

MEMORANDUM

DATE: February 20, 2001

SUBJECT: Summary telephone conference meeting held on February 15, 2001 with representatives of the stakeholders for the Site Remediation MACT Project

TO: Greg Nizich, U.S. Environmental Protection Agency (EPA)
Office of Air Quality Planning and Standards (OAQPS)
Emissions Standards Division (ESD)

FROM: Paul Peterson, Research Triangle Institute (RTI)

I. INTRODUCTION

The EPA organized this second teleconference meeting with representatives of the stakeholders Site Remediation MACT work team to discuss specific requirements that the EPA is considering to be proposed for the national emission standards for hazardous air pollutants (NESHAP) for site remediation activities (40 CFR 63).

II. PLACE AND DATE

U.S. Environmental Protection Agency
North Carolina Mutual Building
6th Floor Small Conference Room and Teleconference Hookup
Durham, North Carolina

February 15, 2001
1:00 p.m. to approximately 2:30 p.m. (EST)

III. PARTICIPANTS

The following is a list of meeting participants::

U.S. Environmental Protection Agency

Greg Nizich, OAQPS ESD WCPG
Lisa Conner, OAQPS

Research Triangle Institute (EPA contractor)

Paul Peterson
Carol Mansfield
Brooks Depro

Stakeholders

Tom Wiglesworth, National Petroleum Refiners Association
Kyle Isakower, American Petroleum Institute
Tom Nilan, American Chemical Council
Lisa Trembley, Vern Norstrap, U.S. Navy
Susan Miller, Jeff Pope, Clayton Group Services
James Cesario, Todd Wiederhold, Earthtech
Bernard Bigham, Chesapeake Environmental
Mark Summers, Steve Battle, Robbins Air Force Base
Angela Deconti, Specialty Organic Chemical Manufacturers Assoc.
Jack McClure, Shell Oil Company
Doug Pelton, Geomet Technology
Paul Jan, Dupont

IV. DISCUSSION

The handout sent to each of the participants before the meeting is included as Attachment 1. Mr. Nizich of the EPA opened the meeting with a brief introduction of meeting participants, highlighted the meeting purpose and agenda, and confirmed that each participant had received a copy of the handout. Referring to the handout for the remainder of the meeting, Mr. Nizich then proceeded to orally review for the participants the rule applicability and control requirements that the EPA is considering for proposal as presented on each page of the handout. Throughout the course of the handout review, Mr. Nizich answered questions from the stakeholders regarding specific requirements presented in the handout.

The meeting discussion was focused on the applicability provisions of the rule. Mr. Nizich expressed that the EPA was considering a number of different exemption formats based on the quantity of HAP in the contaminated media and the duration of the site remediation that could exempt activities with small HAP potential.

Comments made by stakeholders on the applicability exemptions being considered for the rule.:

- In general, stakeholders supported including exemptions in the rule based on the HAP quantity in the contaminated media. Questions were raised by stakeholders as to the numerical limit at which the exemption should be set as well as how to demonstrate that a site qualifies for an exemption.
- One stakeholder said the 1 Megagram (Mg) HAP quantity exemption shown on the handout would not provide much relief and should be set at a higher level. He said there is often free product levels at tank cleanups that would exceed the 1 Mg level. He expressed the opinion that this low of a cutoff level would discouraged cleanup action. Mr. Nizich commented that the 1 Mg cutoff didn't necessarily mean you would be subject to control requirements, only that more evaluate had to be done.
- Several stakeholders commented on the absence of a HAP concentration exemption and that such an exemption based on HAP concentration in the contaminated media should be included in the rule. One stakeholder suggested 5 ppm as a cutoff for groundwater. Mr. Nizich explained that EPA considered but decided not to include a HAP concentration exemption because of the difficulty of reliably determining the HAP concentration of in-situ contaminated media.
- One stakeholder said that determining if a site remediation using an in-situ soil vapor extraction (SVE) process meets a HAP quantity exemption is difficult to predict until you actually startup and begin running the SVE process for a period of time. Pilot studies can be performed but are not a reliable indicator of performance that the full-scale system will achieve. How would the exemption be implemented in this situation since sources required to use controls under the rule would need to have those controls in place at initial startup?
- Several stakeholders expressed the opinion that including a duration exemption in the rule is not appropriate. A duration exemption may have undesirable consequences by encouraging individuals to accelerate a cleanup with significant HAP emission potential in order to complete it within the exempted time period and avoid being subject to the rule.
- One stakeholder commented that if the site remediation NESHAP does not apply to RCRA and Superfund sites then most remediation sources would not be regulated by the rule.. Several other stakeholders disagreed because of the potential applicability of the rule to voluntary cleanups. They believe more voluntary cleanups exist than RCRA/Superfund cleanups. Mr. Nizich said EPA has not made a decision as to applicability of the rule to RCRA/Superfund sites at this time. He requested from the stakeholders any information they could provide on voluntary cleanups.
- One stakeholder requested that remediation vent gas going to a combustion device at a

refinery not become subject to NSPS Subpart J for fuel gas.

Comments made by individual stakeholders on other issues related to the development of the site remediation NESHAP included:

- Stakeholders noted that no requirements are included in the handouts for on-site land farming or biological treatment processes. One stakeholder stated that the remediation practice of excavating contaminated soil and spreading it on the ground in a 6-inch layer (i.e., land farming) can result in a significant release of the organics contained in the soil to the atmosphere within the first 72 hours following application. The stakeholder recommended that this practice be banned under the rule for site remediation with some given HAP emission potential (he suggested the major source cutoffs of 10/25 tons of HAP) by requiring the contaminated soil be treated in an appropriate engineered “system” (e.g., treated in a thermal desorption process). Another stakeholder commented that some alternatives to land farming such as thermal desorption required the combustion of large quantities of fuel and these impacts should be considered when evaluating the alternatives.
- One stakeholder stated that the rule requirements should not discourage nor prohibit cleanups that pump groundwater directly to a POTW. Mr. Nizich asked if the groundwater from these types of site remediation would be below the 500 ppmw HAP concentration action level at which the rule would require the application of controls. The stakeholder said he did not know.
- One stakeholder questioned whether EPA could use other NESHAP (in this case the Off-site Waste and Recovery Operation NESHAP) to set the MACT floor for the site remediation NESHAP.

V. ACTION ITEMS

- EPA is proceeding with the development of a site remediation NESHAP to meet the currently scheduled proposal date of May 15, 2001.
- The EPA invited the stakeholders to submit any information and data that they think is relevant to EPA in this rule development.

Attachment 1

Site Remediation MACT
Participant Meeting Handout
February 15, 2001