

FACT SHEET

Advance Notice of Proposed Rulemaking on Adding 1-bromopropane (1-BP) to the List of Hazardous Air Pollutants under Section 112 of the Clean Air Act

ACTION

- On June 7, 2021, the U.S. Environmental Protection Agency (EPA) issued an Advance Notice of Proposed Rulemaking (ANPRM) to solicit information from the public regarding a future rulemaking to add 1-bromopropane (1-BP) to the list of hazardous air pollutants (HAP) under the Clean Air Act (CAA).
- The ANPRM is seeking information about the usage, emission controls, and costs to inform the process to address the implementation of the upcoming listing action and to ensure that the regulatory infrastructure is in place to control the emissions of 1-BP effectively and efficiently.
- The ANPRM does not propose any new regulations or requirements for listing 1-BP; rather, it offers the public the opportunity to comment on specific topics for the Agency to consider in developing a potential future proposed rule.
- While EPA has previously removed substances from the HAP list, this will be the first time that a substance will be added. EPA intends to complete the listing of 1-BP by December 31, 2021.
- The Agency will also request information on potential impacts to small businesses, as well as tribal and environmental justice communities.
- Through this ANPRM, EPA is also soliciting information on multiple aspects of a potential rule that would establish an effective and efficient regulatory infrastructure included in the General Provisions to address the addition of a new HAP.
- More specifically, the ANPRM seeks information on several key topics:
 - numbers and types of emission sources currently using 1-BP;
 - potential National Emission Standards for Hazardous Air Pollutant (NESHAP) source categories that include 1-BP use;
 - potential impacts to facilities from current NESHAP regulations; and
 - potential impacts to air permitting programs, including changes in major source status.
- EPA will accept comment on the ANPRM for 45 days after publication in the *Federal Register*.

BACKGROUND

- In June 2020, EPA published a notice approving two petitions to add 1-BP to the HAP list under section 112 of the CAA. The approval notice recognized that the petitioners had met the requirements listed in CAA section 112(b) for EPA to list 1-BP as a HAP, which requires a

determination that the compound is “an air pollutant and that emissions, ambient concentrations, bioaccumulation or deposition are known to cause or may reasonably be anticipated to cause adverse effects to human health or adverse environmental effects.”

- Because the Agency has limited information on exactly what sources will be impacted by listing 1-BP as a HAP, this ANPRM will solicit comment and information to help with the EPA’s analysis.
- Specifically, the ANPRM will solicit comment and information on specific uses of 1-BP; identification of impacted sources; potential national emission standards for hazardous air pollutants (NESHAP) source categories; and identification of barriers and burdens for potentially required compliance with current NESHAP limits that would result from a listing of 1-BP.

HOW TO COMMENT

- EPA will accept comments for 45 days after the proposal is published in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2014-0471 may be submitted by one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the on-line instructions for submitting comments.
 - Send comments by email to a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2014-0471.
- Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone and webform.
 - We encourage the public to submit comments via <https://www.regulations.gov/> or email, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only.
 - For further information on EPA Docket Center services and their current status, please visit us online at <https://www.epa.gov/dockets>.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA's website at the following address: <https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications#mods>.
- Today’s action and other background information are also available electronically at <https://www.regulations.gov/>, EPA’s electronic public docket and comment system.
- For further technical information about the rule, contact Susan Miller, EPA’s Office of Air Quality Planning and Standards, at (919) 541-2443 or miller.susan@epa.gov.