



November 7, 2023

Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
EPA Docket Center
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attn: Docket No. EPA-HQ-OAR-2023-0358

Re: Comments for the Proposed "New Source Performance Standards Review for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)" 88 FR 68535 (October 4, 2023)

Dear Administrator Regan:

The Pennsylvania Department of Environmental Protection (DEP) submits the following in response to the United States Environmental Protection Agency's (EPA) request for comments on the proposed rulemaking entitled "New Source Performance Standards Review for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)" ("Proposed Rule"), published at 88 Fed. Reg. 68535 (Oct. 4, 2023). DEP appreciates the opportunity to comment on this important rulemaking and supports EPA's efforts to reduce emissions and protect public health and welfare from the effects of air pollution and to preserve and improve air quality throughout the nation.

Specifically, DEP agrees with EPA's determination, utilizing its authority under the Clean Air Act (CAA) Section 111 to determine the best system of emission reduction (BSER), that a storage vessel that changes the organic liquid stored to another organic liquid with a higher vapor pressure should constitute a modification for purposes of determining applicability to the Proposed Rule. And, DEP concurs that the change of organic liquid stored is not akin to "a change in fuel or raw material" and is a change in the method of operation of the storage vessel under 40 CFR 60.14(e)(4), particularly when it "increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by the facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted" as defined in 42 U.S.C. 7411(a)(4), (88 FR at 68544-68545).

Additionally, DEP recommends that EPA adopt the requirements of Option IFR-3 (88 FR at 68542) (baseline requirements from 40 CFR Part 60 Subpart Kb ("Subpart Kb") plus additional primary seal requirements, fixed roof legs or cable suspended roof requirements, and welded seams and best guide pole fittings requirements) for storage vessels storing organic liquids with a maximum true vapor pressure less than 11.1 psia ("low-pressure storage vessels"). The national impacts projected for each IFR control option presented in Table 3, indicates the overall cost

Secretary

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effectiveness for this option results in a net benefit for the company of \$297/ton of volatile organic compounds (VOCs) when considering product recovery (see Table 3, 88 FR at 68542). Table 3 further indicates that Option IFR-3 is also cost effective at \$7,470/ton of VOC relative to the requirements of Subpart Kb (*id.*).

Furthermore, DEP supports EPA's determination that low-pressure storage vessels can alternatively route emissions through a closed vent system to a control device to reduce emissions by 98% or greater. As such, DEP appreciates EPA's recognition that most control devices used to reduce VOC emissions can achieve greater than 95% emission reduction.

Finally, DEP also supports EPA's decision to require storage vessels storing organic liquids with a maximum true vapor pressure greater than or equal to 11.1 psia to route emissions through a closed vent system to a control device to reduce emissions by 98% or greater (88 FR at 68543-68546). And, DEP recommends that EPA create a procedure similar to that in 40 CFR Part 60 Subparts OOOO and OOOOa ("Subparts OOOO and OOOOa") that would allow manufacturers to test models and certify them through EPA (88 FR at 68541). This will give owners and operators the option of choosing one of these manufacturer-tested models and following the compliance demonstration requirements in lieu of performing periodic testing. In addition, DEP recommends that EPA review the submissions from the current list of certified manufacturer-tested models from Subparts OOOO and OOOOa to determine if the controls could be certified to 98% reduction.

Thank you for the opportunity to comment on the proposed rule. If you have any questions or comments, please contact Nicholas Lazor, Director of the Bureau of Air Quality, Pennsylvania Department of Environmental Protection, at nlazor@pa.gov or 717.772.3952.

Sincerely,



Jessica Shirley
Interim Acting Secretary