

FACT SHEET
Proposed Amendments to Air Toxics Standards for
Secondary Lead Smelters

ACTION

- On November 17, 2022, the U.S. Environmental Protection Agency (EPA) proposed to amend the New Source Performance Standards (NSPS) for Secondary Lead Smelters (40 CFR part 60, subpart L) and proposed a new NSPS subpart La that applies to affected sources constructed, reconstructed, or modified after the date of this action.
- Secondary lead smelting facilities recycle lead-bearing scrap material, mainly lead acid batteries, into elemental lead or lead alloys. The process of smelting separates lead from other metals and nonmetallic contaminants. The process occurs in blast, reverberatory, and rotary kiln furnaces.
- There are 11 secondary lead smelters in the U.S. that are subject to the NSPS.
- Following a review of the NSPS, EPA is proposing:
 - Revisions to the definitions of blast furnace, reverberatory furnace, and pot furnace to more closely align the NSPS definitions with the definitions in the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for secondary lead smelting (subpart X).
 - Requirements for initial and periodic performance tests for particulate matter (PM) and opacity and incorporating the monitoring, recordkeeping, and reporting requirements, including electronic reporting of performance tests, to be more consistent with the NESHAP.
 - Updated PM and opacity emissions limits under a new NSPS subpart La for blast, reverberatory, and pot furnaces that reflect the performance achieved by the Best System for Emissions Reductions (BSER), which represents improvements in the systems used to capture and control emissions of PM since promulgation of the current NSPS in 1975.
 - These PM and opacity emissions limits under the new subpart La will apply at all times, including during periods of startup, shutdown, and malfunction (SSM).

NSPS REVIEW

- The Clean Air Act (CAA) section 111 requires EPA to determine the best system of emission reduction (BSER) for the source category and the degree of emission limitation achievable through application of the BSER (taking into account the cost of achieving such reduction and any non-air quality health and environmental impact and energy requirements).
- EPA must then promulgate standards of performance for new sources that reflect that level of stringency.
- The CAA section 111 requires EPA to, “at least every eight years review and, if appropriate, revise,” the NSPS. The EPA reviews available data and information to

determine if BSER has changed and, if so, proposes revised standards to reflect such changes.

BACKGROUND

- On September 11, 1974, EPA promulgated the NSPS for secondary lead smelting, which apply to new or modified facilities (subpart L).
- These standards require all new, modified, and reconstructed facilities that operate secondary lead smelters to control emissions of PM to the level achievable by the best demonstrated system of continuous emission reduction, considering costs, nonair quality health, and environmental and energy impacts.
- The 1975 NSPS were established based on BSER available at that time.

HOW TO COMMENT

- EPA will accept comment on the proposal for 45 days after publication in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2022-0481, may be submitted by one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the online instructions for submitting comments.
 - Send comments by email to: a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2022-0481.
 - Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2022-0481.
 - Mail your comments to: EPA Docket Center, Environmental Protection Agency, Mail Code: 28221T, 1200 Pennsylvania Ave, NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2022-0481.
 - Deliver comments in person to: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, DC. Note: In-person deliveries (including courier deliveries) are only accepted during the Docket Center's normal hours of operation. Special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA's website at the following addresses: <https://www.epa.gov/stationary-sources-air-pollution/secondary-lead-smelters-new-source-performance-standards-nsps>.
- Today's action and other background information are also available either electronically at <https://www.regulations.gov/>, EPA's electronic public docket and comment system.
 - The Public Reading Room is located at the EPA Headquarters library, room number 3334 in the EPA WJC West Building, 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m., eastern standard time, Monday through Friday, excluding federal holidays.

- Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2022-0481.
- For further technical information about the rule, contact Tonisha Dawson, EPA's Office of Air Quality Planning and Standards, at (919) 541-1454 or dawson.tonisha@epa.gov.