COMAQ

Coalition Of Manufacturers
for Air Quality

April 30, 2008

Ashley Forbes
Texas Commission on Environmental Quality
MC-206
P. O. Box 13087
Austin, TX 78711-3807

RE: Comments of the Coalition of Manufacturers for Air Quality ("COMAQ") regarding Houston-Galveston-Brazoria ("HGB") 8-Hour Ozone Nonattainment Area Stationary Source Control Strategy Planning Draft Initial Concept List

Dear Ms. Forbes:

The Coalition of Manufacturers for Air Quality ("COMAQ") appreciates the opportunity to submit these comments regarding the HGB 8-hour Ozone Nonattainment Area Stationary Sources Control Strategy Planning Draft Initial Concept List ("Draft Initial Concept List"). COMAQ is a coalition of petrochemical companies in the Houston area whose primary purpose is to provide input to the TCEQ relative to the various air quality matters.

COMAQ presents herein both general and specific comments. COMAQ's general comments relate to the TCEQ's evaluation of possible control strategies and the determination of which of them should be included in the HGB 8-hour ozone SIP. COMAQ's specific comments relate to the possible control strategies on the Draft Initial Concept List. Once the scope and meaning of the possible control strategies on the Draft Initial Concept List is better defined, COMAQ requests that the TCEQ offer interested parties an additional opportunity to submit comments.

General comments relating to the TCEQ's evaluation of possible control strategies and determination of which should be included in the HGB 8-hour ozone SIP

COMAQ believes it is critical that the TCEQ consider and apply the following fundamental facts and principles in its evaluation of possible control strategies and the determination of which of them should be included in the HGB 8-hour ozone SIP.

- As demonstrated by the TCEQ's photochemical modeling, it is not possible for the HGB area to attain the 8-hour ozone standard solely through further reductions in emissions of NO_X and VOC (including HRVOC) from stationary point and area sources.

- To date, most of the reductions in emissions of NO_X and VOC (including HRVOC) in the HGB area have been achieved by controlling stationary point sources.
    - A key reason the HGB area has not attained the 8-hour ozone standard is because of the NO_X and VOC emissions from on-road and off-road mobile sources, and marine vessels and other federal sources in the HGB area (collectively, "federally regulated sources"). COMAQ understands that the TCEQ's most recent analysis of projected 2009 emissions in the HGB area shows that approximately 55% of the total NO_X emissions in the area will be from federally regulated sources.
    - The NO_X and VOC emissions from federally regulated sources will have to be reduced significantly for the HGB area to be able to attain the 8-hour ozone standard.
    - Since the TCEQ does not have statutory authority to regulate emissions from federally regulated sources, COMAQ encourages the TCEQ to continue to publicize the importance of obtaining significant reductions of NO_X and VOC emissions from such sources, and to support programs, such as the Texas Emissions Reduction Program ("TERP"), that encourage and accomplish NO_X and VOC emissions reductions from on-road and off-road mobile sources and other federally regulated sources.
- In evaluating the possible control strategies, the TCEQ must determine both the technical and economic feasibility of each possible control strategy. The TCEQ should not consider any control strategy for inclusion on the HGB SIP unless that control strategy is both technically and economically feasible.

Specific comments relating to the possible control strategies on the Draft Initial Concept List

- Several of the possible control strategies on the Draft Initial Concept List would change the current HRVOC Emissions Cap and Trade ("HECT") rules in some way, e.g., expanding the definition of HRVOCs or reducing the HRVOC emissions cap. COMAQ opposes all of those possible control strategies because there are problems in the current HECT program that the TCEQ is in the process of addressing. For example, there are significant issues resulting from the current HRVOC allowances allocation methodology, which the TCEQ has determined is inequitable. The TCEQ has made a commitment to address this problem. The problems in the current HECT program should be addressed before the TCEQ considers any possible control strategies that would change the definition of HRVOC or reduce the HRVOC emissions cap.
- Some of the possible control strategies would involve increased VOC or HRVOC monitoring. COMAQ notes that the current HRVOC monitoring rules have unresolved technical problems. The current HRVOC monitoring rules should not be used as a template for increased VOC or HRVOC monitoring until those problems are resolved.

- Some of the possible control strategies relate either to previously unregulated emissions sources or to a previously unregulated air contaminant(s) emitted by types of regulated sources. COMAQ requests that before imposing emissions reduction requirements on those sources or air contaminant(s), the TCEQ (i) require such sources to monitor for the relevant emissions, and (ii) then use such emissions data to determine whether such control strategies are technically and economically feasible.

- The scope and the meaning of some of the possible control strategies are ambiguous, and clarification of them is needed.

    - One of the possible control strategies references "flare minimization plans". What are the elements of a "flare minimization plan"?

    - What is the evidence that "over-steaming" of steam-assisted flares has a measurable impact on ozone concentrations in the HGB area?

    - What does the phrase "best management practices via agreed orders or other mechanisms" mean? COMAQ requests that the TCEQ provide examples. Would such best management practices become regulatory requirements?

    - To our COMAQ members' knowledge, there are only a few salt dome storage facilities in the HGB area, the VOC emissions from them are low, and such emissions are already regulated under the HRVOC rules. In light of that, COMAQ asks what additional VOC emissions reductions are technically and economically feasible for such facilities.

    - A few of the possible control strategies would relate to certain sources within the "200 km range that impact the HGB area". What does the phrase "that impact the HGB area" mean? What is the origin of the 200 km distance?

- COMAQ requests that the TCEQ work with interested parties to better develop and define the scope and meaning of the possible control strategies. COMAQ and other interested parties will then be better able to provide constructive comments to the possible control strategies.

Proposed addition to the Draft Initial Concept List

COMAQ suggests that the following be added to the Draft Initial Concept List: "Establish requirements for the recording and reporting of chlorine use by industrial and non-industrial chlorine consumers in order to identify opportunities for chlorine emissions reductions." Anthropogenic emissions of chlorine can arise from a wide variety of activities. Some examples are: (i) industrial sources, (ii) cooling towers, (iii) swimming pools, and (iv) industrial and municipal water and wastewater treatment facilities. Chlorine emissions from

anthropogenic sources in the HGB area have been estimated to be approximately 10 tons per day. (Wang, Thompson, McDonald-Buller, and Allen *Environ. Sci. Technol.* 2007, *41*, 2103-2107). This emission rate is comparable to the current HRVOC emissions cap for point sources in Harris County. The maximum incremental reactivity ("MIR") of chlorine is about twice that of ethylene or propylene. Because chlorine has a high MIR and a significant emission rate, the impact of chlorine emissions on ozone formation in the HGB should be given more attention. It is possible that chlorine emissions are more important than are point source HRVOC emissions in the formation of ozone within the HGB area. In light of that, COMAQ believes that a reasonable next step is for the TCEQ to collect and compile detailed information about the industrial and non-industrial uses of chlorine within the HGB area, including the rates of chlorine use. With this information in hand, it may be possible to identify technically and economically feasible opportunities for reducing chlorine emissions, and thus, ozone concentrations, in the HGB area.

COMAQ appreciates the opportunity to submit these comments, and the TCEQ's consideration of them. If you have any questions, please contact Keith Courtney at (512) 370-2813.

Sincerely,

Calvin Greene by KAC

Calvin Greene
Chair of COMAQ