UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue
Dallas, Texas 75202-2733

October 28, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7011 0110 0001 3590 5660

Mr. Craig Fowler
Compliance Contact
Union Carbide Corporation
7501 Highway 185 North
Seadrift, TX 77983

RE: Clean Air Act Section 114 Information Request
Union Carbide Corporation

Dear Mr. Fowler:

Enclosed is an Information Request (Request) issued to Union Carbide Corporation under the authority of Section 114 of the Clean Air Act (CAA). The purpose of this Request is to obtain information necessary to determine whether Union Carbide Corporation is in compliance with the provisions of the CAA.

Please provide the information requested within thirty (30) days of your receipt of this letter to Ms. Jennifer Gibbs, at the above address. If you have any questions, need to request an extension, or wish to schedule a meeting to discuss this Request, please contact Ms. Gibbs, Environmental Scientist, at (214) 665-7347.

Sincerely,

for John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosures (2)

cc: Michael de la Cruz
Texas Commission on Environmental Quality

ENCLOSURE 1

INFORMATION REQUEST

The U.S. Environmental Protection Agency (EPA) Region 6 is issuing this Information Request (Request) to Union Carbide Corporation, pursuant to Section 114(a) of the Clean Air Act (CAA) 42 U.S.C. § 7414(a) for the purpose of determining compliance with the CAA. Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Enforcement Division, EPA Region 6. This Information Request pertains to Union Carbide Corporation, located in Seadrift, Texas.

The information requested must be submitted whether or not you regard part or all of it a trade secret or confidential business information. You may, if you desire, assert a business confidentiality claim on all or part of the information submitted. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. §1905. Unless you make a claim at the time that you submit the information, it may be made available to the public by EPA without further notice to you. You should read 40 C.F.R. Part 2 carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of a claim. Emission data is exempt from claims of confidentiality under Section 114 of the Act, and the emissions data that you provide may be made available to the public. Information subject to a business confidentiality claim is available to the public only to the extent allowed under 40 C.F.R. Part 2, Subpart B. Failure to assert a business confidentiality claim makes all submitted information available to the public without further notice.

You must submit all information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

This Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

All information responsive to this Request should be sent to the following:

Ms. Jennifer Gibbs
Toxics Enforcement Section (6EN-AT)
Compliance Assurance and Enforcement Division
U.S. EPA – Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

I. INSTRUCTIONS

1. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fine or imprisonment.

2. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds. Please submit all information for each question in a logically sequenced, bound format.

3. Please provide a separate response to each question and subpart of a question set forth in this Request and precede each answer with the number of question to which it corresponds.

4. For each question, identify each person responding to any question contained in this Request on your behalf, as well as each person consulted in the preparation of a response.

5. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question. Indicate on each document produced in response to this Request the number of the question to which it corresponds.

II. DEFINITIONS

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including documentation solely in electronic form, including by way of illustration and not by way of imitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photo stat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

2. The term Union Carbide Corporation includes any officer, director, agent, or employee of Union Carbide Corporation, including any merged, consolidated, or acquired predecessor or parent, subsidiary, division or affiliate thereof.

3. The terms "person" or "persons" shall have the meaning set forth in Section 302 (e) of the Act, 42 U.S.C. § 7602 (e), and includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent or employee thereof.

4. The terms "you" or "yours", as used in each of the questions set forth in the attached Section 114 letter, refers to, and shall mean, the company or corporation with which each addressee of the attached Section 114 letter is affiliated including its subsidiaries, division, affiliates, predecessors, successors, assigns and its former and present officers, directors, agents, employees, representatives, attorneys, consultants, accountants and all other persons acting on its behalf.

5. All terms used in this Request will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. § 7401 et seq., the implementing regulations, and 40 C.F.R. Part 68.

6. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

III. QUESTIONS

Union Carbide Corporation shall submit the following information about its facility located in Seadrift, Texas within 30 days:

1. Provide in native electronic format, on compact disc or other electronic storage media, a copy of the back-up file generated by the facility's fugitive emissions monitoring records database. The file should contain at least 5 years of data prior to the date of this Request. Please include in your response the name and version of the fugitive monitoring records database program currently being used by the facility. "Native" shall be construed to mean in original, intact form, without sorting, editing or culling.

2. If the fugitive emissions monitoring is conducted by a contractor, please provide the name of each contractor used in the past (5) years.

3. For each process unit, provide in electronic format, on compact disc or other electronic storage media, a data table with the following information for all components included in any leak detection and repair program (including any programs performed under requirements of the Resource Conservation and Recovery Act) at the facility:
   a. Unit name
   b. Type of component (i.e., valve, connector, pump, etc.)
   c. Class of service (i.e., gas/vapor, light liquid, heavy liquid, etc.)
   d. Number of each type of component
   e. Regulatory applicability (including any special permit conditions)
   f. Current monitoring method for each component type (i.e., Method 21, AVO, seal check, etc.)
   g. Current leak definition for each component type
   h. Current monitoring frequency for each component type
   i. Any additional information regarding requirements or voluntary programs (i.e., State requirements, SIP requirements, permit specific conditions)

4. Using the same native electronic records provided in response to Question #1, provide the results of queries designed to demonstrate compliance with the following regulatory requirements:
   a. Make a first attempt at repair within five days
   b. Make a final repair within fifteen days
   c. Monitor components designated as "difficult-to-monitor" once per year
   d. Remonitor valves for two successive months after a repair (for components subject to state or Federal regulations that require monthly monitoring until a leak is not detected for two successive months)
   e. Remonitor valves within the first three months after a repair (for components subject to state or Federal regulations that require that a repaired component be monitored at least once within the first three months after its repair)

   Provide the converted database and the queries (query designs) used to demonstrate the compliance requirements above, preferably in a Microsoft (MS) Access file, or something that can be opened using MS Access. Provide the output for these queries in an editable spreadsheet in electronic format, on compact disc or other electronic storage media, (i.e., MS Excel). A list of the required output fields is included in Enclosure 2.

5. Please describe the facility's management of change process within the data management system for identifying and handling components that are out of service. Please describe in what data table and in what way the out of service components are identified.

ENCLOSURE 2

List of Output Fields for LDAR Compliance Queries

A. Make a first attempt at repair within five days

1. Unit/Production Area - This should correspond to a unit identification on your periodic fugitive emissions report (i.e., HON semi-annual)
2. Tag number - This should be a unique identifier of that component
3. Equipment category - Such as valve, pump, connector, agitator, compressor, flange, etc.
4. Subject regulation - Indicate the driving regulation for that component such as HON, VV, FF, V, state SIP, permit, etc.
5. Monitoring date - This is the date the component was monitored and identified to have a screening value greater than the regulatory leak definition
6. Screening value - The monitored value on the date it was determined to be leaking (i.e., leak reading)
7. Date of first attempt at repair
8. Final repair date - Per regulation, this date is the date the repair was confirmed with monitoring, not necessarily the date the component was physically repaired

B. Make a final repair within fifteen days

1. Unit/Production Area
2. Tag number
3. Equipment category
4. Subject regulation
5. Monitoring date
6. Screening value
7. Date of first attempt at repair
8. Final repair date

C. Monitor components designated as "difficult-to-monitor" once per year

1. Unit/Production Area
2. Tag number
3. Equipment category
4. Subject regulation
5. Date placed into service - Date the component was first placed into service
6. Date of initial monitoring - Date the component was first monitored after being placed into service
7. Dates of annual monitoring for 2007-2011

D. Remonitor valves for two successive months after a repair (for components subject to state or Federal regulations that require monthly monitoring until a leak is not detected for two successive months)

1. Unit/Production Area
2. Tag number
3. Equipment category
4. Subject regulation
5. Monitoring date
6. Screening value
7. Date of first attempt
8. Final repair date
9. Final screening value
10. First remonitoring date
11. First remonitoring screening value
12. Second remonitoring date
13. Second screening value

E. Remonitor valves within the first three months after a repair (for components subject to state or Federal regulations that require that a repaired component be monitored at least once within the first three months after its repair)

1. Unit/Production Area
2. Tag number
3. Equipment category
4. Subject regulation
5. Monitoring date
6. Screening value
7. Date of first attempt
8. Final repair date
9. Final screening value
10. First remonitoring date
11. First remonitoring screening value