FACT SHEET

SUPPLEMENTAL PROPOSED AMENDMENTS TO THE AIR TOXICS STANDARDS FOR PRIMARY ALUMINUM PRODUCTION

ACTION

- On November 13, 2014, the Environmental Protection Agency (EPA) proposed supplemental amendments to the air toxics emissions standard covering the primary aluminum production source category. These proposed amendments supplement the EPA's December 2011 proposal addressing air toxics emissions from this source category.
- Primary aluminum plants produce molten aluminum metal (virgin, or unrecycled, aluminum) from an aluminum rich ore known as bauxite. Other types of manufacturing facilities use aluminum metal to make a variety of products such as cans, aircraft and automotive products, and construction materials.
- The standards currently apply to 13 facilities in 12 states: Indiana, Kentucky, Louisiana, Missouri, Montana, New York, Ohio, South Carolina, Tennessee, Texas, Washington and West Virginia. These facilities produce aluminum from refined bauxite ore, using an electrolytic reduction process in a series of cells, or pots, called "potlines." The two main potline types are prebake and Soderberg. Soderberg potlines are an older technology and have higher emissions than prebake potlines.
- After the publication of the December 2011 proposal and taking into account comments from the industry and environmental groups, the EPA gathered new emission data and conducted an updated risk assessment.
- In this supplemental proposal, we propose to:
    - Set emission limits for particulate matter (PM), as a surrogate for metals, for each subcategory of potlines and affected sources.
    - Tighten polycyclic organic matter (POM) limits and set first time ever limits for specific HAP metals for Soderberg potlines to ensure risks are acceptable.
    - Set POM emission limits for prebake potlines.
    - Remove the affirmative defense provision due to a recent D.C. Circuit Court decision.
- The EPA will accept comment on the supplemental proposal for 45 days after publication in the Federal Register.

Technology Review

- The Clean Air Act requires the EPA to review and revise air toxics standards, as necessary, taking into account developments in practices, processes and control technologies since the EPA issued the standards.
- The technology review did not identify any new developments in practices, processes or control technologies that are applicable to this source category.

Residual Risk Assessment

- The Clean Air Act requires the EPA to assess the risk remaining after application of the air toxic standards. This is known as a residual risk assessment.
- The residual risk assessment includes the following analyses:
  - Estimates of individual source category risk.
  - Analysis of air toxics related risks across different social, demographic and economic groups living near the facilities.
  - Risk estimates based on the actual emissions reported as emitted.
  - Risk estimates based on emissions allowed by the current air toxics standard.
- In December 2011, the EPA determined that risks were acceptable and that proposed standards for POM and carbonyl sulfide would ensure that public health was protected.
- After the 2011 rule was proposed, the EPA gathered additional data and conducted another risk assessment, which included a more refined multipathway analysis.
- Based on the results of the risk assessment, the EPA concluded that risks were unacceptable due mainly to potential emissions of arsenic, nickel and POM from Soderberg facilities.
- The EPA is proposing standards that would protect public health and the environment with an ample margin of safety.

BACKGROUND

- The Clean Air Act requires the EPA to regulate hazardous air pollutants, also known as air toxics, from large industrial facilities in two phases.
- The first phase is "technology-based," where the EPA develops Maximum Achievable Control Technology (MACT) standards for controlling the emissions of air toxics from sources in an industry group (or "source category"). These MACT standards are based on emissions levels that are already being achieved by the controlled and low-emitting sources in an industry group.
- Within 8 years of setting the MACT standards, the Clean Air Act directs the EPA to assess the remaining health risks from each source category to determine whether the MACT standards protect public health with an ample margin of safety, and protect against adverse environmental effects. This second phase is a "risk-based" approach called residual risk. Here, the EPA must determine whether more health-protective standards are necessary.
- Also, every 8 years after setting the MACT standards, the Clean Air Act requires that the EPA review and revise the MACT standards, if necessary, to account for improvements in air pollution controls and/or prevention.
- The previously-issued air toxic standards for these production processes are part of 96 air toxic standards that require 174 industry sectors to eliminate 1.7 million tons of 187 toxic air pollutants. Congress listed these toxic air pollutants in the Clean Air Act.

HOW TO COMMENT

- Comments, identified by Docket ID Number EPA-HQ-OAR-2011-0797, may be submitted by one of the following methods:
  - Federal eRulemaking Portal: http://www.regulations.gov. Follow the online instructions for submitting comments.
  - Email: A-and-R-Docket@epa.gov. Include Docket ID No. EPA-HQ-OAR-2011-0797 in the subject line of the message.
  - Fax: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2011-0797.
  - Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code 28221T, Attention Docket ID No. EPA-HQ-OAR-2011-0797, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Please include a total of two copies. In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attn: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.
  - Hand/Courier Delivery: EPA Docket Center, Room 3334, EPA WJC West Building, 1301 Constitution Avenue, NW, Washington, DC 20004, Attention Docket ID No. EPA-HQ-OAR-2011-0797. 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

- Interested parties can download the notice from the EPA's Web site at the following address: http://www.epa.gov/ttn/atw/alum/alumpg.html.

- Today's proposed rule and other background information are also available either electronically at http://www.regulations.gov, the 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 WJC West Building, located at 1301 Constitution Avenue, 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 proposed action can be accessed using Docket ID Number EPA-HQ-OAR-2011-0797.

- For further information, contact David Putney of the EPA's Office of Air Quality Planning and Standards by phone at (919) 541-2016, or by email at: putney.david@epa.gov.