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NB

LAW OFFICES
KELLER AND HECKMAN

1150 17TH STREET, N. W.

SUITE 1000

WASHINGTON, D. C. 20036

(202) 457-1100

TELECOPIER
(202) 296-7682

JOSEPH E. KELLER
JEROME H. HECKMAN
CHARLES M. MEEHAN
WILLIAM H. BORGHESANI, JR.
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ROUTE TO:	CABLE ADDRESS "KELMAN"
COPIES TO:	WRITER'S DIRECT DIAL NUMBER
FILE:	

(202) 457-1116
Ron Bryson - LCCUR
La. LESHAP

June 14, 1983

To: SPI Vinyl Institute
SPI Manufacturing Practices Committee

Re: Louisiana Emission Standards for Hazardous
Air Pollutants

Ladies and Gentlemen:

The Air Quality Division of Louisiana's Office of Environmental Affairs has prepared a written response to comments filed by the Vinyl Institute in April and May, 1983, on the proposed Louisiana Emission Standards for Hazardous Air Pollutants (LESHAP). A copy of the response is enclosed.

The regulations are the basis for Louisiana's hazardous air pollutant program previously administered by the Environmental Protection Agency (EPA). In issuing regulations, Louisiana was required to follow existing EPA regulations. While a state need not follow EPA's precise language, regional EPA personnel were requiring rigid word-for-word adherence in most instances. The flexibility of the state administrators was also limited by several Louisiana state law requirements.

Our comments and discussions with the Louisiana staff resulted in a number of improvements to the proposals although not all of our suggestions were adopted. As originally drafted, the proposed regulations spoke of facilities operating under an existing permit. Since vinyl chloride monomer (VCM) and polyvinyl chloride (PVC) facilities operate under the EPA regulation without a specific EPA permit, the VCM/PVC industry was in an uncertain position. Accordingly, Louisiana amended its proposals to cover facilities operating under a regulation without a separate permit system.

Another major concern was that Louisiana would require existing facilities to obtain operating permits. Although the staff did not make the wording changes to the regulations we had sought, their response provides an interpretation of the

CCR 000021757

SPI Mailing
June 14, 1983
Page 2

regulations which assures continued operation of existing facilities without going through a permit proceeding.

Louisiana's proposed reporting requirements also raised several problems. Due to the wording of Section 76.18, it appeared that a discharge report would constitute an admission of a violation of the standard. Louisiana's response makes it clear that no such admission will be implied. Other suggestions adopted by Louisiana include the deletion of a requirement that existing sources file an initial report and that monitored emissions be reported under Section 76.18. Similarly, Louisiana agreed that minor excursions for reactor opening losses and residual vinyl chloride monomer in PVC need not be reported within seven working days under Section 76.18, but may be reported in the quarterly report. We also obtained a clarification that written reports of excess emissions are due within seven working days.

Several changes to the emergency discharge section of the standard were offered by the Vinyl Institute. Ultimately, Louisiana adopted the language of the current VCM standard. The state's response does note, however, that the presumptions contained in the definition of emergency emission apply to both relief valve and manual vent valve discharges. This should be helpful and could lead to further efforts to define certain types of discharges as emergencies.

Finally, we commented on the handling of confidential information. While the regulations retain the proposed confidentiality provisions, Louisiana indicates that it is presently using a more stringent control system and plans to publish a statement documenting the procedures that will be used by the Air Quality Division. The Division staff has promised us an opportunity to comment on control procedures prior to publication in final form.

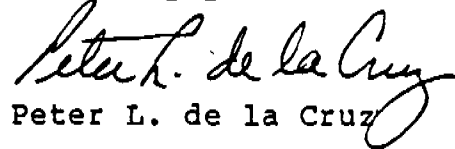
The efforts of the Manufacturing Practices Committee resulted in substantial improvements over the proposed Louisiana regulations. In addition, participation in this rulemaking provided an opportunity to establish a working relationship and educate the Air Quality Division staff on the particular needs of the VCM/PVC industry. The members who participated in this activity are to be commended for their efforts.

CCR 000021758

SPI Mailing
June 14, 1983
Page 3

If you have any comments or questions, please feel free
to contact me.

Cordially yours,


Peter L. de la Cruz

Enclosure

CCR 000021759