FACT SHEET

Final Rule Amendments of the Air Toxics Standards for Lime Manufacturing Plants

ACTION

- On June 28, 2024, the U.S. Environmental Protection Agency (EPA) issued final rule amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lime Manufacturing Plants under the Clean Air Act.
- This action finalizes maximum achievable control technology (MACT) standards for four air toxics or hazardous air pollutants (HAP):
    - hydrogen chloride (HCl),
    - mercury,
    - organic hazardous air pollutants (HAP), and
    - dioxin/furans (D/F).
- These amendments, consistent with what EPA proposed in the February 9, 2024, will protect air quality and public health by reducing emissions of toxic air pollution from the lime manufacturing source category by approximately 893 tons per year.

BACKGROUND

- Lime manufacturing plants in this source category include facilities engaged in the manufacture of lime product (calcium oxide, calcium oxide with magnesium oxide, or dead burned dolomite) by calcination of limestone, dolomite, shells, or other calcareous substances.
- In 2004, EPA published MACT standards for particulate matter (PM) as a surrogate for metal HAP.
- In 2020, EPA finalized the results of a residual risk and technology review (RTR), where EPA found that the risks associated with air emissions from lime manufacturing were acceptable and that the current NESHAP provided an ample margin of safety to protect public health.
- On April 21, 2020, in *Louisiana Environmental Action Network* v. EPA, the D.C. Circuit Court held that EPA has an obligation to address unregulated emissions from a source category when the agency conducts an 8-year technology review required by the Clean Air Act (LEAN Decision).
- On January 5, 2023, EPA proposed rule amendments based on the LEAN Decision. As a result of emissions data collected for the 2020 RTR, EPA identified four previously unregulated pollutants: HCl, mercury, organic HAP, and D/F, and proposed to set MACT standards for these pollutants. EPA proposed MACT standards for HCL, mercury, total hydrocarbon (THC) as a surrogate for organic HAP, and D/F.
- After receiving public comments on the 2023 proposed rule, EPA re-evaluated the estimated costs of controls, and determined there was a significant impact on the two

small businesses in the source category. In particular, the comments identified costs not identified in EPA's proposed cost estimates for the installation and maintenance of air pollution control devices.

- On August 3, 2023, EPA convened a small business panel with the small business representatives. The representatives requested health-based emission limits (HBEL) for HCl, the inclusion of an Intra-Quarry Variability (IQV) factor in the mercury standards, an aggregated organic HAP emission limit, and work practice standards for D/F.
- On February 9, 2024, EPA re-proposed amendments to the Lime Manufacturing NESHAP. The 2024 proposal included regulatory flexibilities identified during the outreach with the small business representatives. After revising the cost of controls estimates, EPA determined the rule would have a significant economic impact on the two small businesses in the source category.
- In this action, EPA is finalizing some of the regulatory flexibilities discussed in the small business panel to include an IQV factor in the mercury emission limits, and an aggregate organic HAP emission limit.

NEW MACT STANDARDS

- The final rule amendments set MACT standards for HCl, mercury (with the inclusion of an IQV factor), organic HAP, and D/F, pursuant to the Clean Air Act sections 112(d)(2) and (3).
- Clean Air Act section 112(d)(3) establishes a minimum control level for MACT standards, known as the MACT "floor." EPA must also consider control options that are more stringent than the floor, commonly referred to as "beyond-the-floor" standards. The EPA considered but did not elect to set "beyond-the-floor" standards in this rulemaking.
- The MACT floor standards for existing sources are calculated based on the average performance of the best-performing units in each category or subcategory, and the MACT floor standards for new sources are based on the single best-performing source.
- EPA is requiring new sources demonstrate initial compliance within 180 days after start-up, and existing sources demonstrate initial compliance within three years after the promulgation of the final rule.

FOR MORE INFORMATION

- Interested parties can download a copy of the rule notice from EPA's web site at the following address: https://www.epa.gov/stationary-sources-air-pollution/lime-manufacturing-plants-national-emission-standards-hazardous
- This final action and other background information are also available electronically at https://www.regulations.gov/, EPA's electronic public docket and comment system.
- For further technical information about the rule, contact Brian Storey, EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, at (919) 541-1103 or storey.brian@epa.gov.