

Responses to Shell Oil Products Comments (9/22/03)

The District has prepared the following responses to the comments contained in this letter.

Each comment consists of 1) a suggestion for action or change, and 2) the argument, if any, supporting the suggestion.

The comments identified by the District have been numbered. Refer to the attached copy of the original comment letter for the comment numbers.

	Response
1	The suggested change should be implemented at this time. The District agrees it is reasonable to provide a future effective date regarding monitoring newly imposed in the Title V permit. An effective date of April 1, 2004, has been added for all monitoring imposed under Title V authority, except for flare monitoring which was given an effective date of June 1, 2004. Monitoring explicitly required by existing regulations and permit conditions is effective as of the date of permit issuance.
2	This reporting procedure will be handled outside the permit. The District is preparing guidance on this procedural issue.
3	This reporting procedure will be handled outside the permit. The District is preparing guidance on this procedural issue.
4	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
5	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
6	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
7	The suggested change corrects a mistake.. The mistake has been corrected in the final permit. S4190, S4191, S4192, and S4193 were added to Table 1 of Condition # 18618. However, their capacities reflect what the District databank records reflect and not what Shell indicated in their comment.
8	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
9	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. The condition has been amended to specify the type of monitoring required.
10	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. The condition has been amended to specify the type of monitoring required.
11	The District has included exemption criteria as permit conditions in appropriate circumstances, under the authority to impose conditions to assure compliance contained in BAAQMD Regulation 2-1-403. The condition is necessary in this case because monitoring is necessary to ensure that the exemption criteria are, in fact, met.
12	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
13	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
14	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
15	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
16	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
17	No change has been made to the permit. The legal basis for the suggestion is incorrect. The

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	District's authority for imposing additional monitoring or testing derives from 2-6-409.2.2, which pertains to all "applicable requirements." Applicable requirements include those enforceable by the District but not EPA. For applicable requirements that are District permit conditions, the District also has authority to impose the testing requirement pursuant to 2-1-403 and California Health & Safety Code § 42301(e).
18	No change has been made to the permit. The legal basis for the suggestion is incorrect. The District's authority for imposing additional monitoring or testing derives from 2-6-409.2.2, which pertains to all "applicable requirements." Applicable requirements include those enforceable by the District but not EPA. For applicable requirements that are District permit conditions, the District also has authority to impose the testing requirement pursuant to 2-1-403 and California Health & Safety Code § 42301(e). The shutdown notice helps assure compliance with the requirements for preconstruction review of physical modifications that may affect emissions. Information submitted as confidential business information will be handled consistent with the Public Records Act. The District will consider alternative means of notification (e.g., by telephone) at a later date.
19	No change has been made to the permit. The factual basis for the suggestion is incorrect. Recordkeeping conditions in District permits sufficiently describe the type of information to be recorded, but do not address recording format. Because prescription of log formats for every conceivable situation is impractical, the District allows facilities flexibility to use any format that is effective. However, the District retains the ability to find that a particular recordkeeping format is ineffectual.
20	The District has included exemption thresholds as permit conditions in appropriate circumstances, under the authority to impose conditions to assure compliance contained in BAAQMD Regulation 2-1-403. The condition is necessary in this case because monitoring is necessary to ensure that non-exempt materials are not stored in an exempt tank. The monitoring requirement is imposed using BAAQMD's authority under state law, and is thus not federally enforceable.
21	No change has been made to the permit. The legal basis for the suggestion is incorrect. The heading of the table accurately characterizes the nature of the capacities.
22	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
23	Mistakes to SIP dates have been corrected. Missing SIP and District rule citations noted in Appendix C were also added. Federal Enforceability mistakes noted in Appendix D were also corrected. However, it should be noted that the date of the SIP approved Rule is not the date of when the District adopted the rule originally, but when the EPA adopted rule into the Federal Register (Federal Register Date).
24	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment.
25	No change has been made to the permit. The suggestion is based on the following incorrect assumption: that the condition is based on NSPS Subpart VV (40 CFR 60.482-5). The basis of those conditions was from BACT/TBACT and Cumulative Increase.
26	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. MACT Subpart UUU requirements were incorporated into the permit by adding or modifying the following tables: IV-AP, IV-AOa, IV-AQa, IV-AQb, VII-AG, VII-AFa, VII-AHa, VII-AHb, IXA-1a, and IXA-14. In addition, Condition 20762 was removed from the permit.
27	See response to Comment # 1.
28	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit.
29	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment.
30	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
31	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. As a result, Tables IV-CTa, IV-CP, VII-CDa, VII-BY and IV-AZa, VII-AQa, IV-CSa, and VII-CC were either added or modified to

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	include the alternative monitoring requirements.
32	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
33	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment.
34	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. However, only the redundant term was removed, and not the reference to the applicable requirement.
35	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. However, the reference to Part 64 of Condition 12271 is not out of order, but based by pollutant order.
36	See response to Comment # 9.
37	No change has been made to the permit. The District will consider incorporating the suggestion at a later date.
38	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
39	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
40	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
41	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
42	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
43	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
44	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
45	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but the comment will be addressed in a proposed permit revision that will be circulated for public comment within 30 days.
46	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
47	No change has been made to the permit. The suggestion is based on the following incorrect assumption: that "periodic" alone is a monitoring period.
48	See response to Comment # 14.
49	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
50	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment
51	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
52	The suggested change corrects a mistake. The mistake has been corrected in the final permit. In addition, the monitoring requirements of Regulation 12-11 were added. A numerical limit is not required to belong to Section VII. Only a monitoring required is required to belong in Section VII.
53	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. However, reference to the exemption of Subpart J and Condition 20747 are unaffected.
54	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
55	No change has been made to the permit. The District will prepare comprehensive permit revisions to address all Subpart J applicability issues and flare monitoring requirements in a revision to be proposed within 30 days of permit issuance.
56	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.

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57	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
58	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
59	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment [see comment]
60	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
61	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. The Regulation 6 requirements have been removed from Table VII-BH, because they are redundant to Tables VII-BI and VII-BJ.
62	The suggested change should be implemented, but more data regarding the flexigas burned in the flexigas flares and additional public review is required first. The change has not been made in the permit, but will be considered for inclusion in a proposed permit revision that will be circulated for public comment within 30 days.
63	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
64	The suggested change corrects a mistake. The mistake has been corrected in the final permit. However, no new flare emission condition was added. The new flare condition will be included in a proposed permit revision that will be circulated for public comment within 30 days. In addition, Regulation 12-11 monitoring requirements were added to Table VII, because although they have no limit, there are monitoring requirements.
65	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
66	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
67	See response to Comment # 1.
68	See response to Comment # 1.
69	See response to Comment # 1.
70	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
71	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
72	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
73	This source cannot burn fuel oil per Condition 17532. As a result, the mistakes referencing that it may burn fuel oil have been corrected in the final permit.
74	The change has been made to the permit, based upon the rationale provided in the comment
75	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
76	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
77	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
78	The change has been made to the permit, based upon the rationale provided in the comment
79	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
80	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
81	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change. The
82	The suggested change should be implemented at this time. The change has been made to the permit, based upon the rationale provided in the comment. The permit has been updated to reflect P/Semi-A for S4021 and P/A for S4171.
83	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
84	No change has been made to the permit. "P" is not sufficient to indicate monitoring period.
85	No change has been made to the permit. "P" is not sufficient to indicate monitoring period.
86	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
87	No change has been made to the permit. "P" is not sufficient to indicate monitoring period.
88	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
89	No change has been made to the permit. "P" is not sufficient to indicate monitoring period.
90	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
91	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
92	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
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95	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
96	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
97	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
98	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
99	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
100	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
101	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
102	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
103	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
104	The suggested change corrects a mistake. The mistake has been corrected in the final permit. Reference to Regulation 6-311 has been added to IV.
105	No change has been made to the permit. The legal basis for the suggestion is incorrect.
106	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
107	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
108	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
109	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
110	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
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129	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
130	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
131	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
132	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
133	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
134	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
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141	The suggested change corrects a mistake. The mistake has been corrected in the final permit.

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142	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
143	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
144	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
145	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
146	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
147	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
148	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
149	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
150	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
151	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
152	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
152.a	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
152.b	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
152.c	The suggested change corrects a mistake. The mistake has been corrected in the final permit. However, there is no change to 40 CFR 60.108(d).
152.d	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
153	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
154	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
155	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
156	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
157	No change has been made to the permit. No argument supporting a suggested change is made.
158	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
159	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
160	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
161	No change has been made to the permit. The sections noted in Regulation 8-7 are not monitoring requirements.
162	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
163	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
164	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
165	See Response to Comment # 1.
166	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
167	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
168	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
169	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
170	See Response to Comment # 1.
171	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
172	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
173	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
174	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
175	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.
176	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
177	The suggested change corrects a mistake. The mistake has been corrected in the final permit.

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178	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
179	See Response to Comment # 1.
180	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
181	No change has been made to the permit. The District will consider incorporating the suggestion at a later date.
182	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
183	The suggested change corrects a mistake. The mistake has been corrected in the final permit.
184	No change has been made to the permit. The argument supporting a suggested change does not provide sufficient information or analysis to support the change.