

“Ambush by Government” has no basis in law.

Both this Court and the Courts of Appeals have recognized that **the approved SIP is the applicable implementation plan during the time a SIP revision proposal is pending.** (Many citations omitted)

General Motors v. U.S., 496 U.S. 530, 541 (1990).

Revisions of a plan, or any portion thereof, will **not be considered part of an applicable plan until such revisions have been approved** by the administrator in accordance with this part.

40 CFR § 51.105.

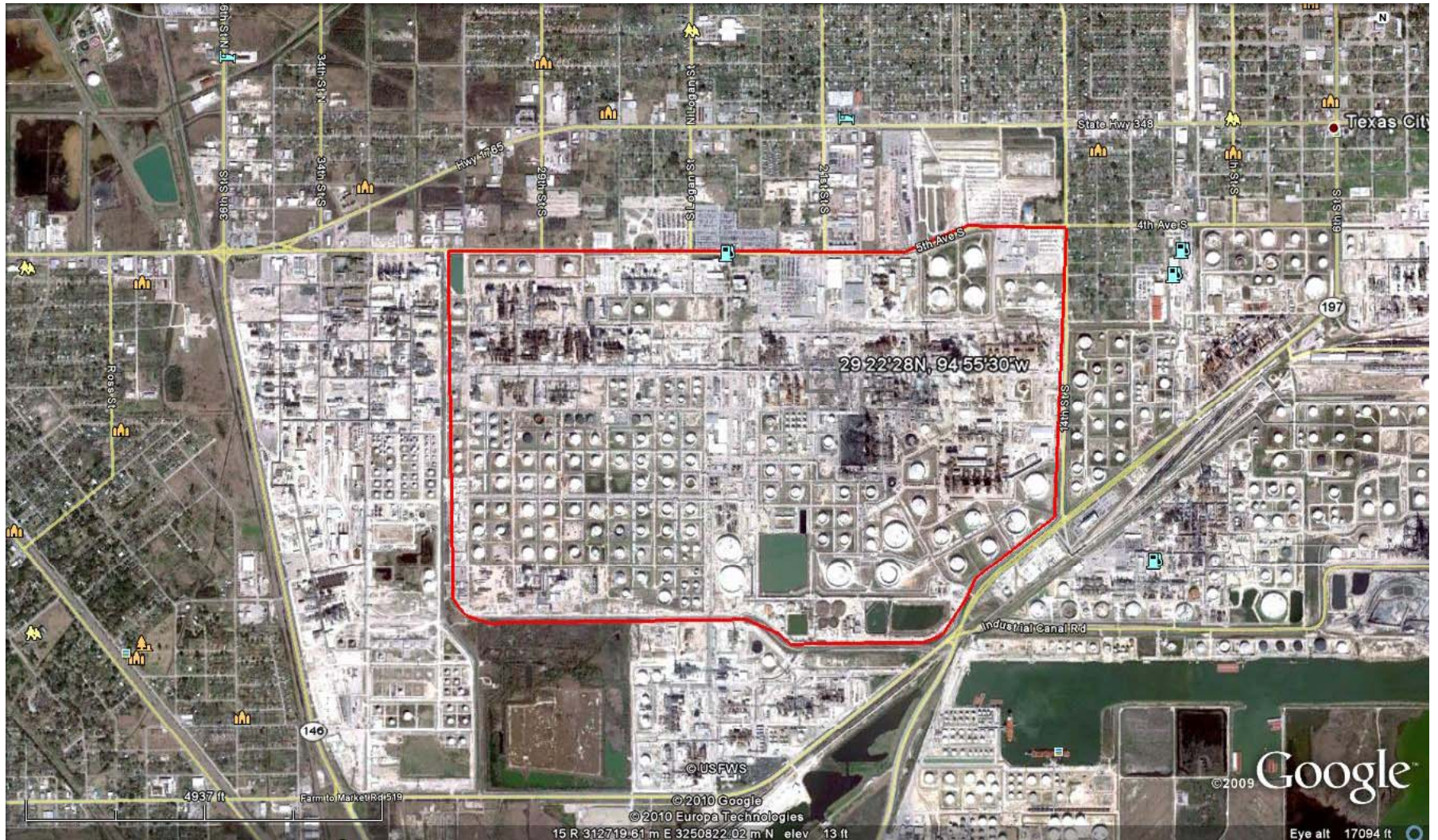
Flexible Permits

- Large reductions
- Example 1 – Petroleum refinery
 - 25,803 tpy SO₂
 - 10,330 tpy NO_x
 - 795 tpy PM/PM₁₀
- Example 2 – Coal and pet coke fired power plant
 - 4,877 tpy SO₂
 - 3,392 tpy NO_x
 - 880 tpy PM
 - 530 tpy VOC
 - 4,877 tpy CO

(June 4, 2010)



BP Texas City Refinery



May 31, 2005 TCEQ Enforcement Order

- Prepare a **Flaring Root Cause Report** (within 30 days of an event) for each acid gas flaring event that involves release of 500 or more pounds of SO₂ in 24-hour period.
- **Improve designs, operations, and/or maintenance practices** that address causes leading to the emissions events that are the subject of the enforcement action.
- Immediately implement **New Source Performance Standard Subpart J Plan – 22 Sources**
 - **Operate and maintain a flare gas recovery system** to control continuous or routine combustion;
 - **CEMS or predictive monitoring system** approved by TCEQ;
 - Do not use **emergency devices** for routine, non-emergency gas management
 - Monitor combustion device with a CEMS and a **flow meter**. (*This method may not be used unless BP demonstrates that device emits less than 500 lb/day of SO₂, secures TCEQ approval, uses this method for 5 or fewer of the affected combustion devices.*)

Consent Decree with U.S.E.P.A.

(N.D. Ind. 2:96-CV-095 RL, 2001, Much-amended)

- SCR on FCCU#2
- Limits on CO emissions on FCCU#2, #3
- Heater and boiler controls
- SO₂ controls (or enhancements) on all FCCUs
- Heaters and boilers subject to Subpart J NSPS
- Miscellaneous Demonstrations,
Quantifications & Training Requirements

BP Texas City 2005-2010 Flex Permit History

