

MEMORANDUM

Date: August 21, 2003

Subject: Summary of August 20, 2003, Conference Call Regarding Development of Generic SSM Plans

To: Larry Brockman, EPA/OAQPS/ITPID/PIRG

From: Donna Lee Jones, EC/R

The purpose of this memorandum is to summarize the conference call that was held on August 20, 2003 for the purpose of discussing with State/Locals and other interested EPA parties, the development of generic example Startup, Shutdown, and Malfunction (SSM) plans for several industry sectors.

ATTENDEES

The following individuals from EPA participated in the call: Larry Brockman (OAQPS), Charlie Garlow (HQ), Mary Ann Warner (OAQPS), and Donna Lee Jones from EC/R.

The following individuals from STAPPA/ALAPCO participated in the call: Mary Stewart Douglas, Mary Sullivan Douglas.

The following states were represented on the call:

- Region I: ME (with written comments)
- Region II: NY, PA(2)
- Region III: DE (with written comments), WV
- Region IV: AL, FL (with written comments), SC, VA
- Region V: IL (with written comments), OH
- Region VI: LA, OK
- Region VII: IA, NE
- Region VIII: MT
- Region IX: UT (with written comments)
- Region X: OR (2)

SUMMARY OF DISCUSSION

Background and Purpose of Call

Larry Brockman began the call by summarizing the purpose of the call and work previously done by EPA to develop an example plan for the Secondary Aluminum (SECAL) NESHAP as well as the implementation tools in general that have been developed for the MACT

programs. Larry then began the current discussion by remarking that requests have been made to EPA to develop example SSM plans. **The EPA would like to know if it made sense to try to develop 3 or 4 example SSM plans to cover a number of MACTs by grouping them together.** If so, Larry requested comments on the issues that EPA should consider, the cautions, and what should and should not be covered in these example generic SSM plans. Larry Brockman also requested comments on the SECAL Plan and the level of detail. No comments were made specific to the SECAL plan.

“Green Light” Comments

Many callers (and written commenters) thought that the generic plans would be helpful and that the plans would be helpful for the state/local (S/L) inspectors, especially inexperienced ones, as well as the regulated community. **Checklists for the SSM plans were cited as an example of a useful tool, as less onerous than a full plan, with the checklists especially useful if they targeted the most important items required in the SSM plans.** That this concept of a checklist was suggested in the original 1994 General Provisions as a recordkeeping approach for a source.

The example SSM plans, however, were seen as being **especially helpful to the “mom and pop” sources,** since the big firms would have organized teams to develop an SSM plan. In a written comment, it was stated that maybe EPA should then focus on examples for MACT categories most likely to affect the smaller businesses, e.g., various surface coating operations. In this regard, a written commenter stated that a SSM plan for the Industrial Boiler MACT would probably be useful because it may help out smaller less sophisticated facilities.

Many commenters had similar ideas about what the SSM plans should address: What are the key parameters in terms of operation, in terms of meeting the MACT requirements, in terms of avoiding exceedances; what steps should be taken if the parameter goes outside the limit; what is the time frame that should be “allowed.” A comment was made that just the General Provisions rule elements should be addressed and then some examples given. The commenter was firm in saying that an “example” should be construed as “just an example” and not a binding element.

A suggestion was given and reiterated by others that it might be a good idea to group the example SSM plans by control device (e.g., thermal oxidizers, caustic/water scrubbers). Control devices were seen as a way to cut “across the board” and target a number of MACTs.

Another idea was to select generic processes to target in example SSM plans. Subpart D (NSPS) for Boilers was cited as a good template for a SSM plan, especially for small sources. In written comments (FL) it was noted that Table 3 of Subpart QQQQ (Surface Coating of Wood Building Products) has a list of many of the control devices that are found in many of the MACT categories, especially the surface coating MACT categories. Also, Table 8 of the proposed Subpart FFFF for MON has a good list of the control devices that are likely to be found at chemical manufacturing plants. The tables in the proposed Subpart DDDDD-Boilers/Process

Heaters have lists of the control devices that are likely to be used on fuel combustion sources. The written comments also supported the idea of developing SSM Plans for common process. These categories of surface coating, chemical or materials manufacturing/processing, and fuel combustion were cited as likely to cover the majority of MACT categories.

A comment was made that in the process of developing tools for the Paper and Other Web Coating (POWC) NESHAP, the SECAL SSM plan was consulted and large portions appeared to be able to be transferred to the POWC industry. This fact was seen as supporting the effort to develop generic plans to cover a number of industries or industry groups, generic processes, and control devices.

Others thought that a guidance document would be more useful than an example SSM plan, that contained thought-provoking questions, for example: What do you do when a malfunction occurs? When will you return to compliance? That “guidance” on what should be contained in a SSM plan would be useful. It was stated that since the Plan is site specific, any guidance should be as flexible/generic as possible and EPA should stay away from an example plan since a plan is a huge effort and appears too difficult to do.

“Red Light” Comments

On the other hand, the development of **generic SSM plans was seen as problematic.** Reasons cited were that it was **too ambitious.** That there are so many MACTs, control systems that it is impossible to cover all the types, that the devices were too different. In written comments (DE), the S/L representatives with responsibility for refineries or major chemical operations felt the current standard operating procedures more than adequately meet the SSM plan requirements and did not believe the generic SSM plans would serve a value. Another official believed that a generic SSM plan **would not be helpful due to the individuality of facilities,** although **“guidance” on what should be contained in such plan would be useful.**

Further on the “guidance” topic, a S/L in written comments stated that SSM plan guidance should include a listing of minimum expectations, but still believed that an example facility and its SSM plan would also be useful. **Another commenter in the meeting stated that although they thought an example SSM plan should not be prepared, they thought guidance should be provided. through thought provoking questions, for example: What do you do when a malfunction occurs? When will you return to compliance? The commenter thought that the SSM plan guidance should be kept generic and EPA should stay away from an example plan since a plan is a huge effort and appears too difficult to do.**

A commenter raised the question that if facilities have already submitted their SSM plans, would guidance or an example SSM plan possibly cause them to be rewritten? On a similar note, it was stated in a written comment that it would be pointless to try and include those MACT source categories already promulgated and therefore EPA should focus on groupings of MACT’s (or processes) that have not hit their compliance date or haven't been promulgated.

It was also stated that if the plans were too generic they would not address the time frame to fix the malfunction, that regulators need to be firm about requiring the sources to fix the malfunctions as soon as possible.

On this last point, a comment was made by the EPA contractor that in the previous work drafting the SECAL SSM plan, the **industry representatives did not want to be constrained by a SSM plan that stated exact time periods**. The industry believed that the requirements of the General Provisions would be interpreted by the States as being literal in terms of time frames, and that the facility would then need to resubmit their plans every occasion that they varied from the exact stated time period. A regulator reiterated that some kind of time frame was needed or else days or months could pass. Another regulator commented that a report was required after exceedances anyway.

Root Cause Analysis

Charlie Garlow commented that if malfunctions happened over and over again then some guidance should be provided to **require sources to look at the problems that might be causing the malfunctions**; that there may not be a true malfunction at hand, but an operation or maintenance issue. This statement was seen as related to the root cause analysis (RCA) that EPA is developing in response to an incident at petroleum refineries. Charlie stated that if a facility has a malfunction, they should do a RCA and put that in the malfunction plan so it doesn't happen again. And that the facility's SSM plans should be built through the RCA's. In this manner, malfunctions will be reduced as well as emissions. A comment was made, however, that requiring RCA's for the "mom and pop" sources would not work. A written comment suggested **giving sources a "How to" for doing Root Cause Analyses**. This may in fact be underway already at EPA.