

11/12/99

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Thuy T. Mai
Environmental Engineer
DuPont Packaging and Industrial Polymers
P. O. Box 347
La Porte, Texas 77572-0347

Re: Request for Compliance Extension - Equipment Leaks with the National Emission Standard for Hazardous Air Pollutants (NESHAP) of 40 C.F.R. Part 63, Subpart PPP for Polyether Polyols Production

Dear Ms. Mai:

This is in response to your letter of August 19, 1999, to Mr. Samuel Coleman, Director of the Compliance Assurance and Enforcement Division, EPA Region 6 (i.e., Region 6), requesting a time extension until December 1, 2000 to comply with the equipment leak provision requirements of the NESHAP for Polyether Polyols Production prescribed in Title 40 of the Code of Federal Regulations (40 C.F.R.), Part 63, Subpart PPP for the existing La Porte, Texas Terathane Manufacturing facility of Du Pont. Section 112(i)(3)(B) of the U.S. Clean Air Act, as last amended, (i.e., CAAA) provides that such a compliance date extension may be granted "if such additional period is necessary for the installation of controls".

Your request for this extension of compliance was identified as being made in accord with the provision(s) of 40 C.F.R. § 63.1422(e)(3), as an existing *affected* source that will not be in compliance by December 1, 1999, due to circumstances beyond the reasonable control of the facility. Your stated circumstance is that a petition to EPA for delisting methanol from the hazardous air pollutants (HAP) list was published in Federal Register of July 19, 1999, and methanol is the only organic HAP being used in the production of polyether polyols (i.e., Terathane) at the La Porte Plant.

Our Region 6 review of your extension request found that the petition to delist methanol is not currently finalized and is on schedule to be resolved by August, 2000. Under 40 C.F.R. § 63.1422(e)(3), an extension of compliance request "shall include, in addition to the information specified in paragraph (e)(1) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problem". 40 C.F.R. § 63.1422(e) also provides that such a compliance extension request must include the data/information prescribed by 40 C.F.R., § 63.6(i)(6)(i)(A), (B), and (D).

Pursuant to 40 C.F.R. § 63.6(i)(12)(ii), this is to notify you that your request for a compliance extension has been found incomplete and cannot be completed without information required by 40 C.F.R. § 63.6(i)(6)(i), including the reason(s)/problem(s) Du Pont needs an extension of compliance to December 1, 2000. Du Pont has the opportunity to resubmit its request along with the additional required information for consideration. During the interim time frame, EPA Region 6 is also coordinating its consideration of the "Methanol delisting" as a justifiable basis for granting a compliance extension with EPA's Office of Air Quality Planning and Standards and EPA Legal Counsels of Region 6, Office of General Counsel and Office of Enforcement and Compliance Assurance.

Please note that EPA has identified an error in this polyether polyols production MACT standard, promulgated on June 1, 1999. The error involves an inconsistent requirement for two (2) different dates for initial notification submittal; one is June 1, 2000, as specified at 40 C.F.R. 63.1439(e)(3)(ii)(A), and the other 120 days after June 1, 1999, (i.e., September 29, 1999) as indicated in Table 8 of the rule. EPA's recognition of this error can be found and observed at the EPA web site of <http://www.epa.gov/ttn/uatw/polyol/polyolpg.html> (see the enclosed printout copy of web site error identification by EPA).

Jim Yang at (214) 665-7578 or Martin Brittain at (214) 665-7296 of my staff may be contacted with any other questions regarding your request.

Sincerely yours,

John R. Hepola
Chief
Air/Toxics & Inspection
Coordination Branch (6EN-A)

Enclosure (1)

cc: Ms.Karen Olson, Manager Air Permits Section w/copy of 8/19/99, Du pont Ltr.
Mr. Steve Hagle, Air Permits Section w/copy of 8/19/99, Du Pont Ltr.
Mr. Jeff Greif, Engineering Services Section w/copy of 8/19/99, Du Pont Ltr.
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