

11/16/01

FACT SHEET

AMENDMENT TO FINAL AIR TOXICS RULE FOR PESTICIDE ACTIVE INGREDIENT PRODUCTION

TODAY'S ACTION

- The Environmental Protection Agency (EPA) is taking final action to amend its rule to reduce toxic air emissions from pesticide active ingredient (PAI) production. This amendment changes the date that facility owners/operators would be required to submit to EPA their precompliance plan from 6 months prior to the compliance date to 3 months prior to the compliance date. The precompliance plan includes requests for approval of compliance alternatives such as the use of alternative monitoring parameters and the use of pollution prevention.
- Toxic air pollutants, also known as air toxics, are those pollutants known, or suspected, to cause cancer and other serious health problems. Air toxics are emitted during the PAI manufacturing process, which consists mainly of chemical operations used to produce insecticide, herbicide, and fungicide pesticide products. These products are typically used in the agricultural industry for controlling insects, rodents, nematodes, fungi, weeds, or any other forms of life considered to be pests.
- Today's amendment will not change the health and environmental effects of the rule, and it will not change the requirement that new and existing major sources control air toxics emissions.

BACKGROUND

- Under the Clean Air Act (CAA), EPA is required to regulate emissions of 188 listed toxic air pollutants. The Act also requires EPA to identify industrial or "source" categories that emit one or more of these toxic air pollutants. For categories of "major" sources (those that emit 10 tons per year or more of a listed pollutant or 25 tons per year or more of a combination of pollutants), the Clean Air Act requires EPA to develop standards that require the application of stringent air pollution reduction measures known as maximum achievable control technology.
- EPA's published list of industry groups to be regulated (known as source categories) includes pesticide active ingredient production operations.
- EPA issued the final air toxics rule for PAI production in June 1999. Facilities affected by this rule must comply with its requirements by June 23, 2002. Several petitioners, including the American Crop Protection Association (ACPA), filed for review of the rule. The ACPA and EPA are very

close to reaching a settlement agreement. The Agency expects to address some of the issues raised by petitioners in additional amendments to the 1999 rule.

- PAI manufacturing operations covered by the air toxics rule are primarily chemical synthesis processes. The major air toxics to be controlled include methyl chloride, methanol, toluene, and hydrogen chloride. These pollutants can cause reversible or irreversible toxic effects following exposure.

WHAT THE AMENDMENT WOULD DO

- The 1999 rule requires affected facilities to submit a precompliance plan at least 6 months prior to the compliance date (June 23, 2002). This direct final rule will change the due date for the precompliance plan to 3 months before the compliance date.
- This amendment prevents facilities from incurring unrecoverable costs for preparing and submitting a precompliance report before EPA promulgates amendments that address the issues of the petitioners. These amendments may affect the contents of the precompliance reports required from PAI production facilities.

FOR MORE INFORMATION

- For further information about the action, contact Randy McDonald of EPA's Office of Air Quality Planning and Standards at (919) 541-5402.
- EPA's Office of Air and Radiation's home page on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's home page address is: <http://www.epa.gov/oar/>.