

FACT SHEET

NEW SOURCE PERFORMANCE STANDARDS FOR PETROLEUM REFINERIES – PROPOSED AMENDMENTS

ACTION

- On December 12, 2008, the Environmental Protection Agency (EPA) proposed amendments to the June 2008 new source performance standards (NSPS) for petroleum refineries.
- The proposed amendments include revised emissions limitations for process heaters and work practice standards for flares. These proposed amendments reflect additional data and information received by EPA since promulgation of the current standards.
- The proposed changes will provide more flexibility in meeting the NSPS requirements and preserve the projected emissions reductions.
- On June 24, 2008, EPA issued final amendments to the NSPS for petroleum refineries, and separate standards of performance for new, modified, or reconstructed facilities. On July 28, 2008, EPA published a notice that stayed the effective date of the rule until September 26, 2008.
- EPA received three petitions for reconsideration of the final rule. One petition was filed by the American Petroleum Institute, the National Petrochemical and Refiners Association, and the Western States Petroleum Association. One petition was filed by Hovensa, LLC., and the third petition for reconsideration was filed by the Environmental Integrity Project, Sierra Club, and Natural Resources Defense Council.
- In a separate but related action, EPA will continue to stay certain provisions in the standards of performance issued in June 2008 for new, modified, or reconstructed process units at petroleum refineries until the agency has reached a final decision on the issues under reconsideration.
- The proposed amendments address those issues for which EPA granted the stay. EPA will take action on other issues raised by petitioners in future notices.
- EPA estimated that the June 24, 2008 NSPS would reduce emissions of particulate matter by 1,300 tons per year (tpy), emissions of SO₂ by 17,000 tpy, emissions of nitrogen oxide by 11,000 tpy, and emissions of volatile organic compounds by 1,400 tpy.
- The proposed reductions would be achieved at a capital cost of \$420 million and an annualized cost of \$60 million per year. The benefits of these emission reductions range from \$380 million to \$3.5 billion per year.
- EPA will accept comment on the proposal for 45 days after publication in the Federal Register.

BACKGROUND

- The criteria pollutants emitted from petroleum refineries include particulate matter, sulfur dioxide, carbon monoxide, volatile organic compounds, and nitrogen oxides. Emissions of these compounds may cause or contribute to air pollutant emissions which endanger public health or welfare.
- The Clean Air Act requires EPA to regulate emissions of criteria pollutants from categories of major stationary sources. The new source performance standards must reflect the application of the best system of emissions reductions which EPA determines has been adequately demonstrated. This level of control is commonly referred to as the best demonstrated technology.
- The Clean Air Act also requires EPA to review the standards every eight years and revise the standards, as necessary, to reflect improvements in methods for reducing emissions. The standards of performance for petroleum refineries were initially issued in 1974 and have been amended several times. The current standards apply to fluid catalytic cracking units, fluid coking units, delayed coking units, fuel gas combustion devices, flares, and sulfur recovery plants.

HOW TO COMMENT

- EPA will accept comment on the proposal for 30 days after publication in the Federal Register. Comments, identified by Docket ID No. EPA-HQ-OAR-2007-0011, 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 a copy of the proposed rule from EPA's website, go to "Recent Actions" at: <http://www.epa.gov/ttn/oarpg/new.html>.

- Today's proposed amendments and other background information are also available 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, 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.
 - Materials for this action can be accessed using Docket ID EPA-HQ-OAR-2007-0011).
- For further information about the proposed amendments, contact Mr. Robert B. Lucas of EPA's Office of Air Quality Planning and Standards at (919) 541-0884 or lucas.bob@epa.gov.