



EASTERN RESEARCH GROUP, INC.

M E M O R A N D U M

DATE: August 30, 1996  
TO: Rick Colyer, EPA/OAQPS  
FROM: Mae Thomas, Eastern Research Group  
SUBJECT: July 17, 1996, Consolidated Federal Air Rule  
Stakeholders Meeting Notes

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1.0 PURPOSE

The purposes of this meeting were to present the draft consolidated air rule to the Stakeholders and to solicit comment on the draft. The agenda for the meeting, as revised, is provided in attachment A.

2.0 PLACE AND DATE

Chemical Manufacturers Association (CMA)  
1300 Wilson Blvd.  
Arlington, VA 22209

July 17, 1996, 9:00 a.m. to 1:00 p.m. E.S.T

3.0 ATTENDEES

The attendees on July 17, 1996 are listed on table 1.

4.0 DISCUSSION

An EPA representative opened the meeting by having people introduce themselves. This representative then went over the agenda and pointed out the list of people on the back of the agenda that have contributed to the development of the

TABLE 1. ATTENDEES LIST  
 CONSOLIDATED AIR RULE STAKEHOLDERS COMMITTEE MEETING  
 July 17, 1996

Name	Organization	Phone Number	Facsimile	E-mail Address
Bill Beck	Mobile (API)	(703) 849-6245	(703) 849-6295	wrbeck@mra.flx.mobil.com
Rick Colyer	EPA/OAQPS	(919) 541-5262	(919) 541-3470	colyer.rick@epamail.epa.gov
Nancy Cookson	CMA	(703) 741-5164	(703) 741-6092	nancy_cookson@mail.cmahq.com
Ted Cromwell	CMA	(703) 741-5246	(703) 741-6246	ted_cromwell@mail.cmahq.com
Norbert Dee	NPRA	(202) 457-0480	(202) 457-0486	---
Mary Sullivan Douglas	STAPPA/ALAPCO	(202) 624-7864	(202) 624-7863	myclnair@sso.org
Sherry Edwards	SOCMA	(202) 414-4170	(202) 289-8584	edwards@socma.com
Jack Edwardson	EPA/OAQPS	(919) 541-4003	(919) 541-0072	edwardson.jack@epamail.epa.gov
Rob Ferry	TGB (API)	(919) 664-8250	(919) 644-8252	---
Ken Gigliello	EPA/OECA	(202) 564-7047	(202) 564-0009	gigliello.ken@epamail.epa.gov
Bliss Higgins	Louisiana DEQ	(504) 765-0144	(504) 765-0222	---
Jeff KenKnight	EPA/OECA	(202) 564-7033	(202) 564-0009	kenknight.jeffery@epamail.epa.gov
Donna King	ILTA	(202) 659-2301	(202) 466-4166	---
Jan Meyer	EPA/OAQPS	(919) 541-5254	(919) 541-5689	meyer.jan@epamail.epa.gov
Sally Mitoff	EPA/OECA	(202) 564-7012	(202) 564-0050	mitoff.sally@epamail.epa.gov
Norman Morrow	Exxon Chemical	(713) 870-6112	(713) 588-2522	norman.l.morrow@exxon.sprint.com
Brian Neville	ILTA	(202) 659-2301	(202) 466-4166	JBNeville@aol.com
Karen Ritter	API	(202) 682-8472	(202) 682-8031	ritterk@api.org
Gene Thomas	Hoechst Celanese	(908) 231-4476	(908) 231-4554	thomas7@bedlpol.hcc.com
Mae Thomas	ERG	(919) 461-1361	(919) 461-1418	mthomas@erg.com
Don Wang	Union Carbide	(304) 747-4924	(304) 747-3680	adlweni@peabody.sct.ucarb.com
Joe Woolbert	Eastman	(903) 237-5475	(903) 237-6318	woolbert@eastman.com

consolidated air rule (CAR). This representative asked the attendees if they had any preliminary feedback on the CAR, either questions or comments. The following outlines the comments that were received and the discussion surrounding them.

- How will the underlying rules be affected? -- An EPA representative explained that the underlying rules will remain the same for all non-SOCMI facilities. For SOCMI facilities, the underlying rule will contain a pointer that sends the owner or operator to the CAR for specifics on how to comply. Owners or operators of non-SOCMI plants that are collocated with SOCMI process units can "opt in" to the CAR by choosing to bring their non-SOCMI storage tanks, process vents, transfer racks or equipment that are also subject to an underlying rule under the CAR.
- One attendee brought up the importance of determining the usefulness of the CAR, so that non-SOCMI industries that may develop a CAR or use the CAR developed by the SOCMI. An EPA representative pointed out that there is a separate CAR subgroup, the Measures of Success Group, that was formed specifically to track the burden reductions and measure the usefulness of the CAR.
- Another attendee was specifically interested in how control requirements were consolidated. An EPA representative stated that several specific consolidations would become clear after the "Highlights of the CAR" section of the presentation, but that control requirements were not changed. This representative explained that the stringency of the rules was not affected in the consolidation and

therefore the control requirements were not changed; however, many of the control requirements were the same between rules, so consolidation was not necessary.

#### 4.1 Overview and Benefits

An EPA representative handed out copies of the presentation slides (attachment B), the annotated version of the CAR (attachment C), a non-annotated version of the CAR (attachment D), examples of revised referencing subparts (attachment E), and example of tables correlating paragraphs in the referencing subparts to the paragraphs in the CAR where specific provisions are found (attachment F). The representative then provided an overview for the CAR and for the process used to develop it, including a description of the general benefits and features such as the customer-oriented format and the clarification of confusing parts of the original rules. An industry representative asked if the EPA would use what has been learned under the CAR development and apply this to new rules. An EPA representative stated that if the EPA gets feedback that people like the format and that it is helpful, then this will be communicated to other EPA staff. An EPA representative stated that it was EPA's hope that some of these features would be incorporated in other rulemakings. Another EPA representative added support of the customer-oriented format, stating that this format also helps enforcement.

An attendee asked whether non-SOCMI facilities should have the option of complying with the CAR instead of the underlying rules. One attendee pointed out that if this option was on the table it would provide good incentive for people to really review the CAR and give good feedback. An EPA representative stated that the committee was really looking for feedback from the stakeholders.

An industry representative went over the benefits of the CAR and the estimates of the measures of success of the project.

#### 4.2 Highlights of the CAR

Next, the stakeholder group reviewed the overall CAR structure, including a presentation of the storage vessel, process vents, transfer, and equipment leak provisions. A key aspect of the CAR is "options tables", where each column in the table contains the applicable requirements for each source subject to a specific referencing subpart. The source, when directed to the CAR, would be subject to the requirements in specified column only, but could "opt up" to a more stringent column if it so chose. The columns in the option tables were ordered from least stringent to most stringent, left to right on the table. An industry representative asked how the options table works for storage, wondering if it was really a choice to change columns on the table. Members of the committee explained that the choice was to move to a column to the right, but that a column to the left of the appropriate column could not be chosen. An industry representative pointed out that subpart Kb of part 60 had design requirements in the inspection section. Another industry representative explained that where these were found, they were moved to the appropriate section of the ST section. An industry representative asked about the HON clarification for external floating roof tanks converted to internal floating roof tanks. An industry representative stated that this has not been changed in the HON. In addition, one group member questioned that the HON did not require the report indicating that seal gap measurements were made. Another group member thought that HON did contain this report, but stated that he would check the HON.

The CAR General Provisions and closed vent systems, recovery and control device provisions were presented next. An industry representative asked if the definitions in subpart A of part 65

would override the definitions in other subparts. Another industry representative replied that they would. Another industry representative stated that, in many of the subparts, the definitions contained applicability, and asked how this was consolidated. A group member responded that applicability has not been consolidated, so the definitions with applicability were unchanged.

#### 4.3 State Implementation

A State representative presented the possible delegation and transition options that may be taken in order to make the CAR available to States and facilities as soon as possible. An industry representative asked what steps were being taken to make sure the States would want to adopt the CAR. A State representative stated that it was presumed that the States will implement the CAR because they have a statutory obligation to implement and enforce Federal rules; the representative also noted, however, that it is possible that a State could make the case that the old rules are equivalent to the CAR and therefore not implement the CAR.

#### 4.4 Schedule and Next Steps

An EPA representative reviewed the current status of the CAR in terms of the schedule and outlined the next steps. An industry representative asked how feedback from the stakeholders should be given to the committee. The EPA representative stated that the stakeholders should spend 3 or 4 weeks reviewing the package and then give comments directly to him. The EPA representative asked that if anyone else had any comments to bring them up or to put them on the index cards that were handed out at the beginning of the meeting. An industry representative asked that technologies which have already been reviewed by EPA

and have been given an emission factor in AP-42 be allowed to comply with the rules without having to go through the alternative means of limitation process, as long as the technologies' performance is adequate. An EPA representative stated that EPA could review a list of technologies if one were submitted; however, this would be a change to subpart Kb and not just to the CAR.