

FACT SHEET

National Air Emission Standards for Hazardous Air Pollutants (NESHAP) from Halogenated Solvent Cleaning: Proposed Notice of Reconsideration of Final Rule and Request for Public Comment

ACTION

- On October 3, 2008 the Environmental Protection Agency (EPA) proposed amendments to the Agency's 2007 air toxics standards for the halogenated solvent cleaning industry. The proposed amendments respond to a petition for reconsideration.
- Several groups submitted petitions including Pennsylvania; the Natural Resources Defense Council; Earth Justice; Citizens for Pennsylvania's Future; The Governor of Pennsylvania and Congressman Gerlach.
- Petitioners stated that EPA provided insufficient opportunities for public comment regarding specific emission reduction requirements, and that EPA promulgated assumptions on risk, cost and technical feasibility without additional public comment. Petitioners also stated the 2007 amendments did not satisfy the technology review mandated by the Clean Air Act.
- In response to the petitions for reconsideration EPA reevaluated the cancer risk and conducted another technology review. EPA also evaluated the potential for adverse non-cancer human health effects and ecological risks.
- The Agency is proposing three options:
 - Setting emission limits for general degreasers and narrow tubing manufactures of 60,000 kg/yr MC equivalents, limits of 100,000 kg/yr MC equivalents for military depots; and no additional limits for aerospace and continuous web cleaning machines
 - Setting mission limits of 60,000 kg/yr MC equivalents for general degreasers and narrow tubing manufactures; limits of 100,000 kg/yr MC equivalents for aerospace facilities and military depots. This option would also require facilities using continuous web cleaning machines with emissions exceeding 60,000 kg/yr MC equivalents to meet an 80 percent overall control
 - Retaining the August 2007 standards without modification
- EPA will accept public comments for 45 days following publication of the proposed rule in the Federal Register.

BACKGROUND

- Air toxics, also known as hazardous air pollutants, are known or suspected to cause cancer and/or may have other serious health or environmental effects.

- The Clean Air Act requires EPA to regulate air toxics from industrial facilities in two phases. In the first, technology-based phase, EPA develops standards for controlling the emissions of air toxics from sources in an industry group, also called a “source category.” The standards for large sources are known as maximum achievable control technology (MACT) standards, and are based on the emissions levels of the better-controlled and lower-emitting facilities in an industry.
- EPA finalized the halogenated solvent cleaning MACT in December of 1994. EPA estimates that the 1994 standards prevent 85,300 tons of emissions of air toxics nationwide, annually.
- Halogenated solvents include methylene chloride, trichloroethylene, and perchloroethylene. Halogenated solvent cleaning machines use these solvents to remove grease, oil, wax, carbon deposit, and tar from metal, plastic, fiberglass, printed circuit board, and other surfaces. Halogenated solvent cleaning is typically performed prior to processes such as painting, plating, inspection, repair, assembly, heat treatment, and machining.
- In the second phase, the law requires EPA to review the technology-based standards and revise them, if necessary, to account for improvements in air pollution controls and/or prevention. The law directs EPA to repeat this assessment every 8 years.
- During the second phase of the program, EPA also is required to assess the remaining health risks from each industry group for which it has set MACT standards and determine whether more health-protective standards are necessary. If more protective standards are needed, EPA amends the MACT standards to add what is known as “residual risk standards.”
- EPA published proposed amendments in August 2006. The proposal stated that the residual risks from this source category were acceptable. However, EPA proposed two options two options for facility-wide emission limits, both of which would result in increased health protection for the public and cost savings for the industry.
- EPA received significant comments on the proposal from four industry sectors: the aerospace manufacturing and maintenance industry, the narrow tubing manufacturing industry, industries that use continuous web cleaning machines, and the military. These industries commented that they would face serious technological challenges and high costs if the proposed amendments were finalized.
- On December 15, 2006, issued a Notice of Data Availability seeking comments on the proposed emissions limits, the cost impacts of implementing the proposed standards at certain facilities and the compliance time frame required for the facilities listed above to adequately comply with the proposed standard.
- On May 3, 2007 EPA published final amendments which include a facility-wide emission limit of 60,000 kilograms per year of methylene chloride equivalent emissions for general degreasers, a 100,000 kg/yr methylene chloride equivalent emissions limit for military depots and maintenance facilities. EPA determined that no amendments to the 1994 NESHAP were

necessary for the aerospace manufacturing and maintenance industry, narrow tube manufacturing industry and continuous web cleaning machine industry.

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- 2002-0009, may be submitted by one of the following methods:
 - www.regulations.gov: follow the on-line instructions for submitting comments.
 - E-mail: Comments may be sent by electronic mail (e-mail) to a-and-r-Docket@epa.gov.
 - Fax: Fax your comments to: 202-566-1741
 - Mail: Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 6102T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460.
 - Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, D.C. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- To download the action from EPA's website, please visit:
<http://www.epa.gov/ttn/oarpg/t3pfpr.html>.
- Today's proposed rule and other background information are also available either electronically at <http://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 in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 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.