constitute a valid hour of data for at least 75% of the operating hours. (40 CFR 63.505(g)(1)(ii))
- (iii) When the period of control device operation, with the exception noted in 40 CFR 63.505(g)(1)(v), is less than 4 hours in an operating day and more than two of the hours during the period of operation do not constitute a valid hour of data due to insufficient monitoring data, as defined in 40 CFR 63.505(g)(1)(iv). (40 CFR 63.505(g)(1)(iii))
- (iv) Monitoring data are insufficient to constitute a valid hour of data, as used in 40 CFR 63.505(g)(1)(ii) and (g)(1)(iii), if measured values are unavailable for any of the 15-minute periods within the hour. For data compression systems approved under 40 CFR 63.506(g)(3), monitoring data are insufficient to calculate a valid hour of data if there are less than four data measurements made during the hour. (40 CFR 63.505(g)(1)(iv))
- (v) The periods listed in 40 CFR 63.505(g)(1)(v)(A) through (g)(1)(v)(E) are not considered to be part of the period of control device operation, for the purposes of 40 CFR 63.505(g)(1)(ii) and (g)(1)(iii). (40 CFR 63.505(g)(1)(v))
 - (A) Monitoring system breakdowns, repairs,

- calibration checks, and zero (low-level) and high-level adjustments; (40 CFR 63.505(g)(1)(v)(A))
- (B) Periods of non-operation of the affected source (or portion thereof), resulting in cessation of the emissions to which the monitoring applies. (40 CFR 63.505(g)(1)(v)(E))
- (b) For all Back-End Process Operations, which include new replacement Emission Point T-9E/T, complying through the use of stripping technology, and demonstrating compliance by sampling, an excursion means one of the two cases listed in 40 CFR 63.505(h)(1)(i) and (h)(1)(ii). For each excursion, the owner or operator shall be deemed out of compliance with the provisions of 40 CFR Part 63 Subpart U, except as provided in 40 CFR 63.505(i). (40 CFR 63.505(h)(1) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- (i) When the monthly weighted average residual organic HAP content is above the applicable residual organic HAP limitation in Specific Condition S1.b.v.; or (40 CFR 63.505(h)(1)(i) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- (ii) When less than 75 percent of the samples required in 1 month are taken and analyzed in accordance with the provisions of 40 CFR 63.495(b). (40 CFR 63.505(h)(1)(ii) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- (c) A number of excused excursions shall be allowed for each control device (C-U1/U2-RTO-1) and for stripping technology for each semiannual period. The number of excused excursions for each semiannual period is specified in 40 CFR 63.505(i)(1) through (i)(6). 40 CFR 63.505(i) applies to affected sources required to submit Periodic Reports semiannually or quarterly. The first semiannual period is the 6-month period starting the date the Notification of Compliance Status is due. (40 CFR 63.505(i) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- (i) For the first semiannual period - six excused excursions. (40 CFR 63.505(i)(1) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- (ii) For the second semiannual period - five excused excursions. (40 CFR 63.505(i)(2) as referenced by

- 40 CFR 63.506(e)(6)(iii)(B))
- (iii) For the third semiannual period - four excused excursions. (40 CFR 63.505(i)(3) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
 - (iv) For the fourth semiannual period - three excused excursions. (40 CFR 63.505(i)(4) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
 - (v) For the fifth semiannual period - two excused excursions. (40 CFR 63.505(i)(5) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
 - (vi) For the sixth and all subsequent semiannual periods - one excused excursion. (40 CFR 63.505(i)(6) as referenced by 40 CFR 63.506(e)(6)(iii)(B))
- 3) Notification if a process change is made such that the group status of any emission point changes from Group 2 to Group 1. The owner or operator is not required to submit a notification of a process change if that process change caused the group status of an emission point to change from Group 1 to Group 2. However, until the owner or operator notifies the Administrator that the group status of an emission point has changed from Group 1 to Group 2, the owner or operator is required to continue to comply with the Group 1 requirements for that emission point. This notification may be submitted at any time. (40 CFR 63.506(e)(6)(iii)(D)(2))
- 4) Notification if one or more emission points, as defined in 40 CFR 63.482, (other than equipment leaks), or one or more EPPU is added to an affected source. The owner or operator shall submit the information contained in 40 CFR 63.506(e)(6)(ii)(D)(3)(i) through 40 CFR 63.506(e)(6)(ii)(D)(3)(ii). (40 CFR 63.506(e)(6)(iii)(D)(3))
- (a) A description of the addition to the affected source; and (40 CFR 63.506(e)(6)(iii)(D)(3)(i))
 - (b) Notification of the group status of the additional emission point or all emission points in the EPPU. (40 CFR 63.506(e)(6)(iii)(D)(3)(ii))
- 5) The number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.483(a)(1), including actions taken to correct a malfunction. (40 CFR 63.506(e)(6)(iii)(E))

- 6) If any performance tests are reported in a Periodic Report, the following information shall be included: (40 CFR 63.506(e)(6)(v))
 - (a) One complete test report shall be submitted for each test method used for a particular kind of emission point tested. A complete test report shall contain the information specified in 40 CFR 63.506(e)(5)(i)(B). (40 CFR 63.506(e)(6)(v)(A))
 - (b) For additional tests performed for the same kind of emission point using the same method, results and any other information, pertaining to the performance test, that is requested on a case-by-case basis by the Administrator shall be submitted, but a complete test report is not required. (40 CFR 63.506(e)(6)(v)(B))
- 7) Notification of a change in the primary product of an EPPU, in accordance with the provisions in 40 CFR 63.480(f). This includes a change in primary product from one elastomer product to either another elastomer product or to a non-elastomer product. (40 CFR 63.506(e)(6)(vi))^{19,20}

iii. **Other 40 CFR Part 63 Subpart U (Non-LDAR) Reports**

- 1) For all Back-End Process Operations, which include new replacement Emission Point T-9E/T, whenever a process change, as defined in 40 CFR 63.496(d), is made that causes the redetermination of the compliance status for the back-end process operations subject to a residual organic HAP limitation in 40 CFR 63.494(a)(1) through (3), the owner or operator shall submit a report within 180 days after the process change as specified in 40 CFR 63.506(e)(7)(iii). The report shall include: (40 CFR 63.499(d))
 - (a) A description of the process change; (40 CFR 63.499(d)(1))
 - (b) The results of the redetermination of the compliance status, determined in accordance with 40 CFR 63.496(b), and

¹⁹ ASRC manufactures PBR and SSBR by the solution process and is classified as an existing source, as defined in 40 CFR 63.480, for the purposes of 40 CFR Part 63 Subpart U. ASRC's existing 40 CFR Part 63 Subpart U MACT affected source remains an existing affected source after the "in kind" replacement of Emission Point T-9E/T.

²⁰ The Elastomer Product Process Unit (EPPU) at the 40 CFR Part 63 Subpart U MACT existing affected source is designed and operated solely to produce products meeting the definitions of Polybutadiene Rubber by solution and Styrene Butadiene Rubber by solution in 40 CFR 63.482. Accordingly, the source has identified its primary elastomer product as Polybutadiene Rubber/Styrene Butadiene Rubber by solution in its Notification of Compliance Status submittal dated November 13, 2001. Should the source change its primary elastomer product to either another elastomer product or to a non-elastomer product, the source will be required to provide notification of this change to the District and to U.S. EPA per 40 CFR 63.506(e)(6)(vi), in accordance with the provisions in 40 CFR 63.480(f).

recorded in accordance with 40 CFR 63.498(d)(1), and (40 CFR 63.499(d)(2))

- (c) Documentation of the re-establishment of a parameter level for the control or recovery device, defined as either a maximum or minimum operating parameter, that indicates proper operation of the control or recovery device, in accordance with 40 CFR 63.497(c) and recorded in accordance with 40 CFR 63.498(d)(2). (40 CFR 63.499(d)(3))
- 2) Owners or operators of EPPU or emission points (other than equipment leak components subject to 40 CFR 63.502) that are subject to 40 CFR 63.480(i)(1) or (i)(2) shall submit a report as specified in 40 CFR 63.506(e)(7)(v)(A) and (B) as follows. (40 CFR 63.506(e)(7)(v))²¹
- (a) Reports shall include: (40 CFR 63.506(e)(7)(v)(A))
 - (i) A description of the process change or addition, as appropriate; (40 CFR 63.506(e)(7)(v)(A)(1))
 - (ii) The planned start-up date and the appropriate compliance date, according to 40 CFR 63.480(i)(1) or (2); (40 CFR 63.506(e)(7)(v)(A)(2))
 - (iii) Identification of the group status of emission points (except equipment leak components subject to the requirements in 40 CFR 63.502) specified in 40 CFR 63.506(e)(7)(v)(A)(3)(i) through (iii), as applicable. (40 CFR 63.506(e)(7)(v)(A)(3))
 - (b) Reports shall be submitted as specified in 40 CFR 63.506(e)(7)(v)(B)(1) through (e)(7)(v)(B)(3), as appropriate. (40 CFR 63.506(e)(7)(v)(B))
- iv. **Non-Violation of 40 CFR Part 63 Subpart U (Non-LDAR) Reporting Requirements (40 CFR 63.506(e)(1))**

²¹ 40 CFR 63.506(e)(7)(v)(A) and (B) specify report contents and require submittal of these reports within specified time periods if subject to 40 CFR 63.480(i)(1), *Adding an EPPU to a plant site*, or 40 CFR 63.480(i)(2), *Adding emission points or making process changes to existing affected sources*, of 40 CFR Part 63 Subpart U. With respect to 40 CFR 63.480(i) of 40 CFR Part 63 Subpart U, *Changes or Additions to Plant Sites*, an EPPU is not being added to the plant site, and therefore the requirements of 40 CFR 63.480(i)(1) do not apply to new replacement No. 5 Crumb Tank T-9E/T. The provisions of 40 CFR 63.480(i)(2) also do not apply to this subject construction. A 40 CFR Part 63 Subpart U MACT emission point (and, in this case, specifically a Back-End Process Operation emission point) is not being created or added per 40 CFR 63.480(i)(2)(i) and (ii) criteria, and a process change that solely replaces components is specifically excluded as a process change per 40 CFR 63.480(i)(2)(iii). As a result of this construction project not being subject to either 40 CFR 63.480(i)(1) or (i)(2), the reporting requirements of 40 CFR 63.480(i)(6), *Reporting Requirements for Owners or Operators that Change or Add to their Plant Site or Affected Source*, are also not applicable. That is, the report specified in 40 CFR 63.506(e)(7)(v)(A) and (B) is not required for this construction project.

- 1) Owners and operators shall not be in violation of the reporting requirements of 40 CFR Part 63 Subpart U for failing to submit information required to be included in a specified report if the owner or operator meets the requirements in 40 CFR 63.506(e)(1)(i) through (e)(1)(iii). Examples of circumstances where 40 CFR 63.506(e)(1) may apply include information related to newly-added equipment or emission points, changes in the process, changes in equipment required or utilized for compliance with the requirements of 40 CFR Part 63 Subpart U, or changes in methods or equipment for monitoring, recordkeeping, or reporting. (40 CFR 63.506(e)(1))
 - (a) The information was not known in time for inclusion in the report specified by 40 CFR Part 63 Subpart U; (40 CFR 63.506(e)(1)(i))
 - (b) The owner or operator has been diligent in obtaining the information; and (40 CFR 63.506(e)(1)(ii))
 - (c) The owner or operator submits a report according to the provisions of 40 CFR 63.506(e)(1)(iii)(A) through (e)(1)(iii)(C). (40 CFR 63.1335(e)(1)(iii))
 - (i) If 40 CFR Part 63 Subpart U expressly provides for supplements to the report in which the information is required, the owner or operator shall submit the information as a supplement to that report. The information shall be submitted no later than 60 days after it is obtained, unless otherwise specified in 40 CFR Part 63 Subpart U. (40 CFR 63.506(e)(1)(iii)(A))
 - (ii) If 40 CFR Part 63 Subpart U does not expressly provide for supplements, but the owner or operator must submit a request for revision of an operating permit pursuant to 40 CFR Part 70 or Part 71, due to circumstances to which the information pertains, the owner or operator shall submit the information with the request for revision to the operating permit. (40 CFR 63.506(e)(1)(iii)(B))
 - (iii) In any case not addressed by 40 CFR 63.506(e)(1)(iii)(A) or (e)(1)(iii)(B), the owner or operator shall submit the information with the first Periodic Report, as required by 40 CFR Part 63 Subpart U, which has a submission deadline at least 60 days after the information is obtained. (40 CFR 63.506(e)(1)(iii)(B))

v. **Other 40 CFR Part 63 Subpart U (Non-LDAR) Notifications (40 CFR 63.506(e)(1))²²**

Affirmative Defense Notification: The owner or operator of the facility experiencing an exceedance of its emission limit(s) during a malfunction shall notify the Administrator by telephone or facsimile (FAX) transmission as soon as possible, but no later than 2 business days after the initial occurrence of the malfunction, if it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in 40 CFR Part 63 Subpart U to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in 40 CFR 63.480(j)(4)(i). The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45 day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance. (40 CFR 63.480(j)(4)(ii))

c. **TAC**

- i. The owner or operator shall report any conditions that were inconsistent with those conditions analyzed in the most recent Environmental Acceptability Demonstration or a negative declaration stating that operations were within the conditions analyzed. This includes, but is not limited to, control device upset conditions.
- ii. For any conditions outside the analysis, the owner or operator shall re-analyze to determine whether these conditions comply with the STAR program. Changes to the air dispersion modeling program or meteorological data used in the most recent Environmental Acceptability Demonstration do not trigger the requirement to re-analyze. (Regulation 5.21 sections 4.22 through 4.24)
- iii. The owner or operator shall submit the re-evaluated EA demonstration to the District within 6 months after a change of a raw material as described in Specific Condition S2.c.ii.

d. **Start-Up Notification**

The owner or operator shall provide written notification to the District of the actual date this project began normal operation. This notification shall be postmarked within 30 days after normal operation has been achieved.²³

²² The notification requirements of 40 CFR Part 63 Subpart A (40 CFR 63.5, *Preconstruction review and notification requirements*), are not subject to new replacement No. 5 Crumb Tank T-9E/T. (This new replacement equipment item does not constitute either a new or a reconstructed 40 CFR Part 63 Subpart U affected source; see also the explanatory notes in Table 1 to 40 CFR Part 63 Subpart U.) Additionally, as noted in Table 1 to 40 CFR Part 63 Subpart U, the 40 CFR 63.9(b) initial notification requirements also do not apply.

Fee Comment

The construction permit fee of \$3,615.61 is based on a significant permit revision (includes new construction and initial issuance) fee of \$2,582.58; and a per Major Source MACT fee of \$1,033.03 each for one (1) applicable MACT (40 CFR Part 63 Subpart U). Because new replacement Emission Point T-9E/T is a closed system that does not have a process vent that vents directly to either the atmosphere or to a control device, no STAR Program de minimis determination fee is required. All fees are according to the District's Schedule of Fees Table for Fiscal Year 2016 pursuant to Regulation 2.08.

²³ The written notification may also be e-mailed, in which case it must be e-mailed also within 30 days after normal operation has been achieved.