UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue
Dallas, Texas 75202-2733

SEP 2 3 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7007 2560 0002 7737 0717

Mr. Randall P. Smith
Vice President/General Manager
Formosa Plastics Corporation
P.O. Box 700
201 Formosa Dr.
Point Comfort, TX 77987

RE: Clean Air Act Section 114 Information Request
Formosa Plastics Corporation, Point Comfort Facility

Dear Mr. Smith:

Enclosed is an Information Request (Request) issued to Formosa Plastics Corporation (Formosa) under the authority of Section 114 of the Clean Air Act (CAA). The purpose of this Request is to obtain information necessary to determine whether Formosa's Point Comfort, Texas facility is in compliance with the provisions of the CAA.

Please provide the information requested within thirty (30) days of your receipt of this letter to Jennifer Gibbs, at the above address. If you have any questions, please contact Marcia Moncrieffe, Assistant Regional Counsel, at (214) 665-7343.

Sincerely,

Stella A. Griffin for

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Texas Commission on Environmental Quality

INFORMATION REQUEST

The U.S. Environmental Protection Agency (EPA) Region 6 is issuing this Information Request (Request) to Formosa Plastics Corporation pursuant to Section 114(a) of the Clean Air Act (CAA) 42 U.S.C. § 7414(a) for the purpose of determining compliance with the CAA. Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Enforcement Division, EPA Region 6. This Request pertains to Formosa Plastics Corporation located in Point Comfort, Texas.

The information requested must be submitted whether or not you regard part or all of it a trade secret or confidential business information. You may, if you desire, assert a business confidentiality claim on all or part of the information submitted. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. § 1905. Unless you make a claim at the time that you submit the information, it may be made available to the public by EPA without further notice to you. You should read 40 C.F.R. Part 2 carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of a claim. Emission data is exempt from claims of confidentiality under Section 114 of the CAA, and the emissions data that you provide may be made available to the public. Information subject to a business confidentiality claim is available to the public only to the extent allowed under 40 C.F.R. Part 2, Subpart B. Failure to assert a business confidentiality claim makes all submitted information available to the public without further notice.

You must submit all requested information under an authorized signature with the following certification:

> I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the CAA, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this Request in an administrative, civil, or criminal action.

This Request is not subject to the Paperwork Reduction Act, 44 U.S. C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

All information responsive to this Request should be sent to the following:

Jennifer Gibbs
Toxics Enforcement Section (6EN-AT)
Compliance Assurance and Enforcement Division
U.S. EPA - Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

I. INSTRUCTIONS

1. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fine or imprisonment.

2. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds. Please submit all information for each question in a logically sequenced, bound format.

3. Please provide a separate response to each question and subpart of a question set forth in this Request and precede each answer with the number of the question to which it corresponds.

4. For each question, identify each person responding to any question contained in this Request on your behalf, as well as each person consulted in the preparation of a response.

5. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question. Indicate on each document produced in response to this Request the number of the question to which it corresponds.

II. DEFINITIONS

The following definitions shall apply to the following words as they appear in Enclosure A:

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including documentation solely in electronic form, including by way of illustration and not by way of imitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, email, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.

2. The term Formosa Plastics Corporation ("Formosa") includes any officer, director, agent, or employee of Formosa Plastics Corporation, including any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof.

3. The terms "person" or "persons" shall have the meaning set forth in Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent or employee thereof.

4. The terms "you" or "yours", as used in each of the questions set forth in the attached Section 114 letter, refers to, and shall mean, the company or corporation with which each addressee of the attached Section 114 letter is affiliated, including its subsidiaries, division, affiliates, predecessors, successors, assigns, and its former and present officers, directors, agents, employees, representatives, attorneys, consultants, accountants and all other persons acting on its behalf.

5. All terms used in this Request will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. § 7401 et seq., the implementing regulations, and 40 C.F.R. Part 68.

6. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

III. QUESTIONS

Flaring

1. For each day beginning on July 1, 2005, until the date of your receipt of this Request, list the periods of time (date, start time, and end time) that combustible material was routed to each flare[1] at the Point Comfort 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.

2. For each venting period listed in response to Question 1 above, provide the average heat content, in BTU/scf of the stream that was vented to each facility flare. The averaging time shall not be greater than one hour. Provide a narrative explanation and example calculations describing how you arrived at your response.

3. For each venting period listed in response to Question 1 above, provide the average mass flow rate of all material, combustible and non-combustible, in lb/hr, that was vented to each facility flare. The averaging time shall be no more than one hour. Provide a narrative explanation and example calculations describing how you arrived at your response.

4. For each venting period listed in response to Question 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. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

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.

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[1] For the purpose of this Information Request, "flare" should be broadly defined as any open combustion unit (i.e., lacking an enclosed combustion chamber) whose combustion air is provided by uncontrolled ambient air around the flame, and that is used as a control or safety device. A flare may be equipped with a radiant heat shield (with or without a refractory lining), but is not equipped with a flame air control damping system to control the air/fuel mixture. In addition, a flare may also use auxiliary fuel. The combustion flame may be elevated or at ground level.

6. Provide an hourly average of the concentration of each constituent in the vent stream during venting periods from February 1, 2008 through the date you receive this request.

7. Provide a list of the primary constituents in the vent stream released to each flare for venting periods since July 1, 2005, and an estimated range of each constituent's concentration. Except for the period specified in Question 6, you need not determine the exact concentration of all compounds for each period of time, but only the most prominent compounds and an approximate range of concentration.

8. 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.

9. Provide copies of 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 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-organic gas/vent gas or air-to-organic gas/vent gas ratio, or any other reference to steam addition.

10. For each facility flare, state with specificity which, if any, Federal and/or state regulations regulate/apply to emissions of pollutants or operational parameters at each flare. To the extent that any facility flare's emissions of pollutants or operational parameters are regulated under Federal and/or state regulations provide any documents related to such regulation, including but not limited to, applicability determinations, permits, excess emission reports, and correspondence.

<u>CFCs</u>

11. For the years 2003 through present, provide the name, address, and telephone number of each person, agent, or business entity from whom Formosa purchased refrigerant. Provide copies of all records, including but not limited to receipts, invoices, purchase orders, and bills of lading concerning refrigerant purchases or refrigerant acquisitions by Formosa A list of class I and class II refrigerants can be found in Appendix F to subpart A of 40 C.F.R. Part 82.

12. For the years 2003 through present, list the appliances that contain and use a class I or class II refrigerant in amounts greater than 50 pounds and provide the following information:

    i. For each appliance, identify whether it is a commercial refrigeration appliance, industrial process refrigeration appliance, comfort cooler, or other type of refrigeration appliance;
    ii. For each appliance, state the amount of the full charge of refrigerant, the type of refrigerant used, and the date the full charge was determined; and
    iii. For each appliance, provide its name, serial number, or other method of identification utilized by Formosa and/or its contractors.

13. For the years 2003 through present, if all or part of the maintenance, service, repair, and disposal of appliances using a class I or class II refrigerant is or was contracted out, provide the name, address, and telephone number of each person, agent, or business entity contracted by Formosa for these purposes.

14. For the years 2003 through present, for all service and repair preformed by Formosa employees or outside contractors on appliances referenced in response to Question 12 above, provide copies of all work logs, service tickets, invoices, and any other documents which include the following information:

    i. Date service was performed;
    ii. Date each leak was discovered;
    iii. Complete, detailed description of all repair work done including the amount of refrigerant added during each repair and the amount added at the completion of the repair;
    iv. Date each repair was conducted or the reason repairs were not conducted; and
    v. Name of the technician who performed the work.

15. For the years 2003 through present, for each individual appliance referenced in response to Question 12 above where repairs were conducted and an initial verification test was conducted, provide the date of the test and the specific procedures employed to conduct the test. Provide copies of test documentation maintained by Formosa.

16. For the years 2003 through present, for each individual appliance referenced in response to Question 12 above where repairs were conducted and a follow-up verification test was conducted, provide the date of the test and the specific procedures employed to conduct the test. Provide copies of all test documentation maintained by Formosa, for the years 2003 to present.

17. For the years 2003 through present, provide a summary of the dates on which refrigerant was added to each appliance and the amounts added on each of these occasions, identifying the amount of refrigerant evacuated, if applicable.

18. State whether or not Formosa has developed any retrofit or retirement plan for leaking appliances. If so, provide a dated copy of each plan developed by Formosa.

19. State whether or not Formosa has, since 2003, mothballed any appliance, and the reasons for that action.

20. Since 2003, for each unit that has been converted to use an alternative refrigerant such as a refrigerant listed under the U.S. EPA's Significant New Alternatives Policy (SNAP) program provide the following information:

    i. Type of refrigerant to which the appliance was converted;
    ii. Date of each conversion; and
    iii. Reasons for each conversion.

21. Provide the total amount and types of class I or class II refrigerant in inventory as of the date of receipt of this letter.

22. Provide copies of any CFC certification acquisition forms for CFC recovery and recycling equipment at the facility.

23. Please identify the method of calculation chosen by Formosa to calculate its leak rate and provide an example of a calculation.

24. Provide a copy of your Environmental Management System.

Leak Detection and Repair

25. Provide in editable electronic format, on compact disc or other electronic storage media, all data tables from the facility's LDAR records management database, for the five (5) years prior to the date of this Request. Provide the data in a format such that all information can be readily viewed in Microsoft Access (Microsoft Excel is not an acceptable format for data tables containing greater than 65,000 records).

26. Provide in editable electronic format, on compact disc or other electronic storage media, the gate/security records for each technician who performed LDAR monitoring at the facility for the five (5) years prior to the date of this Request. The records shall include each technician's daily entry and exit times from the plant, and shall clearly indicate the technician's name and/or identification number.

27. Provide in editable electronic format, on compact disc or other electronic storage media, for each technician who performed LDAR monitoring at the site for the five (5) years prior to the date of this Request, a listing of the technician's name, the technician's LDAR operator identification number used in the LDAR records management database, and the technician's identification number used on the gate/security records provided under Question 26 above.