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

MAY 7 2013

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7011 3500 0000 0359 6099

Mr. Dennis Payne
Vice President
Valero Refining Texas LP Corpus Christi West Plant
5900 Up River Road
Corpus Christi, TX 78407

RE: Clean Air Act Section 114 Information Request
Valero Refining Texas LP Corpus Christi West Plant
AFS ID 4835500050

Dear Mr. Payne:

Enclosed is an Information Request (Request) issued to Valero Refining Texas LP Corpus Christi West Plant 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 the Valero Refining Texas LP Corpus Christi West Plant 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 Mr. James Leathers, 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 Mr. Leathers of my staff at (214) 665-6569.

Sincerely,

John Blevins
Director
Compliance Assurance and
Enforcement Division

ec: Bryan H. Sinclair
Director, Enforcement Division
Texas Commission on Environmental Quality

**INFORMATION REQUEST**

**VALERO REFINING TEXAS LP CORPUS CHRISTI WEST PLANT, CORPUS CHRISTI, TEXAS**

The U.S. Environmental Protection Agency (EPA) Region 6 is issuing this Information Request (Request) to Valero Refining Texas LP Corpus Christi West Plant 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 Compliance Assurance and Enforcement Division, EPA Region 6. This Request pertains to the Valero Refining Texas LP Corpus Christi West Plant ("Valero") facility located in Corpus Christi, Texas ("Facility").

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.

Pursuant to 40 C.F.R. §2.301(h)(2)(iii), you are advised that to assist in its review and analysis of the submitted information, EPA intends to share this information with an EPA contractor. Pursuant to 40 C.F.R. §2.301(h), EPA possesses the authority to disclose information otherwise entitled to confidential treatment to any authorized representative of the United States approved to receive and review information subject to a business confidentiality claim. Pursuant to 40 C.F.R. §2.301(h)(2)(iii), EPA is notifying you that EPA intends to disclose information for which you may assert a business confidentiality claim to the Eastern Research Group, Inc. (ERG) under contract number EP-W-11-044, to provide EPA with technical review, analysis, and evaluation support. Any comments regarding the 40 C.F.R. §2.301(h) disclosure discussed above must be submitted to the designated EPA contact, James Leathers, within thirty (30) days of your receipt of this letter.

We request that a duly authorized officer or agent of the Facility certify your response by signing 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 request that the Facility submit all the documents in pdf format, except for the information specifically requested to be in an Excel spreadsheet format. For pdf submittals, please ensure that confidential business information and non-confidential information are submitted on separately marked disks. Please also mark each page that is confidential business information as such. If you are unable to submit documents in the requested format, please contact the designated EPA staff person listed above.

If information responsive to this request was previously provided to EPA subsequent to a recent EPA Air Compliance Inspection or a CAA 114 Request for Information, EPA does not require that such information be submitted again. In lieu of resubmitting such information, please indicate which information was already provided, the date that the information was submitted to EPA and to whom it was provided.

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:

Mr. James Leathers
Toxics Enforcement Section (6EN-AT)
Compliance Assurance and Enforcement Division
U.S. EPA – Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Please be advised that under Section 113(a) of the Act, failure to provide the information required by this letter in a timely manner may result in an order requiring compliance, an order assessing an administrative penalty, or a civil action for appropriate relief. In addition, Section 113(c) of the Act provides criminal penalties for knowingly making any false statements or omission in any response required under the Act. EPA may also seek criminal penalties from any person who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of EPA or in relation to or contemplation of any such matter or case. See 18 U.S.C. § 1519 (2004). The information provided by you may be used by the United States in administrative, civil, or criminal proceedings.

## I. INSTRUCTIONS

1. In accordance with the foregoing Request to Provide Information Pursuant to the Clean Air Act, Valero must provide the following information within thirty (30) days of its receipt of this request. 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. EPA requests that the non-narrative information be provided in editable form, in spreadsheet format, preferably in Excel. 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.

6. If the Facility has no responsive information or documents for a particular question, submit a statement certifying this, along with a detailed explanation. If a document is responsive to more than one question, this must be so indicated, and only one copy of the document need be provided.

## II. DEFINITIONS

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

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, draft or

final, 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 Valero Refining Texas LP Corpus Christi West Plant or "Valero" includes any officer, director, agent, or employee of Valero Refining Texas LP Corpus Christi West Plant, 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 below, refers to, and shall mean, the company or corporation with which each addressee 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., and the implementing regulations.

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

Valero shall submit the following information about its Facility located in Corpus Christi, Texas within 30 days:

1. For each day beginning on October 3, 2011, until January 31, 2013, list the periods of time (date, start time, and end time) and the flare[1] that Waste Gas, Purge Gas, and/or Supplemental Gas was routed to each flare at the Valero Facility (i.e., "venting periods"). This request and all requests below seek information regarding all facility devices meeting the definition of flare set forth in footnote 1. If any flares have been taken out of service or added into service during the time frame specified in this letter, please state so, and provide any information within the time period specified.

2. For each venting period listed in response to paragraph 1 above, provide the average heating value, in BTU/scf, of the stream that was vented to each facility flare. The averaging time shall not be greater than one hour. If the heating value is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations describing how you arrived at your response.

3. For each venting period listed in response to paragraph 1 above, provide the average mass flow rate of the Vent Gas, in lb/hr, that was vented to each facility flare. The averaging time shall be no more than one hour. If the mass flow rate is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations describing how you arrived at your response.

4. For each venting period listed in response to paragraph 1 above, provide the average rate at which steam and/or air was being added to each facility flare, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (i.e., the sum of seal, upper, lower, winterizing, etc.) during each venting period. The averaging time shall not be greater than one hour. If the steam and/or air flow is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

5. For each venting period listed in response to paragraph 1 above, provide the average steam-to-Vent Gas or air-to-Vent Gas ratio (lb steam/lb Vent Gas or scf of air/lb of Vent Gas) during any release to each facility flare. The averaging time shall be no more than one hour. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

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[1] For the purpose of this Information Request, "flare should be broadly defined as any open combustion unit (i.e., lacking an enclosed combustion chamber) whose combustion air is provided by uncontrolled ambient air around the flame, and that is used as a control or safety device. A flare may be equipped with a radiant heat shield (with or without a refractory lining), but is not equipped with a flame air control damping system to control the air/fuel mixture. In addition, a flare may also use auxiliary fuel. The combustion flame may be elevated or at ground level.

6. Provide an hourly average of the concentration of each constituent, with their respective molecular weights and Btu/scf ratings, in each vent stream during venting periods for the dates beginning one month prior to your receipt of this Request.

7. For each facility flare, provide the minimum steam or air addition rate, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (seal, upper and lower). To the extent that the minimum steam or air addition rate changes on a seasonal basis, state the minimum rate for each season and the time periods during which each season's minimum rate applies.

8. For the date range specified in paragraph 1 above, if there have been any changes made, since the submission of the response to the previous 114 letter dated September 26, 2011 (Previous 114 letter), to any and all documents in your possession, custody, or control, that prescribe or recommend the amount of steam or air to be added to each facility flare, provide copies of the documents, with an itemized list of the changes. Provide a copy of the entire document if, within the document, it states the maximum steam or air rate, minimum steam or air rate, steam or air addition rate associated with a vent scenario, general steam-to-vent gas or air-to-organic gas/vent gas ratio, or any other reference to steam addition. If there have been no changes, additions, or subtractions for any of the afore mentioned documents since the submission of the response to the Previous 114 letter, please state that this paragraph is not applicable.

9. For each facility flare, if there have been any changes in federal and/or state regulatory applicability to each flare since the submission of the response to the Previous 114 letter, state with specificity the changes. If any facility flare is listed in a permit issued under federal and/or state regulations, that has been added, removed, renewed, altered, or changed since the submission of the response to the Previous 114 letter, provide an electronic copy, preferably in "PDF", of the permit, with an itemized list of the changes. If there have been no changes in regulatory applicability or permits to any of the facility flares, please state that this paragraph is not applicable.