

Texas Commission on Environmental Quality (TCEQ), Air Permits Division
Thermoset Resin Standard Air Permit
November 13, 2006
Austin

Minutes

I Opening RemarksBecky Southard

The staff introduced themselves and stated that facilities could continue to operate under a permit by rule (PBR) as long as they continue to operate under its conditions. Ms. Southard mentioned that the standard permit was expected to be completed sometime in the summer of 2007, and stressed that the standard permit document was a draft that was open to changes based on comments made.

II Background or Update InformationEddie Mack

Mr. Mack highlighted the distinction between a standard permit and a PBR. Mr. Mack also provided some history behind the styrene tons per year limits and effects screening levels (ESLs) given in PBRs and stated that the 1 hour ESL may be lowered to 70 from 110 micrograms per cubic meter in the near future. Mr. Mack stated that the 1998 United States Environmental Protection Agency (EPA) emission factors were underestimated. Mr. Mack mentioned that there would be no fugitive emissions under the new standard permit. He also stated that the filter efficiency would be changed to 98% rather than 95%, and the solvent ratio was taken from existing permits.

III Discussion TopicsOpen Discussion

A. *Concerns regarding Acetone*

The stakeholder asked why the permit should limit acetone since it is not considered a volatile organic compound (VOC).

Staff stated that TCEQ still considers acetone an air contaminant. Acetone is labeled as an exempt solvent only because it is exempt from being labeled as a VOC and is not exempt from being regulated. Staff stated that best available control technology (BACT) must be considered. It is important for the standard permit to contain a proper limit so facilities are not using it excessively.

The stakeholder asked for the current guidelines for acetone in other permits.

There is a flat 5 tons per year (tpy) limit in the current PBR. The permit writers were trying to avoid a flat tpy for flexibility. Staff noted that the agency is open to suggestions as to what percentage should be used.

The stakeholder asked what independent representation was used to find the numbers in the draft that would be used to limit acetone.

Staff answered that amounts taken from existing representative permits were used.

The ratio of the average amounts of solvent used versus the average amounts of resin used were calculated to find a percentage of solvent generally used.

B. *Will the terms in this standard permit affect facilities that will receive a case by case permit?*

Staff noted that case-by-case permits are handled completely separately from standard permits and that case-by-case permits may require impact reviews and it may be possible for some reflection of the standard permit to occur.

Staff added that guidelines are already available for BACT. Staff also reiterated that a standard permit is intended to cover similar facilities and that those that are different should be handled through a case-by-case permit.

C. *Concerns about timing between the new standard permit and the approval of the new ESL for styrene*

The stakeholder said that he was concerned that if the standard permit is completed before the ESL for styrene is approved by the TCEQ Toxicology Section, the standard permit would be a defacto approval of the ESL of 70.

Staff reminded the stakeholder that the standard permit was still a draft and open for comments. Determination of the ESL is a separate process. The standard permit issuance will not affect the ESL determination.

D. *Concerns about an ESL of 70 for styrene*

The stakeholder asked if the new ESL number was being considered in order to reduce nuisance complaints or if it was based on health issues.

Staff stated that the Toxicology Section bases their numbers on a variety of factors, and encouraged the stakeholder to comment formally on the issue of nuisance versus health effects.

The stakeholder expressed concerns that an ESL of 70 for styrene would force the industry to use 95% control technology like the federal maximum achievable control (MACT) standards.

Depending on the protectiveness review, staff replied that the agency would require controls at a level lower than the MACT requirements.

E. *Are add-on controls going to be automatic with the approval of this standard permit?*

Staff replied that the requirement of using add on controls depends on the facility size and the stack that is used.

F. *How would using a replacement styrene product such as vinyl toluene affect a facility and its need for a standard permit?*

The stakeholder also asked if using vinyl toluene would affect the 80 ton limit found in new source review permits that drives the use of add-on controls.

Staff stated that a BACT study would be needed since vinyl toluene is still a VOC. He added that the 80 ton limit would probably not be affected because the number is based on organic compounds of any kind.

G. *New Source Review and the need for new controls*

The stakeholder asked if changing to a product like vinyl toluene would trigger a BACT review.

Staff said that the review would be needed because the character of the emissions would change and could also open the applicant for a contested case hearing.

The stakeholder asked if add-on controls would be needed if the agency found that the use of vinyl toluene did not increase emissions and would reduce the amount of styrene used.

Staff stated that it would be surprising if add on controls would be required if a change that would be classified as an improvement was made.

The stakeholder noted that he was not suggesting a change to the standard permit draft to account for this, but he was attempting to see what kind of options a site may have that would enable them to stay within their permitted limits.

H. *Concerns about the 80 tpy limit that drives the need for add on controls.*

The stakeholder asked what kind of operations emit 80 tpy and are still economically viable when using add on controls.

Staff stated that these facilities would need a case-by-case permit.

The stakeholder asked if the agency believed that a facility was large enough to be able to afford controls if it emitted 80 tpy without controls.

Staff agreed with this statement.

I. *Would a facility have to use add-on controls automatically if their permit is up for renewal?*

Staff stated that only a modification of the facility, not renewal itself, would trigger a control technology review.

J. *When is the standard permit up for proposal?*

Staff stated that the proposal was expected to be published sometime in January or February of 2007.

IV Closing Remarks/Action Items Open Discussion

Ms. Southard thanked the stakeholder for attending the meeting and encouraged him to contact her with any specific comments regarding the draft. He was also encouraged to comment on the Toxicology Section's process for determining the ESL and the proposed number for styrene.

V Next Meeting Dates

Other stakeholder meetings will be on:

November 28, 2006 in San Antonio, Texas at the Alamo area Council of Governments, 8700 Tesoro Drive, Suite 100, 7:00 PM.

November 30, 2006 in Arlington, Texas at the Arlington City Council Chambers, 101 W Abram Street, 7:00 PM.

ATTENDEES

