

FACT SHEET

Proposed Amendments to Air Toxics Standards for Petroleum Refineries NESHAP; Ethylene Production MACT; the Miscellaneous Organic Chemical Manufacturing NESHAP (MON); and the Organic Liquids Distribution (OLD) NESHAP

ACTION

- On April 5, 2023, the U.S. Environmental Protection Agency (EPA) proposed to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for:
 - Petroleum Refineries
 - Ethylene Production
 - Miscellaneous Organic Chemical Manufacturing NESHAP (MON) and
 - Organic Liquids Distribution (OLD)
- EPA finalized the Petroleum Refineries NESHAP Risk and Technology Review (RTR) in December 2015, with subsequent amendments in July 2016, July 2018, and February 2020. The Ethylene Production RTR and OLD NESHAP RTR were finalized in July 2020, and the MON RTR was finalized in August 2020.
- Following the receipt of several petitions for reconsideration, EPA is proposing to reconsider certain aspects of similar standards that can be found in these Clean Air Act regulations to reduce air toxics, including the work practice standards (WPS) for pressure relief devices (PRD) and emergency flaring, and the WPS for degassing of floating roof storage vessels.
- EPA also plans to address certain other requested clarifications and technical amendments raised in petitions for reconsideration for each of the four regulations before the July 2023 compliance dates.
- The agency also plans to propose to allow the use of pressure-assisted flares for petroleum refineries to fully align standards with current operational practices.
- EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*.

BACKGROUND

- In April 2020, Earthjustice submitted a petition for reconsideration of the Petroleum Refineries final rule. EPA previously denied the April 2020, petition for reconsideration. In September 2020, Earthjustice submitted a petition for reconsideration of the EMACT regarding the WPS for PRDs and emergency flaring events. Also in September 2020, the American Chemistry Council (ACC) and American Fuel & Petrochemical Manufacturers (AFPM) also submitted a joint petition for reconsideration of the EMACT regarding the standards for degassing of floating roof storage vessels and technical corrections.
- EPA also received five petitions for reconsideration on the MON final rule, on many issues, including WPS for PRDs and emergency flaring. American Petroleum Institute (API), AFPM, and Earthjustice filed petitions for reconsideration on the OLD final rule, related to the WPS for degassing floating roof storage vessels.

HOW TO COMMENT

- EPA will accept comments for 30 days after the proposal is published in the Federal Register.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2022-0787 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-2022-0787.
 - Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2022-0787.
 - 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-2022-0787.
 - 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 address:
 - <https://www.epa.gov/stationary-sources-air-pollution/petroleum-refinery-sector-rule-risk-and-technology-review-and-new>,
 - <https://www.epa.gov/stationary-sources-air-pollution/acetal-resins-acrylic-modacrylic-fibers-carbon-black-hydrogen>,
 - <https://www.epa.gov/stationary-sources-air-pollution/miscellaneous-organic-chemical-manufacturing-national-emission>, and
 - <https://www.epa.gov/stationary-sources-air-pollution/organic-liquids-distribution-national-emission-standards-hazardous>
- Today's action and other background information are also available 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-2022-0787.