

*****PUBLIC NOTICE*****

**Bluewater Texas Terminals, LLC
Deepwater Port (DWP)**

**ANNOUNCEMENT OF CLEAN AIR ACT MACT 112(g) DETERMINATION (NOMA),
DRAFT PREVENTION OF SIGNIFICANT DETERIORATION PRECONSTRUCTION
PERMIT, DRAFT TITLE V FEDERAL OPERATING PERMIT, AND PUBLIC HEARING**

Permit Numbers: R6PSD-DWP-GM8, R6T5-DWP-GM8, and R6NOMA-DWP-GM8

Public Comment Period: November 12, 2020 to December 11, 2020

The United States Environmental Protection Agency (EPA) provides notice of and requests public comments on EPA's proposed permit actions relating to Clean Air Act (CAA) applications for a 112(g) Maximum Achievable Control Technology (MACT) Determination, Prevention of Significant Deterioration (PSD) preconstruction permit, and a title V federal operating permit for the Bluewater Texas Terminals, LLC (BWTX) Deepwater Port (DWP). EPA is also providing notice of plans for holding a public hearing, if requested for the permit actions. If finalized, the proposed permits would regulate air pollutant emissions associated with the project to construct and operate a new DWP export terminal for domestically produced crude oil located in the federal waters of the Gulf of Mexico.

The BWTX DWP is planned to be located approximately 15 nautical miles off the coast of San Jose Island (Aransas County, Texas) at Latitude: 27° 53' 21.70" North, and Longitude: 96° 39' 4.16" West. The BWTX DWP will have two Single Point Mooring (SPM) buoy systems that are remotely controlled and designed to moor Very Large Crude Carrier (VLCC)-sized vessels. The BWTX DWP project will include approximately 27 miles of two new parallel 30-inch diameter crude oil pipelines, which terminate at the two offshore SPM buoy systems. Each SPM buoy system is planned to be positioned in water depths of approximately 89 feet and will consist of a Pipeline End Manifold (PLEM), Catenary Anchor Leg Mooring (CALM) buoy, and other associated equipment. The only sources of air emissions are from marine loading operations and SPM fugitive emissions at the BWTX DWP.

Based on BWTX's proposed project design, the DWP would allow for a single VLCC or other crude oil carrier to moor at each of the two SPM buoys at the same time. Therefore, BWTX's marine loading operations are limited to a maximum of 384,000,000 barrels per year (bbl/yr), based upon a 12-month rolling total basis and the maximum loading rate for vessels being loaded at any time is limited to 80,000 barrels per hour (bbl/hr) regardless if one or both SPM buoys are operating at the same time. The marine loading operations are limited to crude oil, and the product shall not exceed a True Vapor Pressure (TVP) of 11 psia at 100° F.

Company Mailing Address: Bluewater Texas Terminal, LLC
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Houston, TX 77042

Proposed PSD Preconstruction Permit: Under the provisions of 40 CFR § 52.21, the BWTX DWP Terminal application provided the following facility-wide emission estimates that exceed the PSD review thresholds for criteria pollutants: 18,936 tons per year (tpy) Volatile Organic Compounds (VOC) and 833 tpy Hazardous Air Pollutants (HAP). Therefore, the BWTX DWP Terminal is subject to PSD requirements, whereby the PSD permit will limit emissions of each of these identified pollutants.

Proposed Title V Federal Operating Permit: In accordance with 40 CFR part 71, BWTX is a major stationary source and is subject to federal operating permit requirements. BWTX's proposed project is a title V major stationary source with estimated emissions of 18,936.25 tpy VOC and 833.18 tpy HAP. The title V federal operating permit will authorize the operation of BWTX's offshore DWP export terminal as representing in the supporting administrative record.

Section 112(g) of the CAA and the National Emission Standards for Hazardous Air Pollutants (NESHAP): EPA is providing Notice of MACT Approval (NOMA) for BWTX's application for a case-by-case MACT determination. BWTX's NOMA includes requirements for the use of submerged fill loading to control HAP emissions from the proposed BWTX SPM buoy system. Facility-specific requirements in the NOMA are included as specific terms and conditions in the title V permit.

Permit Documents: Starting on *November 12, 2020*, members of the public may review EPA's administrative record for the permit actions, which includes the following: proposed permits, statement of basis, permit applications, and additional data and supporting documentation used in the development of the proposed permits. Comments received from the public, other government agencies, and the applicant during the public comment period will also become part of the administrative record if the permits are finalized. All documents may be viewed online by visiting <https://www.regulations.gov>. Once at the Regulations.gov website, search and view all permit documents by entering the docket number **EPA-R06-OAR-2020-0510** into the search box.

How to Comment: An interested individual may submit written comments on EPA's proposed air permitting actions for the BWTX DWP by accessing the website listed above and following the online instructions for posting a comment. Each comment must specify if the comment is related to the PSD preconstruction permit, the title V operating permit, or the 112(g) NOMA. All comments must be posted to the Regulations.gov website under docket **EPA-R06-OAR-2020-0510** by the end of the public comment period on *December 11, 2020*.

EPA will consider and respond to all significant comments in making a final decision regarding each proposed permit action. Similar comments may be grouped together in EPA's response to comments, but EPA will not respond to individual commenters directly. However, all comments will be included in the administrative record without change, and may be available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Therefore, please clearly label CBI or other protected information as such. *Please note that an email or postal address must be provided with your comments if you wish to receive responses to comments submitted during the public comment period and direct notification of EPA's final decision regarding the initial and proposed actions.*

Also, if a request for an extension adequately demonstrates why additional time is required to prepare comments, a 30-day extension of the comment period may be granted.

Public Hearing: You have the right to request a public hearing on the proposed permit actions. Any request for a public hearing must be received by EPA *before November 27, 2020*, and must state the nature of the issues proposed to be raised in the hearing for each permit action. Any request for a public hearing should be provided to EPA by posting a request on the Regulations.gov website listed above under Docket ID **EPA-R06-OAR-2020-0510**. Please note attendance/participation at a public hearing is not required in order to submit written comments.

If a public hearing is held, the public comment period shall *automatically be extended to the close of the public hearing date*. EPA retains the right to cancel the scheduled public hearing if no request for a public hearing is received by *November 27, 2020*, or if EPA determines that there is not a significant interest. If EPA cancels the public hearing, notification of the cancellation will be posted by November 30, 2020 on the Regulations.gov website listed above and also on EPA's website at <https://www.epa.gov/publicnotices/notices-search/location/Texas>.

Special Circumstances - Virtual Public Hearing: *Due to the declaration of a national emergency, EPA has decided to deviate from its typical processes regarding public hearings. Upon receiving recommendations provided by the Centers for Disease Control and Prevention (CDC) in addition to the implementation of social distancing orders to limit the spread of COVID-19, EPA will not be providing an **in-person public hearing**, but instead has planned to provide a **virtual public hearing** if a public hearing is held. Due to the logistics involved in planning a virtual meeting, a pre-registration period will be necessary and will last from December 3, 2020 until December 17, 2020. Pre-registration will offer multiple two-hour intervals throughout the day planned for holding the virtual public hearing for those wanting to participate.*

If EPA determines that there is significant public interest in either permit action, a **virtual public hearing** will be held on **January 5, 2021**, and **January 6, 2021** (second day depending on the number of interested parties who pre-register). EPA will decide on interest and provide access to pre-register with detailed instructions for the **virtual public hearing** on our public notice website at <https://www.epa.gov/publicnotices/notices-search/location/Texas> by December 3, 2020. Depending on the registrations received, EPA may consolidate the multiple two-hour time periods into fewer periods or fewer periods of slightly longer duration, in order to accommodate all those interested in participating. *EPA will send verification by e-mail to all participants who register to inform them of the order of speakers registered and approximate times for speakers registered during the public hearing.*

Final Determination: A final decision to issue or to deny a permit shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has submitted comments or requested notice of the final permit decision, provided the EPA has adequate contact information.