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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 13 2011

UNITED PARCEL SERVICE

Mr. Timothy N. Montgomery
Chemicals & Utilities Plant Manager
Ascend Performance Materials
3000 Old Chemstrand Road
Cantonment, FL 32533

RECEIVED
MAY 23 2011
BUREAU OF
AIR REGULATION

Dear Mr. Montgomery:

The United States Environmental Protection Agency (EPA) is requiring Ascend Performance Materials LLC (Ascend) to submit certain information about its nylon and intermediate chemical manufacturing facility in Cantonment, Florida. EPA is issuing this information request pursuant to Section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information for the purpose of determining compliance. The Administrator has delegated this authority to the Director of the Air, Pesticides and Toxics Management Division, Region 4. Information available to EPA indicates that Ascend owns and operates a nitric acid plant at the Cantonment facility. EPA is requesting this information to determine whether this facility is in compliance with the Act.

Please refer to the enclosed appendices in preparing a response to this request. Appendix A specifies the information pertaining to this facility that must be submitted. Appendix B contains instructions and definitions that should be used to provide the requested information. A response to this request must be sent to EPA **within forty-five (45) calendar days** after Ascend receives this letter, unless EPA, for good cause shown, extends in writing the deadline for responding to the request.

All required information must be sent to:

US EPA, Region 4
Air, Pesticides, and Toxics
Management Division
61 Forsyth St, SW
Atlanta, GA 30303
ATTN: Jason Dressler (AEEB)

Under 40 C.F.R. Part 2, Subpart B, Ascend may assert a claim of business confidentiality for any portion of the submitted information, except that no such claim can be made with respect to emission data as defined at 40 C.F.R. § 2.301(a)(2). Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). The page, paragraph, and sentence must be identified for any information subject to a claim of business confidentiality. EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

Ascend 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 Act, and 18 U.S.C. §§ 1001 and 1341.

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. To aid in our electronic record keeping efforts, please provide the response to this request for information without staples. Paper clips, binder clips, and three-ring binders are acceptable.

Failure to comply fully with this request for information is a violation of Section 114 of the Act and may subject Ascend to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413, for the recovery of civil penalties not to exceed \$37,500 per day of violation, or for injunctive relief or both. Section 113 of the Act gives EPA the authority to seek criminal penalties from any person who knowingly makes any false statement, representation, or certification in any report required under the Act.

Please direct any questions regarding this request for information to Jason Dressler at (404) 562-9208.

Sincerely,



Beverly Banister
Director
Air, Pesticides, and Toxics
Management Division

Enclosures

cc: Trina Vielhauer, FDEP

APPENDIX A – Information Request

Provide the following information for the nitric acid plant at the Ascend Performance Materials LLC (Ascend) facility located in Cantonment, Florida, using the instructions and definitions supplied in Appendix B. Unless otherwise directed, provide the requested information for the time period from January 1, 1990, to the date of this request:

- 1) For the nitric acid plant operated by Ascend at its Cantonment facility, include the following:
 - a) A brief description of the plant's operational status;
 - b) A process flow diagram;
 - c) The rated capacity expressed as tons per day;
 - d) The original date of construction;
 - e) A description of any pollution control equipment; and
 - f) Whether Ascend regards it as an "affected facility" or "existing facility" for the purposes of New Source Performance Standards (NSPS) as defined under 40 C.F.R. § 60.2.
- 2) For each year between 1990 and the present, please provide the maximum 100% nitric acid production rates for the nitric acid plant in tons per day. Please include with this response any documentation that supports this claim.
- 3) For the nitric acid plant, list the actual 100% nitric acid production measured in tons each month since January 1990. Please include with this response documentation that supports this claim.
- 4) For the nitric acid plant, list the hours of operation each month since January 1990.
- 5) Provide a list of all capital expenditures exceeding \$25,000 on the nitric acid plant for the time period of January 1, 1990, to the present.
- 6) Please provide copies of all capital appropriations requests generated by or prepared on behalf of the nitric acid plant concerning construction and/or modification projects, for more than \$25,000 for the time period of January 1, 1990, to the present.
- 7) Please provide copies of all documents or reports including but not limited to all supplemental or supporting documents including engineering analysis, designs, drawings, spreadsheets, electronic files, handwritten calculations, conversion factors, values or other documentation generated by or prepared on behalf of the nitric acid plant between January 1, 1990, and the present that discuss plans to replace or modify or upgrade

equipment at the nitric acid plant. All NSPS applicability requests submitted by the company are also responsive to this request.

- 8) Please provide copies of the nitric acid plant turnaround or scheduled maintenance reports that were generated by or prepared for the nitric acid plant for the period beginning on January 1, 1990, to the present. If a report is not available for a particular turnaround or scheduled maintenance event, please describe in narrative format the date the turnaround commenced, the date the plant was restarted, and a brief description of work performed and the work to be performed during the next scheduled turnaround or scheduled maintenance event.
- 9) Please provide copies of all documentation relating to stack testing, emission test runs, emissions characterizations, or emissions studies, conducted or attempted at the nitric acid plant for the period January 1, 1990, to the present.
- 10) Please provide a list of monthly emissions of nitrogen oxides (NO_x) for each month from January 1990 to the present from the nitric acid plant in tons. Also include a brief description of how the NO_x emissions were calculated. In addition, please provide all available supporting material including all documents, calculations, conversion factors, spreadsheets, or other electronic or hard copies, that support the above monthly emissions data and the monthly 100% nitric acid production data. Please provide this data in an electronic format that may be edited by a spreadsheet program such as Microsoft Excel or comparable software, if available.
- 11) If the nitric acid plant is considered an affected facility for the purposes of 40 C.F.R. Part 60 Subpart G, provide copies of each notification submitted under 40 C.F.R. §60.7 since January 1, 1990.
- 12) If continuous emissions monitoring system (CEMS) data is used in calculating either the annual NO_x emissions, the NO_x emissions rate, or the production of nitric acid, please indicate the following:
 - a) The type and model number of the CEMS;
 - b) The year the CEMS was installed; and
 - c) The quality assurance procedures and the operation and maintenance procedures performed on the CEMS to assure that the data is accurate and reliable.
- 13) If the acid plant is equipped with a CEMS, provide the average measurement of each parameter monitored by the CEMS each day since January 1, 1990. Please provide this information in an electronic format that may be edited by a spreadsheet program such as Microsoft Excel or comparable software.
- 14) Please submit copies of all air permit applications and air permits that have ever been

issued for the nitric acid plant since January 1, 1990. In addition, include all requests to install heat exchangers and air compressors even though an air permit may not have been issued. Include all supplemental or supporting documents including engineering analysis, designs, and drawings, spreadsheets, electronic files, handwritten calculations, and conversion factors and values.

- 15) Provide a list of the entities that have owned the Cantonment facility since it commenced operation and include the dates of ownership.
- 16) Provide the name and address of the party who should receive official correspondence on behalf of the facility concerning this matter.
- 17) Does the Ascend Cantonment facility meet the applicability requirements of the Final Mandatory Reporting of Greenhouse Gases Rule at 40 CFR § 98.2?
 - a) If no, provide the basis for your determination, including, but not limited to, a complete description of the methods used to calculate your emissions for purposes of determining applicability, a description of all data and assumptions used in such calculations, and records to substantiate the use of any data and assumptions in the calculations. ***In your response to this subpart you are not required to provide data that are the inputs to emissions equations deferred from reporting pursuant to the Interim Final Regulation Deferring the Reporting Date for Certain Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule. See 75 Fed. Reg. 81338 (Dec. 27, 2010).***
 - b) If yes:
 - i) Identify the applicable subpart(s);
 - ii) Provide a list of all the sources at the facility that are covered under the GHG reporting rule.
 - iii) Where applicable, provide any records of calibration of monitoring equipment used to estimate or measure GHG emissions.

APPENDIX B – Instructions & Definitions

When providing the information requested in Appendix A, use the following instructions and definitions.

Instructions

1. Please identify the individual(s), including title, responsible for responding to this request.
2. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
3. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
4. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
6. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is unavailable or not in your possession and identify any source that either possesses or is likely to possess such information.
7. Whenever possible, provide responses in electronic format (i.e. pdf, spreadsheet, etc.).

Definitions

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. §§ 7401 *et. seq.*, 40 C.F.R. Part 52 (which incorporates the Federally-approved Stated Implementation Plan), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable Federally-approved state provisions when appropriate. Definitional clarification is specified below.

1. The term “capital expenditure,” “capital appropriation,” or “capital project” means a monetary expenditure on depreciable equipment, including any costs to design, engineer, transport, and install said equipment.
2. The term “construction” means fabrication, erection, or installation of depreciable equipment.

3. The term "continuous emissions monitoring system" or "CEMS" means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.
4. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any document.
5. The term "modification" means any physical or operational change.
6. The term "nitric acid plant" shall mean any process unit producing nitric acid through the catalytic oxidation of ammonia.
7. The term "present" shall mean the date this request was received.
8. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
9. The term "tons" means short tons or 2,000 pounds.
10. The term "turnaround" means any scheduled shutdown of a nitric acid plant lasting longer than three days.