

# EPA's Clean Air Act Enforcement Priorities



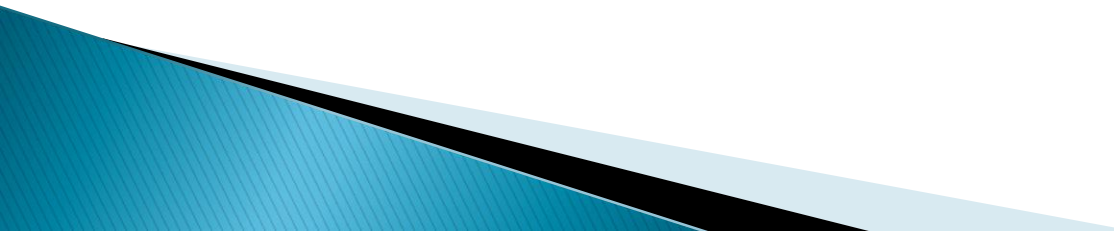
October 2011  
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# National Air Toxics Enforcement Strategy

EPA's national air toxics strategy consists of 2 parts:

- ▶ Area Source Rule Implementation Guidance
  - Issued June 4, 2010
- ▶ National Air Toxics Enforcement Strategy (FFY'11 – '13)
  - Issued May 2011

# Area Source NESHAP Guidance

- ▶ Applies to States, Tribes, or EPA Regional Offices (where not delegated)
  - ▶ Prioritizes rules by “Groups” 1, 2, & 3
  - ▶ Recommends approaches to implementation:
    - Compliance monitoring
    - Compliance assistance and outreach
    - Compliance incentives and auditing
  - ▶ Provides agencies flexibility to address significant environmental issues
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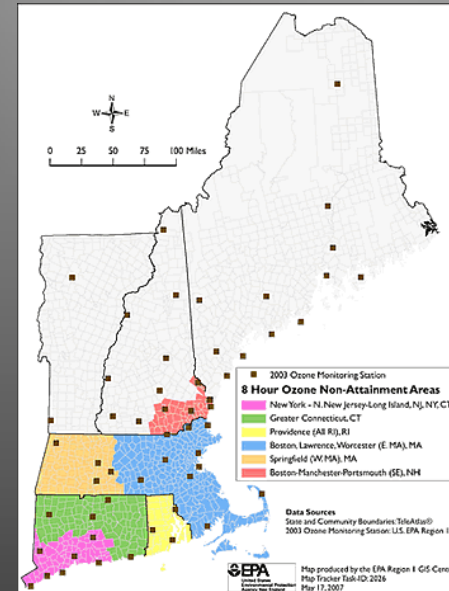
# Group 1 Area Sources



- ▶ **Group 1:**
  - Electric arc furnaces;
  - Iron & steel foundries;
  - Glass;
  - Chemical manufacturing
- ▶ **Substantial emission reductions projected from these sectors**

# Group 2 Area Sources

- ▶ **Group 2:**
  - Misc. stripping and surface coating;
  - RICE;
  - Gasoline distribution and marketing;
  - Oil & gas extraction
  
- ▶ Many small reductions that could be significant collectively, e.g., for O<sub>3</sub> nonattainment areas



# Group 3 Area Sources

Primary Nonferrous Metal Production  
Primary Copper Smelting  
Secondary Copper Smelting  
Polyvinyl Chloride and Copolymers Production  
Carbon Black Production  
Acrylic and Modacrylic Fibers Production  
Wood Preserving  
Chemical Manufacturing: Chromium Compounds  
Flexible Polyurethane Foam Production and Fabrication  
Lead Acid Battery Manufacturing  
Clay Ceramics Manufacturing  
Secondary Nonferrous Metals  
Hospital Ethylene Oxide Sterilizers  
Plating and Polishing  
Metal Fabrication  
Ferroalloys Production  
Aluminum Foundries  
Copper Foundries  
Other Nonferrous Foundries  
Asphalt Processing & Asphalt Roofing  
Paint and Allied Products Manufacturing  
Chemical Preparations  
Prepared Feeds



# Group 1 Approaches

- ▶ Options include:
  - Targeting compliance evaluations by highest risk, toxicity, or geographic areas of concern
  - Targeting a percentage of facilities/year
  - Using Environmental Results Program (“ERP”) or voluntary Compliance Audit Program
  - Enforcement of equivalent state rules
  - Alternative Compliance Monitoring Strategies

# Strategies for Groups 2 & 3

- ▶ Guidance recommends primarily outreach & compliance assistance
  - Focus where environmentally beneficial results
- ▶ Assistance tools include:
  - Workshops/training courses
  - Mass mailings
  - Web-based tools
  - Fact sheets/Q&A documents
  - Site visits
- ▶ May also use compliance monitoring & enforcement as tools to ensure deterrence





# EPA Region I Area Source Strategy

- ▶ Compliance monitoring – focus on Group 1:
  - *Chemical manufacturing* – 75 to 300 facilities
  - *Iron & steel foundries* – approximately 20 facilities
- ▶ Also include some Group 2 source categories:
  - *Miscellaneous surface coating/stripping*
  - *Gasoline distribution and marketing*
  - *Reciprocating internal combustion engines*
  - *Boilers*
- ▶ Compliance assistance – focus on Group II:
  - *Boilers*
  - *IC engines*
  - *Miscellaneous spraying and stripping*

# EPA and State Coordination

- ▶ Regardless of delegation status, States and EPA should coordinate:
  - Universe identification
  - Outreach/technical assistance
  - Inspections/investigations
  - Enforcement responses
- ▶ States know many of these sources better
  - May be on site for other reasons or have history

# FY11 – 13 National Air Toxics Enforcement Strategy (Majors)

- ▶ EPA's compliance monitoring and enforcement focusing on 3 general areas:
  - Flares
  - Leak detection and repair (LDAR)
  - Excess emissions



# Targeting Air Toxics Evaluations

- ▶ Region 1's targeting considers:
  - NATA – where communities with greatest health risk by census tract, city, etc.?
  - NEI – where are significant sources of HAPs that are driving health risks?
  - EJ – which of those HAP sources are located in or around potential EJ communities?
  - OTIS/ECHO – what is permit and compliance status and evaluation history?
  - Other – do we have other sources of info/data about these sources?

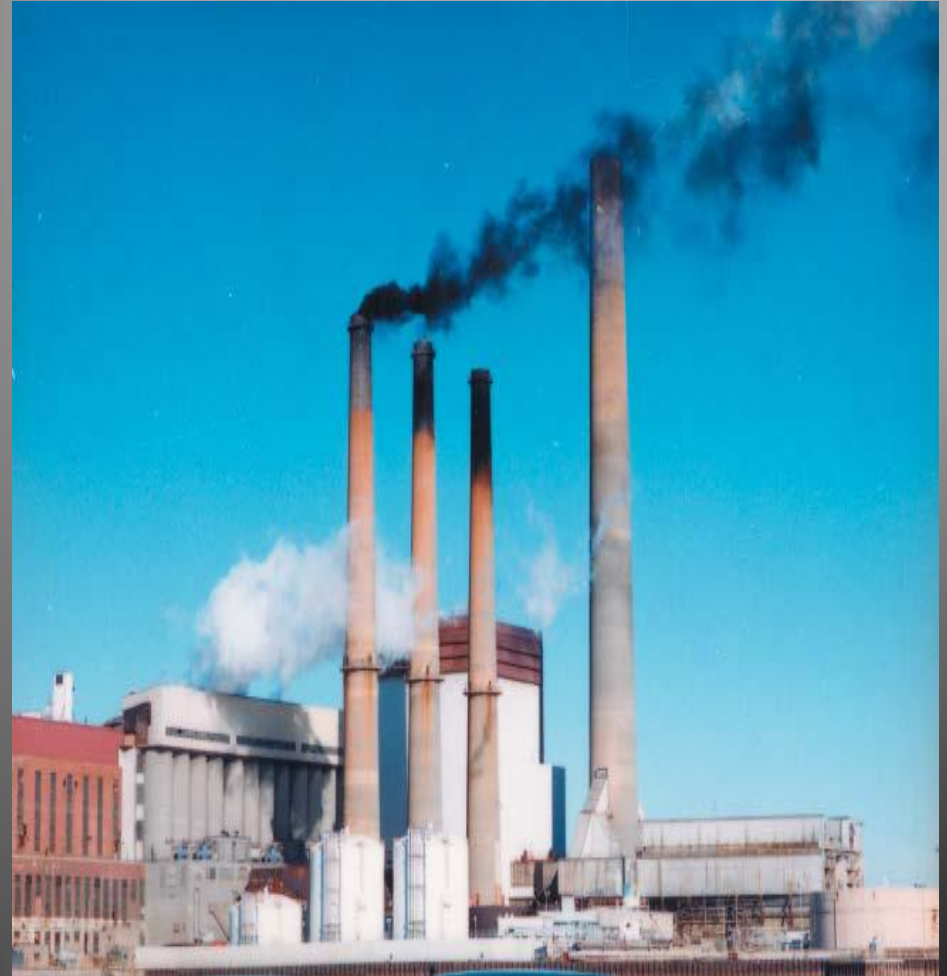
# Region I Air Toxics Strategy

- ▶ Region 1 focusing on probable sources of excess emissions, including:
  - *Organic liquid storage and distribution*
  - *Industrial laundries*
  - *Chemical manufacturing*
  - *Shipbuilding and repair*
  - *Idling diesel vehicles*
  - *Other probable sources*
    - *Boilers*
    - *Spraying/stripping*



# EPA's National NSR Enforcement Strategy

- ▶ FFY'11 – 13 focus:
  - Coal-fired power plants
  - Cement manufacturing
  - Glass Manufacturing
  - Sulfuric and Nitric Acid Manufacturing



# EPA Region I NSR Priority Sectors

During FFY11 – 13, Region I focus on:

- ▶ Coal and other fossil fired power plants
- ▶ Cement manufacturing
- ▶ Glass manufacturing

As well as other regionally significant sectors:

- ▶ Polystyrene foam manufacturing
  - ▶ Industrial laundries
  - ▶ Other uncontrolled/unpermitted sectors
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