

US EPA ARCHIVE DOCUMENT

DCP Midstream, LP  
Jefferson County NGL Fractionation Plant  
Prevention of Significant Deterioration Permit for Greenhouse Gas Emissions  
PSD-TX-110557-GHG

**Responses to Public Comments**

U.S. Environmental Protection Agency  
September 20, 2013

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## 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 the DCP Midstream Jefferson County NGL Fractionation Plant on August 7, 2013. The public comment period on the draft permit began August 7, 2013 and closed on September 6, 2013. EPA announced the public comment period through a public notice published in *The Beaumont Enterprise* on August 7, 2013 and on Region 6's website. EPA also notified agencies and municipalities on August 1, 2013 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 on Region 6's website, and available for viewing at the Theodore R. Johns Library in Beaumont, TX.

EPA's public notice for the draft permit also provided the public with notice of the public hearing. The public notice stated that "Any request for a public hearing must be received by the EPA either by email or mail by August 29, 2013, and must state the nature of the issues proposed to be raised in the hearing...EPA maintains the right to cancel a public hearing if no request for a public hearing is received by August 29, 2013, 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 4, 2013 on the EPA's Website <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." During the comment period, EPA received one written comment letter, which included a statement expressing a "willing[ness] to attend" a hearing. When contacted by telephone to clarify whether the comment writer had intended to request a public hearing, the commenter orally requested a public hearing. In accordance with 40 CFR 124.12, the permitting authority evaluated whether there was a "a significant degree of public interest in [the] permit" and determined the degree of public interest was not significant enough to require a hearing.<sup>1</sup> EPA Region 6 contacted the comment writer by telephone to inform him that the hearing would not be held and posted its announcement that there would not be a hearing on September 6, 2013.

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<sup>1</sup> Additional details on this decision may be found in a memorandum with the subject "Basis of Decision for Public Hearing Cancellation for GHG PSD Permit for DCP Midstream, Jefferson County," included in our Administrative Record.

## II. EPA's Response to Public Comments

This section summarizes the public comments received by EPA and provides our responses to the comments. EPA received one comment letter from a citizen of Beaumont, Texas.

- A. Comment: Crosstex NCL Pipeline LP is constructing a pipeline through our neighborhood in Hidden Valley Estates in the North End of Beaumont. The commenter states that lives are being put in danger and that he is deeply concerned about "fractionation going on in our county." The commenter states he is "strongly against this permit" and that he hopes EPA uses "good judgment in dealing with these Liquid Natural Gas Companies." The commenter states that home values have been damaged and that lives are endangered. The comment letter attaches a separate letter addressed to the Mayor Pro Tem of Beaumont concerning the Crosstex NCL Pipeline (bearing the date May 10, 2013).

Response: The commenter's opposition to the permit, his concern about "fractionation" (the chemical product-making process that will take place at DCP's facility), and his request that we use good judgment are all noted. Our statement of basis discusses how the proposed permit for greenhouse gas (GHG) emissions meets the applicable legal and technical requirements; in deciding to issue the permit, we are satisfied those requirements are met.

Our permitting action is not an authorization for pipeline construction, so the stated concerns regarding pipeline safety and property values have no apparent bearing on our final determinations regarding the draft permit. "Crosstex" is not mentioned in our administrative record and, in any event, is presumably not the same business entity as the permit applicant, DCP Midstream. Moreover, the facility location for this permit appears to be more than 16 miles distant (by vehicle) from the neighborhood mentioned by the commenter. We therefore believe these comments are unrelated to issues involved in this permit decision. Since the comment does not relate to any of the terms or conditions of our draft permit, we are unable to respond in further detail.

## III. Revisions in Final Permit

No revisions were made to the draft permit before signature.

## IV. National Historic Preservation Act (NHPA)

On August 7, 2013, EPA sent a letter to the State Historic Preservation Officer (SHPO) requesting concurrence on EPA findings for DCP's cultural survey. The SHPO sent a letter with concurrence to the EPA on August 27, 2013.