

Attachment G
Response to Comments on NOx Box Permit Condition 21233 for Sections IV and VI - Facility B2626
(Note: Section VII comments on NOx Box located in Attachment D)

Line #	Date	4/14/04 Status	Permit Location	Sources	Applicable Requirement	Proposed Change	Rationale	District Response
1.	4/14/04	NEW	VI		Condition 21233	Make the text of NOx Box Conditions 20617 and 21233 consistent so they are the same in the Valero Title V permits for the refinery and the asphalt plant.	Make the NOx Box permit conditions in the Valero refinery and asphalt plant Title V permits the same number, Condition 21233. Consistent with the numbering approach used for the ACP permit condition, which is Condition 19329 in both facility permits.	Applies to BAP permit. NOx Box Condition 21233 replaced Condition 20617.
2.	4/14/04	NEW	VI		Condition 21233	Add "Effective June 1, 2004". See Attachment G.1 for proposed revisions to Condition 21233.	Add the future effective date in the introductory language of Condition 21233. The effective date of June 1, 2004 was referenced in Sections IV and VII of the permit, but was not included in the condition language in Section VI.	Effective date added. Effective date revised to 1Dec04 per 27May04 Administrative Amendment, and again to 1/1/05.
3.	4/14/04	NEW	VI		Condition 21233, Part 1	Change Facility number for the Refinery from 12626 to B2626 and for the Asphalt Plant from 13193 to A0901. See Attachment G.1 for proposed revisions to Condition 21233.	Make the NOx Box Conditions in the Valero refinery and asphalt plant Title V permits consistent. Consistent with the approach used for the ACP permit condition, Condition 19239, which is the same in both facility permits.	This minor change was made.
4.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 4, Part 5, Part 5C, Part 6, Part 10	Place the statement of basis at the end of the numbered paragraph rather than in a subparagraph and use the format "(Basis: Regulation X-X-XXX)" for the statement of basis.	Editorial comments	This minor change was made.
5.	4/14/04	NEW	VI		Condition 21233, Part 1.A	Add "daily" before the "refinery wide average NOx emission limit". See Attachment G.1 for proposed revisions to Condition 21233.	Clarifies emission limit period.	This minor change was made.

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Line #	Date	4/14/04 Status	Permit Location	Sources	Applicable Requirement	Proposed Change	Rationale	District Response
6.	4/14/04	NEW	VI IV – A6.2 and A18	S35 S173	Condition 21233, Part 2	Modify condition language to require O2 monitors only on sources with maximum firing rate greater than 25 MM Btu/hr. Modify description in Table IV- A6.2 to indicate that Part 2 applies only to S24 and S26 and not S35 because S35 is < 25 MM Btu/hr. Delete Part 2 from Table IV- A18 for S173 because it is < 25 MM Btu/hr. See Attachment G.1 for proposed revisions to Condition 21233.	The requirement to install O2 monitors on small (<25 MM Btu/hr) sources is not necessary since there is no minimum or maximum O2 requirement for these sources per Condition 21233, Part 3.b.	Changes made. Not in the WSPA 4/14 comments. Continuous O2 monitors offer no emissions related value for the small units (< 25MMBtu/hr) since the O2 requirement of the NOx Box has been eliminated in Part 3B.
7.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 3.B	Delete language that specifies low fire is as 20% of the maximum rated capacity. See Attachment G.1 for proposed revisions to Condition 21233.	Emissions from small sources are insignificant. This requirement is not discussed in the Statement of Basis.	Change made. Part 3B was revised to allow S-35 to have a low fire at 8% of maximum rated capacity. This 8% exception is based on the operating data for 2004 that indicates the operation of S-35 will not fit in the 20%-100% arbitrary box for small units. Not a WSPA 4/14 comment. Valero has one source, S-35, that often has turndown rates less than the 20% longer than the 5 days of Part 5B, so they would like the 20% removed. This service may be unique among the refineries since only the Valero Powerformer uses Exxon Technology that has the regeneration cycle periodically at 'idle' requiring the low duty.

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8.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 5	Delete "at all times of operation." and replace with "This operational range shall be maintained within a tolerance of equal to or less than 10% for measurement uncertainty." See Attachment G.1 for proposed revisions to Condition 21233.	An allowable tolerance should be established to account for natural source testing variability. See Attachment G.2 for supporting rationale.	Change not made consistent with the response to WSPA. If there is a concern over measurement uncertainty, then the owner/operator should operate within 90% of the NOx Box that is created.
9.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 5.A	Move the sentence "The limits listed below are based on a calendar day averaging period for both firing rate and O2%" to below the table of limits and change "below" to "above". See Attachment G.1 for proposed revisions to Condition 21233.	Provides consistency with the Valero asphalt plant NOx Box Condition 20617.	Changes made because Condition 21233 is now used for both facilities.
10.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 5.B	Modify the condition language by adding two commas as shown. See Attachment G.1 for proposed revisions to Condition 21233.	Editorial comments clarify condition language, based on discussions with District staff.	This minor change was made, consistent with the response to WSPA.

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11.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 6.A	Add a statement clarifying that source testing required after a NOx Box deviation shall reasonably represent the deviation conditions. Modify the sentence specifying the time frame for the source test to delete “no later than the next regularly scheduled source test period, or within 8 months, whichever is sooner.” and replace it with “within 8 months of the event.” Add “application” after “permit amendment”. See Attachment G.1 for proposed revisions to Condition 21233.	To exactly replicate an “out of the box” condition over three runs can take a significant amount of time without actually obtaining a more accurate test result. See Attachment G.2 for supporting rationale for proposed tolerance level. While it is advantageous to conduct “out of the box” testing as soon as possible, there may be operational reasons to test at a later date For more details see WSPA comments submitted to the District on 4/9/04.	Changes not made consistent with the response to WSPA. Problems replicating a test and operational reasons for delaying a test are one of the trade-offs for not installing a NOx CEM.
12.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Parts 6.A.1	Add “Case 1:” to the title. Modify the condition language to specify “by more than 5%” as the maximum allowable exceedance of the higher NOx emission factor or the CO limit. Modify the last sentence from the negative “will not be considered to be in violation” to the positive “will be considered to be in compliance” See Attachment G.1 for proposed revisions to Condition 21233.	Provides consistency with the Valero asphalt plant NOx Box Condition 20617. Semi-annual source tests should have a tolerance of 5% because the emissions involved are miniscule in relation to the calculations involved, the paperwork for both the District and facility is extensive and provides no environmental benefit. This provision will operate in both directions, since the facility would not be submitting for REDUCTIONS if a single source test result showed it 5%, or even 10% lower.	Changes not made consistent with the response to WSPA.

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13.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Parts 6.A.2 and 7.B	Add "Case 2:" to the title for Part 6.A.2. Modify the condition language to specify "Part 5A" as the source of permitted emission concentrations or emission rates. Modify the condition language to specify "by more than 5%" exceedances as the trigger point for further action. See Attachment G.1 for proposed revisions to Condition 21233.	Provides consistency with the Valero asphalt plant NOx Box Condition 20617. Clarifies Condition 21233, Part 5.A as the source of the permitted emission concentrations or emission rates. Semi-annual source tests should have a tolerance of 5% because the emissions involved are miniscule in relation to the calculations involved, the paperwork for both the District and facility is extensive and provides no environmental benefit. This provision will operate in both directions, since the facility would not be submitting for REDUCTIONS if a single source test result showed it 5%, or even 10% lower.	Changes not made consistent with the response to WSPA.
14.	4/14/04	NEW	VI	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Parts 6.A.2.a.1 and 6.A.2.a.2	Modify the condition language to clarify the basis for determining the period that NOx IERCs need to be retroactively applied to maintain compliance with the refinery-wide NOx limit for the two different conditions that can occur. See Attachment G.1 for proposed revisions to Condition 21233.	Part 1 allows NOX IERC usage. However, additional language is proposed in Part 6.A.2.a to clarify that the facility will be in compliance with 9-10-301 unless there are insufficient NOX IERCs provided.	Change Made Not in the WSPA 4/14 comments.
15.	4/14/04	NEW	VI IV – A6.1, A6.2, A18	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 7.C	Add new Part 7.C to Condition 21233. See Attachment G.1 for proposed revisions to Condition 21233. Add new Part 7.C to Tables IV-A6.1, A6.2, and A18	Addition of new Part 7.C provides an allowance for rescheduling a source test to accommodate downtimes.	Changes made consistent with the response to WSPA.

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16.	4/14/04	NEW	IV – A6.1, A6.2, A18	S7 S20 S34 S24 S26 S35 S173	Condition 21233, Part 8	Delete non applicable permit condition listed in Section IV tables.	Condition 21233, Part 8 does not apply to these sources since they do not have NOx CEMS. Part 8 requires CO source testing only on units with NOx CEMS.	Changes made to correct error.
17.	4/14/04	NEW	VI IV – A6.2 and A18	S35 S173	Condition 21233, Part 9	Modify condition language to require a CEM on sources greater than 25 MM Btu/hr if source test results show CO > 200 ppm more than two times in a 5-year period. Modify description in Table IV-A6.2 to indicate that Part 2 applies only to S24 and S26 and not S35 because it is < 25 MM Btu/hr. Delete Part 9 from 2 from Table A-18 for S173 because is < 25 MM Btu/hr. See Attachment G.1 for proposed revisions to Condition 21233.	CO emissions from small sources are insignificant and do not warrant CO CEMS. This is consistent with previous NOx Box guidance.	Changes made consistent with the response to WSPA.