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July 11, 2011

EPA Docket Center
EPA West (Air Docket)
Attention Docket ID No. EPA-HQ-OAR-2002-0037
U.S. Environmental Protection Agency
Mailcode 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to comment on the proposed National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production, which were published in the *Federal Register* on May 20, 2011 (76 *Federal Register* 29528). NACAA is the national association of air pollution control agencies in 51 states and territories and over 165 metropolitan areas across the country.

After the U.S. Court of Appeals for the District of Columbia Circuit vacated the Maximum Achievable Control Technology (MACT) standard for polyvinyl chloride (PVC) and copolymer production in June 2004, NACAA (then STAPPA/ALAPCO¹) recognized that the Section 112(j) "hammer" could be in effect. Under Section 112(j) of the Clean Air Act, if EPA is 18 months overdue in establishing a MACT standard, affected sources are required to apply for permits and state and local permitting authorities are obligated to issue permits that contain provisions equivalent to MACT, determined on a case-by-case basis.

In view of the fact that state and local agencies could have been faced with the task of determining MACT on their own, NACAA formed a workgroup to develop recommended PVC MACT limits that state and local agencies could use in case-by-case determinations and that could serve as a guide for EPA to consider as it developed a new standard. The association gathered facility-by-facility information and developed recommended emission limits and other provisions that covered vinyl chloride emissions, presented in *STAPPA and ALAPCO's Recommended MACT Limits for Polyvinyl Chloride Plants*² (July 6, 2006).

¹ The State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO)

² <http://www.4cleanair.org/PVCModelRule-070606.pdf>

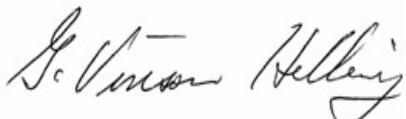
Since our document was published five years ago and, presumably, technologies and controls improve over time, we believe it is reasonable to assume that EPA's MACT determination should be *at least as* protective as the STAPPA/ALAPCO recommendations, if not more so. We have provided you with a link to our document and urge you to ensure that the final limits are at least as stringent as those contained in our recommendations. While the proposed rule divided PVC processes into three groupings (bulk resins, dispersion resins, and other resins, which included the suspension process) and a 12-month rolling average limit, our model rule used two groupings (dispersion and suspension) and called for daily and quarterly average residual vinyl chloride monomer limits. We recommend that EPA ensure that the final rule is as protective of public health as our recommended limits, even if the agency uses different groupings and averaging times.

Additionally, the STAPPA/ALAPCO recommendations focused on vinyl chloride only. However, EPA is required to address emissions of other listed hazardous air pollutants that this source category emits and we strongly urge the agency to ensure that the final rule adequately fulfills this requirement.

Finally, we are pleased to note that EPA is proposing that method 107 be used for compliance purposes, which is consistent with our recommendations. Similarly, we agree with EPA's proposal to require that new and existing facilities comply with subpart UU, which is also in line with STAPPA/ALAPCO recommendations.

Thank you for this opportunity to comment on the proposal. Please contact us if we can provide additional information.

Sincerely,



G. Vinson Hellwig
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NACAA Air Toxics Committee



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