

Final National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards for the Petroleum Sector Amendments: Technical Amendments and Compliance Extension: Fact Sheet

- On November 8, 2018, the U.S. Environmental Protection Agency (EPA) issued final amendments to the petroleum refinery National Emission Standards for Hazardous Air Pollutants (NESHAP) (referred to Refinery MACT 1 and Refinery MACT 2) and to the New Source Performance Standards (NSPS) for Petroleum Refineries. This action:
 - finalizes technical corrections and minor revisions for work practice standards, recordkeeping and reporting requirements for the Petroleum Refinery Sector rules;
 - changes the compliance date for existing maintenance vents standards for Refinery MACT 1 from August 1, 2017, to 30 days from the effective date of this final rule. These standards apply during periods of startup, shutdown, maintenance or inspection;
 - changes the compliance date for delayed coking units (DCU) that use the water overflow alternative compliance option and need to install additional equipment to comply with the DCU vent standards from January 30, 2019, to 2 years from the effective date of this final rule.
- This action will have an insignificant effect on emissions reductions and costs, however, it will reduce the annual compliance burden.

Background

- EPA initially promulgated NESHAP for major sources in the Petroleum Refineries – Other Sources Not Distinctly Listed source category on August 18, 1995. These standards are also referred to as maximum achievable control technology (MACT) standards and this NESHAP for petroleum refineries is commonly referred to as Refinery MACT 1. The 1995 Refinery MACT 1 rule regulates miscellaneous process vents, storage vessels, wastewater, equipment leaks, gasoline loading racks and marine tank vessel loading.
- On October 28, 2009, EPA promulgated amendments to Refinery MACT 1 to include MACT standards for heat exchange systems, which were not originally addressed in Refinery MACT 1. This same rulemaking included updating cross-references to the General Provisions in 40 CFR part 63.
- EPA completed a residual risk and technology review of Refinery MACT 1, publishing final amendments on December 1, 2015. The December 1, 2015, final amendments included revisions to the Refinery MACT 1 requirements for process vents designated as “maintenance vents.” Maintenance vents are those whose use is needed only during startup, shutdown, maintenance or inspection of equipment where the equipment is emptied, depressurized, degassed or placed into service. The December 1, 2015, final amendments require that the hydrocarbon content of the vapor in the equipment served by the maintenance vent to be less than or equal to 10-percent of the lower explosive limit (LEL) prior to venting to the atmosphere. The December 1, 2015, final rule also provides specific allowances for situations when the 10-percent LEL cannot be demonstrated or is

technically infeasible. The compliance date included in the December 1, 2015, final rule for maintenance vents located at sources constructed on or before June 30, 2014, was February 1, 2016 (the effective date of the December 1, 2015, final amendments).

- EPA received three separate petitions for reconsideration. Two petitions were filed jointly by the American Petroleum Institute (API) and the American Fuel and Petrochemical Manufacturers (AFPM). The first petition filed on January 19, 2016, from API and AFPM requested that EPA reconsider the compliance date for maintenance vents located at sources constructed on or before June 30, 2014, among other issues. The second petition from API and AFPM filed February 1, 2016, outlined a number of issues related to the work practice standards for PRDs and Flares, and the alternative water overflow provisions for delayed coking unit (DCUs), along with other specific issues on other aspects of the rule. The third petition was filed on February 1, 2016, by Earthjustice on behalf of Air Alliance Houston, California Communities Against Toxics, the Clean Air Council, the Coalition for a Safe Environment, the Community In-Power and Development Association, the Del Amo Action Committee, the Environmental Integrity Project, the Louisiana Bucket Brigade, the Sierra Club, the Texas Environmental Justice Advocacy Services, and Utah Physicians for a Healthy Environment. The Earthjustice petition claimed that several aspects of the revisions to Refinery MACT 1 were not addressed in the proposed rule, and, thus, the public was precluded from commenting on them during the public comment period, including: (1) work practice standards for pilot-operated pressure relief devices and flares; (2) alternative water overflow provisions for DCUs; (3) reduced monitoring provisions for fence line monitoring; and (4) adjustments to the risk assessment to account for these changes from what was proposed.
- EPA fully responded to the first petition for reconsideration on July 13, 2016. EPA revised the compliance date for maintenance vents located at sources constructed on or before June 30, 2014, from February 1, 2016, to August 1, 2017. 81 FR 45232 (July 13, 2016).
- This action responds to the second and third petitions.
- Following the compliance extension procedure in 40 CFR 63.6(i), most refiners received a 12-month extension to August 1, 2018 to comply with the maintenance vent standards.

For More Information

- To download a copy of the final action, visit <https://www.epa.gov/stationary-sources-air-pollution/petroleum-refinery-sector-rule-risk-and-technology-review-and-new>.
- Today's action 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 at the EPA Headquarters, room number 3334 in the EPA WJC West Building, 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 the final can be accessed using Docket ID No. EPA-HQ-OAR-2010-0682.

For further information about this final action, contact Ms. Brenda Shine with EPA's Office of Air Quality Planning and Standards, at (919) 541-3608 or by email at *Shine.Brenda@epa.gov*.