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On April 4, 1979, 44 FR 20372, 20376, EPA published a proposed rulemaking requiring that States adopt a CTG within twelve months after the January following publication of the CTG by EPA. This policy allowed states thirteen to twenty-four months, depending on the EPA publication date, to complete their regulatory adoption process and submit the regulation to EPA as a SIP revision. Pennsylvania, like most states, committed to meeting this schedule in their 1979 Part D nonattainment SIP's. Now, however, this schedule may not always be realistic in light of the many states which have adopted legislative overview requirements. During the 1981-1982 legislative season, the Pennsylvania General Assembly passed such a legislative overview requirement. It now can take up to two years for Pennsylvania Department of Environmental Resources to administratively process a regulatory revision.

Because of this extremely time consuming process, Pennsylvania cannot commit to meeting EPA's CTG adoption schedule in its 1982 Part D SIP. Instead, they have proposed a straight twenty months from EPA publication to State adoption.

As mentioned earlier, the CTG adoption schedule is included in the approval status of Part 52 for most States and it would take a major rulemaking action to void these requirements nationally. However, EPA believes that it can apply some discretion in approving State schedules. Pennsylvania's commitment to adopt RACT requirements for Group III sources within 20 months is within the 13- to 24-month schedule (depending upon CTG publication date) required by the Part 52 regulations and is consistent with the intent of the agency in issuing these regulations. Therefore, EPA is proposing to approve this portion of the SIP.

2. Regulations for 100 TPY Sources

The proposed plan includes a schedule for adoption of regulations for greater than 100 TPY sources and makes a firm commitment to adopt, implement and submit the appropriate regulations to EPA as SIP revisions. EPA proposed to approve this schedule.

Carbon Monoxide Attainment Date— The Commonwealth has requested an extension of the CO attainment date from June 30, 1983 to December 31, 1987. The need for this extension results from the delayed implementation of the I/M program.

EPA has no objections to such an extension and proposes to approve it.

C. Southwestern Pennsylvania AQCR

In addition to the public hearing and I/M issues addressed above, the February 3, 1983 Federal Register notice proposed disapproval for the following sections of the Pittsburgh Plan:

Stationary Source Controls

Stationary Source Controls—the proposed submittal for the Pittsburgh area also addresses two aspects of stationary source control measures.

1. CTG Regulations

Our earlier comments (see discussion under Philadelphia plan) regarding the CTG adoption schedule also apply to the schedule proposed for inclusion in the Pittsburgh plan.

2. Regulations for 100 TPY Sources

EPA originally proposed to find (February 3, 1983 at 48 FR 5099) that the stationary source portion of this plan was deficient due to the lack of Reasonably Available Control Technology (RACT) regulations for sources emitting more than 100 tons per year. However, on November 1, 1982 Allegheny County submitted a commitment and schedule to develop, adopt and implement RACT regulations for the three major, non-CTG sources located in the County. Furthermore, DER has now certified that no major VOC sources exist outside Allegheny County in the Southwestern Pennsylvania area.

On November 15, 1983, Allegheny County Bureau of Air Pollution Control submitted the results of their study undertaken pursuant to the November 1, 1982 letter. Of the four sources investigated, two, USS Chemicals and PPG Industries, were found to have RACT or better already in place. The third source, Neville Chemical, emits substantially less than 100 TPY and the fourth, Wiseman Oil Corp., purchased by Breslube of Canada, has been shut down. EPA reviewed Allegheny County's findings and confirmed our agreement with these results on February 29, 1984. The requirement that these RACT controls be maintained and operated is contained in the individual source permits.

The plan for the Southwestern Pennsylvania area now appears acceptable in all respects except for the previously discussed I/M portion and EPA is, today, proposing to approve the plan except for that portion.

D. Lehigh-Northampton Counties (Allentown-Bethlehem-Easton Areas)

Except for the I/M portion, the proposed submittal appears to correct the previously noted deficiencies (February 3, 1983 at 48 FR 5096, 5101).

Conclusions

EPA is today proposing approval, in part, of the supplemental material submitted on October 24, 1983.

The public is invited to submit to the address stated above, comments on the proposed revisions as discussed above. The Administrator's decision to approve or disapprove the proposed revisions will be based on the comments received and on a determination of whether the amendments meet the requirements of section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

Under Executive Order 12291, today's action is not "Major." It has been submitted to the Office of Management and Budget (OMB) for review.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Authority: Secs. 110, 172, and 301 of the Clean Air Act as amended 42 U.S.C. 7410, 7502, and 7601.

Date: June 6, 1984.

Stanley L. Laskowski,
Acting Regional Administrator.

[FR Doc. 84-22233 Filed 8-24-84; 8:45 am]

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40 CFR Part 61

[AD-FRL-2660-6]

National Emission Standards for Hazardous Air Pollutants; Proposed Standards for Benzene Emissions From Coke By-Product Recovery Plants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Reopening of the Public Comment Period.

SUMMARY: On June 6, 1984, EPA proposed national emission standards for benzene emissions from coke by-product recovery plants (49 FR 23522). In response to requests from two trade associations, the period for receiving written comments on the proposed standards is being reopened.

DATE: Comments must be postmarked on or before October 19, 1984.

ADDRESS: Comments should be submitted (in duplicate, if possible) to: Central Docket Section (LE-131), Attention: Docket Number A-79-16, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Gilbert Wood, Emission Standards and Engineering Division (MD-13), Environmental Protection Agency, Research Triangle Park, N.C. 27711, telephone (919) 541-5578.

SUPPLEMENTARY INFORMATION: The Agency received letters from two trade associations requesting extensions of the comment period. Those two trade associations together represent over 90 percent of the potentially affected companies. One trade association requested an extension to complete its review of the proposed information, particularly in relation to emission rates at small plants and the economic impacts of the proposed standards. The other trade association requested an extension of the time to prepare their comments because of the complexity of the technical, economic, and health-related issues raised by the proposed standards. The association's representative stated that analyzing the technical and cost aspects of the controls for the numerous sources considered by EPA, and examining EPA's baseline assumptions and estimates of public health impacts have turned out to be more time consuming than EPA may have anticipated. The difficulty of this work is compounded by the association's need to coordinate among numerous companies.

The Agency believes it would benefit from the results of these associations' analyses and is therefore reopening the comment period until October 19, 1984.

Dated: August 21, 1984.

John C. Topping, Jr.,
Acting Assistant Administrator for Air and Radiation.

[FR Doc. 84-22661 Filed 8-24-84; 8:45 am]
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40 CFR Part 62

[EPA Docket No. AM0204MD; A-3-FRL-2660-7]

Proposed Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Maryland

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Maryland Air Management Administration (MAMA) has submitted amendments to its air

pollution control regulations and has requested that they be reviewed and approved by EPA as a Plan under section 111(d) of the Clean Air Act for the control of total fluoride emissions from primary aluminum reduction plants. The 111(d) Plan includes emission standards, prohibitions, and restrictions. The Plan is applicable statewide, but affects only the Eastalco Aluminum Plant located in Frederick County.

DATE: EPA must receive any comments on or before September 26, 1984.

ADDRESSES: Copies of the proposed 111(d) Plan, as well as accompanying support documentation submitted by the MAMA and interested citizens, are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Air Management Division (3AM10), Curtis Building 6th and Walnut Streets, Philadelphia, PA 19106. Attn: James B. Topsale, P.E.
Maryland Department of Health and Mental Hygiene, Air Management Administration, 201 W. Preston Street, Baltimore, MD 21201, Attn: George P. Ferren.

All comments should be submitted to James E. Sydnor at the EPA Region III address listed above. Please reference the EPA Docket number found in the heading of this Notice in any correspondence.

FOR FURTHER INFORMATION CONTACT: Mr. James B. Topsale (3AM13), 215/597-4533 or at the EPA Region III address indicated above.

SUPPLEMENTARY INFORMATION:

Background

In accordance with Section 111 of the Clean Air Act, "Standards of Performance for New Stationary Sources," EPA has promulgated standards of performance for new sources of criteria pollutants (pollutants for which National Ambient Air Quality Standard have been published) and non-criteria (or designated) pollutants. Paragraph (d) of Section 111 requires states to develop control plans for designated pollutant emissions from existing stationary sources of the type regulated by standards of performance of new sources of designated pollutants. The requirements for such plans are set forth in Subpart B of 40 CFR Part 60.

Designated pollutants which may contribute to the endangerment of public health are called "health related pollutants" while those that do not are called "welfare related pollutants." This distinction determines the degree with which the states must follow the EPA

guidelines in developing their plans for the control of health related pollutants; greater flexibility is allowed in the control of welfare related pollutants. Therefore, for welfare related pollutants, the State of Maryland may weigh the guidelines against such factors as plant location, local community employment, and the remaining useful life of an existing plant. 40 CFR 60.24(d). Fluorides are considered by EPA as a welfare related pollutant.

Generally, the EPA fluoride guidelines—"Primary Aluminum Guidelines for Control of Fluoride Emission from Existing Primary Aluminum Plants, EPA-450/2-78-049b"—do not define ambient air quality standards or emission limitations; however, an average allowable emission range is provided for each type of aluminum reduction plant. The level of emission control, either primary or secondary, is presented as an average fluoride control efficiency expected from the application of certain recommended control technologies that are applied as new retrofits to existing plants, such as Eastalco.

Discussion

The fluoride ambient air quality standards, which are not part of the 111(d) Plan for the State of Maryland, are defined in the Code of Maryland Regulations (COMAR) in 10.18.04. These ambient standards are consistent with the tolerance values relating the adverse effects of fluorides on animals and vegetation in the EPA guideline referenced above. COMAR 10.18.04 defines eleven different ambient air quality standards which are expressed primarily in terms of concentrations of fluorides in vegetation. One of the three standards, for forage grown in the impacted area as feed, is a limitation of 35 micrograms of fluoride per gram of dry tissue, in unwashed samples, expressed as a running average over twelve months. If vegetation sampling is not practicable for determining ambient impacts, the MAMA may, as one alternative consistent with COMAR 10.18.04.01B.(8)(b), assume unsatisfactory ambient conditions exist when gaseous fluorides exceed 1.2 micrograms of fluoride per cubic meter of air in any 24 hour sample and any 72 hour average exceeds 0.4 micrograms of fluoride per cubic meter of air.¹

¹The May 25, 1984 Letter of the MAMA to EPA states that it is the intent of the State to change the "and" to "or" for this requirement.