REGION 10
SEATTLE, WA 98101

September 9, 2024

Ms. April Westby
Professional Engineer, Acting Director
Spokane Regional Clean Air Agency
1610 South Technology Boulevard, Suite 101
Spokane, Washington 99224

Re: Applicability of Certain Provisions of NESHAP RRR to an Area Source of HAP

Dear Ms. Westby:

This letter is a response to the letter from Mr. Scott Winsor, the former executive director of the Spokane Regional Clean Air Agency (SRCAA), dated January 19, 2023, to the U.S. Environmental Protection Agency (EPA), Region 10, regarding the applicability of certain requirements in 40 CFR part 63, subpart RRR: *National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production* (NESHAP RRR) to an area source of hazardous air pollutants (HAP) including the Trentwood Works, an aluminum sheet and plate rolling mill owned and operated by Kaiser Aluminum Washington, LLC located in Spokane Valley, Washington. The EPA is treating this request as a request for clarification of the requirements under NESHAP RRR and their applicability to Kaiser Aluminum's Spokane Valley facility.

Background

The Trentwood Works, located at 15000 East Euclid Avenue in Spokane Valley, Washington, is a secondary aluminum production facility that produces aluminum sheet and plate from a combination of prime aluminum and recycled aluminum feedstocks. According to the part 70 operating permit and statement of basis issued by SRCAA (AOP-11, Renewal #1, October 30, 2017), the Trentwood Works is a major source of carbon monoxide, nitrogen oxides, particulate matter with an aerodynamic diameter less than 10 micrometers, and volatile organic carbon and operates under a voluntary order maintaining HAP emissions below the major source threshold.

SRCAA adopted NESHAP RRR into Section 2.18 of Regulation I, Article II of its local regulations which gives it the authority to implement and enforce the NESHAP as a matter of state law and to include applicable provisions of the NESHAP into part 70 permits. However, SRCAA has not requested, and the EPA has not granted, delegation of NESHAP RRR since October 17, 2006. Because nearly 20 years have passed and the EPA has revised NESHAP RRR since the last delegation, neither SRCAA nor the EPA

considers the 2006 delegation to be effective as a practical matter. As a result, the EPA remains the Administrator of NESHAP RRR as that term is defined in 40 CFR 63.2.

Question #1 – Applicability of Operating, Monitoring, Reporting, and Recordkeeping Requirements:

63.1500(c) states: "The requirements of this subpart pertaining to dioxin and furan (D/F) emissions and associated operating, monitoring, reporting and recordkeeping requirements apply to the following affected sources, located at a secondary aluminum production facility that is an area source of HAPs …"

Question: What is considered "associated operating, monitoring, reporting and recordkeeping requirements" that would apply to area sources like Kaiser under 63.1500(c)?

EPA Response:

The operating requirements of NESHAP RRR are in 40 CFR 63.1506. Paragraph (a)(1) of this section explicitly lists the paragraphs of this section that include operating requirements that apply to affected sources and associated control equipment located at area sources of HAP. SRCAA can simply review the operating requirements listed in 40 CFR 63.1506(a)(1), assign them to the appropriate equipment present at the Trentwood Works, and include them in the operating permit as applicable requirements.

Similarly, the monitoring requirements of NESHAP RRR are in 40 CFR 63.1510. Paragraph (a) of this section explicitly lists the paragraphs of this section that include monitoring requirements that apply to affected sources and associated control equipment located at area sources of HAP. Again, SRCAA can simply review the monitoring requirements listed in 40 CFR 63.1506(a), assign them to the appropriate equipment present at the Trentwood Works, and include them in the operating permit as applicable requirements.

The reporting requirements of NESHAP RRR are in 40 CFR 63.1516. Only paragraph (c) of this section applies only to major sources. Paragraph (b) explicitly applies to both area and major sources and paragraphs (d) and (e) can be inferred to apply to both area sources and major sources. (Paragraph (a), of course, is reserved.)

The recordkeeping requirements of NESHAP RRR are in 40 CFR 63.1517. Because none of these requirements specify whether they apply at a major source or an area source of HAP, one can infer that they apply regardless of whether a source is a major source or an area source of HAP.

Question #2 – Operating Requirements:

63.1506(n) states: "The owner or operator of a group 1 furnace (including a group 1 furnace that is part of a secondary aluminum processing unit) without add-on air pollution control devices must:

(1) Maintain the total reactive chlorine flux injection rate and fluorine flux injection rate for each operating cycle or time period used in the performance test, at or below the average rate established during the performance test."

Question: Does 63.1506(n)(1) apply to an area source of HAP like Kaiser?

EPA Response:

Yes.

According to a clear reading of 40 CFR 63.1506(a)(1), the owner or operator of an affected source, such as a group 1 furnace, located at area source of HAP, such as the Trentwood Works, is subject to the operating requirements of paragraph (n).

Question #3 – Monitoring Requirements:

63.1510(j) states: "These requirements apply to the owner or operator of a group 1 furnace (with or without add-on air pollution control devices) or in-line fluxer. The owner or operator must:

(3) Record, for each 15-minute block period during each operating cycle or time period used in the performance test during which reactive fluxing occurs, the time, weight, and type of flux for each addition of:

(i) Gaseous or liquid reactive flux other than chlorine; and
(ii) Solid reactive flux.

(4) Calculate and record the total reactive flux injection rate for each operating cycle or time period used in the performance test using the procedure in § 63.1512(o). For solid flux that is added intermittently, record the amount added for each operating cycle or time period used in the performance test using the procedures in § 63.1512(o)."

Question: Does 63.1510(j) apply to an area source of HAP like Kaiser?

EPA Response:

Yes.

According to a clear reading of 40 CFR 63.1510(a)(9), monitoring total reactive flux injection as described in paragraph (j) is required for a group 1 furnace processing other than clean charge located at an area source of HAP such as the Trentwood Works.

Question 4 – Performance Test/Compliance Demonstration Requirements and Procedures:

63.1512(o) states: "The owner or operator must use these procedures to establish an operating parameter value or range for the total reactive chlorine flux injection rate and, for uncontrolled furnaces, the total reactive fluorine flux injection rate.

(1) Continuously measure and record the weight of gaseous or liquid reactive flux injected for each 15-minute period during the HCl, HF and D/F tests, determine and record the 15-minute block average weights, and calculate and record the total weight of the gaseous or liquid reactive flux for the three test runs;

(2) Record the identity, composition, and total weight of each addition of solid reactive flux for the three test runs;

(3) Determine the total reactive chlorine flux injection rate and, for uncontrolled furnaces, the total reactive fluorine flux injection rate by adding the recorded measurement of the total weight of chlorine and, for uncontrolled furnaces, fluorine in the gaseous or liquid reactive flux injected and the total weight of chlorine and, for uncontrolled furnaces, fluorine in the solid reactive flux using Equation 5:

$$W_t = F_1W_1 + F_2W_2 \qquad \text{Eq. 5}$$

Where:
W_t = Total chlorine or fluorine usage, by weight;
F_1 = Fraction of gaseous or liquid flux that is chlorine or fluorine;
W_1 = Weight of reactive flux gas injected;
F_2 = Fraction of solid reactive chloride flux that is chlorine (e.g., F = 0.75 for magnesium chloride) or fraction of solid reactive fluoride flux that is fluorine (e.g., F = 0.33 for potassium fluoride); and
W_2 = Weight of solid reactive flux.

(4) Divide the weight of total chlorine or fluorine usage (Wt) for the 3 test runs by the recorded measurement of the total weight of feed for the three test runs; and

(5) If a solid reactive flux other than magnesium chloride or potassium fluoride is used, the owner or operator must derive the appropriate proportion factor subject to approval by the permitting authority for major sources, or the Administrator for area sources

Question: Does 63.1512(o) apply to an area source of HAP like Kaiser?

EPA Response:

Yes.

The requirement to conduct a performance test using the procedures in 40 CFR 63.1512(o) is established in 40 CFR 63.1410(j), which is a requirement that applies to the owner or operator of a

group 1 furnace processing other than clean charge located at an area source of HAP such as the Trentwood Works.

If you have any questions about this matter, please contact Mr. Geoffrey Glass of my staff at (206) 553-1847 or glass.geoffrey@epa.gov.

Sincerely,

DAVID BRAY Digitally signed by DAVID BRAY
Date: 2024.09.09 14:14:12 -07'00'

David Bray, Branch Manager
Air Permits, Toxics, Transportation,
and Communities Branch
Air and Radiation Division