



Shell Oil Products US

April 13, 2004

Martinez Refinery
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Bay Area Air Quality Management District
Attn: Ms. Carol Lee – Permit Services Division
939 Ellis Street
San Francisco, CA 94109

Subject: Shell Oil Products U.S. Comments on Revision 1 of the Title V Major Facility Review Permit for the Martinez Refinery (Plant 11), issued February 12, 2004 by the Bay Area Air Quality Management District

Dear Ms. Lee:

Enclosed are written comments prepared by Shell Oil Products US (Shell) regarding revision 1 of the Major Facility Review (Title V) Permit for the Shell Martinez Refinery. The Bay Area Air Quality Management District (BAAQMD) released the draft permit for public comment on February 12, 2004 and comments are due to the BAAQMD on April 14, 2004.

The attached comments are organized in the following sections:

- Section 1 – Flare Conditions and Applicable Requirements
- Section 2 – Permit Condition 18265 Implementing Regulation 9, Rule 10
- Section 3 - NSPS Subpart J - Fuel Gas Combustion Devices Alternative Monitoring
- Section 4 - NSPS Subpart J – Marine Terminal Thermal Oxidizers Alternative Monitoring
- Section 5 – Miscellaneous Sources

Due to the limited review and comment period, Shell acknowledges that there is still the potential for undiscovered errors, misinterpretations, and conflicts between the Title V, the existing Permit to Operate and new conditions issued or prepared in the last 18 months. As these issues continue to surface, Shell will notify the District. Unresolved issues at the time of permit issuance may result in Shell appealing the revision to the Title V Permit.

In a good faith effort to avoid the need to appeal, Shell has identified as many issues as possible. To the extent possible, Shell has included specific sources and citations, but many of these issues may be global and all of the individual occurrences may not have been identified due to time constraints. Therefore, the BAAQMD should consider that future identification of specific problems will also require correction, either administratively or in an appeals process.

Many of the identified problems are clearly administrative and should be incorporated into the Title V Permit without any need for discussion. However, each time the Title V Permit is revised, many problems are corrected, however, some new problems are typically created. The corrections made in this round of comments by Shell are quite extensive and the BAAQMD will likely make additional changes based on other public comments and/or comments from the U. S. Environmental Protection Agency. It is anticipated that when the revised Title V Permit is released there will still be technical and typographical errors that will need to be corrected.

Please consider that the facility will need time to clarify and become familiar with any changes or new requirements, monitoring equipment and procedures. Shell may have to prepare management of change documents, and to develop and implement policies and procedures for these new or modified requirements and monitoring techniques.

Shell assumes that there will be an opportunity to review the final revised Title V Permit before it is issued. This should reduce the possibility that an appeal will be necessary.

To address our concerns, Shell hopes the BAAQMD will inform Shell of the District's decisions as soon as possible so that Shell can begin preparations to implement any required changes. Shell looks forward to working with the BAAQMD to finalize this document.

If you have any questions regarding our comments, please contact Mr. Wayne Howard at (925) 313-3964.

Cordially yours,

Teresa K. Makarewicz, Manager
Environmental Affairs Department
Shell Oil Products US Martinez Refinery

Attachments

RE: Shell Oil Products U.S. Comments on Revision 1 of the Title V Major Facility Review Permit for the Martinez Refinery (Plant 11), issued February 12, 2004 by the Bay Area Air Quality Management District

ENVIRONMENTAL FILE LETTERS & REPORTS	
PLEASE INITIAL / DATE	
FILE #:	2.6.2
PREPARED BY:	/
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CERTIFIED MAIL #:	
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cc:

bc: Wayne Howard, EA Dept – Correspondence Binder
 Gordon Johnson, EA Dept – Correspondence Binder
 Ms. Wilma Dreessen, ENSR Corporation
 Mr. Todd Lopez, ENSR Corporation
 KPW/MEA/TKM/ File 2.6.2