



Legal Department
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July 30, 2020

VIA ELECTRONIC MAIL & SUBMISSION

Policy Office
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
(www.ahs.dep.pa.gov/eComment)
(ecomment@pa.gov)

Re: CTG RACT Certification SIP

Dear Madam or Sir,

I am counsel for Eastman Chemical Resins, Inc. (Eastman), a wholly-owned subsidiary of Eastman Chemical Company. Thank you for the opportunity to provide comments on Proposed State Implementation Plan Revision; Certification of the Commonwealth's Submittal of All Case-By-Case Reasonably Available Control Technology Determinations and Averaging Plans to the United States Environmental Protection Agency for the 1997 and 2008 8-Hour Ozone, 50 Pa.B. 3172, June 27, 2020 (Proposed Case-by-Case RACT II SIP Revision). Eastman has serious concerns with the Pennsylvania Department of Environmental Protection (PaDEP) identifying Installation Permit 0058-1026 (IP-26), issued April 21, 2020, as the RACT II permit for Eastman's Allegheny County manufacturing facility (the Eastman Site) in Table 1 of Proposed Case-by-Case RACT II SIP Revision on the grounds that IP-26 is effectively the incorrect RACT II permit for Eastman's Allegheny County manufacturing facility.

The Allegheny County Health Department (ACHD) opened a 30-day public comment period for IP-26 from February 6, 2020 through March 17, 2020. During that time, Eastman provided the ACHD robust comments including specifically requesting the correction of a number of substantive errors Eastman representatives found in that proposed permit. The ACHD finalized IP-16 on May 7, 2020 but failed to correct a number of the errors Eastman identified, including for example a production limit that was mistakenly 500,000 pounds lower than the volume to which the ACHD previously agreed. In the spirit of cooperation, Eastman immediately contacted the ACHD permitting staff and reviewed this and the other errors during a May 7, 2020 call.

At that time, the ACHD permitting staff and Eastman representatives agreed that in lieu of Eastman appealing IP-26, Eastman would submit a permit amendment requesting that the ACHD address the errors. Concurrently, the ACHD permitting

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representatives indicated they were working with representatives at the U.S. Environmental Protection Agency to determine a path forward to getting the revised IP-26 into Pennsylvania's RACT II SIP. Eastman promptly submitted its IP-26 amendment to the ACHD on May 15, 2020. Eastman understands that the ACHD has already prepared the new proposed RACT II permit for the Eastman Site in which it corrected these errors and is preparing to put that permit out for public comment in the very near future.

As has been the case throughout the RACT II process, Eastman stands ready and willing to work with the PaDEP and the ACHD to facilitate the incorporation of the amended IP-26 into the Proposed Case-by-Case RACT II SIP Revision as quickly as possible. Eastman objects to the PaDEP finalizing the Proposed RACT II Case-by-Case SIP Revision with Table 1 referencing the error containing IP-26, a permit the issuing agency acknowledged contains substantive errors that that agency is in the process of correcting. Eastman suggests that the PaDEP include in its certification to EPA, a statement that, while final case-by-case RACT II determinations have been forwarded to EPA by May 9, 2020, PaDEP will be providing some revised RACT determinations based on subsequent revisions to those determinations that have been or will be revised pursuant to agreement between the facility and PaDEP or ACHD. **Accordingly, while recognizing that PaDEP has satisfied the condition to provide final case-by-case RACT determinations to EPA, PaDEP must convey to EPA that subsequent changes to certain RACT determinations are forthcoming and the revised RACT determinations – including Eastman's revised IP-26 – are what EPA should approve as part of the SIP.**

Should you have any questions, you may reach me at the contact information on the first page. With kind regards, I am

Very truly yours,

EASTMAN CHEMICAL COMPANY



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CC (via email):

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