



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 amend appropriately
- Amended language will require NOCSR be submitted within 180 days of the compliance date



Available Implementation Tools

- <http://www.epa.gov/ttn/atw/area/arearules.html#final>
 - Area Source Rule Home Page on TTN
- <http://www.epa.gov/reg3artd/airregulations/delegate/appdet.pdf>
 - 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)
- <http://www.epa.gov/Compliance/monitoring/programs/caa/adi.html>
 - Applicability Determination Index.
- <http://regulations.gov>
 - Docket ID: EPA-HQ-OAR-2009-0028 for FR Notices, facility list, etc.