

## FACT SHEET

### FINAL RULE TO DELETE THE SUBCATEGORY OF SOURCES THAT DO NOT UTILIZE MERCURY CELLS TO PRODUCE CHLORINE AND CAUSTIC

#### ACTION

- On August 29, 2003 the Environmental Protection Agency (EPA) removed a subcategory of facilities that produce chlorine from its list for toxic air emissions control. These facilities do not utilize mercury cells to produce chlorine and caustic. Caustic is used to neutralize acidic compounds.
- Toxic air pollutants, or air toxics, are those pollutants known or suspected of causing cancer or other serious health effects. Chlorine and hydrochloric acid are the only air toxics emitted in significant quantities by most of the chlorine production industry.
- The Clean Air Act contains provisions that allow the deletion of listed categories of facilities known as “source categories” provided that certain conditions are met.
- Chlorine and hydrochloric acid are known as “health threshold pollutants”. This means that for each compound there is a well defined concentration below which no health problems occur. EPA has determined that air emissions of these compounds from industrial facilities that produce chlorine are below levels that protect the public with an ample margin of safety.
- As a result, EPA is deleting the subcategory of sources that do not utilize mercury cells to produce chlorine and caustic from this industry source category. The Clean Air Act gives the Agency the authority to make this decision.
- Facilities known as chlor-alkali plants, are included in the category of facilities that produce chlorine. Mercury cell chlor-alkali facilities, emit mercury and mercury compounds into the air and will be regulated by a air toxic regulation targeting those emissions.

#### BACKGROUND

- The Clean Air Act Amendments of 1990 requires EPA to reduce air emissions of 188 listed toxic air pollutants. Chlorine and hydrochloric acid are included on this list.
- The Clean Air Act also requires EPA to identify categories of industry or “source categories” that emit one or more listed 188 hazardous air pollutants. EPA initially identified chlorine producers as a source category emitting one or more toxic air pollutants.
- For major sources within each source category, the law requires EPA to develop standards

that restrict emissions to levels consistent with the lowest-emitting (also called best-performing) plants. Major sources are those that emit 10 tons a year or more of a single toxic air pollutant or 25 tons a year or more of a combination of air toxics.

- EPA has decided to divide the chlorine production category into two subcategories because of the differences in the production method and the air toxics emitted. The subcategories are: (1) mercury cell chlor-alkali plants, and (2) chlorine production plants that do not rely upon mercury cells for chlorine production.
- EPA has determined that 21 of the nearly 50 facilities that produce chlorine are major sources. This includes 20 non-mercury cell chlor-alkali plants and one facility known as a primary magnesium refinery. These non-mercury chlor-alkali plants are located with other industrial processes that produce air toxics and would not be considered major sources if they were located separately. The magnesium refinery is included in a separate source category and will be regulated under a separate rule to reduce toxic air emissions.

#### **FOR MORE INFORMATION**

- To download a copy of this notice, go to EPA's World Wide Web site at <http://www.epa.gov/ttn/oarpg/> under newly proposed or issued rules.
- For further information today's notice, contact Mr. Iliam D. Rosario of EPA's Office of Air Quality Planning and Standards at (919) 541-5308 or [rosario.iliam@epa.gov](mailto:rosario.iliam@epa.gov).
- EPA's Office of Air and Radiation's homepage on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's homepage address is: <http://www.epa.gov/oar/>.