

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAR 30 1978

MEMORANDUM

SUBJECT: BACT Applicability for Coke Oven Batteries

FROM: Director,  
Division of Stationary Source Enforcement

TO: G.T. Helms, P.E. Deputy Director  
Air and Hazardous Materials Division

This is in response to your memo dated March 13, 1978, concerning the applicability of PSD and BACT to a replacement coke oven battery that is serviced by an existing by-product's plant, whose sulfur dioxide emissions do not increase as a result of the replacement coke oven battery. It has been determined (September 30, 1977) that this replacement coke oven is subject to the Interpretative Ruling (IR) and that LAER must be employed to control its emissions of particulate matter.

The Clean Air Act Amendments and the November 3, 1977, proposed changes to the regulations for the prevention of significant deterioration list coke oven batteries as one of 28 source categories to which the PSD regulations apply. The definition of major source is also contingent upon the capability of one of these 28 source categories to potentially emit 100 tons per year or more of any air pollutant regulated under the Act. The definition of potential emissions, although not yet promulgated, equates to uncontrolled emissions. Therefore, for PSD the Agency is concerned with the emissions attributable to the replacement battery itself, and not the net emission reductions which may result from the closure of the replaced coke battery.

In the preamble to the November 30, 1977 Federal Register (42 FR 57479) it states,

"The Administrator interprets the intent of the 1977 Amendments as requiring a charge to the provision in EPA's PSD regulations which

exempt from review source modifications which do not result in net emissions increases. The proposed regulations accordingly provide that any major modification must apply best available control technology even if no net increase in emissions will result from the modification. However, where there is no net increase in source emissions (and air quality will not deteriorate), the Agency would not require an ambient air quality review for either PSD increments or the national ambient air quality standards".

Therefore, it is our determination, after consultation with the Control Programs Development Division, that the coke oven constitutes a "major modification", provided it has the potential to emit 100 tons per year of any pollutant, (sulfur dioxide in this case) and must apply BACT for each pollutant for which it is a major source (i.e. emits 100 tons or more per year) and may not have to undergo an air quality review provided there is no net increase in emissions. Also, only the coke oven will be subject to the BACT requirements, however, any increase in emissions from the other apparatus may count against the air quality increments.

If you have any further questions or comments, please call Rich Biondi (755-2654) of my staff.

Edward C. Reich

cc: Jim Wilburn - Region IV  
Mike Trutna - CPDD

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**DATE:** MAR 13 1978

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**FROM:** G.T. Helms, P.E., Deputy Director  
Air & Hazardous Materials Division

**TO:** Mr. Edward Reich, Director  
Stationary Source Enforcement Division

SUMMARY

On September 20, 1977, we received a determination on emission points subject to LAER (attached). Does this apply to BACT for sulfur dioxide emissions from a new replacement coke oven battery that is serviced by an existing byproducts plant whose sulfur dioxide emissions do not increase as a result of the new replacement coke oven battery?

ACTION

Your response to the above question is needed as soon as possible, but no later than March 28, 1978 as we must comment back to the State of Alabama who is conducting the PSD review for this source (U. S. Steel). If you have any questions, please contact Eliot Cooper of my staff at FTS 257-3286.

BACKGROUND

None.

Attachment