

US EPA ARCHIVE DOCUMENT

**Basis of Decision for Issuance of PSD-TX-812-GHG  
Supplement to the Statement of Basis**

**Greenhouse Gas Prevention of Significant Deterioration Preconstruction Permit  
For INVISTA S.à.r.l. West Powerhouse, Victoria Plant  
Victoria, Texas 77902**

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**U.S. Environmental Protection Agency  
May 17, 2013**

## Summary of the Formal Public Participation Process

The U.S. Environmental Protection Agency, Region 6 (EPA) proposed to issue a Prevention of Significant Deterioration (PSD) permit for Greenhouse Gases (GHG) to INVISTA S.à.r.l. (INVISTA) for the West Powerhouse at the Victoria Plant in Victoria, Texas. The public comment period on the draft permit began March 15, 2013 and closed on April 15, 2013. EPA announced the public comment period through a public notice published in the Victoria Advocate on April 15, 2012 and on Region 6's Air Permit website. EPA also notified agencies and municipalities in accordance with 40 CFR Part 124.

The Administrative Record for the draft permit was made available at EPA Region 6's office. EPA also made the draft permit, Statement of Basis and other supporting documentation available at the Victoria Public Library, Victoria Texas, and on Region 6's Air Permit website.

EPA's public notice for the draft permit also provided the public with notice of a public hearing. The public notice stated that "Any requests for a public hearing must be received by EPA by email or mail by April 9, 2013, and must state the nature of the issues proposed to be raised in the hearing...*EPA has the right to cancel a public hearing if no request for a public hearing is received or EPA determines that there is not significant interest. If the hearing is cancelled, EPA will post an announcement of the cancellation by April 9, 2013 on EPA's website <http://yosemite.epa.gov/r6/Apermit.nsf/AirP>. Individuals may also call the EPA at the above contact number to determine if the public hearing has been cancelled.*" EPA did not receive any written comments concerning the draft permit during the comment period, and did not receive any written requests for a public hearing. EPA posted its announcement that there would not be a hearing on April 23, 2013.

## Revisions in Final PSD Permit

The following is a list of administrative and clarifying changes for the Greenhouse Gas Prevention of Significant Deterioration Preconstruction Permit for INEOS Olefins & Polymers U.S.A.

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### *Final Permit Conditions:*

The cover sheet titled "Prevention of Significant Deterioration Permit for Greenhouse Gas Emissions Issued Pursuant to the Requirements at 40 CFR §52.21" has been modified to state the following:

In accordance with 40 CFR §124.15(b)(3), this PSD Permit becomes effective ~~30 days after the service of notice of this final decision unless review is requested on the permit pursuant to 40 CFR §124.19~~ immediately upon issuance of this final decision.

This administrative change is made as a result of not receiving any comments during the comment period related to this action.

No other changes have been made to the draft PSD permit.

**Compliance with other Federal Requirements prior to the Federal action to issue the final PSD permit.**

*Endangered Species Act.*

On April 12, 2013, EPA received concurrence from the United States Fish and Wildlife Service on its determination that issuance of the permit "*may affect, but is not likely to adversely affect listed species*", the whooping crane.

*National Historic Preservation Act (NHPA)*

On March 28, 2013, EPA received concurrence from the State Historic Preservation Officer on its determination that the undertaking will not affect properties on or potentially eligible for listing on the National Register. Due to the potential concerns regarding post-review discovery, EPA and INVISTA entered into a Memorandum of Agreement pursuant to 36 CFR 800.13 to address such discoveries should they occur.

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