

US EPA ARCHIVE DOCUMENT

Natgasoline LLC  
Prevention of Significant Deterioration Permit for Greenhouse Gas Emissions  
PSD-TX-1340-GHG

**Basis of Decision for Issuance of Final Permit**

**Supplement to the Statement of Basis**

U.S. Environmental Protection Agency  
September 30, 2014

## I. 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 to Natgasoline LLC for construction of a 5,500 metric ton per day methanol plant and a 20,000 barrel per day gas to gasoline plant at a greenfield facility located in Nederland, Jefferson County Texas. EPA announced the public comment period on the EPA Region 6 website and through a public notice published in the Beaumont Enterprise on August 24, 2014. EPA also provided notification to agencies and other interested parties in accordance with 40 CFR Part 124.

During the public comment period, the Administrative Record for the draft permit with the Statement of Basis (SOB) was available to the public at the EPA Region 6 office in Dallas, and at the Theodore Johns Library in Beaumont, Texas.

The public notice for the draft permit also provided the public with notice of the public hearing. The public notice stated, “Any request for a public hearing must be received by the EPA either by email or mail by September 17, 2014, and must state the nature of the issues proposed to be raised in the hearing” and “The EPA maintains the right to cancel a public hearing if no request for a public hearing is received by September 17, 2014, or the EPA determines that there is not a significant interest. If the public hearing is cancelled, notification of the cancellation will be posted by September 22, 2014, on the EPA’s Website at <http://yosemite.epa.gov/r6/Apermit.nsf/AirP>. Individuals may also call the EPA at the contact number listed above 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 Region 6 continues as a PSD permitting authority for GHG emissions in accordance with the provisions of the FIP that do not conflict with the Court’s decision and thus remain in place. The Supreme Court’s decision does not limit the authority and responsibility of Region 6 with regard to this particular permitting action. No other changes to the administrative record or Final Permit are warranted as a result of the recent Supreme Court decision.

## II. Revision in Final Permit

EPA made one administrative change to the draft permit “Prevention of Significant Deterioration Permit for Greenhouse Gas Emissions Issued Pursuant to the Requirements at 40 CFR §52.21” as follows:

### *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.

### **III. National Historic Preservation Act (NHPA)**

On August 7, 2014, EPA sent a letter to the State Historic Preservation Officer (SHPO) requesting concurrence on EPA findings for OCI's cultural survey. The SHPO sent a letter with concurrence to the EPA on August 25, 2014.

EPA also sent letters on April 24, 2014 to Indian tribes identified by the Texas Historical Commission as having historical interests in Texas to inquire if any of the tribes have historical interest in the particular location of the project and to inquire whether any of the tribes wished to consult with EPA in the Section 106 process. EPA did not receive any requests from tribes to be consulting parties.