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Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 452-3]

PART 60—STANDARDS OF PERFORMANCE
FOR NEW STATIONARY SOURCES

Primary Copper, Zinc, and Lead Smelters

On October 16, 1974 (39 FR 37040), pursuant to section 111 of the Clean Air Act, as amended, the Administrator proposed standards of performance for new and modified sources within three categories of stationary sources: (1) primary copper smelters, (2) primary zinc smelters, and (3) primary lead smelters. The Administrator also proposed amendments to Appendix A, Reference Methods, of 40 CFR Part 60.

Interested persons representing industry, trade associations, environmental groups, and Federal and State governments participated in the rulemaking by sending comments to the Agency. Commentators submitted 14 letters containing eighty-five comments. Each of these comments has been carefully considered and where determined by the Administrator to be appropriate, changes have been made to the proposed regulations which are promulgated herein.

The comment letters received, a summary of the comments contained in these letters, and the Agency's responses to these comments are available for public inspection at the Freedom of Information Center, Room 202 West Tower, 401 M Street, S.W., Washington, D.C. Copies of the comment summary and the Agency's responses may be obtained by writing to the EPA Public Information Center (PM-215), 401 M Street, S.W., Washington, D.C. 20460, and requesting the Public Comment Summary—Primary Copper, Zinc and Lead Smelters.

The bases for the proposed standards are presented in "Background Information for New Source Performance Standards: Primary Copper, Zinc and Lead Smelters, Volume 1, Proposed Standards" (EPA-450/2-74-002a) and "Economic Impact of New Source Performance Standards on the Primary Copper Industry: An Assessment" (EPA Contract No. 68-02-1349—Task 2). Copies of these documents are available on request from the Emission Standards and Engineering Division, Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Attention: Mr. Don R. Goodwin.

SUMMARY OF REGULATIONS

The promulgated standards of performance for new and modified primary copper smelters limit emissions of particulate matter contained in the gases discharged into the atmosphere from dryers to 50 mg/dscm (0.022 gr/dscf). In addition, the opacity of these gases is limited to 20 percent.

Emissions of sulfur dioxide contained in the gases discharged into the atmosphere from roasters, smelting furnaces and copper converters are limited to

0.065 percent by volume (650 parts per million) averaged over a six-hour period. Reverberatory smelting furnaces at primary copper smelters which process an average smelter charge containing a high level of volatile impurities, however, are exempt from this standard during those periods when such a charge is processed. A high level of volatile impurities is defined to be more than 0.2 weight percent arsenic, 0.1 weight percent antimony, 4.5 weight percent lead or 5.5 weight percent zinc. In addition, where a sulfuric acid plant is used to comply with this standard, the opacity of the gases discharged into the atmosphere is limited to 20 percent.

The regulations also require any primary copper smelter that makes use of the exemption provided for reverberatory smelting furnaces processing a charge of high volatile impurity content to keep a monthly record of the weight percent of arsenic, antimony, lead and zinc contained in this charge. In addition, the regulations require continuous monitoring systems to monitor and record the opacity of emissions discharged into the atmosphere from any dryer subject to the standards and the concentration of sulfur dioxide in the gases discharged into the atmosphere from any roaster, smelting furnace, or copper converter subject to the standard. While these regulations pertain primarily to sulfur dioxide emissions, the Agency recognizes the potential problems posed by arsenic emissions and is conducting studies to assess these problems. Appropriate action will be taken at the conclusion of these studies.

The promulgated standards of performance for new and modified primary zinc smelters limit emissions of particulate matter contained in the gases discharged into the atmosphere from sintering machines to 50 mg/dscm (0.022 gr/dscf). The opacity of these gases is limited to 20 percent.

Emissions of sulfur dioxide contained in the gases discharged into the atmosphere from roasters and from any sintering machine which eliminates more than 10 percent of the sulfur initially contained in the zinc sulfide concentrates processed are limited to 0.065 percent by volume (650 parts per million) averaged over a two-hour period. In addition, where a sulfuric acid plant is used to comply with this standard, the opacity of the gases discharged into the atmosphere is limited to 20 percent.

The regulations also require continuous monitoring systems to monitor and record the opacity of emissions discharged into the atmosphere from any sintering machine subject to the standards, and the concentration of sulfur dioxide in the gases discharged into the atmosphere from any roasters or sintering machine subject to the standard limiting emissions of sulfur dioxide.

The promulgated standards of performance for new and modified primary lead smelters limit emissions of particulate matter contained in the gases discharged into the atmosphere from blast furnaces, dross reverberatory furnaces

and sintering machine discharge ends to 50 mg/dscm (0.022 gr/dscf). The opacity of these gases is limited to 20 percent.

Emissions of sulfur dioxide contained in the gases discharged into the atmosphere from sintering machines, electric smelting furnaces and converters are limited to 0.065 percent by volume (650 parts per million) averaged over a two-hour period. Where a sulfuric acid plant is used to comply with this standard, the opacity of the gases discharged into the atmosphere is limited to 20 percent.

The regulations also require continuous monitoring systems to monitor and record the opacity of emissions discharged into the atmosphere from any blast furnace, dross reverberatory furnace, or sintering machine discharge end subject to the standards, and the concentration of sulfur dioxide in the gases discharged into the atmosphere from any sintering machine, electric furnace or converter subject to the standards.

MAJOR COMMENTS AND CHANGES MADE TO
THE PROPOSED STANDARDS

PRIMARY COPPER SMELTERS

Most of the comments submitted to the Agency concerned the proposed standards of performance for primary copper smelters. As noted in the preamble to the proposed standards, the domestic copper smelting industry expressed strong objections to these standards during their development. Most of the comments submitted by the industry following proposal of these standards reiterated these objections. In addition, a number of comments were submitted by State agencies, environmental organizations and private individuals, also expressing objections to various aspects of the proposed standards. Consequently, it is appropriate to review the basis of the proposed standards before discussing the comments received, the responses to these comments and the changes made to the standards for promulgation.

The proposed standards would have limited the concentration of sulfur dioxide contained in gases discharged into the atmosphere from all new and modified roasters; reverberatory, flash and electric smelting furnaces; and copper converters at primary copper smelters to 650 parts per million. Uncontrolled roasters, flash and electric smelting furnaces, and copper converters discharge gas streams containing more than 3½ percent sulfur dioxide. The cost of controlling these gas streams with sulfuric acid plants was considered reasonable. Reverberatory smelting furnaces, however, normally discharge gas streams containing less than 3½ percent sulfur dioxide, and the cost of controlling these gas streams through the use of various sulfur dioxide scrubbing systems currently available was considered unreasonable in most cases. It was the Administrator's conclusion, however, that flash and electric smelting considered together were applicable to essentially the full range of domestic primary copper smelting operations. Consequently, standards were proposed which applied equally to new

flash, electric and reverberatory smelting furnaces. The result was standards which favored construction of new flash and electric smelting furnaces over new reverberatory smelting furnaces.

Most of the increase in copper production over the next few years will probably result from expansion of existing copper smelters. Of the sixteen domestic primary copper smelters, only one employs flash smelting and only two employ electric smelting. The remaining thirteen employ reverberatory smelting, although one of these thirteen has initiated construction to convert to electric smelting and another has initiated construction to convert to a new smelting process referred to as Noranda smelting. (The Noranda smelting process discharges a gas stream of high sulfur dioxide concentration which is easily controlled at reasonable costs. By virtue of the definition of a smelting furnace, the promulgated standards also apply to Noranda furnaces.)

In view of the Administrator's judgment that the cost of controlling sulfur dioxide emissions from reverberatory furnaces was unreasonable, the Administrator concluded that an exemption from the standards was necessary for existing reverberatory smelting furnaces, to permit expansion of existing smelters at reasonable costs. Consequently, the proposed standards stated that any physical changes or changes in the method of operation of existing reverberatory smelting furnaces, which resulted in an increase in sulfur dioxide emissions from these furnaces, would not cause these furnaces to be considered "modified" affected facilities subject to the standards. This exemption, however, applied only where total emissions of sulfur dioxide from the primary copper smelter in question did not increase.

Prior to the proposal of these standards, the Administrator commissioned the Arthur D. Little Co., Inc., to undertake an independent assessment of both the technical basis for the standards and the potential impact of the standards on the domestic primary copper smelting industry. The results of this study have been considered together with the comments submitted during the public review and comment period in determining whether the proposed standards should be revised for promulgation.

Briefly, the Arthur D. Little study reached the following conclusions:

(1) The proposed standards should have no adverse impact on new primary copper smelters processing materials containing low levels of volatile impurities.

(2) The proposed standards could reduce the capability of new primary copper smelters located in the southwest U.S. to process materials of high impurity content. This impact was foreseen since the capability of flash smelting to process materials of high impurity levels was unknown. Although electric smelting was considered technically capable of processing these materials, the higher costs associated with electric smelting, due to the high cost of electrical power in the southwest, were considered sufficient to preclude its use in most cases.

This conclusion was subject, however, to qualification. It applied only to the southwest (Arizona, New Mexico and west Texas) and not to other areas of the United States (Montana, Nevada, Utah and Washington) where primary copper smelters currently operate; and it was not viewed as applicable to large new ore deposits of high impurity content which were capable of providing the entire charge to a new smelter. The study also concluded it was impossible to estimate the magnitude of this potential impact since it was not possible to predict impurity levels likely to be produced from new ore reserves.

Although considerable doubt existed as to the need for a new smelter in the southwest to process materials of high impurity levels in the future (essentially all the information and data examined indicated such a need is not likely to arise), the Arthur D. Little study concluded it would be prudent to assume new smelters in the southwest should have the flexibility to process these materials. To assume otherwise according to the study might place constraints on possible future plans of the American Smelting and Refining Company.

(3) The proposed standards should have little or no impact on the ability of existing primary copper smelters to expand copper production. This conclusion was also subject to qualification. It was noted that other means of expanding smelter capacity might exist than the approaches studied and that the proposed standards might or might not influence the viability of these other means of expanding capacity. It was also noted that the study assumed existing single absorption sulfuric acid plants could be converted to double absorption, but that individual smelters were not visited and this conversion might not be possible at some smelters.

Each of the comment letters received by EPA contained multiple comments. The most significant comments, the Agency's responses to these comments and the various changes made to the proposed regulations for promulgation in response to these comments are discussed below.

(1) *Legal authority under section 111.* Four commentators indicated that the Agency would exceed its statutory authority under section 111 of the Act by promulgating a standard of performance that could not be met by copper reverberatory smelting furnaces, which are extensively used at existing domestic smelters. The commentators believe that the "best system of emission reduction" cited in section 111 refers to control techniques that reduce emissions, and not to processes that emit more easily controlled effluent gas streams. The commentators contend, therefore, that a producer may choose the process that is most appropriate in his view, and new source performance standards must be based on the application of the best demonstrated techniques of emission reduction to that process.

The legislative history of the 1970 Amendments to the Act is cited by these commentators as supporting this inter-

pretation of section 111. Specifically pointed out is the fact that the House-Senate Conference Committee, which reconciled competing House and Senate versions of the bill, deleted language from the Senate bill that would have granted the Agency explicit authority to regulate processes. This action, according to these commentators, clearly indicates a Congressional intent not to grant the Agency such authority.

The conference bill, however, merely replaced the phrase in the Senate bill "latest available control technology, processes, operating method or other alternatives" with "best system of emission reduction which (taking into account the cost of achieving such reduction) the Administrator determines has been adequately demonstrated." The use of the phrase "best system of emission reduction" appears to be inclusive of the terms in the Senate bill. The absence of discussion in the conference report on this issue further suggests that no substantive change was intended by the substitution of the phrase "best system of emission reduction" for the phrase "latest available control technology, processes, operating method or other alternatives" in the Senate bill.

For some classes of sources, the different processes used in the production activity significantly affect the emission levels of the source and/or the technology that can be applied to control the source. For this reason, the Agency believes that the "best system of emission reduction" includes the processes utilized and does not refer only to emission control hardware. It is clear that adherence to existing process utilization could serve to undermine the purpose of section 111 to require maximum feasible control of new sources. In general, therefore, the Agency believes that section 111 authorizes the promulgation of one standard applicable to all processes used by a class of sources, in order that the standard may reflect the maximum feasible control for that class. When the application of a standard to a given process would effectively ban the process, however, a separate standard must be prescribed for it unless some other process(es) is available to perform the function at reasonable cost.

In determining whether the use of different processes would necessitate the setting of different standards, the Agency first determines whether or not the processes are functionally interchangeable. Factors such as whether the least polluting process can be used in various locations or with various raw materials or under other conditions are considered. The second important consideration of the Agency involves the costs of achieving the reduction called for by a standard applicable to all processes used in a source category. Where a single standard would effectively preclude using a process which is much less expensive than the permitted process, the economic impact of the single standard must be determined to be reasonable or separate standards are set. This does not mean, however, that the cost of the alternatives to the potentially prohibited process can

be no grater than those which would be associated with controlling the process under a less stringent standard.

The Administrator has determined that the flash copper smelting process is available and will perform the function of the reverberatory copper smelting process at reasonable cost, except that flash smelting has not yet been commercially demonstrated for the processing of feed materials with a high level of volatile impurities. The standards promulgated herein, which do not apply to copper reverberatory smelting furnaces when the smelter charge contains a high level of volatile impurities, are therefore authorized under section 111 of the Act.

(2) *Control of reverberatory smelting furnaces.* Two commentators representing environmental groups and one commentator representing a State pollution control agency questioned the Administrator's judgment that the use of various sulfur dioxide scrubbing systems to control sulfur dioxide emissions from reverberatory smelting furnaces was unreasonable, especially in view of his conclusion that the use of these systems on large steam generators was reasonable. These commentators also pointed out that this conclusion was based only on an examination of the use of sulfur dioxide scrubbing systems and that alternative means of control, such as the use of oxygen enrichment of reverberatory furnace combustion air, or the mixing of the gases from the reverberatory furnace with the gases from roasters and copper converters to produce a mixed gas stream suitable for control, were not examined.

This comment was submitted in response to the exemption included in the proposed standards for existing reverberatory smelting furnaces. As discussed below, the amendments recently promulgated by the Agency to 40 CFR Part 60 clarifying the meaning of "modification" make this exemption unnecessary. The comment is still appropriate, however, since the promulgated standards now include an exemption for new reverberatory smelting furnaces at smelters processing materials containing high levels of volatile impurities.

Section 111 of the Clean Air Act dictates that standards of performance be based on " * * * the best system of emission reduction which (taking into account the cost of achieving such reduction) the Administrator determines has been adequately demonstrated." Thus, not only must various systems of emission control be investigated to ensure these systems are technically proven and the levels to which emissions could be reduced through the use of these systems identified, the costs of these systems must be considered to ensure that standards of performance will not impose an unreasonable economic burden on each source category for which standards are developed.

The control of gas streams containing low concentrations of sulfur dioxide through the use of various scrubbing sys-

tems which are currently available is considered by the Administrator to be technically proven and well demonstrated. The use of these systems on large steam generators is considered reasonable since electric utilities are regulated monopolies and the costs incurred to control sulfur dioxide emissions can be passed forward to the consumer. Primary copper smelters, however, do not enjoy a monopolistic position and face direct competition from both foreign smelters and other domestic smelters. The costs associated with the use of these scrubbing systems on reverberatory smelting furnaces at primary copper smelters are so large, in the Administrator's judgment, that they could not be either absorbed by a copper smelter without resulting in a significant decrease in profitability, passed forward to the consumer without leading to a significant loss in sales, or passed back to the mining operations without resulting in a closing of some mines and a decrease in mining activity. Consequently, the Administrator considers the use of these systems to control reverberatory smelting furnaces unreasonable.

Although little discussion is included in the background document supporting the proposed standards concerning the use of oxygen enrichment of reverberatory furnace combustion air, or the mixing of the gases from reverberatory furnaces with the gases from roasters and copper converters, these approaches for controlling sulfur dioxide emissions from reverberatory smelting furnaces were examined. These investigations, however, were not of an in-depth nature and were not pursued to completion.

A preliminary analysis of oxygen enrichment of reverberatory furnace combustion air to produce a strong gas stream from the reverberatory furnace appeared to indicate that the costs associated with this approach were unreasonable. A similar analysis of the mixing of the gases from a reverberatory furnace with the gases discharged from a fluid-bed roaster and copper converters appeared to indicate that although the costs associated with this approach were reasonable, it was not possible to use fluid-bed roasters in all cases. Multi-hearth roasters would be required where materials of high volatile impurity levels were processed. Although multi-hearth roasters discharge strong gas streams (4-5 percent sulfur dioxide), fluid bed roasters discharge much stronger gas streams (10-12 percent sulfur dioxide). To determine the effect of this lower concentration of sulfur dioxide in the gases discharged by multi-hearth roasters on the ability to mix the gases discharged by reverberatory smelting furnaces with those discharged by roasters and copper converters to produce a mixed gas stream suitable for control at reasonable costs would have required further investigation and study.

Unfortunately, limited resources prevented all avenues of investigation from being pursued and in view of the promising indications from the preliminary in-

vestigations into flash and electric smelting, the Agency concentrated its efforts in this area. As discussed below, however, the use of these approaches to control sulfur dioxide emissions from reverberatory smelting furnaces are under investigation as a means by which the promulgated standards of performance could be extended to cover reverberatory smelting furnaces which process materials containing high levels of impurities.

(3) *Materials of high impurity levels.* One commentator expressed his belief that the proposed standards would prevent new primary copper smelters from processing materials containing high levels of impurities, such as arsenic, antimony, lead and zinc. This commentator does not feel flash smelting can be considered demonstrated for smelting materials containing these impurities. The commentator also feels the domestic smelting industry will not be able to employ electric smelting to process materials of this nature in the future, since electric power will not be available, or only available at a price which will prevent its use by the industry.

At the time of proposal of the standards for primary copper smelters, the Administrator was aware that considerable doubt existed concerning the capability of flash smelting to process materials of high impurity levels. No doubt existed, however, with regard to the capability of electric smelting to process these materials. Consequently, the standards were proposed on the basis that where flash smelting could not be employed to process these materials, electric smelting could.

As outlined above, the Arthur D. Little study concluded that at no flash smelter in the world has the average composition of the total charge processed on a routine basis exceeded 0.2 weight percent arsenic, 0.1 weight percent antimony, 4.5 weight percent lead and 5.5 weight percent zinc. Thus, the capability of flash smelting to process a charge containing higher levels of impurities than these has not been adequately demonstrated. At this time, therefore, only electric smelting preceded by multi-hearth roasting (in addition to reverberatory smelting preceded by multi-hearth roasting) can be considered adequately demonstrated (excluding costs) for processing these materials.

The Arthur D. Little study also examined the projected availability and pricing of various forms of energy through 1980 for those areas of the United States where primary copper smelters now operate. Although the energy consumed by electric smelting is approximately equal to that consumed by reverberatory smelting (taking into account the energy inefficiency associated with electric power generation), the study concluded that a cost penalty of 1 to 2 cents per pound of copper is associated with electric smelting in the southwest U.S. due to the high cost of electric power in this region. This cost penalty was considered sufficient in the Arthur D. Little study to make the use

of electric smelting at new primary copper smelters located in the southwest economically unattractive in most cases.

Since the basis for the proposed standards considered electric smelting as a viable alternative should flash smelting prove unable to process materials of high impurity levels, the Administrator has concluded the proposed standards should be revised for promulgation. Consequently, the standards promulgated herein exempt new reverberatory smelting furnaces at primary copper smelters which process a total charge containing more than 0.2 weight percent arsenic, 0.1 weight percent antimony, 4.5 weight percent lead or 5.5 weight percent zinc. This will permit new primary copper smelters to be constructed to process materials of high impurity levels without employing electric smelting. The promulgated standards of performance will, however, apply to new roasters and copper converters at these smelters, since the Administrator has concluded these facilities can be operated to produce gas streams containing greater than 3½ percent sulfur dioxide and that the costs associated with controlling these gas streams are reasonable.

Although the Administrator considers it prudent to promulgate the standards with this exemption for new reverberatory smelting furnaces, the Administrator believes this exemption may not be necessary. As pointed out in the comments submitted by various environmental organizations and private citizens, neither the use of oxygen enrichment of reverberatory furnace combustion air, nor the mixing of the gases from reverberatory furnaces with those from multi-hearth roasters and copper converters were investigated in depth by the Agency in developing the proposed standards. Either of these approaches could prove to be reasonable for controlling sulfur dioxide emissions from reverberatory smelting furnaces.

Under the promulgated standards with the exemptions provided for new reverberatory smelting furnaces, new primary copper smelters could remain among the largest point sources of sulfur dioxide emissions within the U.S. Consequently, the Agency's program to develop standards of performance to limit sulfur dioxide emissions from primary copper smelters will continue. This program will focus on the use of oxygen enrichment of reverberatory furnace combustion air and the mixing of the gases from reverberatory smelting furnaces with those from multi-hearth roasters and copper converters. If the Administrator concludes either or both of these approaches can be employed to control sulfur dioxide emissions from reverberatory smelting furnaces at reasonable costs, the Administrator will propose that this exemption be deleted.

(4) *Copper smelter modifications.* One of the major issues associated with the proposed regulations on modification, notification and reconstruction (39 FR 36946) involved the "bubble concept." The "bubble concept" refers to the trading off of emission increases from one

existing facility undergoing a physical or operational change at a source with emission reductions from another existing facility at the same source. If there is no net increase in the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by the source as a whole, the facility which experienced an emissions increase is not considered modified. Although the "bubble concept" may be applied to existing facilities which undergo a physical or operational change, it may not be applied to cover construction of new facilities.

In commenting on the proposed standards of performance for primary copper smelters, two commentators suggested that the bubble concept be extended to include construction of new facilities at existing copper smelters. These commentators indicated that this could result in a substantial reduction in the costs, while at the same time leading to a substantial reduction in emissions from the smelter.

To support their claims, these commentators presented two hypothetical examples of expansions at a copper smelter that could occur through construction of new facilities. Where new facilities were controlled to meet standards of performance, emissions from the smelter as a whole increased. Where some new facilities were not controlled to meet standards of performance, emissions from the smelter as a whole decreased substantially.

These results, however, depend on special manipulation of emissions from the existing facilities at the smelter. In the case where new facilities are controlled to meet standards of performance, emissions from existing facilities are not reduced. Thus, with construction of new facilities, emissions from the smelter as a whole increase. In the case where some new facilities are not controlled to meet standards of performance, emissions from existing facilities are reduced through additional emission control or production cut-back. Since emissions from the existing facilities were assumed to be very large initially, a reduction in these emissions results in a net reduction in emissions from the smelter as a whole.

These hypothetical examples, however, appear to represent contrived situations. In many cases, compliance with State implementation plans to meet the National Ambient Air Quality Standards will require existing copper smelters to control emissions to such a degree that the situations portrayed in the examples presented by these commentators are not likely to arise. Furthermore, a smelter operator may petition the Administrator for reconsideration of the promulgated standards if he believes they would be infeasible when applied to his smelter.

Another commentator asked whether conversion of an existing reverberatory smelting furnace from firing natural gas to firing coal would constitute a modification. This commentator pointed out that although the conversion to firing coal would increase sulfur dioxide emissions from the smelter by 2 to 3 percent,

the costs of controlling the furnace to meet the standards of performance would be prohibitive.

The primary objective of the promulgated standards is to control emissions of sulfur dioxide from the copper smelting process. The data and information supporting the standards consider essentially only those emissions arising from the basic smelting process, not those arising from fuel combustion. It is not the direct intent of these standards, therefore, to control emissions from fuel combustion per se. Consequently, since emissions from fuel combustion are negligible in comparison with those from the basic smelting process, and a conversion of reverberatory smelting furnaces to firing coal rather than natural gas will aid in efforts to conserve natural gas resources, the standards promulgated herein include a provision exempting fuel switching in reverberatory smelting furnaces from consideration as a modification.

(5) *Expansion of existing smelters.* Two commentators expressed their concern that the proposed standards would prevent the expansion of existing primary copper smelters, since the standards apply to modified facilities as well as new facilities. These commentators reasoned that the costs associated with controlling emissions from each roaster, smelting furnace or copper converter modified during expansion would in many cases make these expansions economically unattractive.

As noted above, the Agency has proposed amendments to the general provisions of 40 CFR Part 60 covering modified and reconstructed sources. Under these provisions, standards of performance apply only where an existing facility at a source is reconstructed; where a change in an existing facility results in an increase in the total emissions at a source; and where a new facility is constructed at a source. Thus, unless total emissions from a primary copper smelter increase, most alterations to existing roasters, smelting furnaces or copper converters which increase their emissions will not cause these facilities to be considered modified and subject to standards of performance.

The Administrator does not believe the standards promulgated herein will deter expansion of existing primary copper smelters. As discussed earlier, the Administrator concluded at proposal that the cost of controlling reverberatory smelting furnaces was unreasonable (through the use of various sulfur dioxide scrubbing systems currently available), and for this reason included an exemption in the proposed standards for existing reverberatory smelting furnaces. The prime objective of this exemption was to ensure that existing primary copper smelters could expand copper production at reasonable costs.

Also, as discussed earlier, the Arthur D. Little study examined this aspect of the proposed standards and concluded the standards would have little or no impact on the ability of existing primary copper smelters to expand production.

This conclusion was subject to two qualifications: other means of expanding smelter capacity might exist than those examined and the impact of the proposed standards on these means of expanding capacity is unknown; and it was assumed that existing single absorption sulfuric acid plants could be converted to double absorption, but at some smelters this might not be possible.

The Administrator does not feel these qualifications seriously detract from the essential conclusion that the standards are likely to have little impact on the expansion capabilities of existing copper smelters. The various means of expanding smelter capacity examined in the Arthur D. Little study represent commonly employed techniques for increasing copper production from as little as 10 to 20 percent, to as much as 50 percent at existing smelters. Consequently, the Administrator considers the approaches examined in the study as broadly representative of various means of expanding existing primary copper smelters and as a reasonable basis from which conclusions regarding the potential impact of the standards on the expansion capabilities of the domestic primary copper smelting industry can be drawn.

The Administrator views the assumption in the Arthur D. Little report that existing single absorption sulfuric acid plants can be converted to double absorption as a good assumption. Although at some existing primary copper smelters the physical plant layout might complicate a conversion from single absorption to double absorption, the remote isolated location of most smelters provides ample space for the construction of additional plant facilities. Thus, while the costs for conversion may vary from smelter to smelter, it is unlikely that at any smelter a conversion could not be made.

As proposed, provisions were included in the regulations specifically stating that physical and operating changes to existing reverberatory smelting furnaces which resulted in an increase in sulfur dioxide emissions would not be considered modifications, provided total emissions of sulfur dioxide from the copper smelter did not increase above levels specified in State implementation plans.

Since proposal of the standards, amendments to 40 CFR Part 60 to clarify the meaning of modification under section 111 have been proposed. These amendments permit changes to existing facilities within a source which increase emissions from these facilities without requiring compliance with standards of performance, provided total emissions from the source do not increase. Since this was the objective of the provisions included in the proposed regulations for primary copper smelters with regard to changes to existing reverberatory smelting furnaces, these provisions are no longer necessary and have been deleted from the promulgated regulations.

(6) *Increased energy consumption.* Two commentators indicated that the Agency's estimate of the impact of the standards of performance for primary copper, zinc and lead smelters on energy consumption was much too low. Since

the number of smelters which will be affected by the standards is relatively small, the Agency has developed a scenario on a smelter-by-smelter basis, by which the domestic industry could increase copper production by 400,000 tons by 1980. This increase in copper production represents a growth rate of about 3.5 percent per year and is consistent with historical industry growth rates of 3 to 4 percent per year.

On this new basis, the energy required to control all new primary copper, zinc and lead smelters constructed by 1980 to comply with both the proposed standards and the standards promulgated herein is the same and is estimated to be 320 million kilowatt-hours per year. This is equivalent to about 520,000 barrels of number 6 fuel oil per year. Relative to typical State implementation plan requirements for primary copper, zinc and lead smelters, the incremental energy required by these standards is 50 million kilowatt-hours per year, which is equivalent to about 80,000 barrels of number 6 fuel oil per year.

The energy required to comply with the promulgated standards at these new smelters by 1980 represents no more than approximately 3.5 percent of the process energy which would be required to operate these smelters in the absence of any control of sulfur dioxide emissions. The incremental amount of energy required to meet these standards is somewhat less than 0.5 percent of the total energy (process plus air pollution) which would be required to operate these new smelters and meet typical State implementation plan emission control requirements.

One commentator stated the Agency's initial estimate of the increased energy requirements associated with the proposed standards was low because the Agency did not take into account a 3 million Btu per ton of copper concentrate energy debit, attributed by the commentator to electric smelting compared to reverberatory smelting. The new basis used by the Agency to estimate the impact of the standards on energy consumption anticipates no new electric smelting by 1980. Consequently, any difference in the energy consumed by electric smelting compared to reverberatory smelting will have no impact on the amount of energy required to comply with the standards.

The Agency's estimates of the energy requirements associated with electric smelting and reverberatory smelting, which are included in the background information for the proposed standards, are based on a review of the technical literature and contacts with individual smelter operators. These estimates agree quite favorably with those developed in the Arthur D. Little study, which verified the Agency's conclusion that the overall energy requirements associated with reverberatory and electric smelting are essentially the same. It remains, the Administrator's conclusion, therefore, that there is no energy debit associated with electric smelting compared to reverberatory smelting.

Another commentator feels the Agency's original estimates fail to take

into account the fuel necessary to maintain proper operating temperatures in sulfuric acid plants. This commentator estimates that about 82,000 barrels of fuel oil per year are required to heat the gases in a double absorption sulfuric acid plant. The commentator then assumes the domestic non-ferrous smelting industry will expand production by 50 percent in the immediate future, citing the Arthur D. Little study for support. Since about 30 metallurgical sulfuric acid plants are currently in use within the domestic smelting industry, the commentator assumes this means 15 new metallurgical sulfuric acid plants will be constructed in the future. This leads to an estimated energy impact associated with the standards of performance of about 1¼ million barrels of fuel oil per year.

It should be noted, however, that the growth projections developed in the Arthur D. Little study are only for the domestic copper smelting industry, and cannot be assumed to apply to the domestic zinc and lead smelting industries. Over half the domestic zinc smelters, for example, have shut down since 1968 and zinc production has fallen sharply, although recently plans have been announced for two new zinc smelters. In addition, the domestic lead industry is widely viewed as a static industry with little prospect for growth in the near future.

Furthermore, the Arthur D. Little study does not project a 50 percent expansion of the domestic copper smelting industry in the immediate future. By 1980, the study estimates domestic copper production will have increased by 15 percent over 1974 and by 1985, domestic copper production will have increased by 35 percent.

The Agency's growth projections for the domestic copper smelting industry are somewhat higher than those of the Arthur D. Little study and forecast a 19 percent increase in copper production by 1980 over 1974. The commentator's estimate of a 50 percent expansion of the domestic non-ferrous smelting industry in the immediate future, therefore, appears much too high. Where the commentator estimates that the standards of performance will affect the construction of 15 new metallurgical sulfuric acid plants, the Agency estimates the standards will affect the construction of 7 new acid plants (6 in the copper industry, 1 in the zinc industry and none in the lead industry). In addition, the Agency estimates the standards will require the conversion of 6 existing single absorption acid plants to double absorption (5 in the copper industry, 1 in the zinc industry and none in the lead industry).

As noted above, the commentator's calculations also assume that these 15 new metallurgical acid plants do not operate autothermally (i.e., fuel firing is necessary to maintain proper operating temperatures). The commentator's estimate that a double absorption sulfuric acid plant requires 82,000 barrels of fuel oil per year is based on operation of an acid plant designed to operate autothermally at 4½ percent sulfur dioxide, but which operates on gases con-

taining only 3½ percent sulfur dioxide 40 percent of the time.

Using this same basis, the Agency calculates that a sulfuric acid plant should require less than 5,000 barrels of oil per year. A review of these calculations with two acid plant vendors and a private consultant has disclosed no errors. The Administrator must assume, therefore, that the commentator's calculations are in error, or assume an unrealistically low degree of heat recovery in the acid plant to preheat the incoming gases, or are based on a poorly designed or poorly operated sulfuric acid plant which fails to achieve the degree of heat recovery normally expected in a properly designed and operated sulfuric acid plant.

Regardless of these calculations, however, the Administrator feels that with good design, operation and maintenance of the roasters, smelting furnaces, concentrators, sulfuric acid plant and the flue gas collection system and ductwork, the concentration of sulfur dioxide in the gases processed by a sulfuric acid plant can be maintained above 3½ to 4 percent sulfur dioxide. This level is typically the autothermal point at which no fuel need be fired to maintain proper operating temperatures in a well designed metallurgical sulfuric acid plant. Except for occasional start-ups, therefore, a well designed and properly operated metallurgical sulfuric acid plant should operate autothermally and not require fuel for maintaining proper operating temperatures. Thus, it remains the Administrator's conclusion that the impact of the standards on increased energy consumption, resulting from increased fuel consumption to operate sulfuric acid plants, is negligible.

(7) *Emission control technology.* As three commentators correctly noted, the proposed standards essentially require the use of one emission control technology—double absorption sulfuric acid plants. These commentators feel, however, that this prevents the use of alternative emission control technologies such as single absorption sulfuric acid plants and elemental sulfur plants, and that these are equally effective and, in the case of elemental sulfur plants, place less stress on the environment.

Although these commentators acknowledge that double absorption sulfuric acid plants operate at a higher efficiency than single absorption acid plants (99.5 percent vs. 97 percent), they feel the availability of double absorption plants is lower than that of single absorption plants (90 percent vs. 92 percent). These commentators also point out that double absorption acid plants require more energy to operate than single absorption plants. When the effect of these factors on overall sulfur dioxide emissions is considered, these commentators feel there is no essential difference between double and single absorption acid plants.

The difference in availability between single and double absorption sulfuric acid plants cited by these commentators was estimated from data gathered solely on single absorption acid plants, and is due essentially to only one item—that of

the acid coolers for the sulfuric acid produced in the absorption towers. The data used by these commentators, however, reflects "old technology" in this respect. If the data are adjusted to reflect new acid cooler technology, the availability of single and double absorption acid plants is estimated to be 94 and 93.5 percent, respectively.

Taking into account these differences in efficiency and availability, the installation of a 1000-ton-per-day double absorption acid plant rather than a single absorption acid plant results in an annual reduction in sulfur dioxide emissions of about 4,500 tons. The difference in annual availability between single and double absorption acid plants, however, does not influence short-term emissions. Over short time periods the difference in emissions between single and double absorption acid plants is a reflection only of their difference in operating efficiency. Over a 24-hour period, for example, a 1000-ton-per-day single absorption acid plant will emit about 20 tons of sulfur dioxide compared to about 3.5 tons from a double absorption acid plant. Consequently, the difference in emission control obtained through the use of double absorption rather than single absorption acid plants is significant.

The increased sulfur dioxide emissions released to the atmosphere to provide the greater energy requirements of double absorption over single absorption acid plants is also minimal. For a nominal 1000-ton-per-day sulfuric acid plant, the difference in sulfur dioxide emissions between a single absorption plant and a double absorption plant is about 16.5 tons per day as mentioned above. The sulfur dioxide emissions from the combustion of a 1.0 percent sulfur fuel oil to provide the difference in energy required, however, is of the order of magnitude of only 200 pounds per day.

As mentioned above, these commentators also feel that elemental sulfur plants are as effective as double absorption sulfuric acid plants and place less stress on the environment. Elemental sulfur plants normally achieve emission reduction efficiencies of only about 90 percent, which is significantly lower than the 99+ percent normally achieved in double absorption sulfuric acid plants. Consequently, the Administrator does not consider elemental sulfur plants nearly as effective as double absorption sulfuric acid plants.

Although elemental sulfur presents no potential water pollution problems and can be easily stored, thus remaining a possible future resource, the Administrator does not agree that production of elemental sulfur places less stress on the environment than production of sulfuric acid. At every smelter now producing sulfuric acid, an outlet for this acid has been found, either in copper leaching operations to recover copper from oxide ores, or in the traditional acid markets, such as the production of fertilizer. Thus, sulfuric acid, unlike elemental sulfur, has found use as a current resource and not required storage for use as a possible future resource.

The Administrator believes that this situation will also generally prevail in the future. If sulfuric acid must be neutralized at a specific smelter, however, this can be accomplished with proper precautions without leading to water pollution problems, as discussed in the background information supporting the proposed standards.

A major drawback associated with the production of elemental sulfur, however, is the large amount of fuel required as a reductant in the process. When compared to sulfuric acid production in double absorption sulfuric acid plants, elemental sulfur production requires from 4 to 6 times as much energy. Consequently, the Administrator is not convinced that elemental sulfur production, which releases about 20 times more sulfur dioxide into the atmosphere, yet consumes 4 to 6 times as much energy, could be considered less stressful on the environment than sulfuric acid production.

PRIMARY ZINC SMELTERS

Only one major comment was submitted to the Agency concerning the proposed standards of performance for primary zinc smelters. This comment questioned whether it would be possible in all cases to eliminate 90 percent or more of the sulfur originally present in the zinc concentrates during roasting.

Most primary zinc smelters employ either the electrolytic smelting process or the roast/sinter smelting process, both of which require a roasting operation. The roast/sinter process, however, requires a sintering operation following roasting. Sulfur not removed from the concentrates during roasting is removed during sintering. Since the amount of sulfur removed by sintering is small, the gases discharged from this operation contain a low concentration of sulfur dioxide. As discussed in the preamble to the proposed standards, the cost of controlling these emissions was judged by the Administrator to be unreasonable.

The amount of sulfur dioxide emitted from the sintering machine, however, depends on the sulfur removal achieved in the preceding roaster. To ensure a high degree of sulfur removal during roasting which will minimize sulfur dioxide emissions from the sintering machine, the sulfur dioxide standard applies to any sintering machine which eliminates more than 10 percent of the sulfur originally present in the zinc concentrates. This requires 90 percent or more of the sulfur to be eliminated during roasting, which is consistent with good operation of roasters as presently practiced at the two zinc smelters in the United States which employ the roast/sinter process.

One commentator pointed out that calcium and magnesium which are present as impurities in some zinc concentrates could combine with sulfur during roasting to form calcium and magnesium sulfates. These materials would remain in the calcine (roasted concentrate). If these sulfates were reduced in the sintering operation, this could lead to more than 10 percent of the sulfur originally present in the zinc concentrates being

emitted from the sintering machine. Under these conditions the sintering machine would be required to comply with the sulfur dioxide standard.

Although it is possible that this situation could arise, as acknowledged by the commentator himself it does not seem likely. Only a few zinc concentrates contain enough calcium and magnesium to carry as much as 10 percent of the sulfur in the concentrate over into the sintering operation, even assuming all the calcium and magnesium present combined with sulfur during the roasting operation.

In addition, a number of smelter operators contacted by the Agency indicated that it is quite possible that not all the calcium and magnesium present would combine with sulfur to form sulfates during roasting. It is equally possible, according to these operators, that not all the calcium and magnesium sulfates formed would be reduced in the sintering machine. Thus, even with those few concentrates which do contain a high level of calcium and magnesium, the extent to which calcium and magnesium might contribute to high sulfur emissions from the sintering operation is questionable.

Furthermore, these smelter operators indicated that at most zinc smelters a number of different zinc concentrates are normally blended to provide a homogeneous charge to the roasting operation. As pointed out by these operators, this effectively permits a smelter operator to reduce the amount of calcium and magnesium present in the charge by blending off the high levels of calcium and magnesium present in one zinc concentrate against the low levels present in another concentrate.

The Agency also discussed this potential problem with a number of mill operators. These operators indicated that additional milling could be employed to reduce calcium and magnesium levels in zinc concentrates. Although additional milling would entail some additional cost and probably result in a somewhat higher loss of zinc to the tailings, calcium and magnesium levels could be reduced well below the point where formation of calcium and magnesium sulfate during roasting would be of no concern.

While one may speculate that calcium and magnesium might lead to the formation of sulfates during roasting, which might in turn be reduced during sintering, the extent to which this would occur is unknown. Consequently, whether this would prevent a primary zinc smelter employing the roast/sinter process from limiting emissions from sintering to no more than 10 percent of the sulfur originally present in the zinc concentrates is questionable. The fact remains, however, that at the two primary zinc smelters currently operating in the United States which employ the roast/sinter process this has not been a problem. Furthermore, it appears that if calcium and magnesium were to present a problem in the future, a number of appropriate measures, such as additional blending of zinc concentrates or additional milling of those concentrates containing high calcium and magnesium

levels, could be employed to deal with the situation. As a result, the standards of performance promulgated herein for primary zinc smelters require a sintering machine emitting more than 10 percent of the sulfur originally present in the zinc concentrates to comply with the sulfur dioxide standard for roasters.

PRIMARY LEAD SMELTERS

No major comments were submitted to the Agency concerning the proposed standards of performance for primary lead smelters. The proposed standards, therefore, are promulgated herein with only minor changes.

VISIBLE EMISSIONS

The opacity levels contained in the proposed standards to limit visible emissions have been reexamined to ensure they are consistent with the provisions promulgated by the Agency since proposal of these standards for determining compliance with visible emissions standards (39 FR 39872). These provisions specify, in part, that the opacity of visible emissions will be determined as a 6-minute average value of 24 consecutive readings taken at 15 second intervals. Reevaluation of the visible emission data on which the opacity levels in the proposed standards were based, in terms of 6-minute averages, indicates no need to change the opacity levels initially proposed. Consequently, the standards of performance are promulgated with the same opacity limits on visible emissions.

TEST METHODS

The proposed standards of performance for primary copper smelters, primary zinc smelters and primary lead smelters were accompanied by amendments to Appendix A—Reference Methods of 40 CFR Part 60. The purpose of these amendments was to add to Appendix A a new test method (Method 12) for use in determining compliance with the proposed standards of performance. Method 12 contained performance specifications for the sulfur dioxide monitors required in the proposed standards and prescribed the procedures to follow in demonstrating that a monitor met these performance specifications.

Since proposal of these standards of performance, the Administrator has proposed amendments to Subpart A—General Provisions of 40 CFR Part 60, establishing a consistent set of definitions and monitoring requirements applicable to all standards of performance. These amendments include a new appendix (Appendix B—Performance Specifications) which contains performance specifications and procedures to follow when demonstrating that a continuous monitor meets these performance specifications. A continuous monitoring system for measuring sulfur dioxide concentrations that is evaluated in accordance with the procedures contained in this appendix will be satisfactory for determining compliance with the standards promulgated herein for sulfur dioxide.

The proposed Method 12 is therefore withdrawn to prevent an unnecessary repetition of information in 40 CFR Part 60.

EFFECTIVE DATE

In accordance with section 111 of the Act, these regulations prescribing standards of performance for primary copper smelters, primary zinc smelters and primary lead smelters are effective on (date of publication) 1975 and apply to all affected facilities at these sources on which construction or modification commenced after October 16, 1974.

Dated: December 30, 1975.

JOHN QUARLES,
Acting Administrator.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. The table of sections is amended by adding subparts P, Q and R as follows:

*	*	*	*	*
Subpart P—Standards of Performance for Primary Copper Smelters				
60.160	Applicability and designation of affected facility.			
60.161	Definitions.			
60.162	Standard for particulate matter.			
60.163	Standard for sulfur dioxide.			
60.164	Standard for visible emissions.			
60.165	Monitoring of operations.			
60.166	Test methods and procedures.			
Subpart Q—Standards of Performance for Primary Zinc Smelters				
60.170	Applicability and designation of affected facility.			
60.171	Definitions.			
60.172	Standard for particulate matter.			
60.173	Standard for sulfur dioxide.			
60.174	Standard for visible emissions.			
60.175	Monitoring of operations.			
60.176	Test methods and procedures.			
Subpart R—Standards of Performance for Primary Lead Smelters				
60.180	Applicability and designation of affected facility.			
60.181	Definitions.			
60.182	Standard for particulate matter.			
60.183	Standard for sulfur dioxide.			
60.184	Standard for visible emissions.			
60.185	Monitoring of operations.			
60.186	Test methods and procedures.			

AUTHORITY: (Secs. 111, 114 and 301 of the Clean Air Act as amended (42 U.S.C. 1857c-6, 1857c-9, 1857g).)

2. Part 60 is amended by adding subparts P, Q and R as follows:

Subpart P—Standards of Performance for Primary Copper Smelters

§ 60.160 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facilities in primary copper smelters: Dryer, roaster, smelting furnace, and copper converter.

§ 60.161 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Primary copper smelter" means any installation or any intermediate process engaged in the production of copper from copper sulfide ore concentrates through the use of pyrometallurgical techniques.

(b) "Dryer" means any facility in which a copper sulfide ore concentrate charge is heated in the presence of air to eliminate a portion of the moisture from the charge, provided less than 5 percent of the sulfur contained in the charge is eliminated in the facility.

(c) "Roaster" means any facility in which a copper sulfide ore concentrate charge is heated in the presence of air to eliminate a significant portion (5 percent or more) of the sulfur contained in the charge.

(d) "Calcine" means the solid materials produced by a roaster.

(e) "Smelting" means processing techniques for the melting of a copper sulfide ore concentrate or calcine charge leading to the formation of separate layers of molten slag, molten copper, and/or copper matte.

(f) "Smelting furnace" means any vessel in which the smelting of copper sulfide ore concentrates or calcines is performed and in which the heat necessary for smelting is provided by an electric current, rapid oxidation of a portion of the sulfur contained in the concentrate as it passes through an oxidizing atmosphere, or the combustion of a fossil fuel.

(g) "Copper converter" means any vessel to which copper matte is charged and oxidized to copper.

(h) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process.

(i) "Fossil fuel" means natural gas, petroleum, coal, and any form of solid, liquid, or gaseous fuel derived from such materials for the purpose of creating useful heat.

(j) "Reverberatory smelting furnace" means any vessel in which the smelting of copper sulfide ore concentrates or calcines is performed and in which the heat necessary for smelting is provided primarily by combustion of a fossil fuel.

(k) "Total smelter charge" means the weight (dry basis) of all copper sulfides ore concentrates processed at a primary copper smelter, plus the weight of all other solid materials introduced into the roasters and smelting furnaces at a primary copper smelter, except calcine, over a one-month period.

(l) "High level of volatile impurities" means a total smelter charge containing more than 0.2 weight percent arsenic, 0.1 weight percent antimony, 4.5 weight percent lead or 5.5 weight percent zinc, on a dry basis.

§ 60.162 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any dryer any gases which contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

§ 60.163 Standard for sulfur dioxide.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions

of this subpart shall cause to be discharged into the atmosphere from any roaster, smelting furnace, or copper converter any gases which contain sulfur dioxide in excess of 0.065 percent by volume, except as provided in paragraphs (b) and (c) of this section.

(b) Reverberatory smelting furnaces shall be exempted from paragraph (a) of this section during periods when the total smelter charge at the primary copper smelter contains a high level of volatile impurities.

(c) A change in the fuel combusted in a reverberatory furnace shall not be considered a modification under this part.

§ 60.164 Standard for visible emissions.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any dryer any visible emissions which exhibit greater than 20 percent opacity.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility that uses a sulfuric acid to comply with the standard set forth in § 60.163, any visible emissions which exhibit greater than 20 percent opacity.

§ 60.165 Monitoring of operations.

(a) The owner or operator of any primary copper smelter subject to § 60.163 (b) shall keep a monthly record of the total smelter charge and the weight percent (dry basis) of arsenic, antimony, lead and zinc contained in this charge. The analytical methods and procedures employed to determine the weight of the monthly smelter charge and the weight percent of arsenic, antimony, lead and zinc shall be approved by the Administrator and shall be accurate to within plus or minus ten percent.

(b) The owner or operator of any primary copper smelter subject to the provisions of this subpart shall install and operate:

(1) A continuous monitoring system to monitor and record the opacity of gases discharged into the atmosphere from any dryer. The span of this system shall be set at 80 to 100 percent opacity.

(2) A continuous monitoring system to monitor and record sulfur dioxide emissions discharged into the atmosphere from any roaster, smelting furnace or copper converter subject to § 60.163 (a). The span of this system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(i) The continuous monitoring system performance evaluation required under § 60.13(c) shall be completed prior to the initial performance test required under § 60.8. During the performance evaluation, the span of the continuous monitoring system may be set at a sulfur dioxide concentration of 0.15 percent by volume if necessary to maintain the system output between 20 percent and 90

percent of full scale. Upon completion of the continuous monitoring system performance evaluation, the span of the continuous monitoring system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(1) For the purpose of the continuous monitoring system performance evaluation required under § 60.13(c) the reference method referred to under the Field Test for Accuracy (Relative) in Performance Specification 2 of Appendix B to this part shall be Reference Method 6. For the performance evaluation, each concentration measurement shall be of one hour duration. The pollutant gas used to prepare the calibration gas mixtures required under paragraph 2.1, Performance Specification 2 of Appendix B, and for calibration checks under § 60.13 (d), shall be sulfur dioxide.

(c) Six-hour average sulfur dioxide concentrations shall be calculated and recorded daily for the four consecutive 6-hour periods of each operating day. Each six-hour average shall be determined as the arithmetic mean of the appropriate six contiguous one-hour average sulfur dioxide concentrations provided by the continuous monitoring system installed under paragraph (b) of this section.

(d) For the purpose of reports required under § 60.7(c), periods of excess emissions that shall be reported are defined as follows:

(1) Opacity. Any six-minute period during which the average opacity, as measured by the continuous monitoring system installed under paragraph (b) of this section, exceeds the standard under § 60.164(a).

(2) Sulfur dioxide. Any six-hour period, as described in paragraph (c) of this section, during which the average emissions of sulfur dioxide, as measured by the continuous monitoring system installed under paragraph (b) of this section, exceeds the standard under § 60.163.

§ 60.166 Test methods and procedures.

(a) The reference methods in Appendix A to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in §§ 60.162, 60.163 and 60.164 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content.

(2) Sulfur dioxide concentrations shall be determined using the continuous monitoring system installed in accordance with § 60.165(b). One 6-hour average period shall constitute one run. The monitoring system drift during any run shall not exceed 2 percent of span.

(b) For Method 5, Method 1 shall be used for selecting the sampling site and the number of traverse points, Method 2 for determining velocity and volumetric flow rate and Method 3 for determining the gas analysis. The sampling time for each run shall be at least 60 minutes and the minimum sampling volume shall be 0.85 dscm (30 dscf) except that smaller times or volumes, when necessitated by process variables or other factors, may be approved by the Administrator.

Subpart Q—Standards of Performance for Primary Zinc Smelters

§ 60.170 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facilities in primary zinc smelters: roaster and sintering machine.

§ 60.171 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Primary zinc smelter" means any installation engaged in the production, or any intermediate process in the production, of zinc or zinc oxide from zinc sulfide ore concentrates through the use of pyrometallurgical techniques.

(b) "Roaster" means any facility in which a zinc sulfide ore concentrate charge is heated in the presence of air to eliminate a significant portion (more than 10 percent) of the sulfur contained in the charge.

(c) "Sintering machine" means any furnace in which calcines are heated in the presence of air to agglomerate the calcines into a hard porous mass called "sinter."

(d) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process.

§ 60.172 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any sintering machine any gases which contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

§ 60.173 Standard for sulfur dioxide.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any roaster any gases which contain sulfur dioxide in excess of 0.065 percent by volume.

(b) Any sintering machine which eliminates more than 10 percent of the sulfur initially contained in the zinc sulfide ore concentrates will be considered as a roaster under paragraph (a) of this section.

§ 60.174 Standard for visible emissions.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any sintering machine any visible emissions which exhibit greater than 20 percent opacity.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected

facility that uses a sulfuric acid plant to comply with the standard set forth in § 60.173, any visible emissions which exhibit greater than 20 percent opacity.

§ 60.175 Monitoring of operations.

(a) The owner or operator of any primary zinc smelter subject to the provisions of this subpart shall install and operate:

(1) A continuous monitoring system to monitor and record the opacity of gases discharged into the atmosphere from any sintering machine. The span of this system shall be set at 80 to 100 percent opacity.

(2) A continuous monitoring system to monitor and record sulfur dioxide emissions discharged into the atmosphere from any roaster subject to § 60.173. The span of this system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(i) The continuous monitoring system performance evaluation required under § 60.13(c) shall be completed prior to the initial performance test required under § 60.8. During the performance evaluation, the span of the continuous monitoring system may be set at a sulfur dioxide concentration of 0.15 percent by volume if necessary to maintain the system output between 20 percent and 90 percent of full scale. Upon completion of the continuous monitoring system performance evaluation, the span of the continuous monitoring system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(ii) For the purpose of the continuous monitoring system performance evaluation required under § 60.13(c), the reference method referred to under the Field Test for Accuracy (Relative) in Performance Specification 2 of Appendix B to this part shall be Reference Method 6. For the performance evaluation, each concentration measurement shall be of one hour duration. The pollutant gas used to prepare the calibration gas mixtures required under paragraph 2.1, Performance Specification 2 of Appendix B, and for calibration checks under § 60.13(d), shall be sulfur dioxide.

(b) Two-hour average sulfur dioxide concentrations shall be calculated and recorded daily for the twelve consecutive 2-hour periods of each operating day. Each two-hour average shall be determined as the arithmetic mean of the appropriate two contiguous one-hour average sulfur dioxide concentrations provided by the continuous monitoring system installed under paragraph (a) of this section.

(c) For the purpose of reports required under § 60.7(c), periods of excess emissions that shall be reported are defined as follows:

(1) Opacity. Any six-minute period during which the average opacity, as measured by the continuous monitoring system installed under paragraph (a) of this section, exceeds the standard under § 60.174(a).

(2) Sulfur dioxide. Any two-hour period, as described in paragraph (b) of this section, during which the average emissions of sulfur dioxide, as measured

by the continuous monitoring system installed under paragraph (a) of this section, exceeds the standard under § 60.173.

§ 60.176 Test methods and procedures.

(a) The reference methods in Appendix A to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in §§ 60.172, 60.173 and 60.174 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content.

(2) Sulfur dioxide concentrations shall be determined using the continuous monitoring system installed in accordance with § 60.175(a). One 2-hour average period shall constitute one run.

(b) For Method 5, Method 1 shall be used for selecting the sampling site and the number of traverse points, Method 2 for determining velocity and volumetric flow rate and Method 3 for determining the gas analysis. The sampling time for each run shall be at least 60 minutes and the minimum sampling volume shall be 0.85 dscm (30 dscf) except that smaller times or volumes, when necessitated by process variables or other factors, may be approved by the Administrator.

Subpart R—Standards of Performance for Primary Lead Smelters

§ 60.180 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facilities in primary lead smelters: sintering machine, sintering machine discharge end, blast furnace, dross reverberatory furnace, electric smelting furnace, and converter.

§ 60.181 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Primary lead smelter" means any installation or any intermediate process engaged in the production of lead from lead sulfide ore concentrates through the use of pyrometallurgical techniques.

(b) "Sintering machine" means any furnace in which a lead sulfide ore concentrate charge is heated in the presence of air to eliminate sulfur contained in the charge and to agglomerate the charge into a hard porous mass called "sinter."

(c) "Sinter bed" means the lead sulfide ore concentrate charge within a sintering machine.

(d) "Sintering machine discharge end" means any apparatus which receives sinter as it is discharged from the conveying grate of a sintering machine.

(e) "Blast furnace" means any reduction furnace to which sinter is charged and which forms separate layers of molten slag and lead bullion.

(f) "Dross reverberatory furnace" means any furnace used for the removal or refining of impurities from lead bullion.

(g) "Electric smelting furnace" means any furnace in which the heat necessary for smelting of the lead sulfide ore con-

concentrate charge is generated by passing an electric current through a portion of the molten mass in the furnace.

(h) "Converter" means any vessel to which lead concentrate or bullion is charged and refined.

(i) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process.

§ 60.182 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any blast furnace, dross reverberatory furnace, or sintering machine discharge end any gases which contain particulate matter in excess of 59 mg/dscm (0.022 gr/dscf).

§ 60.183 Standard for sulfur dioxide.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any sintering machine, electric smelting furnace, or converter gases which contain sulfur dioxide in excess of 0.065 percent by volume.

§ 60.184 Standard for visible emissions.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any blast furnace, dross reverberatory furnace, or sintering machine discharge end any visible emissions which exhibit greater than 20 percent opacity.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility that uses a sulfuric acid plant to comply with the standard set forth in § 60.183, any visible emissions which exhibit greater than 20 percent opacity.

§ 60.185 Monitoring of operations.

(a) The owner or operator of any primary lead smelter subject to the provisions of this subpart shall install and operate:

(1) A continuous monitoring system to monitor and record the opacity of gases discharged into the atmosphere from any blast furnace, dross reverberatory furnace, or sintering machine discharge end. The span of this system shall be set at 80 to 100 percent opacity.

(2) A continuous monitoring system to monitor and record sulfur dioxide emissions discharged into the atmosphere from any sintering machine, electric furnace or converter subject to § 60.183. The span of this system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(i) The continuous monitoring system performance evaluation required under § 60.13(c) shall be completed prior to the initial performance test required under § 60.8. During the performance evaluation, the span of the continuous monitoring system may be set at a sulfur dioxide concentration of 0.15 percent by volume if necessary to maintain the system output between 20 percent and 90 percent of full scale. Upon completion of the continuous monitoring system performance evaluation, the span of the continuous monitoring system shall be set at a sulfur dioxide concentration of 0.20 percent by volume.

(ii) For the purpose of the continuous monitoring system performance evaluation required under § 60.13(c), the reference method referred to under the Field Test for Accuracy (Relative) in Performance Specification 2 of Appendix B to this part shall be Reference Method 6. For the performance evaluation, each concentration measurement shall be of one hour duration. The pollutant gases used to prepare the calibration gas mixtures required under paragraph 2.1, Performance Specification 2 of Appendix B, and for calibration checks under § 60.13(d), shall be sulfur dioxide.

(b) Two-hour average sulfur dioxide concentrations shall be calculated and recorded daily for the twelve consecu-

tive two-hour periods of each operating day. Each two-hour average shall be determined as the arithmetic mean of the appropriate two contiguous one-hour average sulfur dioxide concentrations provided by the continuous monitoring system installed under paragraph (a) of this section.

(c) For the purpose of reports required under § 60.7(c), periods of excess emissions that shall be reported are defined as follows:

(1) Opacity. Any six-minute period during which the average opacity, as measured by the continuous monitoring system installed under paragraph (a) of this section, exceeds the standard under § 60.184(a).

(2) Sulfur dioxide. Any two-hour period, as described in paragraph (b) of this section, during which the average emissions of sulfur dioxide, as measured by the continuous monitoring system installed under paragraph (a) of this section, exceeds the standard under § 60.183.

§ 60.186 Test methods and procedures.

(a) The reference methods in Appendix A to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in §§ 60.182, 60.183 and 60.184 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content.

(2) Sulfur dioxide concentrations shall be determined using the continuous monitoring system installed in accordance with § 60.185(a). One 2-hour average period shall constitute one run.

(b) For Method 5, Method 1 shall be used for selecting the sampling site and the number of traverse points, Method 2 for determining velocity and volumetric flow rate and Method 3 for determining the gas analysis. The sampling time for each run shall be at least 60 minutes and the minimum sampling volume shall be 0.85 dscm (30 dscf) except that smaller times or volumes, when necessitated by process variables or other factors, may be approved by the Administrator.

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