FACT SHEET

RECONSIDERATION FINAL RULE AMENDMENTS TO THE AIR TOXICS STANDARDS FOR FERROALLOY PRODUCTION

ACTION

- On December 28, 2016 the Environmental Protection Agency (EPA) signed a final rule after reconsidering four issues raised in petitions received on the final air toxics standards for ferroalloys production published in the Federal Register on June 30, 2015. The reconsideration proposed rule was published on July 12, 2016.

- This final action addresses the four issues raised in the petitions received from Eramet Marietta Inc. and Felman Production LLC. The issues are:
    - installation of bag leak detection systems (BLDS) for monitoring positive pressure baghouses;
    - use of the Digital Camera Opacity Technique (DCOT) for determining compliance with opacity standards;
    - frequency of compliance testing for polycyclic aromatic hydrocarbons (PAH) during the production of ferromanganese (FeMn); and
    - calculation of the PAH emission limits for FeMn and silicomanganese (SiMn).

- After considering public comments and other information received in response to the reconsideration proposed rule, the EPA has amended the rule to allow for an alternative to the BLDS requirement.
    - The reconsidered final rule requires the installation of BLDS for new sources. For existing positive pressure furnace baghouses, affected facilities can install BLDS or perform visible emissions (VE) inspections twice daily using EPA's Method 22.
    - Within 1 hour of an observed VE from these baghouses corrective action must be taken. The leak(s) must be isolated and the compartment(s) must be shut down. Repairs and an internal inspection must be completed before the compartment(s) can be restarted.
    - Both the 2015 final rule and the 2016 reconsideration proposed rule required the installation of BLDS on positive pressure baghouses.

- However, after considering public comments from the reconsideration, EPA is not changing the DCOT requirement.
    - Weekly opacity monitoring using DCOT is required for affected sources with the opportunity to reduce testing frequency to monthly after 6 months.
    - Validation studies and other reports support the conclusion that DCOT is applicable to this source category and appropriate considering the high risk associated with emissions.
    - EPA is amending the final rule to reference the recently updated version of the DCOT method.

- The EPA is making no changes to the PAH testing frequency.
    - Quarterly PAH testing is required for furnaces producing FeMn during the first year with the opportunity to reduce to annual testing after the first year.

- Finally, the EPA has denied the request to reconsider the calculation of the PAH emission limits for FeMn and SiMn.
    - There is adequate evidence in the record to support the application of a statistical equation for calculating the PAH emission limits.

BACKGROUND

- In the Ferroalloys Production source category there are two main products. Ferromanganese is a ferroalloy with a high concentration of manganese and iron, and silicomanganese is a ferroalloy with a high concentration of manganese and silicon. Both products are used in steelmaking and foundry activities.

- The final rule published on June 30, 2015 required facilities to:
    - capture at least 95 percent of fugitive emissions and route them to control devices;
    - use digital camera opacity technique for opacity monitoring;
    - meet mercury and PAH emission limits for ferromanganese and silicomanganese production sources; and
    - continue to meet a strengthened particulate matter emission limit that reflects the current performance standards of control devices in the industry.

- The estimated reductions in emissions of hazardous air pollutants expected to be achieved by the 2015 final rule (about 77 tons per year) will provide significant benefits to public health. This includes reductions in emissions of metals, such as manganese, nickel, chromium, cadmium, and lead, in addition to mercury, PAH, and fine particles.

- Following publication of the final rule, the EPA received two petitions for reconsideration from the affected facilities, Eramet Marietta and Felman Production.

- The Clean Air Act requires the EPA to regulate toxic air pollutants, also known as air toxics, from large industrial facilities in two phases.

- The first phase is “technology-based,” where EPA develops standards for controlling the emissions of air toxics from sources in an industry group (or “source category”). These maximum achievable control technology (MACT) standards are based on emissions levels that are already being achieved by the controlled and low-emitting sources in an industry.

- The second phase is a "risk-based" approach called residual risk. Here, EPA must determine whether more health-protective standards are necessary. Within 8 years of setting the MACT standards, the Clean Air Act directs EPA to assess the remaining health risks from each source category to determine whether the MACT standards protect public health with an ample margin of safety, and protect against adverse environmental effects.

- Every 8 years after setting the MACT standards, the Clean Air Act requires that EPA review and revise the standards, if necessary, to account for improvements in air pollution controls and/or pollution prevention measures.

FOR MORE INFORMATION

- Interested parties can download the notice from the EPA's website at the following address: https://www.epa.gov/stationary-sources-air-pollution/ferromanganese-and-silicomanganese-production-national-emission

- Today's notice and other background information are also available either electronically at http://www.regulations.gov, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.

    - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA WJC West Building, located at 1301 Constitution Avenue, NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
    - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
    - Materials for this action can be accessed using Docket ID No. EPA-HQ-OAR-2010-0895.

- For further information, contact Phil Mulrine of the EPA's Office of Air Quality Planning and Standards by phone at (919) 541-5289 or by e-mail at: mulrine.phil@epa.gov.