

Clean Air Act Air Toxics Regulations

Clean Air Act Advisory Committee Meeting,
December 12, 2017

US Environmental Protection Agency
Office of Air Quality Planning and Standards



Presentation Overview

- Clean Air Act Air Toxics Regulations
- RTR Program Status
- Additional Activity



Clean Air Act Air Toxics Regulations

- CAA Section 112(d) Emission Standards
 - 112(d)(2) requires EPA to set technology-based standards or Maximum Achievable Control Technology (MACT) for industrial source categories
 - 112(d)(6) requires EPA to review and revise (as appropriate) technology standards at least every 8 years
- CAA Section 112(f) Standards to Protect Health and the Environment
 - 112(f)(2) requires EPA to set health-based (Residual Risk) standards within 8 years of promulgation of MACT standard, if necessary to protect public health with an ample margin of safety
- Risk and Technology Review (RTR) – EPA combines the initial 112(d)(6) review and 112(f)(2) rulemaking into a single rulemaking package
- CAA Section 112(k) Area Source Program
 - 112(k)(3) National Strategy to identify 30 HAPs which present the greatest threat to public health and source categories accounting for 90% of their emissions



RTR Program Status

- Recently finalized RTRs for Publicly Owned Treatment Works; Nutritional Yeast Manufacturing; and Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicchemical Pulp Mills
- Finalized RTRs for about 60 source categories to date
- RTRs required for about 58 additional categories
 - 33 are subject to court orders, 2 are subject to consent decrees, and 9 are subject to ongoing litigation



RTR Program Status (cont.)

- Court orders to finalize RTRs for 33 source categories:
 - **7** final RTRs required by December 31, 2018 (proposals needed by February 2018):
 - Categories currently selected to meet this deadline are: Wood Building Products, Leather Finishing, Fabric Printing (coating), Large Appliances (coating), Metal Furniture (coating), Friction Materials, and Wet-Formed Fiberglass Mat Production
 - **20** final RTRs required by March 13, 2020 (proposals needed by April 2019)
 - **6** final RTRs required by June 30, 2020 (proposals needed by July 2019)
- Consent decrees to finalize RTRs for 2 source categories
 - Completion of Wool Fiberglass technology review required by Dec. 15, 2017 (residual risk review already finalized)
 - Final RTR for Portland Cement due on July 15, 2018



Additional Activity

- Litigating one additional deadline suit covering 9 RTR source categories
 - Awaiting court decision following November 30, 2017 court hearing
- Several RTR reconsiderations underway, including: petroleum refineries, amino-phenolic resins, secondary lead, and off-site waste recovery operations
- Issued an Information Collection Request to the Plywood and Composite Wood Products Industry to obtain data and information to support the upcoming RTR



Appendix



Source Categories Included in “20 Category” Suit – Final Rules Due March 13, 2020

Category	Category
Asphalt Processing & Asphalt Roofing Manufacturing	Misc. Metal Parts and Products Surface Coating
Auto and Light Duty Truck Surface Coating	Misc. Organic NESHAP (MON)
Boat Manufacturing	Municipal Solids Waste Landfills
Cellulose Products Manufacturing	Organic Liquids Distribution
Engine Test Cells/Strands	Paper and Other Web Surface Coating
Generic MACT II - Ethylene Processes	Plastic Parts Surface Coating
Hydrochloric Acid Production	Reinforced Plastics and Composites Production
Integrated Iron & Steel	Site Remediation
Metal Can Surface Coating	Solvent Extraction for Vegetable Oil
Metal Coil Surface Coating	Stationary Combustion Turbines



Source Categories Included in “13 Category” Suit – Final Rules Due Dec. 2018 and June 2020

Category*	Category**
Fabric Printing, Coating and Dyeing	Iron and Steel Foundries
Friction Materials Manufacturing	Lime Manufacturing
Leather Finishing Operations	Miscellaneous Coating Manufacturing
Large Appliances Surface Coating	Plywood and Composite Wood Products (formerly Plywood and Particle Board Manufacturing)
Metal Furniture Surface Coating	Rubber Tire Manufacturing
Web-Formed Fiberglass Mat Production	Taconite Iron Ore Processing
Wood Building Products Surface Coating (formerly Flat Wood Paneling Products)	

* These seven are currently planned to meet the Dec 2018 final rule deadline. The court order does not specify which seven of the thirteen are required.

** These six are currently planned to meet the June 2020 final rule deadline. The court order does not specify which six of the thirteen are required.



Source Categories Included in “9 Category” Suit – Rules Dates Not Yet Finalized

Category	Category
Flexible Polyurethane Foam Fabrication	Primary Copper Smelting
GMACT II – Carbon Black Production	Primary Magnesium Refining
GMACT II – Cyanide Chemicals Manufacturing	Refractory Products Manufacturing
GMACT II – Spandex Production	Semiconductor Manufacturing
Mercury Emissions from Mercury Cell Chlor-Alkali Plants	