

## FACT SHEET

### PROPOSED RULE TO REDUCE AIR TOXICS EMISSIONS FROM AREA SOURCE CHEMICAL PREPARATIONS FACILITIES

#### ACTION

- On July 28, 2009, the Environmental Protection Agency (EPA) proposed emissions limits for toxic air pollutants from smaller emitting chemical preparations facilities. The Clean Air Act refers to these smaller emitting facilities as area sources. Area sources emit less than 10 tons per year of a single toxic air pollutant or less than 25 tons per year of any combination of toxic air pollutants.
- Chemical preparations facilities are those that conduct the mixing, milling, blending or extruding of industrial chemicals, not to be confused with non-industrial mixing or blending that occurs at a pharmacy, in a laboratory or in similar non-industrial circumstances. Smaller emitting facilities are called area sources.
- The proposed rule would limit emissions of particulate matter (PM) that contain chromium, lead, manganese or nickel compounds. These toxic air pollutants, or air toxics, are known or suspected to cause cancer, other serious health problems and environmental damage.
- All facilities that are subject to the rule would be required to operate within specific emission limits on a continuous basis. These emission limits represent the emissions reductions that generally available control technology can achieve.
- Facility operations that conduct mixing, milling, blending or extruding of dry and/or wet chemicals would be required to control PM emissions to 0.03 grains per dry standard cubic foot (gr/dscf) or reduce PM emissions by 95 percent.

#### Health and Environmental Impacts

- While there are no current national air toxics standards for this industry, existing sources affected by the proposed rule are already well controlled as a result of state permitting requirements, Occupational Safety and Health Administration regulations and efficiency improvements. Likely the only new requirements on the industry would be record keeping and reporting requirements necessary to demonstrate compliance.
- EPA estimates that the proposed rule would apply to all 26 existing facilities. Approximately 10 of those facilities are small businesses. The proposed rule would have a total annualized cost of \$43,000/yr – approximately \$ 1,600.00 per facility. EPA projects this would have no significant adverse economic impacts on any one facility.

- EPA is proposing to exempt chemical preparation facilities that would be covered by this rule from obtaining Title V permits, which are federal operating permits. After a comprehensive evaluation, the agency found that:
  - the proposed exemption for these facilities would not adversely affect public health, welfare, or the environment because the level of emissions control would be the same if a title V permit were required,
  - there are implementation and enforcement programs in place that would assure compliance with the proposed standards without relying on a title V permit, and
  - requiring title V permits would be unnecessarily burdensome with regard to cost and technical resources on these smaller industrial facilities.
  
- EPA will take public comment on the proposed rule for 30 days following publication in the *Federal Register*.

## **BACKGROUND**

- The Clean Air Act requires EPA to identify categories of industrial sources that emit one or more listed 187 toxic air pollutants. These industrial categories include both major and area sources.
  
- Major sources of air toxics emit 10 tons per year of a single air toxic or 25 tons per year of a mixture of air toxics. Examples include chemical plants and steel mills. Area sources release smaller amounts of toxic pollutants into the air—less than 10 tons per year of a single air toxic, or less than 25 tons per year of a mixture of air toxics. Examples include neighborhood dry cleaners and gas stations. Though emissions from individual area sources are often relatively small, collectively their emissions can be of concern—particularly where large numbers of sources are located in heavily populated areas.
  
- The Clean Air Act requires EPA to identify the toxic air pollutants that pose a health threat in the largest number of urban areas and to regulate sufficient area source categories to ensure that the emissions of these “urban” air toxics are reduced. EPA implements these requirements through the Integrated Urban Air Toxics Strategy.
  
- Chemical preparation facilities are included on the area source category list.
  
- For area sources within each source category, the Clean Air Act allows EPA to develop standards or requirements which provide for the use of generally available control technologies (GACT) or management practices rather than the maximum achievable control technology (MACT) required for major sources.

## **HOW TO COMMENT**

- EPA will accept comment on the proposal for 30 days after publication in the Federal Register. Comments, identified by Docket ID No. EPA-HQ-OAR-EPA-HQ-OAR-2009-0028, may be submitted by one of the following methods:
  - [www.regulations.gov](http://www.regulations.gov): follow the on-line instructions for submitting comments.
  - E-mail: Comments may be sent by electronic mail (e-mail) to [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).
  - Fax: Fax your comments to: 202-566-1741
  - Mail: Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460.
  - Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, Room 3334, 1301 Constitution Ave., NW, Washington, DC, 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

## **FOR MORE INFORMATION**

- To download a copy the proposed rule, go to EPA's Web site at <http://www.epa.gov/ttn/oarpg/t3pfpr.html>.
- For further information about the proposed rule contact Mr. Warren Johnson of EPA's Office of Air Quality Planning and Standards at (919) 541-5124 or [Johnson.Warren@epa.gov](mailto:Johnson.Warren@epa.gov).