

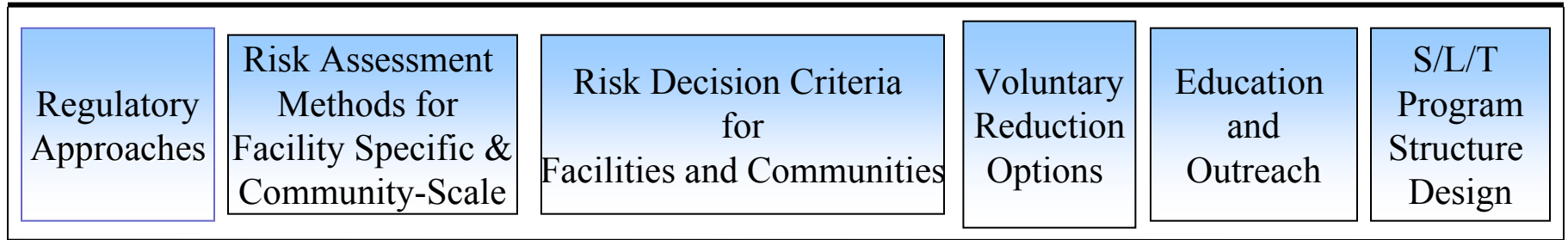
AIR TOXICS PROGRAM

SALLY SHAVER, DIRECTOR

APRIL 14, 2004

The Air Toxics Program

(stationary, mobile, and indoor air sources)



**Achieve Meaningful Reductions
at the Local Level**

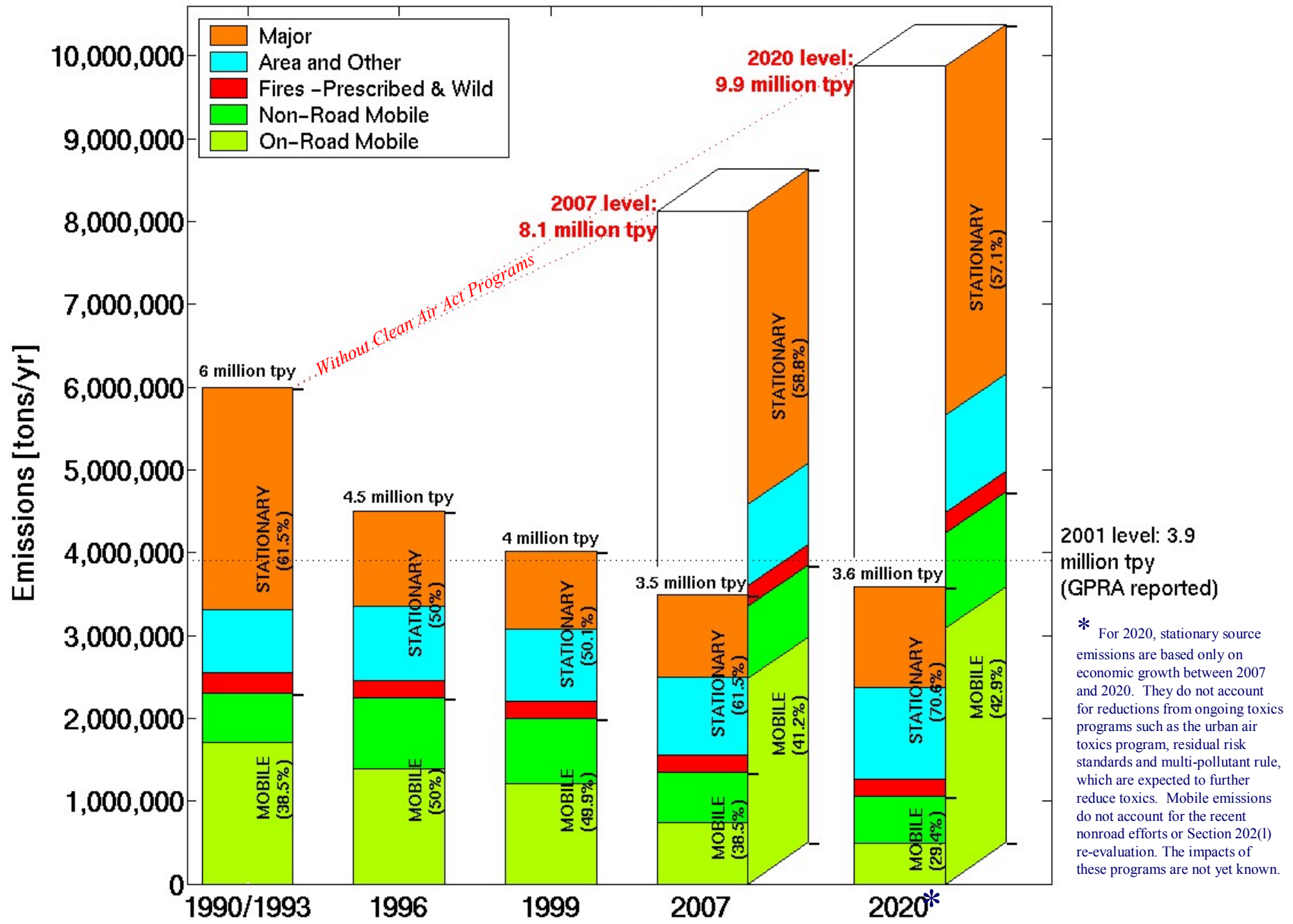
CAA SECTION 112 PROGRAMS

- **Toxics**
 - 10-yr MACT standards
 - Utility MACT
 - Section 129 rules
 - Residual risk rules
 - Urban Air Toxics
 - Area Source Rules
 - Community Assessment Projects



MACT

Contiguous U.S. Contribution of Source Categories to Total Emissions for all HAPs



MACT FOR DEFENSE LAND SYSTEMS AND MISCELLANEOUS EQUIPMENT

- Separate surface coating standard to reduce toxic air emissions at DoD and NASA facilities
 - Cover all surface coating operations at military installations that are major sources of air toxics emissions
 - Working with DoD stakeholders to determine whether or not to cover some coating operations at military installations that emit below major source thresholds
- Proposal planned for late 2005

UTILITY MACT

- Utility MACT proposed December 15, 2003; promulgation December 2004
- Interstate Air Quality Rule proposed December 17, 2003
- 3 Public Hearings held February 25-26, 2004 for both rules
- Supplemental Proposal for Utility signed February 24, 2004
- Public Hearing held March 31, 2004

UTILITY MACT (CONTINUED)

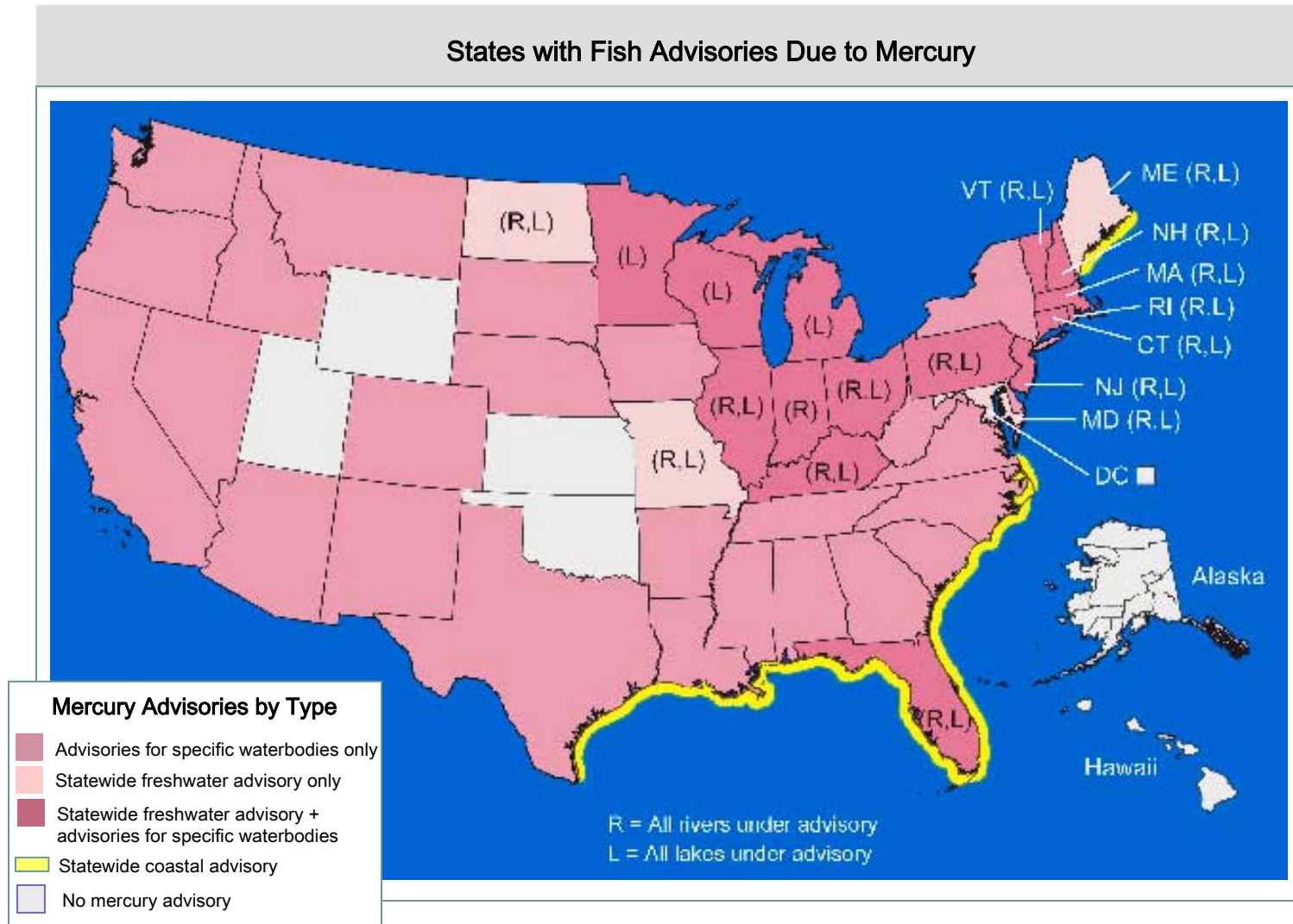
- Three alternatives proposed
 - Proposed Section 112 MACT requirements for utility units
 - Reduces mercury emissions from 48 to 34 tons by 2007
 - Proposed rule to address mercury from power sector under Section 111 (revising December 2000 determination to use Section 112 MACT requirements)
 - Proposed cap-and-trade approach [under Section 112(n)(1)(A)]

UTILITY MACT - PROPOSED SECTION 111 ALTERNATIVE

- Federal rule for new sources – 111(b)
 - Includes *new* utility emission limits for mercury and nickel
- Guidelines for State Implementation Plans – 111(d)
 - Sets emission rates for *existing* coal-fired utility units under a cap-and-trade program administered by States
 - Phase 1: 2010 (solicit comment on cap level)
 - Phase 2: 2018 Capped at 15 tons
 - Sets a limit for nickel emissions from oil-fired units to ensure adequate control in State plans

Mercury Contamination in Fish

- Currently 44 states have issued fish consumption advisories for some or all of their waters due to contamination from mercury.*



SECTION 129 COMBUSTION RULES

- Large MWC revision – proposal September 2005; promulgation April 2006
- Small MWC litigation – remanded February 2004
- Other Solid Waste Incinerators – promulgation by November 2005
- Commercial and Industrial Solid Waste Incinerators – remanded in September 2001
- Medical Waste Incinerators – remanded in March 1999

RESIDUAL RISK

- Risk in MACT

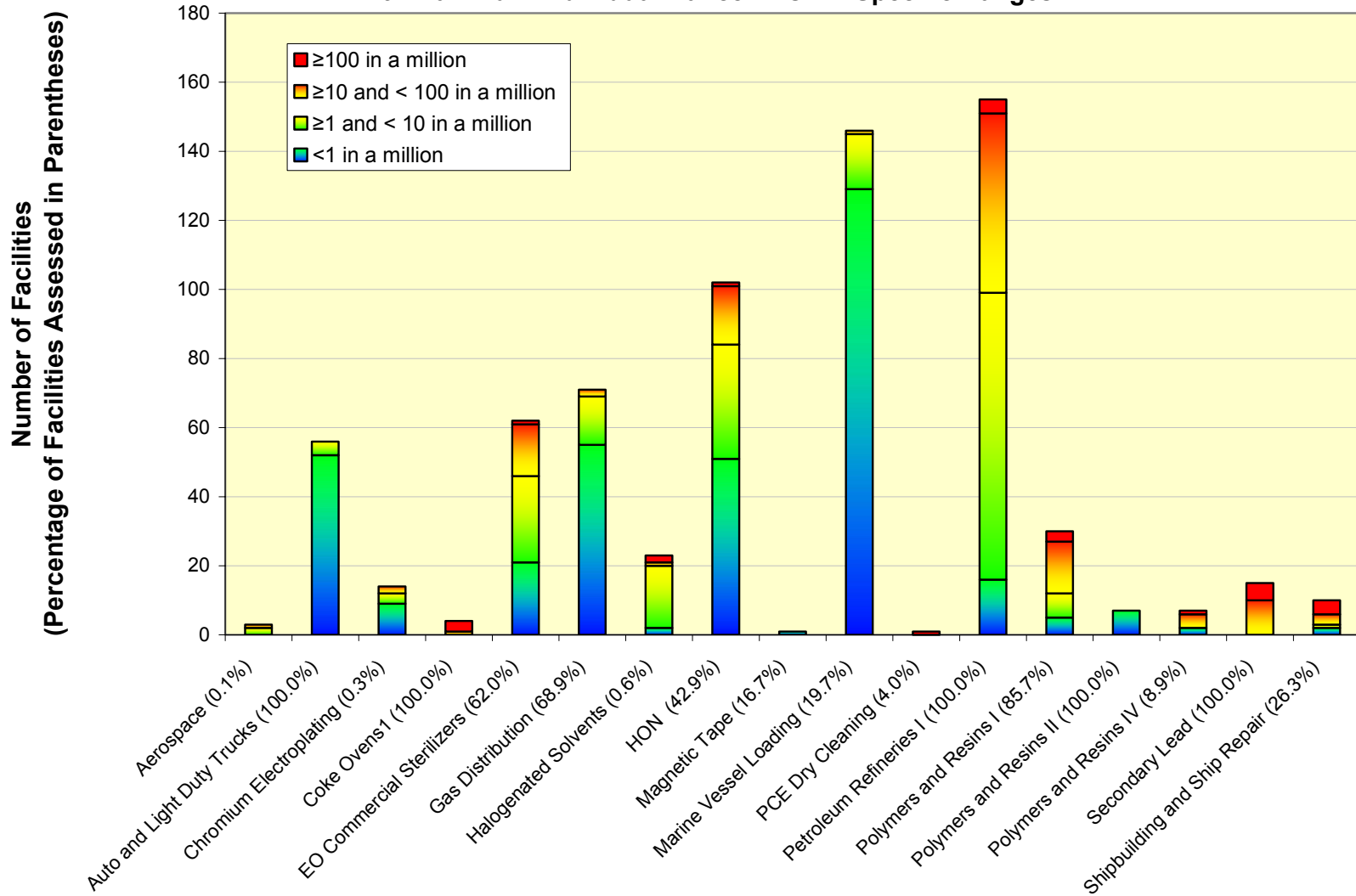
- General Approach

- Risk assessment information has been used to reduce regulatory requirements for low-risk sources
- Two CAA provisions have been used:
 - Delisting authority (112(c)(9))
 - Health threshold provision (112(d)(4))

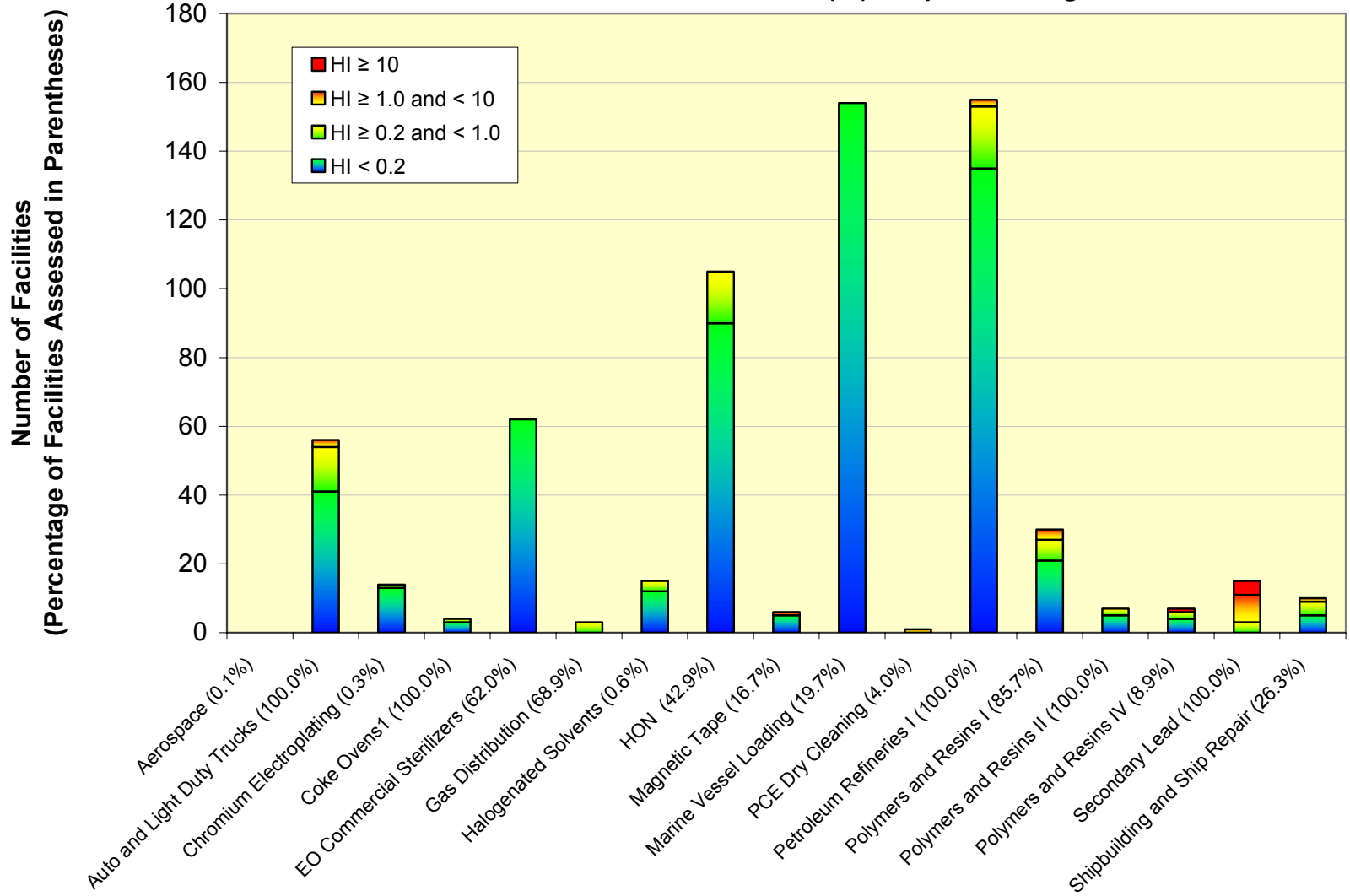
RESIDUAL RISK (CONTINUED)

- Where we are now
 - Risk Assessment Library almost complete
 - All 20 of the two- and four-year MACT residual risk standards have been started
- Five of the 24 seven-year MACT projects have been initiated

Residual Risk Test: Facilities Subject to MACT With Maximum Individual Cancer Risk in Specific Ranges



Residual Risk Test: Facilities Subject to MACT With Maximum Individual Noncancer Hazard Index (HI) in Specific Ranges



RESIDUAL RISK (CONTINUED)

- Complete current standards with court-ordered deadlines
 - Coke ovens – final 2005
 - Dry cleaning – final 2006
 - HON – final 2006*
 - Halogenated Solvents – final 2006*
- Complete 4 proposals of no further controls by end of 2005*
 - Industrial cooling towers
 - Magnetic tape
 - Ethylene oxide sterilizers
 - Gasoline distribution

* dates under negotiation

RESIDUAL RISK (CONTINUED)

- Challenges facing residual risk program
 - Develop rules which target high-risk facilities in categories without impacting low-risk ones
 - Process should be simple, efficient
 - Process should be implementable by States
 - Develop innovative ways to reduce risks where controls are not available
 - MACT may have been effective, yet risks may still be high

RESIDUAL RISK (CONTINUED)

- Develop “total facility low-risk demonstration (TFLRD)” rule
- Develop comprehensive residual risk rule
- Considering linking MACT review to this generic approach

URBAN AIR TOXICS – Area Source Rules

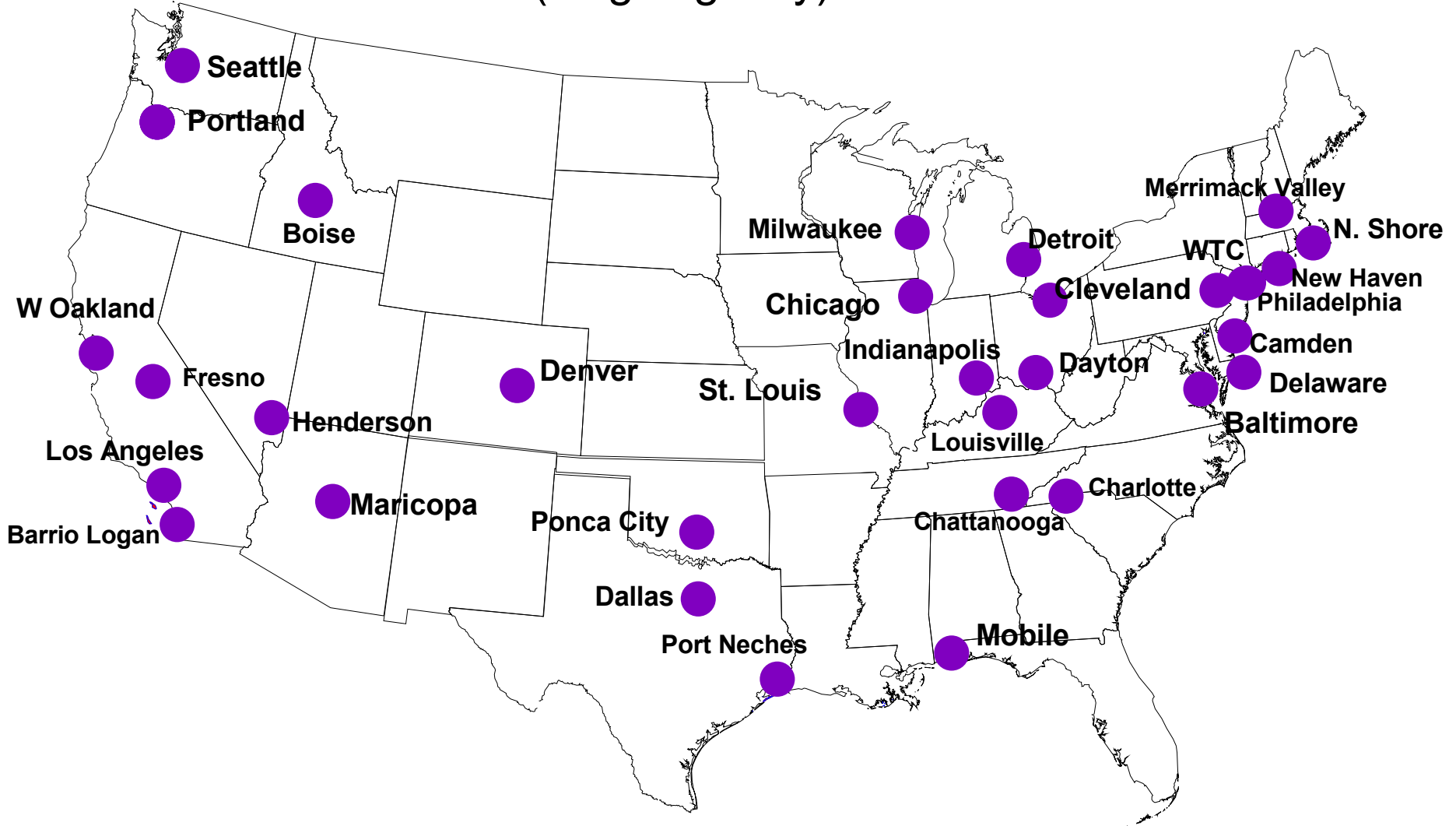
- Develop strategy for addressing area source categories, including size cut-offs, geographical coverage, and combining multiple source categories into single rulemakings
- Looking to see where we would get criteria pollutant co-benefits with our area source rules
- Ongoing litigation/mediation
 - 22 area source rules started (10 are top 20 toxicity weighted)
 - Plan to start additional 8 (top 20 toxicity weighted)

AREA SOURCE EMISSION REDUCTION INITIATIVE

- Objective of initiative is to work through trade associations or similar organizations to identify and develop voluntary emission reduction programs for source categories on the area source list
 - Enforceable, self certifying program
 - Coordinating with other EPA offices to identify similar programs
 - Tentatively identified the following source categories to be considered as candidates:
 - Autobody Refinishing – approximately 50,000-60,000 sources
 - Welding (part of several metal finishing/fabricating source categories)
 - Nickel plating (part of plating and polishing)
 - Paint and Coating Manufacturing
 - Industrial Boilers

Community-based Projects

(Ongoing only)



● Assessment/Reduction Projects

OTHER ACTIVITIES

- Disposal of mercury switches from automobiles
- Chlor-alkali facilities
- Poly Brominated Diphenyl Ethers (PBDE)
- Heavy Metals Strategy
- Stationary Source Engines
- Comprehensive Environmental Reporting System (CERTS)
- Construction Sector
- Special Projects, e.g., Alyeska, Fort Worth, Region IV Pulp & Paper Projects

OTHER ACTIVITIES (CONTINUED)

- Risk Assessment Forum – Agency wide group
 - Cumulative Risk Assessment
 - Steering Committee Aimed at Methods/Processes for Cancer & Non-Cancer Risk Assessment
- Peer review
- IRIS Development
- International
 - Long-Range Transboundary Air Pollution (LRTAP)
 - Stockholm Convention, Expert Group on Persistent Organic Pollutants (POPs), Expert Group on Heavy Metals