American
Fuel & Petrochemical
Manufacturers

1667 K Street, NW
Suite 700
Washington, DC
20006

202.457.0480 office
202.457.0486 fax
afpm.org

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Art Diem
Office of Air Quality Planning and Standards
Sector Policies and Programs Division
Refining and Chemicals Group
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attention: Docket ID Number EPA–HQ–OAR–2012–0133
Submitted to the Federal eRulemaking Portal (www.regulations.gov)

Re: Environmental Protection Agency Proposed Rule, "National Emission Standards for Hazardous Air Pollutants: Manufacture of Amino/Phenolic Resins" 82 Fed. Reg. 40103 (August 24, 2017)

Dear Mr. Diem:

The American Fuel & Petrochemical Manufacturers ("AFPM") submits the following comments on the Environmental Protection Agency's ("EPA") proposed rule, "National Emission Standards for Hazardous Air Pollutants: Manufacture of Amino/Phenolic Resins" ("Proposed Rule"), specifically as the Proposed Rule relates to the elimination of the Total Resource Effectiveness ("TRE") compliance option for existing process vents raised in the petitions for reconsideration and in proposed amendments to this rule.

AFPM is a national trade association representing nearly 400 companies that encompass virtually all U.S. refining and petrochemical manufacturing capacity. Millions of Americans use products produced by AFPM members every day. Many of our members own and/or operate petroleum refineries and petrochemical facilities that may be impacted by potential precedents established in this rulemaking.

AFPM members are concerned that EPA is proposing, per §63.1405(b), to eliminate the use of TRE as a compliance option for existing affected continuous process vents. Although our members are not directly subject to this particular rule, the TRE provision is found in numerous other rules that do apply to our members, such as the Hazardous Organic NESHAP ("HON") and the Miscellaneous Organic NESHAP ("MON"). TRE is an index value for determining whether a process vent should be controlled based on its emission rate, flowrate, net heating value of the stream, and the type of control device proposed to be used to control the vent. The TRE compliance option provides facilities the flexibility to reduce emissions in the most cost-effective manner specifically suited to those facilities and their operations. If the TRE option was removed for existing sources, then existing process vents would have to comply with the control standards at a specified emission rate, similar to Group 1 process vents in MACT CC (>72 lbs./day VOC). The proposed amendment to the Resin MACT is to replace the TRE option for existing

sources with requirements per §63.1405(b).[1] In this rulemaking, EPA has not articulated any rational basis for eliminating the TRE compliance option nor has it attempted to justify the increase in compliance costs without environmental benefits. Further, as EPA moves forward with its technology assessments, the potential loss of this compliance option would significantly increase our members' compliance costs with little or no reduction in emissions. For these reasons, EPA should maintain the current TRE compliance option for existing sources in this and all other rules affecting continuous process vents.

As proposed, per §63.1405(a), this rule maintains the TRE compliance option for new affected continuous process vents. AFPM members support this approach, but do not understand EPA's logic for proposing to drop the TRE option for existing affected sources. This approach makes the existing source requirements more restrictive and costly than those for new affected sources and sets a bad precedent for future rules. EPA clearly recognizes that facilities have greater flexibility in selecting cost-effective control options during the design and construction of new sources, as contrasted with the very limited options available when retrofitting existing sources. Consequently, the requirements for new sources can often be more stringent versus those for existing sources, while maintaining an equivalent level of cost-effectiveness. In this case, EPA is proposing to impose costly new control requirements on existing sources, despite the fact that these requirements cannot be justified. EPA should not establish existing source requirements that are more stringent than those for new sources; rather, EPA should maintain the current TRE compliance option for existing sources.

Thank you for your consideration of these comments. Please feel free to contact me at (202) 602-6604 or dfriedman@afpm.org if you have questions or need more information.

Sincerely,

David Friedman
Vice President, Regulatory Affairs
American Fuel & Petrochemical Manufacturers

[1] §63.1405(b) Emission standards for existing affected sources. For each continuous process vent located at an existing affected source, the owner or operator shall comply with either paragraph (b)(1) or (2) of this section.
(1) Vent all emissions of organic HAP to a flare.
(2) The owner or operator of a backend continuous process vent shall reduce total organic HAP emissions to less than or equal to 4.3 kg of total organic HAP per megagram of resin produced (8.6 pounds of total organic HAP per ton of resin produced).