

Air Toxics Regulatory Update

NACAA Spring Membership Meeting

May 25, 2011



Overview

- ▶ Updates
 - ▶ Mercury and Air Toxics Standards
 - ▶ Boiler MACT/CISWI Reconsideration
 - ▶ Oil and Gas Sector Rulemakings
 - ▶ Stationary Engines NESHAP Reconsideration and NSPS Amendments
 - ▶ Petroleum Refinery Sector Rulemakings
 - ▶ Chemical Sector Rulemakings

- ▶ Other Notable Regulatory Efforts

- ▶ Upcoming Regulations

Timeline for the Mercury and Air Toxics Standards

Milestone	Date
Proposal Published in FR	May 3, 2011
Public Hearings	May 24, 2011 (Philadelphia, Chicago) May 26, 2011 (Atlanta)
Comment Period ends	July 5, 2011
Final Rule signed	November 16, 2011

Boiler MACT and CISWI Reconsideration

- ▶ Issues identified by EPA
 - ▶ Full load stack test requirement for carbon monoxide coupled with continuous oxygen monitoring
 - ▶ Dioxin emission limit and testing requirements
 - ▶ Data considered in setting emission limits may not fully reflect comments received
 - ▶ Setting PM standards under GACT for existing oil-fired boilers
- ▶ Issues identified by Industry
 - ▶ Dioxin and CO limits
 - ▶ New source limits and HAP testing
 - ▶ PM limits for some biomass boilers
- ▶ EPA issued a stay on May 18, 2011
- ▶ We are moving forward expeditiously on the reconsideration

Oil and Gas Sector Rulemakings

- ▶ Oil and GAS NESHAP and NSPS
 - ▶ Proposal: July 28, 2011
 - ▶ Final: February 28, 2012
- ▶ Nationwide emissions
 - ▶ HAP emissions of 130,000 tons
 - ▶ VOC emissions of 3 million tons
 - ▶ Methane emissions of 15.7 million tons (300 MMT CO₂e)
 - ▶ 40% of all U.S. methane emissions
- ▶ NESHAP revisions being considered
- ▶ NSPS improvements being considered for several emission points

Stationary Engine NESHAP Reconsideration and NSPS Amendments

Existing Engines

- ▶ March 9, 2011 direct final/parallel proposal to address NESHAP monitoring requirements for engines complying with the 2004 NESHAP
- ▶ Reconsideration of 2010 NESHAP amendments in Summer/Fall 2011
 - ▶ Monitoring requirements
 - ▶ Emission limits
 - ▶ GACT analysis for area source engines

New Engines

- ▶ Final NSPS amendments in June 2011

Existing and New Engines

- ▶ Propose requirements for engines used for back-up power (address peak shaving and emergency demand response)

Petroleum Refinery Sector Rulemakings

- ▶ Petroleum Refinery Sector NESHAP and NSPS
 - ▶ Proposal: December 10, 2011
 - ▶ Final: November 10, 2012

- ▶ Taking an integrated approach across the refinery sector to coordinate MACT and NSPS requirements that currently exist in many separate rules

- ▶ Key issues
 - ▶ Accurate emission data
 - ▶ Scope of the rulemakings
 - ▶ Options to address GHGs
 - ▶ Addressing environmental justice concerns and children's health
 - ▶ Approach for addressing malfunctions

Chemical Sector Rulemakings

- ▶ Taking an integrated approach across the chemical sector to coordinate MACT and NSPS requirements that currently exist in many separate rules
- ▶ Propose consolidated set of regulations for HAP and VOC from chemical plants
 - ▶ Rules will reference new uniform standards
 - ▶ Perform risk and technology review (RTR) for six MACT (three are under consent decree, three have statutory deadlines)
 - ▶ Also perform technology review for the Hazardous Organic Chemicals NESHAP (HON), the largest chemical industry MACT
- ▶ Currently under court orders that require proposal for portions of this sector as early as Nov. 2011

Other Notable Regulatory Efforts

- ▶ EGU GHG NSPS
- ▶ Iron and Steel Sector NESHAP
- ▶ Startup, Shutdown, and Malfunction Rule
- ▶ PVC and Copolymer Production NESHAP
- ▶ Cement Reconsideration

Upcoming Regulations

Rule	Proposal	Promulgation
Secondary Lead Smelting RTR NESHAP	4/29/11 (completed)	12/16/11
Compression Ignition Engines NSPS; Amendments	5/22/10 (completed)	6/8/11
Pulp & Paper RTR NESHAP	6/15/11	1/31/12
Chromium Electroplating and Steel Pickling RTR NESHAP	9/14/10 (completed)	6/30/11
Aerospace Manufacturing RTR NESHAP	8/31/11	6/29/12
Nitric Acid NSPS	9/30/11	11/15/11
Shipbuilding/Wood Furniture RTR NESHAP	9/14/10	10/31/11
Primary Lead RTR NESHAP		10/31/11
Mineral Wool Production/Wool Fiberglass RTR NESHAP	10/31/11	6/29/12
Ferroalloys RTR NESHAP	10/31/11	6/29/12

Upcoming Regulations (continued)

Rule	Proposal	Promulgation
Primary Aluminum RTR NESHAP	10/31/11	6/29/12
Secondary Aluminum RTR NESHAP	1/31/11 (completed)	10/31/11
Flexible Polyurethane Foam Prod. RTR NESHAP	10/31/12	
Acrylic and Modacrylic Fibers RTR NESHAP	10/31/12	
Polycarbonate Production RTR NESHAP	10/31/12	
Off-Site Waste and Recovery RTR NESHAP	10/31/12	
Phosphoric Acid RTR NESHAP	10/31/12	
Phosphate Fertilizer RTR NESHAP	10/31/12	
Group III Polymers and Resins RTR NESHAP	10/31/12	