

FACT SHEET

FINAL RULE TO REDUCE AIR TOXICS EMISSIONS FROM AREA SOURCE CHEMICAL PREPARATIONS FACILITIES

ACTION

- On December 16, 2009 the Environmental Protection Agency (EPA) finalized emissions limits for toxic air pollutants from smaller emitting chemical preparations facilities. The Clean Air Act refers to these smaller emitting facilities as area sources. Area sources emit less than 10 tons per year of a single toxic air pollutant or less than 25 tons per year of any combination of toxic air pollutants.
- Chemical preparations facilities are those that conduct the mixing, milling, blending or extruding of industrial chemicals, not to be confused with non-industrial mixing or blending that occurs at a pharmacy, in a laboratory or in similar non-industrial circumstances.
- The final rule will limit emissions of particulate matter (PM) that contain chromium, lead, manganese or nickel compounds. These toxic air pollutants, or air toxics, are known or suspected to cause cancer, other serious health problems and environmental damage.
- All facilities that are subject to the rule will be required to operate within specific emission limits. These emission limits represent the emissions reductions that generally available control technology or management practices can achieve.
- Facility operations that conduct mixing, milling, blending or extruding of dry and/or wet chemicals will be required to route their PM emissions to controls that achieve 95 percent PM reductions.

COSTS AND IMPACTS

- While there are no current national air toxics standards for this industry, existing sources affected by the final rule are already well controlled as a result of state permitting requirements, Occupational Safety and Health Administration regulations and efficiency improvements. Likely the only new requirements on the industry will be record keeping and reporting requirements necessary to demonstrate compliance.
- EPA estimates that the final rule will apply to 26 existing facilities. Approximately 10 of those facilities are small businesses. The final rule will have a total estimated annual cost of \$176,000/yr – approximately \$ 6,800/yr per facility, in the first three years. EPA projects this would have no significant adverse economic impacts on any facility.

- EPA is exempting chemical preparation facilities that would be covered by this rule from obtaining title V permits, which are federal operating permits. After a comprehensive evaluation, the agency found that:
 - the exemption for these facilities would not adversely affect public health, welfare, or the environment because the level of emissions control would be the same if a title V permit were required
 - there are implementation and enforcement programs in place that would ensure compliance with the final standards without relying on a title V permit, and
 - requiring title V permits will be unnecessarily burdensome with regard to cost and technical resources on these smaller industrial facilities

BACKGROUND

- The Clean Air Act requires EPA to identify categories of industrial sources that emit one or more of the listed 187 toxic air pollutants. These industrial categories include both major and area sources.
- Major sources of air toxics emit 10 tons per year of a single air toxic or 25 tons per year of a mixture of air toxics. Examples include chemical plants and steel mills. Area sources release smaller amounts of toxic pollutants into the air—less than 10 tons per year of a single air toxic, or less than 25 tons per year of a mixture of air toxics. Examples include neighborhood dry cleaners and gas stations. Though emissions from individual area sources are often relatively small, collectively their emissions can be of concern—particularly where large numbers of sources are located in heavily populated areas.
- The Clean Air Act requires EPA to identify the toxic air pollutants that pose a health threat in the largest number of urban areas and to regulate sufficient area source categories to ensure that the emissions of these “urban” air toxics are reduced. EPA implements these requirements through the Integrated Urban Air Toxics Strategy.
- Chemical preparation facilities are included on the area source category list.
- For area sources within each source category, the Clean Air Act allows EPA to develop standards or requirements which provide for the use of generally available control technologies or management practices (GACT) rather than the maximum achievable control technology (MACT) required for major sources.

FOR MORE INFORMATION

- To download a copy the final rule, go to EPA's Web site at <http://www.epa.gov/ttn/oarpg/>
- For further information about the final rule, contact Mr. Warren Johnson of EPA's Office of Air Quality Planning and Standards at (919) 541-5124 or Johnson.Warren@epa.gov.