

1-Bromopropane

Upcoming Listing under the Clean Air Act

United States Environmental Protection Agency (EPA)

Presentation to:

Webinar for Tribes and Communities

June 23, 2021

[Revised for accessibility]

Overview

- ▶ Background
- ▶ 1-Bromopropane (1-BP)
- ▶ 1-BP Advance Notice of Public Rulemaking (ANRPM)
- ▶ Next Steps

Rules and Implementation

- ▶ The Clean Air Act (CAA) is the law that gives EPA the authority to regulate emissions, including hazardous air pollutants (HAP), also known as air toxics
- ▶ Under the CAA, EPA has developed rules to control air toxic emissions from industrial “stationary sources,” such as petroleum refineries

Air Toxics/Hazardous Air Pollutants

- ▶ Air toxics may cause or contribute to cancer and other serious health effects (asthma, reproduction impacts, etc.)
- ▶ Air toxics emissions are regulated by national emission standards for hazardous air pollutants (NESHAP) and are applicable to:
 - ▶ Major stationary sources (emitting greater than 25 tons per year of a combination of air toxics or 10 tons per year of a single air toxic) and/or
 - ▶ Area stationary sources (emitting less than the major source thresholds)
- ▶ There are currently 187 air toxics on the CAA section 112 HAP list

How is a new HAP listed?

- ▶ CAA provides for additions to the HAP list
 - ▶ Any person can petition the EPA Administrator
 - ▶ The petition must include enough information for review by EPA
 - ▶ The Administrator must review the petition
 - ▶ The Administrator must grant the petition if he/she determines that the substance is known to cause or could reasonably be expected to cause adverse effects on humans or the environment

1-BP

- ▶ 1-BP is also known as n-propyl bromide (nPB)
- ▶ 1-BP is a probable human carcinogen (cancer causing pollutant), neurotoxin, and has adverse reproductive effects and acute health effects, such as dizziness and nausea
- ▶ In 2015, an estimated 26 million pounds were manufactured in or imported to the United States
- ▶ Potentially thousands of users of 1-BP in the United States
- ▶ General Uses
 - ▶ Cleaning metal, plastic parts and equipment
 - ▶ Ingredient in glues, paints, coatings, and aerosols
 - ▶ Dry cleaning

1-BP HAP Listing Petition History

▶ **Petitions Submitted**

Halogenated Solvents Industry Alliance (HSIA) and the New York State Department of Environmental Conservation (NYSDEC) petitioned EPA to add 1-BP to the list of HAP

▶ **Draft Granting Notice**

EPA published a draft notice of the Agency's rationale for granting petitions from HSIA and NYSDEC

▶ **Final Granting Notice:**

On June 18, 2020, EPA published granting final approval of the petitions to add 1-BP to CAA section 112 HAP list

This is the first time EPA has granted petitions to list a new HAP since 1990 Clean Air Act was signed.

For this first-time action, EPA is taking additional steps to ensure compliance is achieved effectively and efficiently.

1-BP Petition Timeline

- ▶ June 18, 2020: Final Notice Granting Petitions
- ▶ June 11, 2021: Advance Notice of Proposed Rulemaking
- ▶ **July 26, 2021**: Public Comments Due
- ▶ By December 2021: Add 1-BP to HAP List
- ▶ 2022: Propose Infrastructure Rule for new HAP
- ▶ December 2022: Final Infrastructure Rule

1-BP ANPRM

- ▶ What is an Advanced Notice of Public Rulemaking (ANPRM)?
- ▶ EPA published ANPRM on June 11, 2021, seeking additional data and information on 1-BP
- ▶ Information is on several key topics:
 - ▶ **Emission Profiles**
 - ▶ **Possible Regulatory Impacts of Listing Action**
 - ▶ **Additional Information Needs**
- ▶ **ANPRM** comment period will close on July 26, 2021

1-BP ANPRM Emission Profile Data Requests

- ▶ What types of applications/processes use 1-BP?
 - ▶ Solvent cleaning
 - ▶ Surface coating or adhesives
 - ▶ Specialty uses; e.g., electronics, aerospace
- ▶ Where is 1-BP used?
 - ▶ Amount of 1-BP used in specific applications
- ▶ How is 1-BP used?
 - ▶ Whether 1-BP is used with other HAP or in stand-alone processes

Additional Emission Profile Data Requests

- ▶ What types of businesses use 1-BP?
 - ▶ Do small businesses use 1-BP?
- ▶ Are 1-BP air emissions controlled? If so, how?
 - ▶ Do existing air pollution control devices work similarly on 1-BP as they do for other HAP?
- ▶ Is there other relevant information you believe we should be aware of?

What are the Possible Regulatory Impacts?

- ▶ Could facilities that are currently area sources become major sources?
 - ▶ Permitting impacts
 - ▶ New NESHAP applicability and compliance requirements
- ▶ Some NESHAP include “total HAP” or “volatile HAP” or require the use of only “non-HAP”
 - ▶ What do you have to do?
 - ▶ When do you have to do it?

Additional Information Needed

- ▶ Small business impacts
- ▶ Additional permitting issues—actual cases
- ▶ Impact on communities (including economically disadvantaged and tribal communities)

Stakeholder Feedback- Infrastructure Rulemaking

- ▶ Identify compliance timing issues
- ▶ Identify permitting issues
- ▶ Evaluate rule specific compliance requirements

Stakeholder Feedback- Ongoing Rulemaking

- ▶ Understand impact of the 1-BP listing
- ▶ Identify unique situations that should be considered
- ▶ Evaluate rule specific compliance requirements

Comment Period-How to Comment

- ▶ Online: <https://www.regulations.gov/> (preferred method)
- ▶ Email: a-and-r-docket@epa.gov, include Docket ID No. in subject line
- ▶ Mail: U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2014-0471, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460
- ▶ **Comments and/or information must be submitted by July 26, 2021**
- ▶ Please note: Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19

For More Information

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