FACT SHEET

Proposed Amendments to Air Toxics Standards for Taconite Iron Ore Processing

ACTION

- On August 28, 2019, the U.S. Environmental Protection Agency (EPA) proposed to amend the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing.
- EPA is proposing minor amendments to enhance the effectiveness of the rule by improving compliance and implementation.
- EPA issued the air toxics standards for Taconite Iron Ore Processing on October 30, 2003. The rule applies to major source facilities engaged in separating and concentrating iron ore from taconite (a low-grade iron ore) to produce taconite pellets. These taconite pellets are then used as feed in blast furnaces to produce steel.
- Based on its residual risk and technology review, EPA is proposing no changes to the existing standards because the Agency determined the risks to be acceptable with an ample margin of safety to protect public health and the environment. In addition, EPA did not identify new cost-effective emission controls for taconite facilities.
- EPA is, however, proposing a number of changes to the rule in this action:
    - Revise requirements for periods of startup, shutdown, and malfunction (SSM) to be consistent with recent court decisions;
    - Require electronic reporting of performance test results;
    - Reduce the duration of compliance test runs from two hours to one hour; and
    - Remove a requirement of quarterly internal baghouse inspections because baghouses are continuously monitored with bag leak detection systems.
- Also, to address a petition for review filed in 2004 by the National Wildlife Federation, EPA proposes that emissions of amphibole cleavage fragments, known as elongated mineral particulate (EMP), do not fit the definition of any listed hazardous air pollutant (HAP) in section 112 of the Clean Air Act (CAA) and, therefore, should not be directly regulated by this rule.
    - EMP are a component of particulate matter (PM) and are already appropriately controlled at the affected facility.
- EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*.

RESIDUAL RISK ASSESSMENT

- The CAA requires EPA to assess the risk remaining after application of the final air toxics emissions standard. This is known as a residual risk assessment.
- From the Taconite Iron Ore Processing source category, based on the inhalation risk assessment, the maximum individual risk (MIR) for cancer is 2-in-1 million for actual emissions mainly due to arsenic and nickel from fugitive dust and indurating sources.

- An MIR of 2-in-1 million implies that up to two out of one million equally exposed people could contract cancer if exposed continuously (24 hours per day) to the specific concentration for 70 years (an assumed lifetime). This would be in addition to cancer cases that would normally occur in one million unexposed people.
- Chronic noncancer hazard indices from these facilities are less than 1. A hazard index of 1 or lower means air toxics are unlikely to cause adverse noncancer health effects over a lifetime of exposure.
- Based on the completed risk assessment, available health information and associated uncertainties, EPA determined risks from the Taconite Iron Ore Processing source category are acceptable and provide an ample margin of safety to protect public health.

TECHNOLOGY REVIEW

- The CAA requires EPA to assess, review, and revise air toxics standards, as necessary, taking into account developments in practices, processes, and control technologies. The technology review of the standards for taconite iron ore processing facilities did not identify any developments that would further reduce HAP emissions beyond the original NESHAP.

BACKGROUND

- The CAA requires EPA to regulate toxic air pollutants, also known as air toxics, from categories of 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 standards reflect application of the maximum achievable control technology (MACT) and are based on emissions levels that are already being achieved by the best-controlled and lower-emitting sources in an industry.
- Within eight years of setting the MACT standards, the CAA 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. This second phase is a "risk-based" approach called residual risk. Here, EPA must determine whether more health-protective standards are necessary.
- Also, every eight years after setting MACT standards, the CAA requires EPA to review and revise the standards, if necessary, to account for improvements in air pollution controls and/or prevention.

HOW TO COMMENT

- EPA will accept comment on the proposal for 45 days after publication in the *Federal Register*. Comments, identified by Docket ID No. EPA-HQ-OAR-2017-0664, may be submitted by one of the following methods:

- Go to https://www.regulations.gov/ and follow the online instructions for submitting comments.
- Send comments by email to: a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2017-0664.
- Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2017-0664.
- Mail your comments to: EPA Docket Center, Environmental Protection Agency, Mail Code: 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2017-0664.
- Deliver comments in person to: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, DC. Note: In person deliveries (including courier deliveries) are only accepted during the Docket's normal hours of operation. Special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA's website at the following address: https://www.epa.gov/stationary-sources-air-pollution/taconite-iron-ore-processing-national-emission-standards-hazardous
- Today's action and other background information are also available either electronically at https://www.regulations.gov/, 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 at EPA Headquarters Library, room number 3334 in the WJC West Building, 1301 Constitution Ave., 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 proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2017-0664.
- For further technical information about the rule, contact David Putney, EPA's Office of Air Quality Planning and Standards, at (919) 541-2016 or putney.david@epa.gov.