

STATE OF LOUISIANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF AIR QUALITY AND RADIATION PROTECTION  
AIR QUALITY DIVISION

IN THE MATTER OF:

Borden Chemicals and Plastics  
Operating Limited Partnership  
POST OFFICE BOX 427  
GEISMAR, LOUISIANA 70734  
ASCENSION PARISH

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REASONABLE FURTHER PROGRESS  
AGREED TO ORDER

PROCEEDINGS UNDER THE  
ENVIRONMENTAL QUALITY ACT  
La. R.S. 30:2001 et seq.

The following ORDER is issued to Borden Chemicals and Plastics, Operating Limited Partnership (Respondent) by the Louisiana Department of Environmental Quality (the Department) under the authority granted by the Louisiana Constitution of 1974, Article IX, Section 1, and by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001 et seq., particularly La. R.S. 30:2002, 2003, 2011, 2052.

**AGREED TO STIPULATIONS**

I.

The Respondent owns and operates a stationary emission source located at Geismar, Ascension Parish, Louisiana, which emits photochemically reactive volatile organic compounds. The parishes of East Baton Rouge, West Baton Rouge, Ascension, Livingston, Pointe Coupee, and Iberville make up the Baton Rouge nonattainment area which was classified as serious for the pollutant ozone by the

Environmental Protection Agency. The serious classification for the Baton Rouge area was published in the Federal Register as a final rule on November 6, 1991. Volatile organic compounds are precursors in the formation of ozone.

## II.

Under Section 182 of the Clean Air Act Amendments of 1990 (CAAA), States with areas classified as serious nonattainment for the pollutant ozone must submit State Implementation Plan (SIP) revisions allowing for Reasonable Further Progress (RFP). The initial plan must allow for reduction of volatile organic compound emissions by November 15, 1996, by at least fifteen percent (15%) from 1990 baseline emissions. A second RFP Plan must allow for reduction of volatile organic compound emissions by November 15, 1999, by at least an additional nine percent (9%) from the 1990 baseline emissions. Both plans must also take into account any growth in emissions.

## III.

For the purposes of obtaining the reductions required for Reasonable Further Progress, the Respondent agrees to commit to reductions of 1,157 tons/year (3.17 tons/day equivalent) in actual emissions of volatile organic compounds versus actual current emissions of volatile organic compounds from the Respondent's facility as reflected in Attachment I. Enforceable provisions for the reductions from each affected emission source are cited below, while emission reduction data is included within Attachment I.

## IV.

In accordance with Louisiana Air Quality Regulation LAC 33:III.905, to aid in controlling the overall levels of air contaminants into the atmosphere, air pollution control facilities should be installed whenever practically, economically, and technologically feasible. When facilities have been installed on a property, they shall be used and diligently maintained in proper working order whenever any emissions are being made which can be controlled by the facilities, even though the ambient air quality standards in affected areas are not exceeded.

## AGREED TO ORDER

Based on the foregoing, the Respondent has agreed to and is hereby ordered:

### I.

To reduce on or before November 1, 1999, actual annual emissions of volatile organic compounds from current annual actual emissions by 1,157 tons/year (3.17 tons/day equivalent) from emission sources as identified in Attachment I. Respondent shall submit to the Department a written report detailing progress on achieving compliance with the provisions of this ORDER. All reports shall be postmarked by the 30th day following the end of each calendar quarter, and shall continue until all the reductions have been achieved or until termination of this ORDER.

### II.

To maintain the reduction of 1,157 tons/year (3.17 tons/day equivalent) in actual annual emissions of volatile organic compounds from emission sources as identified in Attachment I, Respondent shall comply with LAC 33:III.905 as to the use and maintenance of equipment in accordance with the project summary outlined within Attachment II of this ORDER.

### III.

To maintain reports and/or records (in units of tons/year and equivalent tons/day) which demonstrate continued compliance with emission reductions agreed to in this ORDER, maintenance records shall be kept and maintained for a period of at least two years. Records shall include copies of any emission control measurements, control equipment maintenance activity, and records made as outlined within Attachment III of the ORDER. Records must be available for inspection by State and Federal inspectors upon request.



#### IV.

To be hereby notified that this ORDER will terminate upon the issuance by the Department of a federally enforceable Title V operating permit establishing equivalent control of emissions from the emission units specified in Attachment I of the ORDER. This termination shall be verified through written correspondence from the Department stating that the permit issued has been reviewed and determined to be equivalent.

#### V.

To be hereby notified that modifications to emission units and/or monitoring, recordkeeping, or reporting requirements outside of those outlined in the ORDER may be made upon approval by the Department in accordance with federally approved permit procedures and after verification by the Department that said modifications will not affect the reductions relied upon in the Plan For Reasonable Further Progress. No separate revision of the State Implementation Plan (SIP) shall be required.

#### VI.

To be hereby notified that this ORDER is issued pursuant to LA. R.S. 30:2011 D(6) and that the Respondent's refusal to comply with the ORDER and the provisions therein will subject the Respondent to possible enforcement procedures under LA. R.S. 30:2025.

#### VII.

It is recognized by the Department that the pollution control measures described in Attachment II are new, unproven measures. The anticipated reduction of 1,157 tons/year (3.17 tons/day) is based on best engineering judgment. Should Respondent fully implement the measures described on Attachment II, as required under this ORDER, but determine from a subsequent performance testing or other equally probative evidence that it cannot consistently achieve or maintain the reduction of 1,157 tons/year (3.17 tons/day), then the Department reserves the right to require any additional reductions in these emissions described in

Attachment I required by law through a permit modification or appropriate order:

VIII.

To be hereby notified that this ORDER shall be final upon signature by an authorized representative of the Department and by an authorized representative of the Respondent. The signature for the Department below shall not be authorized unless signed by the secretary of the Department or an assistant secretary who has been delegated the power to issue this ORDER by the secretary.

RESPONDENT:  
Responsible Official:

*Wayne P. Leonard*  
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Wayne P. Leonard  
Executive Vice President  
BCP Management, Inc.  
General Partner  
\_\_\_\_\_  
10/24/96  
Mill  
10/23/96

Date:

DEPARTMENT:  
Responsible Official:

*Gustave Von Bodungen*  
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Gustave Von Bodungen, P.E.  
Assistant Secretary  
Louisiana Department of  
Environmental Quality  
\_\_\_\_\_  
10/24/96

Date: