

[Federal Register: August 31, 1994]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-5063-2]

Federal Standards for Marine Tank Vessel Loading and Unloading
Operations and National Emission Standards for Hazardous Air Pollutants
for Marine Tank Vessel Loading and Unloading Operations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Reopening of public comment period.

SUMMARY: On May 13, 1994 (57 FR 25004), the EPA proposed standards to regulate the emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAP) from new and existing marine tank vessel loading and unloading operations which are part of major sources under section 112 of the Clean Air Act (CAA). The initial public comment period closed on July 18, 1994. On July 15, 1994, (59 FR 36130), the EPA proposed standards to regulate the emissions of HAP from petroleum refineries that are major sources under section 112 of the CAA. In the proposed rule for petroleum refineries, the EPA requested comments on the concept of expanding the petroleum refinery source category to include marine vessel loading and unloading operations subject to the requirements of section 112 of the CAA that occur at refineries. With this notice, the EPA reopens the comment period on the marine tank vessel loading and unloading operations to request comment on amending both the Marine Tank Vessel Loading and Unloading and Petroleum Refinery source categories to move marine terminals collocated at refineries from the Marine Tank Vessel Loading and Unloading source category to the Petroleum Refinery source category.

DATES: Comments must be received on or before September 30, 1994.

ADDRESSES: Comments. Comments should be submitted (in duplicate if

possible) to the EPA's Air and Radiation Docket and Information Center (6102), ATTN: Docket Number A-90-44, Room M1500, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

Dockets. The following dockets contain supporting information used in developing the proposed provisions. Docket Number A-90-44 contains general information used to characterize emissions and control costs for marine tank vessel loading and unloading operations and Docket A-93-48 contains information on petroleum refineries. These dockets are available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center, Waterside Mall, Room M1500, 410 M Street, S.W., Washington, D.C. 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

On technical issues, David Markwordt, Chemicals and Petroleum Branch, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541-0837. For further information on the legal issue addressed in this notice, contact Michael S. Winer, Assistant General Counsel, Air and Radiation Division (2344), Office of General Counsel, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, telephone number (202) 260-7606.

SUPPLEMENTARY INFORMATION: On May 13, 1994 (59 FR 25004), the EPA proposed standards to regulate the emissions of VOC and HAP from new and existing marine tank vessel loading and unloading operations which are part of major sources under section 112 of the Clean Air Act (CAA). The comment period on the proposed rule ended on July 18, 1994. This notice reopens the public comment period for the proposed rule. However, only comments limited to the subject described below will be considered at this time.

The category of major sources for marine vessel loading and unloading operations includes marine terminals which emit chemicals listed under section 112 from the direct loading and unloading of bulk liquids from marine vessels at marine terminals. With the exception of offshore vessel-to-vessel bulk liquid transfer operations (i.e., lightering operations), all marine vessel terminals are included in the category of major sources for marine vessel loading and unloading operations. Marine vessel terminals collocated at refineries are not part of the petroleum refinery source category.

In the petroleum refinery rule, the EPA is proposing that emissions averaging be allowed for miscellaneous process vents, storage tanks, and wastewater streams within petroleum refineries. The EPA requested comments on whether emissions averaging should be included in the final

rule, and on specific features of the proposed emissions averaging provisions.

The petroleum refinery proposed rule addresses only the 4 emission points in refinery operations. The EPA requested comments on the concept of expanding the petroleum refinery source category to include marine vessel loading and unloading operations subject to the requirements of section 112 that occur at refineries. The marine vessel requirements proposed for purposes of compliance with section 183(f), however, would remain unchanged. If the above change is made to the petroleum refinery source category, the source category currently listed in accordance with section 112(c) as Marine Tank Vessel Loading and Unloading Operations would be split into two parts--those which are collocated at refineries and those which are not. The ones collocated at refineries would be combined with and become part of the refinery source category. The source category list would be amended accordingly. The purpose would be to allow emissions averaging between the HAP emissions from marine vessel loading and unloading and the HAP emissions from the refinery emission points identified in the petroleum refinery rule as suitable for emissions averaging. It appears that in some cases, there may be opportunities to control some of these emission points (e.g. storage tanks) more cost-effectively than marine vessel loading and unloading operations. In other cases, it may be more cost effective to control marine vessel operation emissions than the refinery emission points. Integrating marine loading and unloading operations into the refinery category and utilizing emissions averaging may provide an opportunity for more emissions reductions at a lower cost than would occur if the categories remain separate. In addition, because of the 10 percent discount factor, additional emissions reduction will be achieved if emissions averaging is used.

If the suggested approach were adopted, the limitations of the proposed emissions averaging provisions included in the petroleum refinery proposal would also apply to the loading and unloading operations. With regard to calculating the emissions for purposes of averaging, the May 13 marine vessel operations proposal included procedures for determining HAP emissions from marine vessel loading operations for purposes of determining applicability of the rule; the EPA solicited comment on these procedures. These emission estimating procedures will also be considered for the purpose of emission averaging. The promulgation date, and thus the compliance date, for the marine vessel loading and unloading standard is currently expected to be earlier than the petroleum refinery standard. The EPA requests comments on whether and how these compliance dates should be made consistent, and what legal factors should be considered.

The EPA's database which serves as the basis for the May 13 proposed rule for marine vessels does not identify which loading and

unloading operations occur at refineries as opposed to other types of plants. However, the EPA has no data to indicate that marine vessel loading operations at refineries are dissimilar to marine vessel loading operations located at other facilities or that their control levels differ. Therefore, the EPA anticipates that the floors for neither the petroleum refinery nor the marine vessel rules would be affected by redefining the source categories as described.

If the EPA expands the refinery source category to include marine vessel loading and unloading operations, loading operations at refineries would have an opportunity to average emissions and reduce costs. In addition, they would be required to achieve additional emission reductions in accordance with the 10 percent discount requirement contained in the emissions averaging provisions. Loading operations that stand alone would not have this same opportunity to reduce costs. Public comment is solicited on the magnitude of these impacts and the appropriateness of this distinction.

Some marine terminals handle products with low concentrations of HAP's but high concentrations of non-HAP VOC. In such circumstances, it may be cost-effective to forego control of HAP's from marine terminals by over controlling HAP's from another emission point. If, however, the emission point being controlled does not offset the non-HAP VOC foregone by not controlling the marine terminals, a net increase in non-HAP VOC could result. The EPA solicits comments on what considerations should be given to this type of situation in deciding to combine marine terminals and refineries for the purpose of emission averaging.

The EPA requests comment on the extent to which emissions averaging between marine vessel loading and unloading operations and other refinery operations could result in exposure spikes. This could occur if batch emission streams were left uncontrolled in exchange for control of continuous emission streams, or vice versa.

The EPA also requests that commenters submit data on possible emission factors and/or alternative emission calculation procedures for marine vessel operations for consideration in the final rule.

Dated: August 24, 1994.

Mary Nichols,
Assistant Administrator for Air and Radiation.
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