

memorandum

DATE: April 16, 2002

REPLY TO
ATTN OF: Office of Environmental Policy and Guidance: Boulos: 6-1306

SUBJECT: Clean Air Act Proposed Rule Related to the National Emission Standards for Hazardous Air Pollutants for Organic Liquids Distribution, for Review and Comment

TO: Distribution

The purpose of this memorandum is to notify Department of Energy (DOE) program offices and field organizations of, and solicit comments on, the Environmental Protection Agency's (EPA's) notice of proposed rulemaking, "National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)." The proposed rule (67 FR 15673; April 2, 2002) is available at the Office of Environmental Policy and Guidance (EH-41) Home Page at: <http://www.eh.doe.gov/oepa/rules/67/67fr15673.pdf>. Organic liquids are all crude oils other than black oil, and those liquids or liquid mixtures, except gasoline, that contain a total of 5 percent by weight of the organic hazardous air pollutants (HAP) listed in Table 1 (p. 15694) of the proposed rule.

The EPA has proposed national emission standards for hazardous air pollutants (NESHAP) for organic liquids distribution (OLD) operations, which are carried out at storage terminals, refineries, crude oil pipeline stations, and various manufacturing facilities. The following OLDs would be subject to this proposed rule: liquid storage tanks meeting tank size and liquid vapor pressure cutoffs in Table 2 (p. 15695) of the proposed regulations; crude oil pumping stations and breakout stations; transfer rack loading positions (at which organic liquids are loaded into tank trucks or railcars); and equipment (pumps, valves, etc.) in organic liquids service for at least 300 hours per year. (See proposed §63.2334 and §63.2338 for further details on rule applicability.) Sources potentially subject to these NESHAP may be subject to other existing and future NESHAP (see the preamble discussion at 67 FR 15675, "I. Background" on the relationship of these NESHAP.)

These proposed standards would implement section 112(d) of the Clean Air Act (CAA) by requiring all OLD operations at plant sites that are "major sources" (those that have the potential to emit 10 tons/yr or more of any one hazardous air pollutant or 25 tons/yr or more of any combination of HAP) to meet HAP emission standards reflecting the application of the maximum achievable control technology. Section 112 (d)(3) of the CAA states that "the maximum degree of reduction in emissions that is deemed achievable for new sources in a category or subcategory shall not be less stringent than the emission control that is achieved in practice by the best controlled similar source, as determined by the Administrator. Emission standards promulgated under this subsection for existing sources in a category or subcategory may be less stringent than standards for new sources, but they cannot be less stringent than the average emission limitation achieved by the best-performing 12 percent of existing sources in the category."

The EPA estimates that approximately 77,300 tons per year of HAP are emitted from facilities in this source category. Although a large number of organic HAP are emitted nationwide from these operations, benzene, ethyl benzene, toluene, vinyl chloride, and xylenes are among the most prevalent. These HAP have been shown to have a variety

of carcinogenic and other adverse health effects. The EPA estimates that these proposed standards would result in the reduction of HAP emissions from major sources in the OLD source category by 28 percent.

Please review the notice and submit any comments by May 20, 2002, to Mr. Emile Boulos of my staff at: emile.boulos@eh.doe.gov; fax: 202-586-0955. In developing comments, please indicate the specific page and section of the preamble of the Federal Register to which each comment pertains. Also, to assist us in our regulatory tracking activities, we ask that you notify Mr. Boulos if a DOE source under your responsibility is subject to these regulations. Questions or concerns regarding this memorandum should be directed to Mr. Boulos.

A handwritten signature in black ink that reads "Andy Lawrence". The signature is written in a cursive, flowing style.

Andy Lawrence
Director
Office of Environmental Policy and Guidance