



Air Pollutant Watch List Public Comment Form

Date Received: March 5, 2009

APWL Site Under Consideration

County: Jefferson and Harris

Cities: Port Neches and Milby Park Area

TCEQ Region: Region 10 (Beaumont) and Region 12 (Houston)

APWL Site Number (for existing sites): APWL 1004 and APWL 1207

Pollutant(s): 1,3-Butadiene

Comment(s):

Texas Petrochemicals is pleased to submit these comments on TCEQ's proposal to remove 1,3-butadiene from the Air Pollution Watch List (APWL) at Houston's Milby Park Area and in Jefferson County. Texas Petrochemicals is a Houston-based company, with operating facilities in Houston's East End (Milby Park Area), Port Neches (Jefferson County), and Baytown. We have approximately \$2 billion in annual sales revenue, and employ nearly 800 full time employees and contractors. TCEQ's Toxicology Section (TS) recently published a proposal to make several modifications to the APWL. Among these proposals were to remove 1,3-butadiene from the APWL at both Jefferson County and Houston's Milby Park Area. In 1999, Huntsman Petrochemicals (former owner of Texas Petrochemicals' Port Neches Operations) initiated fenceline monitoring for 1,3-butadiene emissions under terms of a Trilateral Agreement with TNRCC (TCEQ's predecessor agency). The monitoring system has been instrumental in identifying otherwise obscure emissions sources and activities with the potential to impact emissions at the fenceline and in the community. This has afforded Texas Petrochemicals the opportunity to proactively address such sources and dramatically reduce their impact on fenceline emissions. TCEQ's long-term monitoring program confirms that annual average concentrations of 1,3-butadiene in the community of Port Neches have been maintained at a level well below the Agency's Long Term Effects Screening Level (ESL) for several years.

Texas Petrochemicals continues to operate the monitoring system, recognizing its value as an important tool for managing facility emissions. Similarly, in 2005, concern over measured levels of 1,3-butadiene in Houston's Milby Park Area led to establishing individual Voluntary Emissions Reductions Agreements (VERAs) including one between TCEQ and Texas Petrochemicals. Texas Petrochemicals' VERA required specific emissions reductions in 1,3-butadiene emissions through capital projects and installation and operation of advanced technology fenceline monitoring. The monitoring, again, was instrumental in allowing Texas Petrochemicals to pinpoint sources of emissions and to correct them. The ongoing use of the monitoring system coupled with a handheld infrared

camera (FUR) have driven culture change and changed behaviors throughout the Texas Petrochemicals facility, creating a sensitivity and awareness to emissions and to implementing rapid and effective corrective actions. The result was a substantial decrease in 1,3-butadiene levels at TCEQ's Milby Park monitoring station. Again, monitoring results in recent years show sustained levels less than 2 ppb compared to TCEQ's current Long Term ESL of 9.1 ppb.

These are great success stories for the APWL process and stand as examples of how industry and the Agency can work together within the existing APWL process to continue to drive reductions in air toxics.

We understand TCEQ will continue to operate the 1,3-butadiene monitoring stations in Jefferson County and in Houston. Similarly, Texas Petrochemicals continues to operate our fence-line monitoring systems. These monitoring systems will be effective tools to ensure that 1,3-butadiene levels do not increase in these communities in the future.

In addition to the substantial reductions in 1,3-butadiene concentrations effected by industry in the Houston Milby Park and Jefferson County areas, the process used by TCEQ to set the ESLs was another factor in allowing TCEQ to propose removing 1,3-butadiene from the APWL in these areas.

Texas Chemical Council applauds TCEQ's process for setting these ESLs, prioritizing the chemical list for setting ESLs in a risk-based fashion, relying on all of the scientific evidence available to propose appropriate levels for ESLs, and using a third party peer review panel whose members have established stature and credentials in their fields of expertise. Texas Petrochemicals agrees with and strongly supports the proposal from TCEQ to remove 1,3-butadiene from the APWL at Jefferson County and at Houston's Milby Park Area.



Response to APWL Comment Submitted by Texas Petrochemicals

Date: March 24, 2009

APWL Site Under Consideration

County: Jefferson and Harris

Cities: Port Neches and Milby Park Area

TCEQ Region: Region 10 (Beaumont) and Region 12 (Houston)

APWL Site Number (for existing sites): APWL 1004 and APWL 1207

Pollutant(s): 1,3-Butadiene

Response for Comments on APWL 1004 and APWL 1207:

The TCEQ Toxicology Division thanks TPC for participating in the public comment period and appreciates TPC's support of the TCEQ's proposal to remove 1,3-butadiene from APWL 1004 and APWL 1207.



Air Pollutant Watch List Public Comment Form

Date received: March 6, 2009

APWL Site Under Consideration

County: Jefferson and Harris

Cities: Port Neches and Milby Park Area

TCEQ Region: 10 (Beaumont) and 12 (Houston)

APWL Site Number (for existing sites): APWL 1004 and APWL 1207

Pollutant(s): 1,3-butadiene

Comment(s):

The Texas Chemical Council (TCC) is pleased to submit these comments on the Texas Commission on Environmental Quality's (TCEQ) proposal to remove 1,3-butadiene from the Air Pollution Watch List (APWL) at Houston's Milby Park Area and at Port Neches in Jefferson County.

TCC is a statewide trade association representing approximately 77 chemical manufacturers at over 200 Texas facilities. Our industry has invested more than \$50 billion in physical assets in the State and pays over \$1 billion annually in state and local taxes. TCC's members provide approximately 75,000 direct jobs and over 500,000 indirect jobs to Texans across the State.

TCEQ's Toxicology Section (TS) recently published a proposal to make several modifications to the APWL. Among these proposals were to remove 1,3-butadiene from the Port Neches APWL in Jefferson County and the APWL in Houston's Milby Park area.

TCEQ's predecessor agency, Texas Natural Resource Conservation Commission (TNRCC), placed 1,3-butadiene on the Port Neches APWL in Jefferson County in 1999 and established a trilateral agreement with area industrial facilities to conduct monitoring. Plant fenceline monitors were instrumental in identifying otherwise obscure emissions sources and activities with the potential to impact emissions at the fenceline and in the community. This afforded the industry the opportunity to proactively address such sources and dramatically reduce their impact on fenceline emissions. Based on TCEQ's monitoring results in the community outside the facilities, the annual average levels of butadiene have been maintained below 2 ppb for several years running - a concentration that is well below TCEQ's long term Effects Screening Level (ESL) of 9.1 ppb.

Similarly, in 2005, concern over measured levels of 1,3-butadiene in Houston's Milby

Park Area led to establishing individual Voluntary Emissions Reductions Agreements (VERAs) between TCEQ and the nearby operating industrial facilities. These VERAs required specific emissions reductions in 1,3-butadiene emissions through capital projects and installation and operation of fence-line monitoring equipment. The monitoring, again, was instrumental in allowing the facilities to pinpoint sources of emissions and to correct them. The result was a substantial decrease in 1,3-butadiene levels at TCEQ's Milby Park monitoring station. Again, monitoring results in recent years show sustained levels less than 2 ppb compared to TCEQ's long term ESL.

These are great success stories for the APWL process, and stand as examples of how industry and the Agency can work together to drive environmental improvements in air toxics with the existing APWL process.

We understand TCEQ will continue to operate the 1,3-butadiene monitoring stations at Port Neches in Jefferson County and in Houston. These monitoring systems will be effective tools to ensure that 1,3-butadiene levels do not increase in these communities in the future.

In addition to the substantial reductions in 1,3-butadiene concentrations effected by industry in the Houston Milby Park and Port Neches areas, the process used by TCEQ to set the ESLs was another factor in allowing TCEQ to propose removing 1,3-butadiene from the APWL in these areas. Texas Chemical Council applauds TCEQ's process for setting these ESLs, prioritizing the chemical list for setting ESLs in a risk-based fashion, relying on all of the scientific evidence available to propose appropriate levels for ESLs, and using a third party peer review panel whose members have established stature and credentials in their fields of expertise.

TCC agrees with and strongly supports the proposal from TCEQ to remove 1,3-butadiene from the APWL at Port Neches in Jefferson County and at Houston's Milby Park Area. Please contact me if you are in need of additional information or have any questions.



Response to APWL Comment Submitted by Texas Chemical Council

Date: March 24, 2009

APWL Site Under Consideration

County: Jefferson and Harris

Cities: Port Neches and Milby Park Area

TCEQ Region: 10 (Beaumont) and 12 (Houston)

APWL Site Number (for existing sites): APWL 1004 and APWL 1207

Pollutant(s): 1,3-Butadiene

Response for Comments on APWL 1004 and APWL 1207:

The TCEQ Toxicology Division thanks TCC for participating in the public comment period and appreciates TCC's support of the TCEQ's proposal to remove 1,3-butadiene from APWL 1004 and APWL 1207.



Air Pollutant Watch List Public Comment Form

Date received: March 2, 2009

APWL Site Under Consideration

County: Jefferson

Cities: Beaumont, Port Arthur and Port Neches

TCEQ Region: 10 (Beaumont)

APWL Site Number (for existing sites): APWL 1002, APWL 1003, APWL 1004

Pollutant(s): Hydrogen sulfide, benzene and 1,3-butadiene

Comment(s):

The Southeast Texas Plant Managers Forum wishes to contribute comment to the proposed action by the Texas Commission on Environmental Quality to remove hydrogen sulfide from the Beaumont Air Pollution Watch List and butadiene from the Port Neches Air Pollution Watch List.

The Southeast Texas Plant Managers Forum is an organization of the 50 heavy industrial facilities in Southeast Texas, specifically Jefferson, Orange and Hardin Counties, and has for many years now installed, sponsored and supported the South East Texas Regional Planning Commission Air Monitoring System, Texas' original run-time industrial sponsored air quality monitoring system.

The Forum maintains a committee devoted to improving environmental quality and compliance, particularly air quality. I chair its Environmental Committee. I am the manager of ExxonMobil's Beaumont PE plant. The Forum firmly believes that a proactive effort to improve our community's environment is an important mission of area industry.

The Forum supports the proposal by the Texas Commission on Environmental Quality to remove hydrogen sulfide from the Beaumont Air Pollution Watch List and butadiene from the Port Neches Air Pollution Watch List. In addition to the evidence of improvement in air quality cited by in the TCEQ proposal, Forum surveys of emissions from industrial sources operating in Jefferson, Hardin and Orange Counties show a 45% decrease in VOC emissions and a 38% drop in SO₂ emissions over the last ten years. Likewise, ambient ozone levels have decreased dramatically over the same period and the Beaumont-Port Arthur-Orange region has now reached attainment of the 1997 Federal ozone standard.

There is strong evidence, in fact, that benzene and sulfur dioxide should also be removed from the Beaumont Air Pollution Watch List and benzene from the Port Arthur Air Pollution Watch List. In both cases the regulatory preconditions for removal have been

complied with few or solitary exceedances which are explainable and are not representative of the trend based on data collected by our area air monitoring specialists. As you go forward with the proposed actions, please consider whether additional removals are justified for the Southeast Texas area based on this additional data.

In connection with the proposed re-designation of Southeast Texas as an ozone attainment area, removal of these items from the Air Pollution Watch List clearly evidences the commitment of industry in our community to environmental quality.

Please do not hesitate to contact us for additional information with respect to the additional watch list issues.



Response to APWL Comment Submitted by The Southeast Texas Plant Managers Forum

Date: March 13, 2009

APWL Site Under Consideration

County: Jefferson

Cities: Beaumont, Port Arthur and Port Neches

TCEQ Region: 10

APWL Site Number (for existing sites): APWL 1002, APWL 1003, APWL 1004

Pollutant(s): Hydrogen sulfide, benzene and 1,3-butadiene

- 1) **Comment:** ...There is strong evidence, in fact, that (a) benzene and (b) sulfur dioxide should also be removed from the Beaumont Air Pollution Watch List and (c) benzene from the Port Arthur Air Pollution Watch List. In both cases the regulatory preconditions for removal have been complied with few or solitary exceedances which are explainable and are not representative of the trend based on data collected by our area air monitoring specialists. As you go forward with the proposed actions, please consider whether additional removals are justified for the Southeast Texas area based on this additional data.

Response (a): benzene... should also be removed from the Beaumont Air Pollution Watch List: Benzene was placed on this APWL due to high readings at the former CAMS 54 Carroll St. Park air monitoring site. The annual average benzene concentrations at this site have remained below our health-based screening level of 1.4 ppb_v for the past four years. Thus, in the near future, we will be proposing that this pollutant should be removed from the APWL. However, this monitor is in the process of being relocated to a nearby residential area and the TCEQ is looking forward to evaluating data from this new location. Historically, the TCEQ has focused monitoring resources in this area and will continue focusing our resources here.

Response (b): ...sulfur dioxide should also be removed from the Beaumont Air Pollution Watch List: Also included in your comments was a recommendation to remove sulfur dioxide from APWL1002 in Beaumont. However, our most recent mobile monitoring trip in 2007 reported levels above TCEQ's regulatory standard. Also, TCEQ has performed multiple mobile monitoring trips in the area since 2003 and have repeatedly monitored off-

property exceedances of TCEQ's regulatory standard. Thus, we will continue to support all efforts to reduce sulfur dioxide emissions in this APWL area of concern.

Response (c): ...benzene from the Port Arthur Air Pollution Watch List:

After careful consideration, we have decided this location will remain on the APWL for the following reasons:

- 2008 monitoring data reported an annual average benzene concentration at the City Service Center is 1.91 ppb_v, which is above our annual screening value of 1.4 ppb_v.
- Benzene levels at this monitor have increase substantially since 2007. The current average of 1.91 ppb_v is 2.7 times higher than the annual average benzene level observed in 2007 (0.7 ppb_v) which is consistent with the upward trend in benzene concentrations measured during 2008.

When considering the removal of benzene from an APWL area, our primary criteria is that reported concentrations are indicating a downward trend over time. Currently, available data suggest an upward trend, thus we will continue to encourage efforts to reduce benzene levels near the City Service Center monitor.