

FACT SHEET

PROPOSED RULE TO REDUCE AIR TOXICS EMISSIONS FROM AREA SOURCE PAINTS AND ALLIED PRODUCTS MANUFACTURING FACILITIES

ACTION

- On May 22, 2009 the Environmental Protection Agency (EPA) proposed national emissions standards for toxic air pollutants from paints and allied products manufacturing facilities that are considered to be “area” sources under the Clean Air Act. Paints and allied products include materials such as a paint, ink, or adhesive.
- Toxic air pollutants, or air toxics, are known or suspected of causing cancer and other serious health effects. Area sources emit less than 10 tons per year of a single air toxic, or less than 25 tons per year of a mixture of air toxics.
- The proposed rule would reduce emissions of toxic air pollutants and would apply to paints and allied products manufacturing facilities that are area sources and process, use, or generate materials containing the following toxic air pollutants: benzene, methylene chloride, and compounds of cadmium, chromium, lead, and nickel. EPA will address limits of volatile organic compounds of paints in a separate consumer products rulemaking later this year.
- All facilities subject to the rule would be required to operate a particulate control device to reduce emissions of metal air toxics and use management practices to control volatile air toxics emissions.
- To comply with the proposed rule, a facility would need to meet requirements for monitoring, notifications, recordkeeping, and reporting. Initially, within 120 days of the effective date of the final rule, facilities would be required to notify EPA that they are an affected source. After this initial notification, each facility would be required to prepare an annual compliance certification for the previous calendar year only if they do not meet the manufacturer’s standards for the particulate control device or do not meet the visual emissions standards during the year.
- For demonstrating ongoing compliance, the proposed requirements include daily, weekly, and annual inspections, semi-annual visible emission testing, monthly checklists and annual certifications that the management practices are being followed and the particulate control device is being properly operated.
- EPA will take public comment on the proposed rule until July 15, 2009.
- The schedule for completing this rule is part of a consent decree with Environmental

Defense, which requires the EPA Administrator to finalize this rule by August 17, 2009.

HEALTH AND ENVIRONMENTAL BENEFITS AND COSTS

- Existing area sources that would be affected by this rule are generally well controlled as a result of state permitting requirements, Occupational Safety and Health Administration regulations and reformulation of their products to reduce the toxic content.
- Most of the facilities in these source categories are small businesses. EPA estimates that 110 of the 2190 facilities would be subject to the proposed rule for volatile air toxics and would incur a total annualized cost of \$5,500/yr (an average of \$50 per facility). Fewer than 25 percent of the 2190 facilities (460) would be subject to the proposed rule for metal air toxics and would incur a total annualized cost of \$3.1 million/yr (an average of \$6,700 per facility).
- Through compliance with this rule as proposed, total particulate matter emissions would be reduced by 6,300 tons/yr and total metal air toxics emissions by 4.2 tons/yr. Requiring the use of process vessels covers as proposed in this rule would reduce nationwide volatile air toxics emissions by about 170 tons/yr.

BACKGROUND

- The Clean Air Act requires EPA to identify categories of industrial sources that emit one or more of the 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. Paints and allied products manufacturing 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.

- The proposed air toxics rule is being developed in response to the requirements in section 112(k) of the Clean Air Act and is being issued at this time in response to a court order that directs EPA to issue final rules for area sources every 6 months.

HOW TO COMMENT

- Comments should be identified by Docket ID No. EPA-HQ-OAR- 2008-0053 and submitted by one of the following methods:
 - Federal eRulemaking Portal (<http://www.regulations.gov>)
 - E-mail (a-and-r-docket@epa.gov)
 - Mail (EPA Docket Center, Environmental Protection Agency, Mailcode 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).

FOR MORE INFORMATION

- To download a copy the proposed rule, go to EPA's Web site at <http://www.epa.gov/ttn/oarpg/> under newly proposed or issued rules.
- For further information about the proposed rule for aluminum foundries, contact Ms. Melissa Payne of EPA's Office of Air Quality Planning and Standards at (919) 541-3609 or Payne.Melissa@epa.gov.