



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

September 13, 2022

Patrick Traylor
Vinson & Elkins LLP
2200 Pennsylvania Avenue NW, Suite 500 West
Washington, DC 20037-1701

Delivered by e-mail: pctraylor@velaw.com

Re: Clean Air Act Permits for the Bluewater Texas Terminal Deepwater Port Facility

Dear Mr. Traylor,

Thank you for taking the time to submit your letter of September 9, 2022 as a follow up to a call held with my staff on September 7, 2022. Based on our conversations with you, we are granting you an additional week to September 21, 2022, to make a decision regarding your pending permit applications. Again, we are offering you the opportunity to withdraw the pending permit applications and revise your permit applications to incorporate a Best Available Control Technology (BACT) review that results in a final decision that includes pollution controls that meet the Subpart Y requirements for new major offshore loading terminals *or* have EPA render a final permit decision based on the current applications. We do not believe that reopening the current public process on the submitted applications is an optimal option.

While we have not issued a final permit decision including our final analysis and response to public comments on the draft permit we proposed, EPA is prepared to start its process that will lead to a final permit decision. This process may include an opportunity for additional public comment. We also understand your desire for an expeditious process and we will work to process any newly revised application Bluewater submits proposing control options satisfying the requirements of 40 CFR 63 - Subpart Y.

Sincerely,

David F. Garcia, P.E.
Director
Air and Radiation Division