

**FACT SHEET**  
**WITHDRAWAL OF CERTAIN EMISSION LIMITS FOR POLYVINYL CHLORIDE AND COPOLYMERS (PVC) PRODUCTION AREA SOURCES**

**ACTION**

- On January 23, 2015, the Environmental Protection Agency (EPA) issued a direct final rule and parallel proposal to withdraw one of the emission standards for process wastewater at new and existing polyvinyl chloride and copolymers (PVC) production area sources. This action does not affect PVC major sources.
- This narrow withdrawal applies only to the standards for emissions of total non-vinyl chloride organic hazardous air pollutant (TOHAP) from process wastewater at area sources. PVC area sources will still be required to comply with the remaining emission standards from the 2012 final rule, including the vinyl chloride emission limit for process wastewater for new and existing sources.
- EPA had based the TOHAP process wastewater limits on data that were erroneously submitted by the PVC industry. After EPA finalized the rule in 2012, the PVC industry said the data they submitted were from a wastewater control device that is not part of the PVC process and petitioned the agency to reconsider and withdraw the standards. EPA and the petitioners reached an agreement on December 12, 2014, to withdraw the TOHAP process wastewater limits for PVC area sources.
- EPA received petitions for reconsideration on other issues in the major and area source PVC rules. EPA plans to issue a reconsideration proposal to address these in summer 2015. EPA envisions that action will propose new TOHAP process wastewater standards that reflect additional test data collected under EPA's Clean Air Act section 114 information gathering authority in 2014.
- PVC production includes the manufacture of resins that are used to make a large number of commercial and industrial products at other manufacturing facilities. These products include plastic end products, such as latex paints, coatings, adhesives, clear plastics, rigid plastics and flooring.
- There are currently three area source PVC facilities in the United States. They are located in Kentucky, Louisiana, and Texas. There are no small businesses in this source category.
- PVC production does not include chemical manufacturing process units that produce vinyl chloride as the monomer, or other raw materials used in the PVC polymerization process.

**BACKGROUND**

- The Clean Air Act requires the EPA to regulate toxic air pollutants, also known as air toxics, from large industrial facilities, and to set maximum achievable control technology (MACT) standards for major sources and generally available control technology (GACT) standards for area sources.
- Exposure to toxic air pollutants can cause respiratory problems and other serious health issues, and

can increase the risk of developing cancer. In particular, children are known to be more sensitive to the cancer risks posed by inhaling vinyl chloride, one of the known carcinogens emitted by this source category.

- An area source facility emits or has the potential to emit less than 10 tons per year of any single air toxic, and less than 25 tons per year of any combination of air toxics.
- A major source facility emits or has the potential to emit 10 tons per year of greater of any single air toxic, and 25 tons per year or greater of any combination of air toxics.
- EPA issued GACT standards for the PVC source category in January 2007, based on the existing risk-based rule for vinyl chloride that the agency issued in 1976. The GACT used vinyl chloride as a surrogate for all other hazardous air pollutants.
- In October 2008, MEAN, Louisiana Environmental Action Network and Sierra Club filed a petition requesting a schedule for the EPA to propose and promulgate regulations (MACT) for the PVC Production source category. The EPA entered into a settlement agreement with Sierra Club to propose a new PVC Production MACT rule by October 29, 2010, and have a final rule signed by July 31, 2011. The EPA also agreed to revise the GACT rule, which was promulgated on April 17, 2012.
- The EPA sought, and the litigants granted, an extension for the proposed rules until April 15, 2011, and for the final rules until February 13, 2012.
- In June of 2012, the EPA received four petitions from PVC industry and environmental stakeholders for reconsideration of both the PVC MACT and GACT rules. In September 2012, the EPA agreed to grant reconsideration of the final rules since the public did not have a reasonable opportunity to provide comments on emissions limits, including process wastewater standards.
- On November 18, 2014, EPA and the PVC industry petitioners (Oxy Vinyls, Vinyl Institute, Mexichem and Saint Gobain) filed a joint motion with the Court requesting that the Court sever petitioners' challenge to the existing and new area source TOHAP process wastewater emission limits, place the issue in abeyance pending ongoing settlement discussions, and remove the issue from the November 19, 2014 oral argument in this matter. On December 12, 2014, the EPA and industry petitioners filed a settlement agreement with the Court, stating that the EPA Administrator will sign a direct final rule and parallel proposal to withdraw the existing and new area source TOHAP process wastewater emission limits in the 2012 PVC Production Area Source National Emission Standards for Hazardous Air Pollutants. The 30-day public comment period on the settlement notice closed on January 22, 2015.

## **FOR MORE INFORMATION**

- Interested parties can download the notices from the EPA's web site at the following address:  
<http://www.epa.gov/ttn/atw/pvc/pvcpg.html>.

- The notices and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hard copy at the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA WJC West Building, located at 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 action can be accessed using Docket ID No. EPA-HQ-OAR-2002-0037.
- For further information, contact Jodi Howard of the EPA's Office of Air Quality Planning and Standards by phone at (919) 541-4607, or by e-mail at [howard.jodi@epa.gov](mailto:howard.jodi@epa.gov).