

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, June 8, 2021 5:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD
Subject: FW: Public comment on Permit Number 41945
Attachments: Contested Case Hearing Request BASF Total Petrochemicals LLC - 41945 - MAY 20211.pdf

eComment = H

Attachment = H

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From: Hilton.Kelley@cidainc.org <Hilton.Kelley@cidainc.org>
Sent: Monday, June 7, 2021 3:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 41945

REGULATED ENTY NAME BASF TOTAL FINA NAFTA REGION OLEFINS COMPLEX

RN NUMBER: RN100216977

PERMIT NUMBER: 41945

DOCKET NUMBER:

COUNTY: JEFFERSON

PRINCIPAL NAME: BASF TOTAL PETROCHEMICALS LLC

CN NUMBER: CN604166967

FROM

NAME: MR Hilton Kelley

E-MAIL: Hilton.Kelley@cidainc.org

COMPANY: Community In-Power and Development Association Inc.

ADDRESS: 600 AUSTIN AVE
PORT ARTHUR TX 77640-5805

PHONE: 4094981088

FAX:

COMMENTS: I formally request a contested case hearing against the amendment and renewal of air quality permit #41945 to BASF Total Petrochemicals LLC, published on May 12, 2021 in the Port Arthur News. Our organization's name: Community In-Power and Development Association Inc. (CIDA Inc.) My Name: Hilton Kelley Address: 600 Austin Avenue, Port Arthur, TX 77640 Daytime telephone number: (409) 498-1088 Applicant Name: BASF Total Petrochemicals LLC Permit No.: #41945 The TCEQ has issued air emission related fines to BASF Total Petrochemicals LLC on a number of occasions, over the past few years, for a variety of issues from failure to comply with emission and concentration limits pertaining to a number of toxins and compounds. I strongly believe that permits should not be renewed for companies who have shown little commitment to adhering to these permits in the first place. Please see letter attached for full motivation, standing and comments. Sincerely, Hilton Kelley



Community In-Power and Development Association Inc.

600 Austin Avenue,
Port Arthur TX 77640

Texas Commission on Environmental Quality
Office of the Chief Clerk
MC- 105, P.O. Box 13087
Austin, TX 78711-3087

June 7, 2021

Subject: Contested Case Hearing Request

We formally request a contested case hearing against the amendment and renewal of air quality permit #41945 to BASF Total Petrochemicals LLC, published on May 12, 2021 in the Port Arthur News.

Our organization's name: Community In-Power and Development Association Inc. (CIDA Inc.)

My Name: Hilton Kelley

Address: 600 Austin Avenue, Port Arthur, TX 77640

Daytime telephone number: (409) 498-1088

Applicant Name: BASF Total Petrochemicals LLC

Permit No.: #41945

The permit applicant BASF Total Petrochemicals LLC, physically located on highway 366, gate 99 at intersection of highway 366 and highway 73 in Port Arthur, Jefferson County, Texas 77642 is requesting a renewal of their permit to emit air contaminant organic compounds, particulate matter (PM10 and PM2.5), carbon monoxide, hydrogen sulfide, hazardous air pollutants, nitrogen oxides, sulfur dioxide.

I am the executive director of CIDA Inc. Our organization was founded in 2000 and many of our members and associates suffer from cancer, respiratory problems and skin afflictions caused by chronic exposure to environmental toxins. I presently suffer with hypertension which was more than likely brought on due to chronic exposure to high levels of air toxins including VOC's and particulate matter released into my community. If the permit is issued to BASF Total Petrochemicals LLC, I fear that our health and the air quality in our environment will further deteriorate due to the lack of current lack of adherence to emissions limits from BASF Total Petrochemicals LLC. For CIDA Inc. I, Hilton Kelley work within the one-mile radius of the BASF Total Petrochemicals LLC. I survey the area between Hwy 366 and the Neches River and Hwy 87 and 39th street in the city of Port Arthur, Texas on a weekly basis. There is also a family restaurant called Larry's French Market, which I, and many of our residents frequent with their kids and elderly parents, many of which live within the one-mile radius as well. Additionally, during the winter months the north winds push much of the emissions into nearby neighborhoods. These factors should be considered before the issuance of the renewal or any amendment to air quality permit No. 41945 to BASF Total Petrochemicals LLC in Port Arthur Texas. These emissions will continue to put the community health and livelihood in jeopardy and it will also diminish the quality of our air, our property value, our ability to enjoy our properties, "Memorial park" and disrupt the church and school, which are all located within the one-mile radius of the BASF Total Petrochemicals LLC.



www.cidainc.org



The EPA has found that particulate matter (PM10 and PM2.5), which BASF Total Petrochemicals LLC is requesting a renewal for, poses a particular health problem as it can penetrate deep into our lungs and bloodstream¹. This can cause respiratory problems, irregular heartbeat, aggravated asthma, decreased lung function, heart attacks and even premature death for people who have a higher rate of respiratory diseases and cancer².

BASF Total Petrochemicals LLC is requesting to renew their permit to release organic compounds into our air. According to the EPA³ exposure to these compounds include eye and respiratory tract irritation, headaches, loss of coordination and nausea, damage to kidney, liver and central nervous system and some of these compounds are suspected or known carcinogens for both animals and humans.

I fear that allowing BASF Total Petrochemicals LLC to continue emitting the abovementioned toxins and compounds into our air, will have an adverse effect on my personal health and the health of the members and associates of my organization.

According to the EPA TRI report, BASF Total Petrochemicals LLC released a combined of 430,650 pounds of carcinogenic toxins (1,3-butadiene, benzene and styrene) into the air into our community in 2017 alone. In 2018 we were inundated with 137,737 pound of carcinogens (1,3-butadiene, benzene, styrene, ethylbenzene and naphthalene) from this same facility. The facility was also fined on a number of occasions for non-compliance.

The TCEQ has issued air emission related fines to BASF Total Petrochemicals LLC totaling over \$21,563 in 2019, \$44,125 in 2020 and \$26,250 as of January of 2021. Since 2019 BASF Total Petrochemicals LLC has been fined for a variety of issues from failure to comply with emission and concentration limits pertaining to Carbon Monoxide, Ethylene, 1,3-Butadiene, Benzene, Butanes, Butenes, Ethylbenzene, Styrene, Toluene, Xylene, HEPTANE, Nonane, Heptanes, decanes, Isobutane, NOx, Hexane, VOCs and Propylene.

Permits should not be renewed for companies who have shown little commitment to adhering to these permits in the first place. The very least BASF Total Petrochemical & Refining USA can do is adhere to current release requirements, demonstrating that they can be a responsible neighbor.

Our community is already subject to a disproportionate amount of environmental pollution, please help us preserve what clean air we have.

Thank you for the consideration of our request.

Sincerely,

Hilton Kelley
Executive Director and Founder
Community In-Power and Development Association Inc.
P: (409) 498-1088 | E: Hilton.Kelley@cidainc.org

¹ <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>

²

https://www.researchgate.net/publication/7638638_Symptoms_of_Adverse_Health_Effects_Among_Residents_from_Communities_Surrounding_Chemical-Industrial_Complexes_in_Southeast_Texas

³ <https://www.epa.gov/indoor-air-quality-iaq/volatile-organic-compounds-impact-indoor-air-quality>