NESHAP for Area Sources: Chemical Preparations Industry Final Rule

March 25, 2010
Area Source Program

- CAA Section 112(k) includes requirements for addressing HAP emissions from area sources

- Urban air toxics strategy was published on July 19, 1999
  - Identified 30 HAP as Urban HAP
  - Listed 70 area source categories (that emit over 90 percent of these HAP)

- Chemical Preparations Industry is one of these area source categories

- There is no major source category for this industry
Not Covered by this Area Source Category

- Operations outside NAICS 325998
- Operations covered by CMAS rule
- Operations covered by the Paints and Allied Products (P&AP) category rule
  - Inks covered by P&AP
- Operations that emit no metal HAP
- R&D or Pharmacy Operations (Bench scale)
Operations Covered by Rule

• Blending, Extrusion, Mixing, or Milling

• Containing 1 or more of following metal HAP:
  – Chromium Compounds
  – Lead Compounds
  – Manganese Compounds
  – Nickel Compounds
Affected Sources

- Rule affects about 25 facilities
- Target HAP are metal particulate matter (PM)
- Baseline HAP emissions < 2 tpy PM
- No anticipated emission reductions
- Imposes no capital cost
Dates to Note

- Rule proposed - August 5, 2009
- Rule promulgated - December 30, 2009
- Initial Notification - within 120 days of promulgation
- Compliance Date - December 30, 2010 [or upon start-up for new sources]
- Notification of Compliance Status - within 180 calendar days of compliance date (pending correction to section 63.11585)
Standards

• Reduce HAP emissions with controls that have 95% control efficiency

• Alternative standard is to demonstrate an outlet PM concentration of no greater than 0.03 grains per dry standard cubic foot (gr/dscf)

• Requires duct work integrity inspections
Title V - SSM

- Area sources are exempt from Title V permitting unless they are already required to have a Title V permit for another reason.

- The rule limits apply at all times including periods of start-up, shutdown or malfunction.

- No litigations have been filed.
Technical Amendment

• Current (proposed) language requires notification of compliance status report (NOCSR) be submitted within 60 days of the compliance date
• This does not allow adequate time to obtain test results:
  – Which commenters pointed out, and
  – To which we responded with our intent to amend appropriately
• Amended language will require NOCSR be submitted within 180 days of the compliance date
Available Implementation Tools

- [http://www.epa.gov/ttn/ataw/area/arearules.html#final](http://www.epa.gov/ttn/ataw/area/arearules.html#final)
  - Area Source Rule Home Page on TTN
  - How to Review and Issue Clean Air Act Applicability Determinations and Alternative Monitoring (Attachment 1 is July 10, 1998 memorandum from John Seitz delegating Part 63 General Provisions authority to State and local agencies)
  - Applicability Determination Index.
- [http://regulations.gov](http://regulations.gov)
  - Docket ID: EPA-HQ-OAR-2009-0028 for FR Notices, facility list, etc.