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Air/Toxics & Inspection
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RETURN RECEIPT REQUESTED

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733
Attn: Craig Lutz

RE: Clean Air Act Section 114 Information Request – Non-CBI Response
The Premcor Refining Group, Inc, A Valero Company
AFS ID 4824500004

Dear Mr. Lutz:

Enclosed please find Valero Port Arthur Refinery's (the "Refinery") response to EPA Region VI's Request for Information under Section 114 of the Clean Air Act ("114 Request"), received on May 14, 2013. As required by the 114 Request, the Refinery is submitting its response within 30 days of the receipt. In addition to this letter, the Refinery has produced responsive data and documents via CD. Data and documents are provided in separate electronic folders identified by Exhibit and Question number.

OVERVIEW AND GENERAL OBJECTIONS

1. Scope of Review.

The 114 Request itself contains 9 separate questions, many of which contain subparts. In order to identify information responsive to all of these requests within the 30 days allowed by EPA, the Refinery convened a production team that has engaged in data and document identification, reviewed environmental and administrative files at the Refinery, reviewed responsive data and documents with the Refinery's Environmental Director, Environmental Manager, and staff-level environmental engineers. The Refinery is producing all data and documents that it believes to be responsive which can be reasonably produced within the time frame allowed by EPA.

At the same time, the breadth of the questions and the extremely short response time required the Refinery to impose certain limitations on the scope of the review. For example, Refinery personnel reviewed files where they expected responsive data and documents would be most likely kept in the ordinary course of business and produced responsive information. The Refinery was unable to perform an exhaustive search for all data and documents due to insufficient time.

2. General Objections.

As a threshold matter, the Refinery reserves its right to object to the 114 Request on the basis that it may violate the Paperwork Reduction Act ("PRA"). EPA is prohibited from conducting a "collection of information" directed towards more than ten persons without undertaking several procedural steps under the PRA including, most

significantly: (1) obtaining approval from the Office of Management & Budget (OMB); (2) publishing advanced notice for public comment of the proposed collection of information in the Federal Register; (3) obtaining a valid OMB control number for the information request; (4) marking that control number on the request together with a statement that the respondent is not required to respond to the information request unless the collection of the information displays a valid OMB control number. See 44 U.S.C.A. §§ 3502(a)(3), 3506(c), 3507(a).

The Refinery believes EPA has sent identical or virtually identical 114 Requests to more than ten persons. If the requests constitute a collection of information under the PRA, the Refinery would not need to respond to the 114 Request because EPA has not provided either an OMB control number or the requisite statement that the Refinery need not respond if no such control number is provided. Further, as far as the Refinery is aware, no notice of the information request was published in the Federal Register. The Refinery therefore may not be required to respond to the 114 Request. However, without waiving any objections, claims or defenses, the Refinery has chosen to provide as much information to EPA as it reasonably can in the time provided.

The Refinery also raises a general objection to the 114 Request to the extent the documents or information requested are outside the scope or authority of Section 114 of the Clean Air Act ("CAA"), 42 U.S.C. § 7414. Except when gathering information for administrative proceedings, EPA's authority to request information from any person under Section 114 is limited to information relevant to determining the person's compliance status, CAA § 7414(a)(ii). Many of the questions seek information that goes well beyond the applicable regulatory requirements (for example, detailed documentation on various measures of Vent Gas composition and steam rates to the flare). The Refinery objects to those aspects of the information requests that demand information that either was, during the relevant timeframes, or is not required to be developed and maintained to demonstrate compliance.

EPA's authority under the CAA is also circumscribed by the standard of reasonableness. Accordingly, the Refinery also objects to the individual requests to the extent they are vague, unclear, ambiguous, unnecessarily burdensome, or call for speculation. For example, several of the requests seek data that the Refinery does not regularly maintain at all, or in the required format; others would require the Refinery to perform a variety of detailed calculations that are not required under any permit or regulation. Section 114 does not allow EPA to require facilities to interpret, assemble, compare, contrast, summarize, create, change the format of, or manipulate in other ways the available information. In the spirit of cooperation, and in an attempt to respond to the request, the Refinery is producing readily available data and, where appropriate, estimates based on such data.

The Refinery further objects because the time provided for the response is unreasonable. These requests are not limited to merely obtaining and copying specifically identified documents, but rather requests the Refinery to perform extensive calculations and data manipulations. The Refinery cannot reasonably be expected to respond to such extensive requests within the 30 days allowed by EPA.

The Refinery also objects to requests that require the Refinery to draw legal conclusions. Legal opinions are not "information" that the Refinery is required to provide pursuant to Section 114 of the CAA. The Refinery further objects to the 114 Request to the extent that it seeks documents that are subject to the attorney-client privilege, the attorney work product privilege, or any other applicable privilege, protection, or immunity authorized by law.

Without limiting the foregoing and reserving its rights to assert any of its objections at any time, the Refinery also sets forth specific objections in the narrative responses to specific questions, outlined below. The Refinery's review and document production is limited by both its general objections to the 114 Request and by the request-specific objections and clarifications noted below.

The Company further objects to the following Instructions and Definitions:

Instruction 1. The Refinery objects to Instruction 1, because the open-ended obligation to supplement every response imposes a significant and undue burden that is not justified under Section 114. Continuously

supplementing the response to these requests on an ongoing basis would impose an unreasonable burden on the Refinery and is unnecessary to accomplish the stated purpose of Section 114, which is to determine the Company's current compliance status (see 42 U.S.C. § 7414(a)(ii)). In order to respond within the 30 days required by EPA, the Refinery provides herein responsive documents and information that was generated through October 10, 2011, through January 31, 2013, for Questions 1 – 5 and 7; April 14, 2013, through May 14, 2013, for Question 6; and through May 14, 2013, for Questions 8 and 9.

Instruction 2. The Refinery objects to the instruction to provide all of the documents in a "logically sequenced, bound format" because it is unduly burdensome, impractical, and in conflict with earlier portions of the instruction. Given the scope of the documents requested, the Refinery cannot produce them in a "bound" format; given the extremely short time provided for a response, the Refinery cannot manipulate the large number of documents involved into a specific "sequence." The Refinery is producing the available documents as they are maintained in the ordinary course of business.

Instruction 3. The Refinery objects to the instruction to provide a separate response to each question, to the extent it requires the Refinery to provide a written explanation in addition to responsive documents. Several requests ask for specific documents or facts that are not readily convertible to a narrative format. Moreover, where such documents are available, the documents themselves are the best available source of the requested information. In most cases, the Refinery has provided information responsive to the requests in the form in which it is maintained in the ordinary course of business.

Instruction 4. The Refinery objects to the instruction to identify each individual who was involved in preparing its responses because it is outside the scope of Section 114 and unduly burdensome. Section 114 allows EPA to assess a facility's compliance with the law; the identity of specific individuals who prepared the response to these requests is entirely irrelevant to that effort. Moreover, given the extremely broad scope of the requests, the Refinery cannot reasonably identify each specific employee who may have been consulted at some point to determine whether he or she had relevant knowledge. The Company has identified the employee who had primary responsibility for overseeing development information responsive to each request. Paula LaRocca had primary responsibility for overseeing development of this information for the Port Arthur Refinery.

Instruction 5. The Refinery objects to the instruction to identify each document "consulted, examined, or referred to" in preparing its response as vague and unduly burdensome and beyond the scope of Section 114. Given the breadth of both the requests and the definition of "document," the Refinery has been required to review significant amount information in an attempt to identify responsive material. Some of these documents were nonresponsive; and so by definition, these documents cannot advance the compliance goals of Section 114 and therefore need not be produced. Other documents were duplicative, only tangentially related to the issues in the request, and/or not the best source of the requested information. Again, given the extreme breadth of the request and the limited time allowed for a response, it is unduly burdensome to demand that the Refinery produce copies of all such documents.

The Refinery further objects to Instruction 5 to the extent it demands that the Refinery produce documents even when the applicable information request demands only a written explanation. Requiring the Refinery to produce the same information in multiple formats is duplicative and unduly burdensome, especially in light of the broad scope of the requests and limited time provided to respond.

Instruction 6. The Refinery objects to EPA's demand that if there is no responsive information or documents for a particular question, then it is to "submit a statement certifying this, along with a detailed explanation." There is no legal basis for requiring such a certification as part of a CAA Section 114 information request. Although

§7414(a)(3) allows EPA to require a certification statement under the Title V Operating Permit program, that provision does not extend to CAA Section 114 information requests.

Definition 1. The Refinery objects to the definition of "document" as beyond the scope of Section 114, overbroad, vague, and unduly burdensome, especially in light of the extremely limited time allowed for a response. The definition devotes seventeen lines of text to identifying almost 60 separate examples of "documents" that the Refinery is required to produce, including phone messages, journals, desk pads, and all available electronic data, including backup tapes and memory cards. Moreover, the definition further demands that the Refinery produce multiple copies of each document, together with every document that happens to be "referred to" in any of the above materials. The Refinery cannot reasonably produce such extensive, duplicative information for several years of operation within the 30 days allowed by EPA. As discussed above, the Refinery has devoted significant effort to responding to the 114 Request. The Refinery has reviewed the locations that it reasonably anticipated would contain responsive information, and has communicated with relevant personnel, and has produced the information and documents that the Refinery believes, based on its engineering and professional judgment, are responsive to the Request. During the course of this effort, the Refinery has not excluded any documents based on the type or format of the document, but it has not made specific efforts to identify all of the listed categories of documents.

Definitions 2-4. The Refinery objects to the definitions of "Valero Port Arthur Refinery," "Valero," "person," "persons," "you," and "yours" as beyond the scope of Section 114, vague, overbroad, and unduly burdensome as it relates to (i) related corporate entities, including predecessors and successors; (ii) corporate officers and directors; (iii) agents and representatives; and (iv) non-Valero personnel, including consultants, attorneys, and accountants. The requests are designed to assess the compliance status of the Refinery; many of the individuals and entities referred to in Definitions 2-4 would have no information responsive to these requests, or would have only duplicative information. The Company has focused its efforts on those locations and individuals whom it believes are most likely to contain/have knowledge of responsive information. During the course of this review, the Refinery has not excluded any individuals or entities based on the distinctions set forth in Definitions 2-4, but it has not made specific efforts to search all of the other related entities and individuals covered by these terms.

The Refinery further objects to the inclusion of its attorneys in Definition 4, because it violates the attorney-client privilege and attorney work-product immunity.

3. Objection to the Requirement for Certification.

The Refinery objects to EPA's demand for a certification from a "responsible official," because there is no legal basis for requiring such a certification as part of a CAA Section 114 information request. Although §7414(a)(3) allows EPA to require a certification statement under the Title V Operating Permit program, that provision does not extend to CAA Section 114 information requests. Moreover, as a practical matter, the Refinery cannot truthfully sign the required certification given the timeframe to develop a response and the scope of the

information at issue. As noted above, the 114 Request asks the Refinery to provide extensive documentation, compiled over a significant period of time by a variety of personnel (some of whom may no longer be employed by the Refinery) and also asked for estimates. Nevertheless, the Refinery believes that it is producing true and complete copies of the responsive documents as they were found at the Refinery and, where required, has endeavored to develop responsible data that it believes to be accurate based on available information.

4. Confidential Business Information

The Refinery asserts claims of Confidential Business Information ("CBI") for the response to Question 8 pursuant to its rights under 42 U.S.C. § 7414(b) and 40 C.F.R.§ 2.120 et seq. A separate CBI response is being submitted.

Without limiting the foregoing and reserving its rights to assert any of its objections at any time, the Company also sets forth specific objections in the narrative responses to specific questions in the Requests, outlined below. The Company's review and document production is limited by both its general objections to the 114 Request and by the request-specific objections and clarifications noted below.

RESPONSES TO SPECIFIC REQUESTS

Question 1. For each day beginning on October 12, 2011, until January 31, 2013, list the periods of time (date, start time, and end time) and the flare that Waste Gas, Purge Gas, and/or Supplemental Gas was routed to each flare at the Valero facility (i.e., "venting periods"). This request and all requests below seek information regarding all facility devices meeting the definition of flare set forth in footnote 1. If any flares have been taken out of service or added into service during the time frame specified in this letter, please state so, and provide any information within the time period specified.

Response. The Refinery objects to Question 1 because it is vague and ambiguous. The Refinery further objects to Question 1 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. The Refinery is providing data responsive to this question by flaring device. During the time period in question, some form of Pilot Gas combined with Vent Gas was routed to all of these flares continuously except for Flare 26, which is described on the next page.

Flare	Venting Periods
5	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
13	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
15	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
18	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
19	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
B103	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
20	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
22	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013
23	00:00 hours, October 12, 2011 – 23:59 hours, January 31, 2013[4]
26	[1]12:00 hours, August 17, 2012 – 23:59 hours, August 28, 2012[2] [3,5]12:00 hours, September 7, 2012 – 23:59 hours, January 31, 2013

[1] Flare 26 initial start-up began on 8/17/2012
[2]Flare 26 shutdown due to unit shutdown
[3]Flare 26 second start-up began on 9/7/2012
[4]Flare 23 added to FGRU 7042 on 6/28/2012
[5]Flare 26 added to FGRU 7042 on 9/7/2012

Question 2. For each venting period listed in response to paragraph 1 above, provide the average heating value, in BTU/scf, of the stream that was vented to each facility flare. The averaging time shall not be greater than one hour. If the heating value is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations describing how you arrived at your response.

Response: The Refinery objects to Question 2 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery further objects to Question 2 because it is vague and ambiguous. The Refinery objects to this request to the extent it requires the Refinery to speculate and to provide a written explanation in addition to responsive documents. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.

- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. As the question is vague, the Refinery made certain assumptions in order to provide an answer to this request. The Refinery assumed that this request seeks the average *net* heating value and that the averaging period is one hour. Hourly data is not monitored and recorded by the Refinery in the normal course of business for any flare except Flare 13.

All Flares Except Flare 13

Periodic and infrequent grab samples were obtained and analyzed for the Vent Gases for Flares 18, 22, and 23. Grab samples were not obtained for Flares 5, 15, 19, 20 and B103. The recorded time associated with each sample was not always accurate as to the hour of its collection on a given day. The *net* heating value was calculated in British Thermal Units per standard cubic foot (Btu/scf) and determined based on each credible sample. The results of the *net* heating value calculations are limited to the hour, as best the

Refinery could determine in light of the issues surrounding timing, in which the credible sample was recorded. Given the varying compositions of materials routed to the flares, the Refinery did not extrapolate these results beyond the hour in which the sample was labeled. In light of the above, the lab data was tabulated and may be found in Exhibit A on the attached CD.

Flare 13

Flare 13 has a calorimeter which measures the *net* heating value in BTU/scf. The calorimeter was commissioned and calibrated initially on September 3, 2011, near the starting date of the time period of this request (October 11, 2011).

The accuracy of the calorimeter is questionable from the starting date of the request to April 4, 2012 because there was no official revalidation occurring on a monthly basis and due to the sporadic variance of the data. The Refinery began monthly revalidation of the device at that time and it continues to do so. According to the manufacturer of the calorimeter, a monthly revalidation of the device is sufficient for the application in which we use the calorimeter. Also, the online data experienced patterns of irregularity before April 4, 2012. Therefore, due to the lack of any revalidation and the large variance of the data on the calorimeter presented from October 11, 2011 – April 4, 2012, we believe the data to be inaccurate during that time period. However, as the instrument went through multiple revalidations from April 4, 2012 up until the end of this request, the Refinery believes the accuracy of the device produced reasonably reliable results reflective of actual field operations.

In spite of this issue and per the request to produce data, the average *net* heating value data was calculated on an hourly basis during the venting period and may be found in Exhibit B on the attached CD. Additionally, periodic and infrequent grab samples were obtained for Flare 13 and are in Exhibit A on the attached CD.

Question 3. For each venting period listed in response to paragraph 1 above, provide the average mass flow rate of the Vent Gas, in lb/hr, that was vented to each facility flare. The averaging time shall be no more than one hour. If the mass flow rate is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations describing how you arrived at your response.

Response. The Refinery objects to Question 3 because it is vague and ambiguous. The Refinery further objects to Question 3 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery objects to this request to the extent it requires the Refinery to speculate and to provide a written explanation in addition to responsive documents. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. The Refinery is providing data responsive to this request by flaring device.

Flares 13, 15, 18, 20, 23, and 26

Calculation of continuous mass flow rate can be achieved through continuous measurements of volumetric flow, and flare gas molecular weight or composition. Flares 13, 15, 18, 20, 23, and 26 have both an online volumetric flow meter and an online molecular weight meter. However, the Refinery cannot verify the accuracy of the flow meters for the flares during the venting period as identified in Question 1. Although the Refinery cannot ensure that the flow meters were 100% accurate for the relevant time periods, the Refinery compiled flow data for the venting period, identified in Question 1, which may be found in Exhibit C on the attached CD.

Flares B103, 19, and 22

Flares B103, 19, and 22 are all outfitted with an online volumetric flow meter. However, they lack an online molecular weight meter. Therefore, the mass flow rate cannot be calculated using the same method as for Flares 13, 15, 18, 20, 23, and 26. An alternative method to obtain mass flow rate is to use the available volumetric flow meter readings and the molecular weight measured from laboratory analyses of grab samples. As indicated in Question 2, the site did obtain periodic and infrequent grab samples. However, as the recorded time of the sample collection was not always accurate as to the hour of its collection on a given day, it is not good engineering practice to attempt to coincide the flow data and the composition sample with a specific time period of shorter duration than a day. Since the question specifically states not to utilize a time period greater than one hour, the Refinery is unable to provide Vent Gas in pounds per hour (lb/hr) for Flares B103, 19, and 22.

Flare 5
Continuous monitoring of the mass flow rate of all material routed to Flare 5 was not required by any regulation or permit condition at the time of this 114 Request. The Refinery could estimate volumetric flow using engineering estimates based on the properties of control valves, and their position during the venting period. The methods used are commonly employed and consistent with those from *Flow of Fluids Through Valves, Fittings, and Pipe*, by Crane. The Refinery did not have any flaring events on this flare during this time period in question; therefore, the composition of the Vent Gas is natural gas-sweep gas only. However, the control valve controlling the natural gas to the flare is not historized. Therefore, we are unable to provide the Vent Gas in pounds per hour (lb/hr) for Flare 5.

Question 4. For each venting period listed in response to paragraph 1 above, provide the average rate at which steam and/or air was being added to each facility flare, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (i.e., the sum of seal, upper, lower, winterizing, etc.) during each venting period. The averaging time shall not be greater than one hour. If the steam and/or air flow is not measured, you shall use the best means available to estimate it on an hourly basis. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

The Refinery objects to Question 4 because it is vague and ambiguous. The Refinery further objects to Question 4 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery objects to this request to the extent it requires the Refinery to speculate and to provide a written explanation in addition to responsive documents. Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response.

All Flares Except Flare 5 and B103
The steam lines to all flares except Flares 5 and B103 were equipped with orifice plates during the specified time period. However, these flow measurement devices were not required by rule or regulation. Therefore, quality assurance regarding the accuracy of the flow data was not considered. The Refinery was unable to verify the accuracy of the data provided. The average hourly flow rates were extracted from the refinery process historian as block one-hour averages and may be found in Exhibit D on the attached CD.

Flares 5 and B103
Flares 5 and B103 are steam assisted and were equipped with control valves that read a percent open during the specified time period. The Refinery used valve data provided by the manufacturer. The data from the manufacturer was plotted on a graph and a function was extracted and used to estimate the flow through the control valve at any given point. The average percent open of the control valves were extracted from the refinery process historian as block one-hour averages and substituted into the function to estimate the mass flow rate of steam through the control valves supplying Flares 5 and B103. The Refinery was unable to verify the accuracy of the data provided. Nevertheless, the Refinery compiled the data which may be found in Exhibit D on the attached CD.

Question 5. For each venting period listed in response to paragraph 1 above, provide the average steam-to-Vent Gas or air-to-Vent Gas ratio (lb steam/lb Vent Gas or scf of air/lb of Vent Gas) during any release to each facility flare. The averaging time shall be no more than one hour. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

Response. The Refinery objects to Question 5 because it is vague and ambiguous. The Refinery further objects to Question 5 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery objects to this request to the extent it requires the Refinery to speculate and provide a written explanation in addition to responsive documents. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" of "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, the Refinery provides the following response. Continuous monitoring of the steam, Vent Gas flow rate, and steam to Vent Gas ratio at the Refinery flares was not required by any regulation or permit condition at the time of this information request. As discussed in Questions 3 and 4, the Refinery is unable to verify the accuracy of the Vent Gas and Steam measurements. It would be misleading and it would not be good engineering practice to generate calculations based on unverified and inaccurate data. Therefore, any calculation using the data provided in Questions 3 and 4 would be invalid and not represent an accurate reflection of actual vent-steam gas ratio for the time period specified by the EPA.

Question 6. Provide a one-hour average of the concentration of each constituent, with their respective molecular weights and Btu/scf ratings, in each vent stream during venting periods for the dates beginning one month prior to your receipt of this Request.

Response. The Refinery objects to Question 6 because it is vague and ambiguous. The Refinery further objects to Question 6 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. As the request is vague, the Refinery made certain assumptions in order to provide an answer to this request. The Refinery assumed that this request sought continuous monitoring data for the composition of the Vent Gas combusted by these flares (at a frequency of at least hourly).

Continuous monitoring of Vent Gas constituents at the Refinery flares was not required by any regulation or permit condition at the time of this information request. The only data available for the individual flares that can display the concentration, molecular weight, and BTU/scf within that time period is one sample for Flare 18 pulled and ran on May 8, 2013. The sample results may be found in Exhibit E on the attached CD.

Question 7. For each facility flare, provide the minimum steam or air addition rate, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (seal, upper, and lower). To the extent that the minimum steam or air addition rate changes on a seasonal basis, state the minimum rate for each season and the time periods during which each season's minimum rate applies.

Response. The Refinery objects to Question 7 because it is vague and ambiguous. The Refinery further objects to Question 7 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep.

As the question is vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery has assumed that this question seeks design minimum steam rates.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. The minimum steam addition rates for the flares identified in Question 1 are provided below. These minimum rates do not change on a seasonal basis.

Flare ID	**Minimum Steam Addition Rate lbs/hr**				
	Flare Location for Steam				
	Center	Seal	Upper	Lower	Combined
5	N/A	N/A	250	N/A	250
13	No minimum available				
15	N/A	N/A	6,400	N/A	6,400
18	N/A	N/A	660	756	1,416
19	N/A	N/A	N/A	N/A	300
20	N/A	N/A	480	200	680
22	No minimum available				
23	N/A	N/A	N/A	N/A	1,575
26	500	N/A	2,000	N/A	2,500
103B	N/A	N/A	450	N/A	450

Question 8. For the date range specified in paragraph 1 above, if there have been any changes made, since the submission of the response to the previous 114 letter dated October 5, 2011 (Previous 114 letter), to any and all documents in your possession, custody, or control, that prescribe or recommend the amount of steam or air to be added to each facility flare, provide copies of the documents, with an itemized list of the changes. Provide a copy of the entire document if, within the document, it states the maximum steam or air rate, minimum steam or air rate, steam or air addition rate associated with a vent scenario, general steam-to-vent gas or air-to -organic gas/vent gas ratio, or any other reference to steam addition. If there have been no changes, additions, or subtractions for any of the afore mentioned documents since the submission of the response to the Previous 114 letter, please state that this paragraph is not applicable.

Response. The Refinery objects to Question 8 because it is vague, unclear, ambiguous, overly broad and unnecessarily burdensome. Additionally, the Refinery objects to Question 8 as it seeks confidential business information. The Refinery further objects to Question 8 to the extent that it seeks information not kept by the Refinery in the normal course of business and to the extent it seeks information that the Refinery was not and/or is not required to keep. The Refinery also objects to the use of the undefined terms in the 114 Request "Purge Gas," "Waste Gas," "Supplemental Gas," and "Vent Gas." As these terms are vague, the Refinery has made certain assumptions in order to provide an answer to this request. The Refinery assumes the following definitions.

- "Pilot Gas" means gas injected at a flare tip to maintain a flame.
- "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen build up in the Flare header and/or to maintain a constant flow of gas through the flare and out the tip.
- "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
- "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
- "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

Without waiving these objections, and in an attempt to respond to this request, the Refinery provides the following response. Due to confidentiality of the information the Refinery must provide in this response, a separate CBI response is being provided.

However, in an attempt to respond to Question 8 in a manner that is non-confidential, a Flare Management Plan, produced on November 13, 2012, prescribes that 2,500 lb/hr of minimum steam flow should go to Flare 26. The Flare Management Plan may be found in Exhibit F (Non-CBI) on the attached CD.

Question 9. For each facility flare, if there have been any changes in federal and/or state regulatory applicability to each flare since the submission of the response to the Previous 114 letter, state with specificity the changes. If any facility flare is listed in a permit issued under federal and/or state regulations, that has been added, removed, renewed, altered, or changed since the submission of the response to the Previous 114 letter, provide an electronic copy, preferably in "PDF", of the permit, with an itemized list of the changes. If there have been no changes in regulatory applicability or permits to any of the facility flares, please state that this paragraph is not applicable.

Response. All changes to state, federal regulations, and permit numbers for the flares are shown in the table below. If there were no changes since the previous response, then it is be labeled N/A. Flare 26 was commissioned for the first time on August 17, 2012. The permits shown on the next page may be found in Exhibit G on the attached CD.

Flare ID	State Regulation(s)	Federal Regulation(s)	Permit No.(s)
Flare 5	N/A	N/A	N/A
Flare 13	N/A	40 CFR 60, Subpart Ja	N/A
Flare 15	N/A	40 CFR 60, Subpart Ja	N/A
Flare B-103	N/A	40 CFR 60, Subpart Ja	N/A
Flare 18	N/A	40 CFR 60, Subpart Ja	N/A
Flare 19	N/A	40 CFR 60, Subpart Ja	N/A
Flare 20	N/A	40 CFR 60, Subpart Ja	N/A
Flare 22	N/A	40 CFR 60, Subpart Ja	N/A
Flare 23	N/A	40 CFR 60, Subpart Ja	N/A
Flare 26	30 TAC, Chapter 111	40 CFR 60, Subpart A 40 CFR, Subpart CC 40 CFR 60, Subpart Ja	03423 6825A 80812

The Refinery has made a sincere effort to produce all documents that it believes to be responsive which can be reasonably produced within the requested timeframe. For additional information about the request, please contact me at 409-985-1200.

Sincerely,

Paula LaRocca
Manager Environmental Engineering

JB/cmg

Enclosures