



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

SEP 13 2016

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

Ms. Casey Fernung Bradford
Jones Day
1420 Peachtree Street, N.E., Suite 800
Atlanta, GA 30309-3053

Dear Ms. Bradford:

Thank you for your letter of September 6, 2016, to U.S. Environmental Protection Agency Administrator Gina McCarthy, on behalf of PCS Phosphate Company, Inc, petitioning for reconsideration of the final rule "Phosphoric Acid Manufacturing and Phosphate Fertilizer Production RTR and Standards of Performance for Phosphate Processing" (80 FR 50386). The Administrator asked that I respond on her behalf.

I am writing to acknowledge receipt of PCS Phosphate's petition. The EPA is reviewing your petition for reconsideration and, upon completion of the review, will determine the appropriate response.

If you have any questions, please contact Ms. Susan Fairchild of this office at (919) 541-5167 or fairchild.susan@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Page".

Stephen D. Page
Director

Office of Air Quality Planning
and Standards

JONES DAY

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May 10, 2016

Sent Via Email & Certified Mail

Ms. Susan Fairchild
Environmental Protection Agency
109 T.W. Alexander Drive
Mail Code: D243-04
Research Triangle Park, NC 27711
Susan.Fairchild@epa.gov

Re: PCS Phosphate Company, Inc. / MACT Limit for Mercury Emissions from Existing Phosphate Rock Calciners

Dear Ms. Fairchild:

Thank you for your May 9, 2016 email. As suggested in your email, PCS Phosphate Company, Inc. (PCS) does wish to have an in-person meeting with EPA to discuss the need for a revision of the MACT floor limit that EPA set on mercury emissions from existing phosphate rock calciners in the August 2015 final rule to revise 40 C.F.R. Part 63 Subpart AA. 80 Fed. Reg. 50,386 (Aug. 19, 2015). After collecting and reviewing a considerable amount of new data on mercury emissions and other process variables, which PCS would like to present to EPA at a meeting, PCS has concluded that the calciner mercury limit in the final rule does not reflect the MACT floor for mercury emissions during the expected range of representative operating conditions at the PCS calciners in Aurora, North Carolina. As such, PCS requests an opportunity to collect additional Method 30B test data on mercury emissions which can then be used to re-calculate the mercury MACT floor.

Under section 112(d)(3)(B) of the Clean Air Act, a MACT floor limit must reflect the average emissions achieved by the best performing five sources in a source category with fewer than 30 sources. The six calciners at PCS' facility in Aurora are the only existing phosphate rock calciners in the Subpart AA source category. Therefore, the mercury MACT floor is supposed to reflect the average emissions already achieved by the PCS calciners. EPA determined the MACT floor in its August 2015 final rule based on mercury test data collected for the PCS calciners in 2010 and 2014. EPA applied its Upper Prediction Limit (UPL) methodology to the results of 2010 and 2014 mercury testing and determined the MACT floor to be 0.14 mg/dscm at three percent oxygen.

As required by the final rule, PCS conducted initial performance testing of mercury emissions from the calciners earlier this year. The test report sent to you on March 31, 2016 shows that initial performance test results for Calciners 1, 3 and 4 exceeded the new MACT floor limit for mercury emissions from existing calciners. Mercury emissions from the other three calciners (Nos. 2, 5 and 6) were close to, but did not exceed, the new mercury limit. For all six calciners,

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the initial performance test results were significantly higher than the results of the 2010 and 2014 mercury testing that EPA used to set the MACT floor.

Since receiving the performance test results, PCS has collected and reviewed a large amount of additional process and emissions data for the calciners in an effort to understand mercury emissions variability. These data indicate that mercury emissions are more variable than reflected in the 2010 and 2014 test data or the UPL analysis that EPA used to set the MACT floor. PCS requests an opportunity to review the emissions and process data with EPA and discuss the path forward.

In addition to reviewing mercury-related data, PCS would like to update you on its assessment of the total fluoride emission limit for existing phosphate rock calciners. Our team would be available for a meeting in Raleigh, NC on May 24 or 26. Please let me know if any of these dates would work for EPA. You can reach me by telephone or email to schedule a meeting with PCS and discuss any questions you may have in the meantime. PCS appreciates EPA's attention to these matters which have a significant impact on the Aurora facility.

Respectfully submitted,



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Outside Counsel for PCS

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