

Discussion

4. **Opinion 1: Safely completing the Section 112(f) Control Projects at the Facility, including design and planning of the required modifications, capital approval, procurement and fabrication, installation, and testing, cannot be done in 90 days and will require at least two years.**

5. I have led a significant effort, with the assistance of qualified, outside consultants, to evaluate many potential emission control projects at the Facility, including several of those necessary to comply with the Final Rule. DPE submitted comments (“DPE Comment(s)”) to EPA’s Proposed Rule on July 7, 2023, that incorporated the technical work of these outside consultants, including analysis memoranda and Excel workbooks.⁴ Based on my review of the Final Rule, there are no major changes to the scope of the Section 112(f) Control Projects from the Proposed Rule. Accordingly, the technical analyses submitted with the DPE Comments are applicable for evaluating the Final Rule requirements.⁵ Following the submittal of the DPE Comments, DPE has continued to evaluate other ERPs including emission capture and control for the wash belts in the “Finishing Area,” batch reactor vessels (Poly Kettles) and stripper strainers, wastewater streams in the Polymer Area, and certain site maintenance activities; as well as modifications/improvements to the leak detection and repair program and the existing regenerative thermal oxidizer (RTO) to further reduce emissions. The extensive analyses performed by DPE and outside consultants are based on reviews of the Proposed Rule and associated technical

⁴ The memoranda covered: thermal oxidizer; wastewater; PRDs; flares; dioxins and furans; and cost-benefits review.

⁵ One control project that is no longer needed is a replacement for DPE’s existing thermal oxidizer. Under the Proposed Rule, DPE would have been required to operate a thermal oxidizer with a destruction efficiency of 99.9%, an efficiency beyond the capabilities of its current equipment. Nevertheless, I believe that the thermal oxidizer analysis performed by DPE personnel and its contractors remains applicable to investigating, designing, constructing, and testing the new thermal oxidizer which will still be required to meet the Final Rule requirements.