



REMEDIATION SECTION

Site Remediation MACT Standard

Emissions from site remediation projects are among the many sources targeted for regulation of hazardous air pollutants (HAPs) under the Maximum Achievable Control Technology (MACT) Standards. The USEPA has established a deadline of May 15, 2002 for the development of a proposed rule. The site remediation MACT category was first established as a source category in the July 16, 1992 Federal Register.

The MACT standard applies to facilities that are a major source of HAPs for a site remediation source, or if they are major under any other source category and remediation activities that emit organic HAPs are also performed. A major source of HAPs is one that emits greater than 10 tons of any single HAP or 25 tons on an aggregate basis per year. For example, a facility coats metal parts and emits more than 10 tons of one HAP per year or more than 25 tons aggregate of HAPs and is subject to the Miscellaneous Metal Parts and Products (MMPP) Surface Coating MACT standard. This same facility has a remediation system that emits HAPs. Because the facility is subject to one MACT source category (i.e., MMPP), it would also be subject to the site remediation MACT standard. However, if the site is not a major source of HAPs or the facility does not perform any remediation activities, the rule would not apply.

In stakeholder meetings held in December, 2001 and January, 2002, the USEPA laid out the most recent information about the regulation to be proposed. It is planned that the source category description will be revised to exclude the following sources:

- CERCLA authority actions;
- RCRA Corrective Actions and RCRA Federal Order cleanups;
- Gasoline Stations;
- Farm sites;
- Residential sites;
- Controls at landfills complying with New Source Performance Standards (NSPS); and
- Research and development facilities meeting Section 112 (b)(7) of the Clean Air Act (CAA).

State and locally directed cleanup activities and other voluntary remediation would be subject to regulation under this proposed rule. The rule would regulate sources such as vents, remediation material management units and equipment components involved in remediation activity. Only organic HAPs would be regulated. A facility wide exemption is planned for facilities that extract less than one megagram per year of organic HAPs from all remediation activity. There is also a planned exemption for spills when cleanup is initiated within seven days of occurrence.

Control requirements will also apply. For vents, a reduction of emissions from the group of all vents involved in remediation by either 95% combined or to 3.0 lb/hour and 3.1 tons/year combined will be required. No control requirements will be applied for vents with low concentration and low flow and materials with a HAP concentration of less than 10 parts per million by weight.

Control requirements for remediation material management units, including such sources as tanks, containers, surface impoundments, separators and transfer systems, will include the need for a cover or cover and vent with control, depending on source characteristics. Some exemptions are available.

Contingent plans for equipment leaks will also be regulated in the rule under a leak detection and repair program.

SUMMARY

Facilities that are major sources of HAPs from either remediation activities or a combination of remediation activities and another regulated MACT source category will be subject to the Site Remediation MACT standard due to be proposed this May. If you would like assistance in determining how this regulation may affect your operations, please contact Emily Rynders or Mike Saul at (513) 489-2255 or via e-mail at ear@paynefirm.com or mts@paynefirm.com.