REGION 4
ATLANTA, GA 30303

ELECTRONIC MAIL
CONFIRMATION OF EMAIL RECEIPT REQUESTED

Jimmy Hobby
Environmental Supervisor
Westlake Chemical Corporation
2468 Industrial Parkway
Calvert City, Kentucky 42029
jhobby@westlake.com

Re: Westlake Vinyls, Inc – Calvert City, Kentucky
Title V Permit No. V-19-016 R1
Notice of Potential Violations

Dear Jimmy Hobby:

Information currently available to the U.S. Environmental Protection Agency suggests that Westlake Chemical Corporation (Westlake) may have violated the Clean Air Act (CAA or the Act), 42 U.S.C. §§ 7401, *et seq.*, and the Act's implementing regulations. By this letter, the EPA is extending to you an opportunity to advise the EPA, in person or via a teleconference, of any further information the EPA should consider with respect to the potential violations.

Specifically, the EPA has concerns that Westlake may have failed to maintain the emission standards of the National Emission Standard for Vinyl Chloride codified at 40 C.F.R. Part 61, Subpart F at its Westlake Vinyls, Inc., facility located at 2468 Industrial Parkway, Calvert City, Kentucky. Westlake may have also failed to maintain the emission standards, monitoring requirements, and reporting requirements of the National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater codified at 40 C.F.R. Part 63, Subpart G at the Westlake Vinyls, Inc., facility. A summary of the potential violations that have been identified is enclosed with this letter (see Enclosure A).

The EPA has authority under Section 113 of the CAA, 42 U.S.C. § 7413, to pursue enforcement actions for violations of the CAA, 42 U.S.C. §§ 7401, *et seq.*, and the Act's implementing regulations, including the issuance of compliance orders, the assessment of administrative penalties and/or the initiation of civil or criminal actions. The EPA requests that a representative of the facility contact Andrew Mills at

(404) 562-9030, or via email at mills.andrew@epa.gov, within **fourteen (14) calendar days** of receipt of this letter to make arrangements to discuss the potential violations, potential resolution, and the EPA's possible enforcement action. Please note that the EPA will have legal representation during these discussions. Please inform Andrew Mills if you intend to have legal representation present as well.

You may voluntarily submit any documentation or information that you would like the EPA to review in advance of any in person meeting or teleconference on the matter as to why you believe the EPA should not take an enforcement action with respect to the above-mentioned potential violations. If you have questions regarding the type of information that should be submitted to the EPA or any other questions regarding this letter, please contact Andrew Mills at the contact information identified above. For legal inquiries concerning this letter, please contact Stacy Shelton at (404) 562-8186 or via email at shelton.stacy@epa.gov.

Please be aware that the EPA continues to investigate Westlake's compliance with the CAA and the Emergency Planning and Community Right-to-Know Act at its facilities in Calvert City. The EPA may send additional notices of potential violation regarding the Calvert City facilities in the future.

Sincerely,

KERIEMA NEWMAN

Digitally signed by KERIEMA NEWMAN
Date: 2024.12.05 14:12:04 -05'00'

Keriema S. Newman
Director
Enforcement and Compliance Assurance Division

cc: Jarrod Bell
Director, Division of Enforcement, KYEEC
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ENCLOSURE A

Summary of Potential Violations

Westlake Vinyls Inc.

I. Operating Parameter Limits for the Ethylene Dichloride (EDC) Absorber

Potential Violation No. 1: Westlake did not continuously operate the EDC Absorber within the operating parameters required by the HON when the High Point Vent was open. [40 C.F.R. § 63.152 and Condition 7 for the South Synthesis EDC Absorber in Section B of the title V permit]

Requirements for Operating Parameter Limits for Group 2 Process Vents

40 C.F.R. § 63.110(f)(2) requires owners/operators of any Group 2 process vent that is also subject to the provisions of part 61, subpart F to comply with the provisions of part 63, subpart G.

40 C.F.R. § 63.111 incorporates the definitions of part 63, subpart F, which defines a Group 2 process vent as a process vent for which the vent stream flow rate is less than 0.005 standard cubic meter per minute, the total organic HAP concentration is less than 50 parts per million by volume or the total resource effectiveness index value, calculated according to § 63.115, is greater than 1.0.

40 C.F.R. § 63.112(e) allows owners or operators to comply with the process vent provisions in §§ 63.113 through 63.118, as well as §§ 63.151 and 63.152 as applicable, in lieu of calculating the annual emission rate as specified in § 63.112(a).

40 C.F.R. § 63.113(d) requires owners/operators of a Group 2 process vent having a flow rate greater than or equal to 0.005 standard cubic meter per minute, a HAP concentration greater than or equal to 50 parts per million by volume, and a TRE index value greater than 1.0 but less than or equal to 4.0 to maintain a TRE index value of greater than 1.0, comply with the monitoring of recovery device parameters in § 63.114(b) or (c), the TRE index calculations of § 63.115, and the applicable reporting and recordkeeping provisions of §§ 63.117 and 63.118. Such owner or operator is not subject to any other provisions of §§ 63.114 through 63.118.

40 C.F.R. § 63.114(c)(2) allows an owner/operator of a process vent to request approval to monitor parameters other than those listed in paragraph (a) or (b) if the owner/operator maintains a TRE greater than 1.0 but less than or equal to 4.0 without a recovery device.

40 C.F.R. § 63.114(e) requires the owner/operator to establish a range that indicates proper operation of the control or recovery device for each parameter monitored under paragraph (c).

Specific Regulation	Findings
40 C.F.R. § 63.152(c)(5)(iii) states that paragraphs (c)(2)(i) through (c)(2)(iii) governs the use of monitoring data to determine compliance for Group 2 points included in emissions averages.	Based on data provided by Westlake, there were **46 excursions** of the EDC Absorber's operating parameter limits (OPLs) between January 2020 to June 2023. Those excursions include exceedances of the daily average of one or more monitored

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40 C.F.R. § 63.152(c)(2)(ii)(A) states that an excursion occurs when: (1) the daily average value of one or more monitored parameters is outside the permitted range; (2) the period of control device or recovery device operation is 4 hours or greater in an operating day and monitoring data are insufficient to constitute a valid hour of data for at least 75 percent of the operating hours; (3) the period of control device or recovery device operation is less than 4 hours in an operating day and more than one of the hours during the period of operation does not constitute a valid hour of data due to insufficient monitoring data; and (4) monitoring data are insufficient to constitute a valid hour of data if measured values are unavailable for any of the 15-minute periods within the hour. **40 C.F.R. § 63.152(c)(2)(ii)(B)** allows one excused excursion for each semiannual period. **Title V Permit (Permit V-19-016 R1)** Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions 031 (EPN 449) South Synthesis EDC Absorber (High Point Vent) Condition 7 on page 61 of 190, requires the permittee to maintain OPL established during the latest stack test for the times when the Absorber vent is vented directly to the atmosphere. OPLs have been established for Solvent Feed Temperature, Solvent Feed Flow Rate, Absorber Vent Feed Temperature, EDC	parameters outside the permitted range as per 40 C.F.R. § 63.152(c)(2)(ii)(A)(1), or the monitoring data is insufficient as per §§ 63.152(c)(2)(ii)(A)(2) and (4). The excursions, which do not include the one excused excursion allowed for each semiannual period under § 63.152(c)(2)(ii)(B), are broken down as follows: • January – June 2020: **5 excursions.** No OPL data was provided on 6 days: January 31, February 29, March 31, April 30, May 31, and June 30. • July – December 2020: **9 excursions**. The OPLs were exceeded 4 times, on December 3, 4, 5 and 28. In addition, no OPL data was provided on 6 days: July 31, August 31, September 30, October 31, November 30, and December 31. • January – June 2021: **8 excursions**. The OPLs were exceeded 3 times, on February 10, 11, and 28. In addition, no OPL data was provided on 6 days: January 31, February 28, March 31, April 30, May 31, and June 30. • July – December 2021: **5 excursions**. No OPL data was provided on 6 days: July 31, August 31, September 30, October 31, November 30, and December 31. • January – June 2022: **8 excursions**. The OPLs were exceeded 3 times, on February 17, and June 3 and 4. In addition, no OPL data was provided for six days: January 31, February 28, March 31, April 30, May 31, and June 30. • July – December 2022: **9 excursions**. The OPLs were exceeded 4 times, on November 8, 12, and 26, and December 23. In addition, no OPL data was provided on 6 days: July 31, August 31, September 30, October 31, November 30, and December 31.

Stripper Vacuum, EDC Stripper Bottoms Temperature, and VCl Ratio.	• January – March 2023: **2 excursions**. No OPL data was provided on January 31, February 28, and March 31. Additionally, Westlake failed to provide any continuous monitoring system (CMS) data for the absorber solvent feed temperature from January 1, 2020 to April 19, 2023. Each day of missing CMS data may be considered an excursion under 40 C.F.R. 63.152(c)(2)(ii)(A)(4). Excursions associated with the missing solvent feed temperature data will be evaluated when Westlake provides more information. Potential Violation No. 3 addresses this as recordkeeping violations. Failure to maintain OPLs and their CMS data when emissions from the EDC absorber are routed to the High Point Vent is a violation of 40 C.F.R. § 63.152 and the title V permit.

Potential Violation No. 2: Westlake did not report all OPL exceedances. [40 C.F.R. § 63.118(f) and Condition 6 for the South Synthesis EDC absorber in section B of the title V permit]

Applicable Reporting Requirements for Group 2 Process Vents

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Table 1A to Subpart G of Part 63 identifies § 63.2 as an applicable provision from subpart A.

40 C.F.R. § 63.2 defines a *continuous monitoring system* (CMS) as a comprehensive term that may include continuous parameter monitoring systems that are used to demonstrate compliance with an applicable regulation on a continuous basis as defined by the regulation. *Continuous parameter monitoring system* is defined as the total equipment that may be required to meet the data acquisition and availability requirements of part 63, which is used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters. *Monitoring* means the collection and use of measurement data or other information to control the operation of a process or pollution control device or to verify a work practice standard in order to assure compliance with applicable requirements.

40 C.F.R. § 63.111 incorporates the definitions of part 63, subpart F, which defines *continuous record* as documentation, either in hard copy or computer readable form, of data values measured at least once every 15 minutes and recorded at the frequency specified in § 63.152(f) or (g).

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Continuous recorder is defined as a data recording device that either records an instantaneous data value at least once every 15 minutes or records 15-minute or more frequent block averages.

40 C.F.R. § 63.113(d) requires owners/operators of a Group 2 process vent having a flow rate greater than or equal to 0.005 standard cubic meter per minute, a HAP concentration greater than or equal to 50 parts per million by volume, and a TRE index value greater than 1.0 but less than or equal to 4.0 to maintain a TRE index value of greater than 1.0, comply with the monitoring of recovery device parameters in § 63.114(b) or (c), the TRE index calculations of § 63.115, and the applicable reporting and recordkeeping provisions of §§ 63.117 and 63.118. Such owner or operator is not subject to any other provisions of §§ 63.114 through 63.118.

40 C.F.R. § 63.114(b) requires owners/operators of a process vent with a TRE index value greater than 1.0 that uses one or more recovery devices to install either an organic monitoring device equipped with a continuous recorder or the monitoring equipment specified, including a scrubbing liquid temperature monitoring device and a specific gravity monitoring device, each equipped with a continuous recorder, where an absorber is the final recovery device in the recovery system.

Specific Regulations	Findings
40 C.F.R. § 63.118(f) requires owners/operators electing to comply with the requirements of § 63.113 to submit to the Administrator Periodic Reports of the following recorded information according to the schedule in § 63.152: (1) Reports of daily average values of monitored parameters for all operating days when the daily average values recorded under paragraph (b) of this section were outside the ranges established in the Notification of Compliance Status (NOCS) or operating permit, including the date that the parameter was outside the range. **Title V Permit (Permit V-19-016 R1)** Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions 031 (EPN 449) South Synthesis EDC Absorber (High Point Vent) Condition 6 on page 61 of 190, section (a) requires Westlake to report the parameter	On **5 days** in December 2020 and June 2022, Westlake failed to report that the daily average values of monitored parameters were outside the ranges established in the NOCS while the High Point Vent was open. When the High Vent was open, Westlake failed to report exceedances of OPLs on December 3, December 4, and December 5, 2020; and June 3 and June 4, 2022. Failure to report OPL exceedances is a violation of 40 C.F.R. § 63.118(f) and the title V permit.

monitoring results for absorbers, condensers, or carbon adsorbers, as specified in table 4 of 40 C.F.R. part 63, subpart G, as well as the measurements and calculation. Section (b) requires Westlake, pursuant to 40 C.F.R. § 63.118(f)(1) to submit Periodic Reports of the daily averages of monitored parameters for all operating days when the daily average values recorded under 40 C.F.R. § 63.118(b) is outside the ranges established in the NOCS or operating permit.	

Potential Violation No. 3: Westlake did not keep records of certain operating parameter data. [40 C.F.R. § 63.118(b) and Condition 5(d) for the South Synthesis EDC absorber in section B of the title V permit]

Applicable Recordkeeping Requirements for Group Process 2 Vents

40 C.F.R. § 63.152(f) requires owners/operators to keep continuous records of OPLs as measured at least once every 15 minutes for at least five years.

Also see applicable regulations in Potential Violation No. 2.

Specific Regulations	Findings
40 C.F.R. § 63.118(b) requires owners/operators using a recovery device or other means to achieve and maintain a TRE index value greater than 1.0 but less than 4.0 must keep up-to-date and readily accessible, continuous records and daily average values of the **equipment operating parameters.** **Title V Permit (Permit V-19-016 R1)** Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions 031 (EPN 449) South Synthesis EDC Absorber (High Point Vent) Condition 5(d) on page 61 of 190, requires Westlake to keep continuous records of the operating parameter data and records of the	Westlake failed to keep up-to-date and readily accessible continuous records of the EDC absorber solvent feed temperature data. Westlake provided daily averages but not continuous records of the solvent feed temperature data from January 1, 2020, to April 19, 2023, as requested by EPA's National Enforcement Investigations Center (NEIC) in April 2023. Westlake also failed to report any of the operating parameter data – either daily averages or continuous records – on 42 days between January 2020 and June 2023. Failure to maintain continuous records and daily average values of the operating

daily average value of each continuously monitored operating parameter.	parameter data is a violation of 40 C.F.R. § 63.118(b) and the title V permit.

II. Uncontrolled Emissions from the North Cracking Vinyl Chloride Monomer (VCM) Column Condenser

Potential Violation No. 4: Emissions from the nitrogen gas purge line exceeded 10 ppm VCM. [40 C.F.R. § 61.63(a), 40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i)]

Applicable Requirements for National Emission Standard for Vinyl Chloride Plants

40 C.F.R. § 63.110(f)(2)(ii) states that if a Group 2 process vent is not already controlled by a combustion device, then the owner or operator must comply with the provisions of 40 C.F.R. part 61, subpart F.

40 C.F.R. § 61.60(a)(2) states that part 61, subpart F applies to plants that produce vinyl chloride by any process.

40 C.F.R. § 61.61(p) defines vinyl chloride purification as any part of the process of vinyl chloride production which follows vinyl chloride formation.

Title V Permit (Permit V-19-016 R1)
Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions
032 (EPN 453) Oxy Incinerator
033 (EPN 530) Primary Thermal Incinerator
009 (EPN 524) Vinyl Chloride Flare
036 (EPN FUG) Fugitives
See Applicable Regulation (pages 63, 83, and 86 of 190): 401 KAR 57:002, Section 2, 40 C.F.R. 61.60 to 61.71, (Subpart F).

Specific Regulation	Findings
40 C.F.R. § 61.63(a) prohibits the concentration of vinyl chloride from exceeding 10 ppm, averaged over a 3-hour period, in each exhaust gas stream from any	Using a FLIR camera, NEIC inspectors on April 18, 2023, observed emissions venting uncontrolled to the atmosphere from the north cracking VCM column condenser. The

equipment used in vinyl chloride formation and/or purification. **40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i)** requires owners or operators of each stationary source to maintain and operate the source in a manner consistent with good air pollution control practice for minimizing emissions.	inspectors used a toxic vapor analyzer (TVA) to measure the venting emissions at a volatile organic compound concentration of 75,000 ppm. According to David Davis, Westlake EDC/VCM Unit Manager, the emissions came from a line intended to only be used to purge nitrogen gas from the unit when it is brought back online after a shutdown. The line is opened and closed with a manual valve. The most recent startup prior to the inspection was on November 7, 2022. The purge line is presumably a Group 2 process vent because the flow rate is typically less than 0.005 scfm. The VCM column condenser is equipment used in vinyl chloride purification. Based on the process description in the December 29, 2004, title V permit application, the VCM column condenser contains pure VCM. The TVA response factor for VCM is 0.81 at 10,000 ppm as methane. Applying the VCM response factor to the observed leak, the VCM concentration of the emitted gas was more than 60,750 ppm, violating the 10 ppm standard in 40 C.F.R. § 61.63(a). Failure to close the manual valve following the November 7, 2022 startup is not consistent with good air pollution control practice and violates 40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i).

Potential Violation No. 5: The nitrogen gas purge line should not emit any uncontrolled hazardous air pollutants. [40 C.F.R. § 61.65(b)(5), 40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i)]
Applicable Requirements for National Emission Standard for Vinyl Chloride Plants *See* applicable regulations in Potential Violation No. 4.

Specific Regulation	Findings
40 C.F.R. § 61.65(b)(5) requires that all gases manually vented from equipment in vinyl chloride service be ducted through a control system from which the concentration of vinyl chloride in the exhaust gases does not exceed 10 ppm (averaged over three hours). **40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i)** requires owners or operators of each stationary source to maintain and operate the source in a manner consistent with good air pollution control practice for minimizing emissions.	The nitrogen gas purge line was emitting gases uncontrolled and directly to the atmosphere in violation of 40 C.F.R. § 61.65(b)(5). Allowing gases to emit uncontrolled through the nitrogen gas purge line is not consistent with good air pollution control practice and violates 40 C.F.R. § 61.12(c) and § 63.6(e)(1)(i).

III. Leaking Pipe from East Enclosed Sump

Potential Violation No. 6: A pipe from the east enclosed sump had a visible gap or hole, releasing EDC to the atmosphere. [40 C.F.R. § 63.149(a) and Table 35 to Subpart G]

Applicable Control Requirements

40 C.F.R. § 63.110 states that subpart G applies to all process vents, storage vessels, transfer racks, wastewater streams, and in-process equipment subject to § 63.149 within a source subject to subpart F of part 63.

40 C.F.R. § 63.149(a) requires Westlake to comply with provisions of table 35 for each item of equipment that meets the following criteria:

- The item of equipment is a type identified in table 35;
- The item of equipment is a part of a chemical manufacturing process unit that meets the criteria of § 63.100(b);
- The item of equipment is controlled less stringently than in table 35 and is not listed in §63.100(f), and the item of equipment is not otherwise exempt; and
- The item of equipment is a pipe.

Specific Regulation	Findings
Table 35 to Subpart G requires that each pipe shall have no visible gaps in joints, seals, or other emission interfaces.	Using a FLIR camera on April 17, 2023, NEIC inspectors observed liquid and vapors emitting from the east enclosed sump piping containing the bottoms from the hot quench line. David Davis, Westlake EDC/VCM Unit Manager, told the NEIC inspectors the hot quench bottoms stream contains primarily EDC and water and is normally routed to the pH adjustment tank. The pipe had a visible gap or hole, allowing EDC to be released to the atmosphere in violation of the table 35 control requirements.

IV. Uncontrolled Vapors from EDC Recovery Column Feed Tanks

Potential Violation No. 7: Some emissions from the EDC recovery column feed tanks TK-1804A and TK-1804B were not routed to either the Oxy Incinerator or Primary Thermal Incinerator. [Compliance demonstration method 1 for Wastewater/Storm-water Storage Tanks in Section B of the title V permit, 40 C.F.R. § 63.149(a) and Table 35 to Subpart G]

Applicable Operating Limitations

Title V Permit (Permit V-19-016 R1)
Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions
032 (EPN 453) Oxy Incinerator and 033 (EPN 530) Primary Thermal Incinerator
Condition 1 on page 31 of 190, requires contaminated wastewater storage tank (EPN 445) and stormwater storage tank (EPN 446) to comply with the provisions of table 35 of 40 C.F.R. part 63.

40 C.F.R. § 63.149(a) requires Westlake to comply with provisions of table 35 for each item of equipment that meets the following criteria:

- The item of equipment is a type identified in table 35;
- The item of equipment is a part of a chemical manufacturing process unit that meets the criteria of § 63.100(b);
- The item of equipment is controlled less stringently than in table 35 and is not listed in §63.100(f), and the item of equipment is not otherwise exempt; and
- The item of equipment is a tank that receives one or more streams that contain water with a total annual average concentration greater than or equal to 1,000 ppm (by

weight) of Table 9 compounds at an annual flowrate greater than or equal to 10 liters per minute.

40 C.F.R. § 63.111 incorporates the definitions of part 63, subpart F, which defines *cover*, as used in wastewater provisions, as a device or system placed on or over a waste management unit containing wastewater or residuals so that the entire surface area is enclosed to minimize air emissions. A cover may have openings necessary for operation, inspection, and maintenance of the waste management unit such as access hatches, sampling ports, and gauge wells provided that each opening is closed when not in use. Examples of covers include a fixed roof installed on a wastewater tank. A fixed roof is defined as a cover that is mounted on a waste management unit or storage vessel in a stationary manner and does not move with fluctuations in liquid level.

Specific Regulations	Findings
Title V Permit (Permit V-19-016 R1) Section B – Emission Units, Emission Points, Applicable Regulations, and Operating Conditions Wastewater/Storm-water Storage Tanks Compliance demonstration method 1 on page 32 of 190, requires Westlake to route all emissions from the contaminated wastewater storage tank (EPN 445) and stormwater storage tank (EPN 446) to either the Oxy Incinerator or Primary Thermal Incinerator. **Table 35 to subpart G** requires Westlake to maintain a fixed roof on the tanks, with a closed vent system that routes vapors to a control device meeting the requirements of 40 C.F.R. 63.119(e)(1) or (e)(2).	On April 18, 2023, NEIC inspectors measured emissions from a vacuum breaker vent and the pressure release hatch on tank TK-1804A and from a gauge hatch on tank TK-1804B. The TVA readings exceeded 10,000 ppmv and overwhelmed the instrument causing it to "flameout," meaning the emission saturation was high enough to shutoff the flame in the TVA. The emissions from the tank also caused the NEIC five-gas monitor to alarm. Westlake's leak detection and repair contractor, Atlas, confirmed NEIC's readings using flame ionization detectors. NEIC inspectors also detected emissions from the vacuum breakers by smell. NEIC inspectors took the following TVA readings from TK-1804A: • Vacuum breaker: flameout (Atlas confirmation reading: 28,813 ppm); • Pressure relief hatch: flameout (Atlas confirmation reading: 90,499 ppm). NEIC took the following TVA readings from TK-1804B: • Gauge hatch: flameout (Atlas confirmation reading: flameout); • Vacuum breaker: 800 ppm (Atlas confirmation reading: 1,100 ppm).

	Based on the readings, some emissions from the tanks were not being routed to the incinerators as required by the title V permit and Table 35. The covers also did not meet the definition in 40 CFR § 63.111 in that they were not enclosed in a manner to minimize emissions.

V. Uncontrolled Vapors from the EDC Shore Tanks #8 and #9

Potential Violation No. 8: Some emissions from the EDC shore tanks No. 8 and No.9 were not routed to either the Oxy Incinerator or Primary Incinerator. [40 C.F.R. § 63.119(e) and Conditions 1(b) and 1(c) for No. 2 EDC Shore Tank, EDC Truck Loading, No. 7-9 EDC Shore Tanks, Light Ends Tank in Section B of the Title V permit]

Applicable Regulations

40 C.F.R. § 63.111 incorporates the definitions of part 63, subpart F, which defines a *closed-vent system* as a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission point to a control device.

40 C.F.R. § 63.119(a)(1) requires Westlake to reduce hazardous air pollutants emissions to the atmosphere by operating and maintaining a fixed roof and a closed-vent system and control device in accordance with the requirements in 63.119(e).

Title V Permit (Permit V-19-016 R1)
Section B - Emission Units, Emission Points, Applicable Regulations, and Operating Conditions
032 (EPN 453) Oxy Incinerator and 033 (EPN 530) Primary Thermal Incinerator
(EPN 735) No. 8 EDC Shore Tank
(EPD 736) No. 9 EDC Shore Tank
Condition 1(b) on page 50 of 190 requires Westlake to reduce hazardous air pollutants emissions to the atmosphere by operating and maintaining a fixed roof and routing the emissions to a control device in accordance with 63.119(e).
Condition 1(c) on page 50 of 190 requires Westlake to comply with 63.119(e)(1).

Specific Regulations	Findings
40 C.F.R. § 63.119(e)(1) requires Westlake to route emissions from the shore tanks to a control device that is designed and operated to reduce inlet emissions of total organic HAP by 95 percent or greater.	On April 17, 2023, NEIC inspectors observed emissions from the vacuum breaker side of the conservation vent on the No. 8 EDC shore tank. The emissions caused NEIC's TVA to

	flameout. Using a flame ionization detector, Atlas measured 82,000 ppm. On the same day, NEIC inspectors also observed emissions from the conservation vent on the No. 9 EDC shore tank. The emissions caused NEIC's TVA to flameout. The Atlas flame ionization detector also flamed out. The shore tanks are group 1 storage vessels, subject to 40 C.F.R. 63.119(a)(1), which requires the tanks to comply with 63.119(e). Westlake's failure to route all emissions from shore tanks No. 8 and No. 9 to the incinerators is a violation of 40 C.F.R. § 63.119(e).