



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 12 2016

REPLY TO THE ATTENTION OF:

Andrew Hall
Permit Review/Development Section
Ohio Environmental Protection Agency
Department of Air Pollution Control
50 West Town Street Suite 700
P.O. Box 1049
Columbus, Ohio 43216

Dear Mr. Hall:

The U.S. Environmental Protection Agency has reviewed the draft Title V renewal permit, permit number P0104782, for BP-Husky Refining LLC (BPH), located in Oregon, Ohio. To ensure that the source meets Federal Clean Air Act requirements, that the permit will provide necessary information so that the basis of the permit decision is transparent and readily accessible to the public, and that the permit record provides adequate support for the decision, EPA has the following comments:

Refinery Rule Updates

1. EPA published a final rule on December 1, 2015, with an effective date of February 1, 2016, which revises the national emission standards for hazardous air pollutants (NESHAP) for petroleum refineries in 40 CFR Part 63 Subpart CC and Subpart UUU. The rule also finalized technical corrections and clarifications for new source performance standards (NSPS) Subpart J and Subpart Ja. Since these NESHAP and NSPS revisions are now in effect, the BPH Title V renewal permit must include the new applicable requirements. Pursuant to the March 15, 2005, EPA Order regarding the Conoco-Phillips – San Francisco Refinery Title V permit¹ a permit may cite the NESHAP at the Subpart level prior to the compliance deadlines in that standard.

Compliance Assurance Monitoring (CAM)

2. According to the statement of basis, the only units at BPH subject to CAM as required under 40 CFR Part 64 are the FCCU (P007) and Crude/Vac Unit 1 (P011). The permit must include a justification for the non-applicability of CAM at the rest of the refinery.

Consent Decree Provisions

¹ http://www.epa.gov/sites/production/files/2015-08/documents/conoco_phillips_che_decision2004.pdf

3. The draft permit's statement of basis and permit condition 2(b)(1)(f) (pg. 79) states that a number of emission units are an affected facility under NSPS Subpart J as a result of a 2001 Consent Decree (CD) and "not due to the emission unit being installed, modified, or reconstructed after June 11, 1973 and prior to May 14, 2007." The statement of basis also states that the CO boiler (P007) is subject to the requirements of NSPS Subpart J as a result of a CD and "not because the heater was modified or installed after the applicability date." EPA does not agree that the NSPS provisions apply in these instances solely as a result of the CD. EPA is concerned that such a definitive statement will improperly lead to the removal of these requirements once the CD is terminated. Ohio EPA should remove the non-applicability language from the statement of basis.
4. Permit conditions 12(b)(2) and 12(d)(10) (pg. 150-151 and pg. 162) list a permit-to-install (PTI) and the CD as the underlying authority. The Title V permit must clearly state the PTI as the origin of authority. Permit condition 12(b)(2)(1) (pg. 152) states that the selective non-catalytic reduction equipment was installed pursuant to the CD. The origin of authority for this control device must be a previously-issued PTI.
5. Permit condition 13(b)(2)(a) (pg. 187) states that permit to install (PTI) 0119763 incorporates emission limits and schedules from paragraphs 14-18 and 21 of the source's CD. The origin of authority for these requirements must be the PTI which previously incorporated the CD. PTI 0119763, issued October 30, 2015, contains similar language referring to the CD, but does not include specific language addressing the CD requirements. Ohio EPA must establish specific conditions in a PTI which addresses BPH's CD requirements, subsequently these conditions must be included in BPH's Title V permit with the PTI as the underlying basis.

FCC & CO Boiler (P007)

6. The permit does not include monitoring, reporting, or recordkeeping requirements for the 20 parts per million by volume dry basis (ppmvd)/41.61 tons per year ammonia emissions limit listed in permit condition 12(b)(1)(a) (pg. 147). According to permit condition 12(b)(2)(a) (pg. 149), these emission limits are the potential to emit based on vendor's design data, therefore monitoring, reporting, or recordkeeping are not required. Please provide further clarification of how the vendor's design data assures compliance with these emission limits.
7. Permit condition 12(b)(2)(b) (pg. 149) should clarify that the required annual emission limit is for volatile organic compounds.

Sulfur Recovery Unit (P009)

8. The equipment description for sulfur recovery unit 1 (SRU) in permit condition 13 (pg. 185) includes a tail gas treatment unit and thermal oxidizer. However, the thermal oxidizer is not discussed in the permit conditions of this section and it is not apparent from the draft permit if it is being used as a control device for the SRU. Please clarify whether or not P009 includes a tail gas treatment unit and thermal oxidizer as control devices. If so, include the appropriate terms and conditions to ensure the proper

operation and control from these control devices.

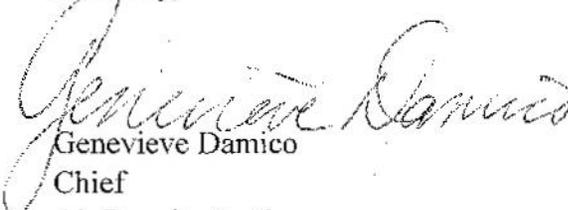
9. Permit condition 13(d)(4) (pg. 189) requires a sulfur dioxide (SO₂) continuous emissions monitoring (CEM) system. Please specify in the permit where the CEM is to be installed (i.e.; which stack identifier). In addition, please clarify the technical basis for the 500 ppm SO₂ span value listed in this permit condition.
10. Permit condition 13(d)(8)(a) (pg. 194) states that the permittee has chosen to comply with the SO₂ continuous monitoring requirement in 40 CFR 60.105(a)(3) by using the hydrogen sulfide (H₂S) monitoring system for SO₂ emissions pursuant to 40 CFR 60.105(a)(4). Since the source has a SO₂ CEM requirement for the SRU, explain the rationale for the H₂S system being used in lieu of the SO₂ CEM for monitoring and compliance assurance.
11. The reporting requirements in permit condition 13(e) (pg. 196) should include a reference to the H₂S monitoring system reporting requirements in Section B, Condition B.4 of this permit. Permit condition 13(e) of the draft permit only contains the reporting requirements for the SO₂ CEM.

Hydrocarbon Flares (P003, P004)

12. Permit condition 40(b)(2)(a) (pg. 445) states that the permittee may elect to demonstrate compliance using the flare standards in 40 CFR Part 63.11(b). Please demonstrate how the H₂S and total sulfur monitors will show compliance with the SO₂ emission limits for the flares, the SRU (P009), and the catalytic reforming units (see permit condition 40(b)(1)(d) on pg. 444).
13. Permit condition 40(d)(12) (pg. 465), approves the use of an infra-red and ultraviolet camera as a backup to pilot thermocouples for the flares. EPA supports the uses of these alternative monitoring devices and recommends that Ohio EPA seek additional applications of this technology for compliance assurance.

We appreciate the opportunity to provide comments on this permit. Due to the extensive nature of this draft permit, we are continuing our review and may provide additional comments. If you have any questions, please feel free to contact Sam Portanova, of my staff, at (312) 886-3189.

Sincerely,


Genevieve Damico
Chief
Air Permits Section