



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

02/23/2021

Certified Mail

Jack Payne
PTTGCA Petrochemical Complex
2800 Post Oak Blvd., Suite 2401
Houston, TX 77056



RE: PERMIT-TO-INSTALL TIME EXTENSION

Facility ID: 0607135004
Extension Number: EXT00350
Permit Number: P0124972 issued on 12/21/2018

Dear Permit Holder:

This letter is in response to your February 19, 2021 letter requesting Ohio EPA update the expiration date for the PTTGCA Petrochemical Complex's initial construction air permit-to-install (PTI).

Ohio's law historically required construction of the equipment covered by an air pollution PTI commence within eighteen months of the issuance of a final permit. In addition, the law allowed the PTI to be extended by up to twelve (12) months on a one-time basis from the date upon which it would have otherwise terminated.

In 2009, the law was amended¹ to extend the effective period of the permit by the time it takes to resolve an appeal. See Ohio Revised Code (ORC) 3704.03(F)(2)(b). This means that, under Ohio law, the expiration date of a PTI is now calculated by the sum of the initial eighteen-month period, plus the time taken to resolve the appeal, plus the one-year extension (if requested and granted).

To align Ohio's State Implementation Plan (SIP) with the 2009 amended rule, Ohio EPA has requested U.S. EPA revise the SIP and has submitted applicable portions of the ORC to U.S. EPA for inclusion in the SIP. U.S. EPA has proposed approval of the change². At the time of this letter, U.S. EPA has not issued a final action regarding the SIP change.

The original eighteen-month time plus the 248-day appeal period runs until February 24, 2021. With the one-year administrative extension, the contingent expiration date becomes February 24, 2022. Ohio EPA hereby grants PTI number P0124972 a contingent termination date of February 24, 2022. This termination date is valid upon the final effective date of the proposed SIP approval mentioned above.

¹ Amended by 128th General Assembly File No.9, HB 1, §101.01, eff. 10/16/2009

² See: Federal Register/ Vol. 86, No. 27 / Thursday, February 11, 2021.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Robert Sprague" payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, OH 43215

Please complete a survey at www.epa.ohio.gov/survey.aspx and give us feedback on how we did processing your request. We value your opinion.

If you have any questions regarding this time extension, please contact Michael Hopkins, Ohio EPA DAPC, at 614-644-3611 or mike.hopkins@epa.ohio.gov.

Sincerely,



Laurie A. Stevenson
Director

Entered into the Journal of the Director on:

Date: 02/23/2021

cc: Ohio EPA-SEDO