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Subject: LBT/LBR Benzene Fence line Monitoring RCA – EPA Response
Date: Thursday, January 20, 2022 1:19:47 PM

Dear Neil and Catherine:

On Dec. 3, 2021, Limetree conveyed to us its root cause analysis for exceedances of the annual benzene fence line monitoring action level of 9 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) on an annual average basis, required pursuant to 40 C.F.R. Part 63, Subpart CC. See 40 C.F.R. § 63.658 (f)(3) & (g). EPA has reviewed this submittal and is concerned that the root cause analysis is poorly reasoned and thus unlikely to have identified all of the actual root causes of the exceedances or all of the appropriate corrective actions. If Limetree or a new owner were to restart the refinery, further analysis would be needed to identify the root causes contributing to exceedances of the action level, and corrective actions to prevent further exceedances of the action level would need to be implemented.

Limetree's evaluation of the root cause is speculative and lacks evidentiary support, such as additional monitoring data. However, even assuming that the true root causes were identified, and thus that Tanks 7508 and 7509 and the loading operations were the sources of the greatest impact, EPA is concerned that Limetree's evaluation of corrective actions is inadequate and fails to commit to any changes to avoid future exceedance of the action level. Further, EPA finds unconvincing Limetree's assertion that the exceedance of the action level was due to actions that only occurred because of de-inventorying after refinery shutdown. Limetree's own Figure 2 indicates that the majority of the time periods above the action level were prior to the May 14, 2021 Clean Air Act section 303 Order and any efforts by Limetree to de-inventory or take other steps to cease operations at the refinery. The most severe impacts occurred while the refinery was operating; the root cause analysis did not focus on the time periods with the highest and/or most extended exceedances of the action level, and hence the corrective actions – as noncommittal as they are – miss the mark as well. To properly comply with Subpart CC, EPA expects that Limetree or a new owner will resubmit a proper root cause analysis to identify appropriate corrective actions; EPA strongly encourages that the corrective actions be identified and implemented before any refinery restart.

Sincerely,

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