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June 6, 1983

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R. W. Laundrie

cc Jackson
Jewett

To: SPI Vinyl Institute
SPI Vinyl Institute Manufacturing
Practices Committee

Re: EPA Review of the Vinyl Chloride Standard

Ladies and Gentlemen:

On May 26, 1983, we met with Sheldon Meyers, Director, of the Environmental Protection Agency's (EPA) Office of Air Quality Planning and Standards. The meeting was held to discuss the status of EPA's review of the vinyl chloride standard and the need to revise the emergency discharge provisions. Mr. Meyers asked that we prepare a letter outlining our concerns and stating why changes should be made to the standard together with proposed regulatory language. As opposed to earlier recommendations by The Society of the Plastics Industry, Inc. (SPI), an effort will be made to develop a definition of emergency discharge that contains both general and specific criteria.

To review these developments and prepare a letter of recommended changes, Chairman W.C. Holbrook has called a meeting for June 20, 1983 in Columbus, Ohio. The meeting is scheduled to begin at 9:30 a.m. and adjourn about 3:30 p.m. Bailey Barton of Borden has agreed to host the meeting in the offices of the Borden Dairy Division, 165 North Washington Avenue, Columbus, Ohio 43215.

By way of background, in July, 1982, SPI submitted proposed revisions to the vinyl chloride standard. That proposal suggested that EPA apply the malfunction provision in the proposed benzene/styrene standard and exempt discharges of less than 100 pounds. Pertinent portions are enclosed.

The Manufacturing Practices Committee (formerly the Manufacturing Technology Committee of the PVC Safety Group) met with EPA at Research Triangle Park in November, 1982 to discuss

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this proposal. It became clear that EPA was proceeding rather slowly in developing administrative changes to the vinyl chloride standard and the prospect for substantive changes was uncertain. The discussion of the emergency relief valve provisions of the standard was not productive and we obtained no clear commitment from the staff.

In February, 1983, EPA released the revised TRW report and a new "Chapter 6" discussing regulatory alternatives. The new EPA efforts addressed only the regulation of oxychlorination vents at vinyl chloride monomer (VCM) facilities and fugitive emissions from 1-1-1-trichloroethane or pesticide facilities using VCM as an intermediate chemical.

We were concerned that EPA was not addressing the issues of real concern. The Committee prepared comments at a March 1983 meeting in Houston. In response to those comments, we received a call from Richard Rosenteel at EPA who assured us that the Agency was still working on the entire package presented to them by SPI and had not dropped the administrative changes we had discussed. According to Mr. Rosenteel, EPA would be forming an internal working group to review proposed changes in August 1983. Subsequently, the resulting regulatory package will be reviewed by the National Air Pollution Control Techniques Advisory Committee (NAPTAC). EPA's April 25 regulatory agenda indicated that the Agency would issue a notice of proposed rule-making in 1984 and promulgate a final rule in 1985.

Given the recent turmoil at EPA and the confirmation of Bill Ruckelshaus as Administrator, the Agency's work priorities are now under review. Prompted by Chairman's Holbrook's request, Gary Baise of Beveridge and Diamond, arranged a meeting attended by Mr. Holbrook, Gary Baise and Peter de la Cruz. Mr. Meyers, who replaced Walt Barber, met with us for about an hour. Mr. Meyers had not had extensive involvement with the vinyl chloride standard and we reviewed the Agency's activities over the last few years.

Mr. Meyers indicated that he would be agreeable to reviewing the situation and considering our concerns. If the staff did not have a reasonable basis for rejecting our suggestions, he would attempt to rectify the deficiencies in the existing standard. While the prior suggestions we submitted to

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EPA were discussed, the more promising approach appeared to be the development of a list of specific or particular criteria that might be used to define emergency discharge. Obviously, such an effort requires the assistance and approval of the Vinyl Institute membership. Therefore, the June 20 meeting was called as a first step to develop a letter to EPA.

For your convenience, I am attaching the pertinent provisions of the 1982 proposal submitted to EPA and suggested language submitted to the State of Louisiana more recently. This material may provide a starting point for discussion.

If you have any comments or questions, please let us know. We look forward to seeing you in Columbus.

Cordially yours,

Peter L. de la Cruz
Peter L. de la Cruz

Enclosure

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July, 1982

MANUFACTURING TECHNOLOGY COMMITTEE
PVC SAFETY GROUP
THE SOCIETY OF THE PLASTICS INDUSTRY, INC.

SUGGESTED AMENDMENTS TO
THE VINYL CHLORIDE STANDARD

[Underlining denotes addition; ~~overstrike~~ indicates deletion.]

Part 61 - National Emission Standards
For Hazardous Air Pollutants
Subpart F - National Emission Standard for Vinyl Chloride

40 C.F.R. § 61.61

(v) "Malfunction" means any sudden and unanticipated failure of process or pollution control equipment. A failure of process or pollution control equipment caused by design flaws, lack of normal maintenance, or careless operation may not be considered a malfunction.

Comment: This provision was derived from the benzene/styrene plant proposal at 47 Fed. Reg. 83461 (1981).

§ 61.64

Emission Standard for Polyvinyl Chloride Plants.

An owner or operator of a polyvinyl chloride plant shall comply with the requirements of this section and § 61.65.

(a) Reactor: The following requirements apply to reactors:

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(3) Manual vent valve discharge: Except for an emergency manual vent valve discharge, there is to be no discharge to the atmosphere from any manual vent valve on a polyvinyl chloride reactor in vinyl chloride service. An emergency manual vent valve discharge means a discharge to the atmosphere which could not have been avoided by taking available measures to prevent the discharge. Within 10 days of any discharge to the atmosphere from any manual vent valve, the owner or operator of the source from which the discharge occurs shall submit to the Administrator a report in writing containing information on the source, nature

and cause of the discharge, the date and time of the discharge, the approximate total vinyl chloride loss during the discharge, the method used for determining the vinyl chloride loss, the action that was taken to prevent the discharge, and measures adopted to prevent future discharges.

Comment: This is a corollary of the Environmental Protection Agency's (EPA) definition of "malfunction." See 47 Fed. Reg. 83461 (1981).

§ 61.65

Emission Standard for Ethylene Dichloride,
Vinyl Chloride and Polyvinyl
Chloride Plants.

An owner or operator of an ethylene dichloride, vinyl chloride, and/or polyvinyl chloride plant shall comply with the requirements of this section.

(a) Relief valve or rupture disk discharge: Except for an emergency relief discharge, There is to be no discharge to the atmosphere from the operation of any relief valve or rupture disk on any equipment in vinyl chloride service. An emergency relief discharge means a discharge which could not have been avoided by taking measures to prevent the discharge.

(1) Discharges shall not be considered a violation of this provision if:

(A) The discharge is a result of a malfunction or an act of God, or

(B) The amount discharged does not exceed 100 pounds per discharge and, for polyvinyl chloride plants, the frequency of such discharge does not exceed the equivalent of one discharge per 2,000 batches charged.

(2) Within 10 days of any relief valve or rupture disk discharge, except those covered by section 61.65(a)(1)(B), the owner or operator of the source from which the relief valve discharge occurs shall submit to the Administrator a report in writing containing information on the source, nature and cause of the discharge, the date and time of the discharge, the approximate total vinyl chloride loss during the discharge, the method used for determining the vinyl chloride loss, the action that was taken to

prevent the discharge, and measures adopted to prevent future discharges.

Comment: The malfunction provision in section 61.65(a)(1)(A) is an effort to resolve the "emergency" discharge provision in the current standard. The term "malfunction" is defined in new subsection 61.61(v).

Subsection 61.65(a)(1)(B) is an effort to define a frequency and quantity measurement for acceptable releases.

Subsection 61.65(a)(2) has been amended to exempt discharges of less than 100 pounds from the 10-day reporting required provided that the discharge also meets the frequency requirement of section 61.65(a)(1)(B) of one discharge per 2,000 batches. These small discharges would be listed in the semiannual report. See, section 61.70(c)(4).

§ 61.68

Emission Monitoring.

(c) A ~~daily~~ weekly check is to be conducted for each vinyl chloride monitoring system used. For all of the emission sources listed in paragraph (a) of this section, except the one for which an emission limit is prescribed in § 61.62(b), the ~~daily~~ weekly span check is to be conducted ~~with~~ a concentration of vinyl chloride equal to 10 ppm. For the emission source for which an emission limit is prescribed in § 61.62(b), the ~~daily~~ weekly span check is to be conducted with a concentration of vinyl chloride which is determined to be equivalent to the emission limit for that source based on the emission test required by § 61.67. The calibration is to be done with either:

Comment: A daily check is unnecessary. The benzene standard does not have such a provision.

contractor of the owner or operator of
the stationary source; or

6) A malfunction; or

7) ~~6)~~ Any one, or a combination of the above
circumstances ~~paragraph~~; or

8) Other factors determined by the Assis-
tant Secretary;

shall be presumed to be an emergency emission, unless
the Assistant Secretary, in light of all available
relevant facts and circumstances, determines otherwise.

These presumptions shall also apply to discharges
under sections 77.5(a)(3) and 77.6(a).

Subpart B Emission Standards for Vinyl Chloride

77.2 Definitions.

- (w) "Measures"--an adequate combination of design, procedure and equipment to prevent discharges which is approved by the Assistant Secretary and which may be revised by the Assistant Secretary as new information becomes available.
- (x) "Emergency discharge"--in evaluating whether a relief valve or a manual vent valve discharge is an emergency discharge, the presumptions in Section 76.2 apply.