

October 11, 2002

## FACT SHEET

### AMENDMENTS TO THE FINAL TOXICS RULE FOR PUBLICLY OWNED TREATMENT WORKS

#### Today's Action

- Today the Environmental Protection Agency (EPA) is amending its final rule which reduces emissions of toxic air pollutants from wastewater treatment units at publicly owned treatment works (POTW). Toxic air pollutants, or air toxics, are those pollutants known or suspected of causing cancer or other serious health effects such as birth defects or reproductive problems.
- Today's amendments reflect the settlement agreement reached between EPA and the Pharmaceutical Research and Manufacturers of America (PhRMA) and only affect POTW that treat industrial wastewater. These amendments will not change the health and environmental benefits of the final rule.
- EPA is removing the requirement that all industrial POTW be considered major sources. The Agency will still enforce air pollution control requirements for industrial POTW that do not meet the criteria to be a major source, but these facilities will no longer need to obtain an air permit.

#### Background

- Under the Clean Air Act, EPA is required to regulate sources of 188 listed toxic air pollutants. For categories of "major" sources (those that emit 10 tons/year or more of a listed pollutant or 25 tons/year or more of a combination of pollutants), EPA must develop standards that required the application of stringent air pollution reduction controls known as "maximum achievable control technology."
- EPA developed and currently maintains a list of industry groups to be regulated for air toxics. This list includes publicly owned treatment works. POTW facilities emit air toxics during the treatment of wastewater received from residential and commercial sources and industrial sources. The air toxics emitted from POTW vary from facility to facility but may include xylenes, methylene chloride, toluene, ethylbenzene, chloroform, tetrachloroethylene, benzene, and naphthalene.
- On October 26, 1999, EPA issued a rule to reduce emissions of air toxics from POTW. In developing these standards, EPA established two source "subcategories": (1) the non-industrial POTW treatment plants subcategory which comprises the wastewater treatment portion of all other POTW that are major sources; and (2) the industrial POTW treatment plants subcategory which comprises the wastewater treatment portion of POTW used by

industry to treat their specific industrial waste streams to meet other regulations under the Clean Air Act (e.g., benzene waste operations air toxics rule, hazardous organic air toxics rule).

- As a result of today's action, EPA is not requiring additional controls for existing industrial POTW treatment plants. These facilities, which accept and treat regulated wastewater, should already be in compliance with treatment and control requirements specified by other appropriate industrial air toxics rule. However, this rule clarifies that these industrial POTW are legally responsible under the Clean Air Act.

### **For Further Information**

- Interested parties can download the rules from EPA's web site under recent actions at the following address: <http://www.epa.gov/ttn/oarpg>. For further information about the proposed amendments, contact Mr. Robert Lucas of EPA's Office of Air Quality Planning and Standards at (919) 541-0884.
- EPA's Office of Air and Radiation's homepage 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>).