

Implementation of Area Source National Emission Standards for Hazardous Air Pollutants

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Area Source NESHAP Implementation

- EPA promulgated 32 Area Source MACT standards and 31 categories coming soon
- Compliance dates and notification dates for some categories are three years into the future
- S/L/Ts have been indicating they may not seek delegation of many of these MACTs
- Several source categories have very large universes, e.g. gasoline distribution, paint stripping and miscellaneous surface coating.
- Some categories not exempt from Title V, while others affect units co-located at Title V sources.



Area Source NESHAP Implementation

What happened in the past?

- S/L/Ts took delegation for §112 rules for categories they have affected Title V sources
- §105 grant funding provided for air toxics activities at non-Title V sources
- Some States took delegation of specific area source categories, such as dry-cleaning, degreasing, chrome plating, ethylene oxide sterilizers, secondary aluminum smelting...
- Limited EPA assistance and enforcement



Implementation Options

1. S/L/Ts take full delegation of rules and EPA assists w/ compliance assistance
 - S/L/Ts closer to facilities and interact for various regulatory programs
 - S/L/T processes notifications and requests
 - S/L/T conducts compliance evaluations
 - EPA would provide limited compliance assistance and enforcement



Implementation Options

2. S/L/Ts seek approval of alternative standards or partial programs

- S/L/Ts use/modify existing programs that regulate affected sources
- S/L/Ts develop general permits or permits by rule for those requiring Title V permits
- EPA responsible for portions not covered by S/L/T programs



Implementation Options

3. If S/L/T does not take full/partial delegation, EPA implements and enforces
 - Works with S/L/T to define universe and provide compliance assistance
 - Processes notifications and requests
 - Targets limited number of compliance evaluations, e.g., in “hot spots”
 - Takes well-publicized enforcement actions where non-compliance found



EPA Region I General Strategy

- Outreach letters
 - States – re: developing a regional strategy
 - Potential sources – re: specific regulations
- Training
 - Train the trainer
 - Potential sources
- Review of national tools and regulations
- Development of regional tools
 - Mapping of facilities
 - Participation in “Common Measures” project
 - Prioritization of categories for Region I focus



Region I Autobody Refinishing Example

- Jan. 08, EPA promulgated Paint Stripping and Miscellaneous Surface Coating area source NESHAP
- Winter 08, Region I determined category with significant impact/health risks
- April 08, Region 1 asked states to help develop area source MACT strategy
 - Sent draft strategy and list of possible state activities
 - Encouraged delegation/adoption



Autobody Refinishing Example: Targeting Outreach & Assistance

EPA Region I role:

- Working with states to identify universe of area source autobody shops and surface coaters in New England
- Mapping location of autobody shops using GIS and identifying “hot spots” to target activities
 - maps show shops, sensitive receptors, health and demographic data,
 - “shops of concern” within 600 feet of sensitive receptor

Possible State role:

- Review maps and help develop facility lists
- Use maps and database for targeting outreach



Autobody Example: Outreach Tools

EPA role:

- Mail brochure and compliance requirements to potentially affected sources summer 08
- Circulate outreach materials to partners, incldg:
 - State P2 programs, NEWMOA, trade associations, vocational-technical schools, Boards of Health, fire departments, etc.
- Conduct training events/workshops:
 - “Train the trainer” for implementation partners
 - Collision Repair Program workshop for auto body shops in September 08



Autobody Example: Outreach Tools

- **Possible State role:**
- Help plan or conduct training events
- Send staff to train the trainer workshop or webcast
- Send out mailing to potential sources
- Share information re: the number of shops to track success



Autobody Example: Measurement

EPA role:

- Gather data through “Common Measures Project” in MA
 - Conduct 5 to 9 site visits in summer 2008
 - If additional site visits needed, determine if new ICR needed for “generic” autobody survey others can use
 - Gather performance data for body shops to estimate emission reductions for Cr, Mn, Ni, Cd, and Pb.



Autobody Example: Measurement

Possible State role:

- Conduct baseline visits to autobody sites through Common Measures Project
- Provide training to EPA on interpretation of State regulations included on the Common Measures checklist
- States review results of Common Measures autobody project site visits
 - Decide if further activity is needed in sector



Autobody Example: Promote P2

EPA role:

- Work with paint manufacturers and trade associations to collect information on non-metallic paint lines then share with states

Possible State role:

- Distribute information on non-metallic paint lines and procedures



Autobody Example: Enforcement

- By January 9, 2011, determine which agencies have enforcement authorities
 - Conduct statistically-based compliance evaluations
 - Check effectiveness of initial assistance
 - Consider “hot spots”
 - Provide technical and compliance assistance
 - Take enforcement actions at violating sources



Area Source NESHAP Implementation Issues & Opportunities

- Traditional enforcement difficult due to limited regulatory communication, limited ability to pay, relatively small emissions, ...
- Limited State and EPA field resources to reach large number of facilities
- Need to explore integrated assistance and enforcement and approval of State regulations
 - conduct extensive early compliance assistance
 - encourage industry involvement and self-certification
 - emphasize P2 to reduce number of sources subject to MACT
 - use mapping and statistics to target high-risk areas
 - Approve State “NESHAP-equivalent” regulations