FACT SHEET

FINAL RULE TO REDUCE AIR TOXICS EMISSIONS FROM AREA SOURCE ASPHALT REFINING AND ASPHALT ROOFING MANUFACTURING FACILITIES

ACTION

- On November 16, 2009 the Environmental Protection Agency (EPA) finalized emissions limits for toxic air pollutants from smaller emitting asphalt refining and asphalt roofing manufacturing 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.

- These standards do not apply to hot-mix asphalt facilities such as those used for the construction of roads or highways. These standards also do not affect companies that install built-up roofing (i.e., roofing components including asphalt and aggregate that are combined at the job site instead of at a manufacturing facility).

- The final rule limits emissions of polycyclic organic matter in the form of polycyclic aromatic hydrocarbons (PAH) such as benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)antracene, and indeno(1,2,3-c,d)pyrene. These toxic air pollutants, also known as air toxics, are known or suspected to cause cancer, other serious health problems and environmental damage.

- All facilities subject to the rule will be required to operate within specific emission limits on a continuous basis. These emission limits represent the emissions reductions that generally available control technology can achieve.

- The asphalt processing and asphalt roofing facility operations that would control PAH emissions under the final standards are:
    - Asphalt processing (refining), otherwise know as blowing stills,
    - Asphalt roofing manufacturing involving saturator processes only,
    - Asphalt roofing manufacturing involving coating only, and,
    - Asphalt roofing manufacturing involving both coating and saturator processes.

- PAH are emitted from these process operations as particulate matter (PM). As such, in the final rule, EPA is requiring emissions limits that can be met using PM control technologies (e.g., thermal oxidation, fiber bed filter, or high efficiency air filter (HEAF)).

HEALTH AND ENVIRONMENTAL IMPACTS

- Existing area sources that are affected by the rule are generally well controlled as a result of existing New Source Performance Standards (NSPS), 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.

- While this rule does not provide additional emissions reductions by our calculations, it does ensure that the emissions limits already achieved by this industry are maintained.

- EPA estimates that the final rule will apply to all 75 existing facilities. EPA believes that 11 of these facilities are small businesses. The final rule has a total estimated annualized cost of about $236,000/yr – approximately $3,100 per facility. EPA projects this will have no significant adverse economic impacts on any affected facility.

- EPA is exempting affected facilities that will 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 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.

- Asphalt processing and asphalt roofing manufacturing 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 Website at http://www.epa.gov/ttn/oarpg/t3pfpr.html.

- 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.