



EASTERN RESEARCH GROUP, INC.

M E M O R A N D U M

DATE: September 11, 1995
TO: Rick Colyer, EPA/ESD
FROM: Joanne O'Loughlin, Radian Corporation
SUBJECT: August 30, 1995 Meeting Notes -- Stakeholder Meeting on
the SOCFI Consolidated Air Rule Project

1.0 PURPOSE

The purpose of this meeting was to present the purpose, goals/objectives, scope, anticipated product (e.g., tentative regulatory format), schedule, and status of the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Consolidated Air Rule (CAR). The agenda for the meeting is included as attachment A.

2.0 PLACE AND DATE

Chemical Manufacturers Association
2501 M Street, NW
Washington, DC

August 30, 1995
9:00 a.m. to 12:00 noon

3.0 ATTENDEES

The attendees are listed in table 1.

TABLE 1. ATTENDEES LIST
 CONSOLIDATED AIR RULE STAKEHOLDER'S MEETING
 8/30/95

Name	Organization	Phone Number	Facsimile
Bill Beck	Mobil Oil	(703) 846-4755	(703) 846-6887
Rick Colyer	EPA/OAQPS	(919) 541-5262	(919) 541-3470
Ted Cromwell	CMA	(202) 887-1383	(202) 778-4272
Norbert Dee	NPRA	(202) 457-0480	(202) 457-0486
Mary Sullivan Douglas	STAPPA/ ALAPCO	(202) 624-7864	(202) 624-7863
Tom Driscoll	EPA	(214) 665-7549 (after Sept. 20) (202) 260-4241 (before Sept. 20)	(214) 665-2164 (after Sept. 20) (202) 260-0927 (before Sept. 20)
Sherry Edwards	SOCMA	(202) 414-4170	(202) 289-8584
Jack Edwardson	EPA	(919) 541-4003	(919) 541-0072
Ken Gigliello	EPA	(202) 564-7047	(202) 564-0009
Chuck Grigsby	BASF/SOCMA	(201) 426-2645	(201) 426-2642
Richard LaLumondier	ILTA	(202) 659-2301	(202) 466-4166
Bliss Higgins	LA-DEQ	(504) 765-0114	(504) 765-0222
Chuck Keffer	Monsanto	(314) 694-4956	(314) 693-4956
Jeff KenKnight	EPA/OC	(202) 564-7033	(202) 564-0009
Chuck Malloch	Consultant to CMA	(314) 391-5616	(314) 391-5616
Karl Mangels	EPA Region II	(212) 637-4078	(212) 637-3998
Norm Morrow	Exxon Chemical	(713) 870-6112	(713) 588-2522
Joanne O'Loughlin	Radian	(919) 461-1394	(919) 461-1418
Karin Ritter	API	(202) 682-8472	(202) 682-8031
Mae Thomas	Radian	(919) 461-1361	(919) 461-1415
Gene Thomas	Hoechst Celanese	(908) 231-4476	(908) 231-4554
Joe Woolbert	Eastman Chemical	(903) 237-5475	(903) 237-6318
Attended via telephone:			
Rick Atkinson	West Virginia	--	--
Joe Hovious	Union Carbide	(203) 794-5183	--

4.0 DISCUSSION

An EPA representative opened the meeting with introductions. Sections 4.1 and 4.2 summarize the discussion and feedback received regarding the background and work in progress on the SOCOMI CAR.

4.1 Background

An EPA representative distributed and discussed the purpose, goals/objectives, scope/stakeholders, anticipated product and schedule for rule development (see attachments B and C). After discussing the background information on the CAR, the representative opened the floor for questions. The following questions and comments were received:

- An EPA representative stated that the CAR should make it clear which provisions are more stringent. An industry representative agreed and said that the development and format of the CAR will focus and clarify the stringency of requirements. The representative gave examples (e.g., control options table, regulatory text) to support the CAR's effort to clarify the more stringent requirements.
- Another stakeholder voiced concern about whether an applicable source could end up out of compliance with other rules as a result of only complying with the CAR. A number of Work Group members clarified that the applicability of each of the rules that are consolidated into the SOCOMI CAR will be amended to point to the CAR rule for SOCOMI sources, thereby addressing compliance concerns.
- An industry representative stated that there was a Common Sense Initiative Work Group looking at the duplication of recordkeeping and reporting required of petroleum refineries. The representative stated that Region 6 of the EPA was working on this and also mentioned that Louisiana was also involved in the Common Sense Initiative Work Group. This representative suggested that a CAR Work Group member look into this as it appeared that the efforts parallel each other. An EPA representative stated that there was interest across the board to reduce overlapping requirements affecting sources.

4.2 Work in Progress

An EPA representative gave an overview of the work currently in progress on the CAR including the following: measures of success, CAR committee work process, storage vessel provisions, State issues, other emission points to be covered, and future activities of the Work Group. Sections 4.2.1 through 4.2.6 summarize the discussion under each of the work in progress topics.

4.2.1 Measures of Success

The Measures of Success subgroup chairperson distributed a handout and discussed the purpose and primary measures of the "Measures of Success" subgroup (see attachment D). The following question was received:

- An industry representative asked whether the Office of General Council (OGC) would accept "plain language" clarifications in the CAR. An EPA representative explained that the OGC has been involved and will continue to be involved in the development process. The representative further clarified that enabling guidance and preamble clarifications will still be needed because the rule still needs to contain some legal jargon. An industry representative commented that one of the nice things about the CAR development process has been the direct/continued involvement of the OGC and enforcement. Another industry representative commented that language from some of the newer rules (e.g., hazardous organic NESHAP) has been used to help clarify certain provisions.

4.2.2 CAR Committee Work Process

One workgroup member distributed a handout and discussed the CAR committee work process (see attachment E). The member explained that the storage vessel provisions were the simplest, therefore, the group decided on the process as it worked through the storage vessel provisions. The member also explained that the CAR structure, by categorizing provisions (i.e., design, operation, inspection, repair), eliminates the need for persons who only need to know design requirements to read the whole rule. The following questions and comments were received:

- Which rules are being used for the "side-by-side" storage vessel regulation comparisons? The group decided to use 40 CFR Part 60, Subparts K, Ka, Kb; 40 CFR Part 61, Subpart Y; and 40 CFR Part 63, Subpart G (the HON).
- What is the storage vessel applicability scope of this rule? The group decided that the rule would apply to SOCFI facility storage vessels. It was clarified that the scope needed to be narrow for the pilot rule but that the structure of the rule will allow for a broadening of the scope without drafting a new rule.
- What if an existing storage vessel regulation changes? Would you need to change all of the rules consolidated into the CAR? It was concluded that it would not be necessary to make changes to all of the rules. It was also clarified that the applicability will be maintained in each of the rules being consolidated into the CAR and that the applicability in each of the rules will be amended to point to the CAR if it is a SOCFI storage vessel.

4.2.3 State Issues

A State representative discussed the State implementation issues related to the CAR. The State representative explained that State and industry issues are not that different as States need to enforce a number of differing rules affecting a source or process unit within a source. This representative also explained that the CAR effort provides a number of benefits to States. The following benefits were cited:

- State resource savings;
- Elimination of the need for States to do side-by-side regulation requirements;
- Will assist States in focusing compliance efforts;
- Provides a good structure for incorporation of new State air toxics rules; and
- Process decisions and tools developed during the CAR effort could be useful to States (e.g., tracking compliance, burden reduction).

The State representative said that feedback from States regarding what they thought of the CAR effort has been positive. The State representative elaborated that most of the comments indicate that States would like to see the rule expanded beyond the SOCFI.

The State representative identified the integration of State rules with the CAR as being an issue currently being worked on by a subgroup. The subgroup was formed to evaluate avenues that might be taken within the CAR to alleviate the burden to States in amending their state codes or implementation plans and to reduce the time necessary to integrate the CAR. The representative explained that this would hasten the integration of the CAR rule into the State programs.

The following questions and comments were received:

- How would States address duplicative/overlapping requirements to a source affected? The representative explained that the group is looking into a streamlined approach to consolidate state requirements in addition to NSPS and NESHAP requirements.
- Can a State build a State CAR from this rule? The representative answered that this could be a possibility.

4.2.4 Other Emission Points

An EPA representative discussed the other SOCOMI emission points to be incorporated into the CAR (i.e., process vents, transfer, and equipment leaks). This representative explained that waste water and Resource Conservation and Recovery Act provisions were being deferred from incorporation at this time.

4.2.5 Future Activities

An EPA representative explained that the CAR provisions may be proposed by emission point (e.g., storage vessel provisions, process vent provisions, transfer provisions, equipment leak provisions). The goal is to propose the storage vessel and possibly the process vent CAR provisions by the end of the year. The remaining provisions (i.e., equipment leaks and transfer) will hopefully be proposed by early spring.

One stakeholder asked whether this effort would coordinate with the one stop (multi-media) reporting effort being undertaken by a representative of the EPA. This effort is looking at consolidating the reporting for all media. Another EPA

representative stated that he does not believe that the one step reporting effort is far enough along to coordinate the two efforts. An industry representative stated that there are a couple of things going on during the CAR development process that consolidate reporting. Another industry representative stated that the consolidation process being used in the CAR development may assist the one step reporting effort.