

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
MOTIVA ENTERPRISES LLC
SOAH Docket No. 582-20-1408
TCEQ Docket No. 2019-1533-AIR
Proposed Permit Nos. 6056, 8404, and PSDTX1062M3**

APPLICATION.

Motiva Enterprises LLC, PO Box 712, Port Arthur, Texas 77641-0712, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to State Air Quality Permit Numbers 6056 and 8404 and modification to Prevention of Significant Deterioration (PSD) Air Quality Permit Number PSDTX1062M3, which would authorize modifications to the Port Arthur Refinery located at 2555 Savannah Ave, Port Arthur, Jefferson County, Texas 77640. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:

<<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-93.959166%2C29.865833&level=12>>. For the exact location, refer to the application. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code (TAC), Chapter 101, Subchapter J. The existing facility will emit the following air contaminants in a significant amount: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less, sulfur dioxide and greenhouse gases. In addition, the facility will emit the following air contaminants: hydrogen sulfide, sulfuric acid mist, ammonia and hazardous air pollutants.

The degree of PSD increment predicted to be consumed by the existing facility and other increment-consuming sources in the area is as follows:

Sulfur Dioxide

| Maximum Averaging Time | Maximum Increment Consumed ($\mu\text{g}/\text{m}^3$) | Allowable Increment ($\mu\text{g}/\text{m}^3$) |
|-------------------------------|---|--|
| 3-hour | 230 | 512 |
| 24-hour | 90.4 | 91 |
| Annual | 12 | 20 |

PM₁₀

| Maximum Averaging Time | Maximum Increment Consumed (µg/m³) | Allowable Increment (µg/m³) |
|-------------------------------|--|---|
| 24-hour | 4.5 | 30 |
| Annual | 0.7 | 17 |

Nitrogen Dioxide

| Maximum Averaging Time | Maximum Increment Consumed (µg/m³) | Allowable Increment (µg/m³) |
|-------------------------------|--|---|
| Annual | 19 | 25 |

PM_{2.5}

| Maximum Averaging Time | Maximum Increment Consumed (µg/m³) | Allowable Increment (µg/m³) |
|-------------------------------|--|---|
| 24-hour | 8.5 | 9 |
| Annual | 3.2 | 4 |

This application was submitted to the TCEQ on February 11, 2016. The Executive Director has determined that the emissions of air contaminants from the existing facility which are subject to PSD review will not violate any state or federal air quality regulations and will not have any significant adverse impact on soils, vegetation, or visibility. All air contaminants have been evaluated, and “best available control technology” will be used for the control of these contaminants.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The permit application, Executive Director’s preliminary decision, draft permit, and the Executive Director’s preliminary determination summary and Executive Director’s air quality analysis, are available for viewing and copying at the TCEQ central office, the TCEQ Beaumont regional office, and at the Port Arthur Public Library, 4615 9th Avenue, Port Arthur, Jefferson County, Texas. The facility’s compliance file, if any exists, is available for public review at the TCEQ Beaumont Regional Office, 3870 Eastex Fwy, Beaumont, Texas.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published in English on July 27, 2019 and in Spanish on July 28, 2019. On October 23, 2019, the Applicant filed a revised request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing at:

**10:00 a.m. – February 3, 2020
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 TAC Chapter 116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

To request to be a party, you must attend the hearing and show you would be affected by the application in a way not common to the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

MAILING LIST.

You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION.

Public comments and requests must be submitted either electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application, the permitting process, or the contested case hearing process, please call the Public Education Program toll free at 800-687-4040. Si desea información en Español, puede llamar al 800-687-4040. General information regarding the TCEQ may be obtained electronically at www.tceq.texas.gov

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information regarding the TCEQ can be found at www.tceq.texas.gov.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Further information may also be obtained from Motiva Enterprises LLC at the address stated above or by calling Mr. Blake Yarbrough, Environmental Manager at 409-205-5992.

Issued: December 9, 2019

A handwritten signature in cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality