

Attachment A
Response to Comments on Permit for Facility B2626 – Sections I, II, and III

in #	Date	4/14/04 Status	Permit Location	Sources	Applicable Requirement	Proposed Change	Rationale	District Response	9/22/03 Item & Response	Appeal Item
1.	4/14/04 9/22/03	Partial. Did not change throughput column.	IIA	S151	NA	Make throughput description column for S151 the same as S156.	Wastewater retention ponds S151 and S156 serve the same function and therefore should have the same process description.	Change made. Provides clarification to source description.	A9 Agree	A1
2.	4/14/04	NEW	IIA	S211		Change Capacity to read “22.8 kBBL/day alkylate (limit ...” Change Throughput to read “...(based on 22.8 kBBL/day alkylate)...”	Add the word “alkylate” to clarify the limit for the unit.	Change made. Provides clarification to source description.	N/A	N/A
3.	4/14/04	NEW	IIA	S220	NA	Add equipment number F-4460.	Clarify the corresponding equipment number for the source.	Change made. Provides clarification to source description.	N/A	N/A
4.	4/14/04	NEW	IIC	A60 A62	40 CFR 60.44b(e)	Delete citation 60.44b(e) for A-60 and A-62 SCR applicable requirements.	Cogeneration heat recovery steam generators are subject to NSPS Db 60.44b(l(1) NOx limit because they were constructed after 7/9/1997.	Change made.	N/A	N/A
5.	4/14/04	NEW	III	NA	SIP Regulation 8, Rule 3 SIP Regulation 8, Rule 4	Delete rows for SIP Regulation 8, Rule 3 and SIP Regulation 8, Rule 4	Update permit. The current version of BAAQMD 8-4 (10/16/2002) was incorporated into the SIP on 8/26/2003 (68 FR 51187) and the current version of BAAQMD 8-3 (11/21/2001) was incorporated into the SIP on 1/2/2004 (69 FR 34-40).	Changes made.	N/A	N/A

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6.	4/14/04	NEW	III	NA	BAAQMD Regulation 8, Rule 3 BAAQMD Regulation 8, Rule 4	Change FE from “N” to “Y”. Change date of BAAQMD 8-4 from 5/15/96 to 10/16/2002	Update permit. The current version of BAAQMD 8-4 (10/16/2002) was incorporated into the SIP on 8/26/2003 (68 FR 51187). The current version of BAAQMD 8-3 (11/21/2001) was incorporated into the SIP on 1/2/2004 (69 FR 34-40).	Changes made.	N/A	N/A
7.	4/14/04	NEW	III	NA	BAAQMD Regulation 8, Rule 10	Delete citation.	BAAQMD Reg 8, Rule 10 was recently modified to include monitoring provisions. Therefore, BAAQMD Reg 8, Rule 10 and SIP Reg 8, Rule 10 should be moved from Table III to Table IV-Refinery with the detailed regulatory applicability shown in Attachment B.1.	Changes made.	N/A	N/A
8.	4/14/04	NEW	III	NA	BAAQMD Regulation 8, Rule 28-302	Change federal enforceability from “N” to “Y”	This citation has been included in the SIP approved version of Regulation 8, Rule 28 adopted December 9, 1994.	Disagree. 8-28-302 is not in the SIP version of Regulation 8, Rule 28 adopted 12/9/1994.	N/A	N/A
9.	4/14/04	NEW	III	NA	Regulation 11-12	Move regulation from Section III to Section IV, Table IV-Refinery	Regulation 11 Rule 12 incorporates the Benzene Waste NESHAP (40 CFR 61 Subpart FF), which is included in Table IV – Refinery and which requires routine monitoring.	Changes made. Subpart FF is shown in detail in Section IV.	N/A	N/A
10.	12/1/03	No	III	NA	BAAQMD Regulation 10-1	Modify the Permit to change FE to “N”	Although 40 CFR Part 60 Subpart A is incorporated into the District rules by Regulation 10-1, the Regulation itself is not SIP approved and is therefore not federally enforceable.	Change not made. The SIP is not the only method that a regulation is federally enforceable. In this case, Subpart A has been delegated to the District, so Regulation 10-1 is federally enforceable.	N/A	N/A

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11.	12/1/03	No	III	NA	Regulation 11-12	Change FE from “Y” to “N”	Although the 40 CFR 61 Subpart FF (National Emission Standard for Benzene Emissions from Benzene Waste Operations) is incorporated into the District rules by Regulation 11-12, the Regulation itself is not SIP approved and therefore is not federally enforceable.	Change not made. Comment A9 above removed this citation from Table III.	A29, District will review later.	
12.	9/22/03	No	I.K	N/A	40 CFR 68	Change the third sentence of this standard condition from: “The permit holder shall also certify compliance with the requirements of Part 68...” to “The permit holder shall also certify compliance with the <u>program</u> requirements of Part 68...”	Part 68 requires Process Safety Management Programs to be in place, and audits to be performed for adequacy every 3 years. Without the requested change, any deviation identified through the Part 68 programs or audits could be considered Title V permit violations. This performance-based regulation is intended to identify and correct deficiencies in order to continue improving the programs rather than to be an enforcement tool.	Change not made. The District requires Valero certification of compliance with Part 68. Non-compliance with Part 68 is a violation of the Title V permit.	A3, District will review later.	
13.	9/22/03	No	IIA	S77	NA	Change Throughput as follows: “7.4 MMBBL/365-day Gasoline (Based on prior MTBE production of 4.5 kBBL/day plus 5.8 MMBBL/year of MTBE receipts through S-207)” Source remains a Grandfathered Source	S-77 no longer stores MTBE and will store Gasoline as a result of the MTBE Phaseout Project. Change is needed to properly reflect operation of source.	Changes made.	A7, change made.	

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14.	9/22/03	No.	IIA	S207	NA	<p>Change Description to: Tank, External Floating Roof, GOLD, Mogas/Components, Welded, Pontoon (TK 1740)”</p> <p>Change Throughput by deleting “5.8 MMBBL/365-day (MTBE);” and replacing “MTBE/mogas” with “mogas/components”</p>	<p>Correct description and throughput to reflect change in service for this tank from MTBE to mogas/components. Refinery is transitioning from methanol to ethanol for MTBE Phaseout. It is necessary to incorporate these modified permit conditions at this time to allow operation of the MTBE phaseout project shortly after the planned Title V Permit issue date of 12/1/2003.</p>	Changes made.	A12, District will review later	
15.	9/22/03	No. Still incorrectly refers to railcar unloading and to Mogas/component service.	IIA	S209	N/A	<p>Change Description to: “Loading, Truck, 5 Loading Arms (Total). Bottom/Submerged fill. Methanol/ethanol service</p>	<p>Correct description to add ethanol and to delete incorrect references to mogas/components and to railcar unloading. Refinery transitioning from methanol to ethanol for MTBE Phaseout. It is necessary to incorporate these modified permit conditions at this time to allow operation of the MTBE phaseout project shortly after the planned Title V Permit issue date of 12/1/2003.</p>	Changes made	A12, District will review later	

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16.	9/22/03	Tank description changes not made as requested. Throughput column changes COMPLETE	IIA	S210	N/A	Change Description to: "Tank, External Floating Roof, UN, Methanol/ethanol, Welded (TK-1820) Change Throughput column by changing "methanol" to "methanol/ethanol"	Correct description to add ethanol and to delete incorrect reference to mogas components. Refinery transitioning from methanol to ethanol for MTBE Phaseout. It is necessary to incorporate these modified permit conditions at this time to allow operation of the MTBE phaseout project shortly after the planned Title V Permit issue date of 12/1/2003.	Change made except kept Internal Floating Roof tank to be consistent with Table IV-J13 (Valero confirmed that the IFR request is a typo).	A14, Change made.	
17.	9/22/03	No	IIB	New	NA	Add the following: S-#: None Description:TK-2710 Fresh Acid Tank Make or Type: N/A Model:N/A Capacity:[Leave blank] Throughput:Exempt S-#: None Description:Cogen eration Plant Cooling Tower Make or Type: N/A Model:N/A Capacity:[Leave blank] Throughput:Exempt	Correct omissions	Changes made to be consistent with 12/1/03 SOB.	A23, District will review later	

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18.	9/22/03	Partial. Only 9 of 27 requested date changes were made. Nine of the 11 FE status changes were made.	III	N/A	Several	<p>Change dates as shown in Attachment A.1</p> <p>Change SIP dates to date that regulation was incorporated into the SIP in the Federal Register.</p> <p>Update dates as required for other regulations.</p>	Update and consistency	Changes made.	A29, District will review later	N/A