

FACT SHEET

Final Amendments to Air Toxics Standards for Plywood and Composite Wood Products

ACTION

- On June 8, 2020, the U.S. Environmental Protection Agency (EPA) finalized amendments to the 2004 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Plywood and Composite Wood Products (PCWP).
- The final amendments will enhance the effectiveness of the rule by improving compliance and implementation and by increasing the efficiency of data submissions.
- The source category includes facilities that manufacture PCWP such as veneer, particleboard, medium density fiberboard, hardboard, fiberboard, oriented strandboard and engineered wood products. Lumber mills with dry kilns are also included in the source category.
- On July 30, 2004, EPA issued the PCWP air toxics standards. The PCWP source category includes 230 facilities: 93 PCWP facilities, 121 lumber mills and 16 facilities that produce both PCWP and lumber.
- The main emissions from this source category include, acetaldehyde, acrolein, formaldehyde, methanol, phenol and propionaldehyde.
- Following a residual risk and technology review (RTR) conducted under the Clean Air Act (CAA), with this action EPA is finalizing the following amendments:
 - revised requirements for periods of startup, shutdown and malfunction (SSM) to be consistent with recent court decisions;
 - incorporation of work practices for certain startup and shutdown events based on site-specific procedures;
 - requiring testing every 5 years to improve performance of control technologies other than biofilters (already required to test every 2 years); and
 - requiring electronic reporting of performance test results and semiannual reports.

RESIDUAL RISK ASSESSMENT

- The CAA requires EPA to assess the risk remaining after application of the final air toxics emissions standard. This is known as a residual risk assessment.
- Based on the completed risk assessments, available health information and associated uncertainties, EPA determined risks from the PCWP source category to be acceptable and that the standards provide an ample margin of safety to protect public health.
- The maximum individual cancer risk for inhalation for the PCWP source category is estimated to be no more than 30-in-1 million. The maximum chronic noncancer hazard index is less than one. The maximum acute hazard quotient is no more than four.

TECHNOLOGY REVIEW

- The CAA requires EPA to assess, review and revise air toxics standards, as necessary, taking into account developments in practices, processes and control technologies.
- The technology review of the PCWP standards did not identify any developments that would further reduce air toxics emissions for process units regulated under the original NESHAP.
- On April 21, 2020, as the Agency was preparing the final rule for signature, a decision was issued in *LEAN v. EPA*, 955 F. 3d. 1088 (D.C. Cir. 2020) in which the Court held that the EPA has an obligation to set standards for unregulated pollutants as part of technology reviews under CAA section 112(d)(6). At the time of signature, the mandate in that case had not been issued and EPA is continuing to evaluate the decision.

BACKGROUND

- The CAA requires EPA to regulate hazardous air pollutants, also known as air toxics, from categories of industrial facilities in two phases.
- The first phase is “technology-based,” where EPA develops standards for controlling the emissions of air toxics from sources in an industry group or “source category.” These maximum achievable control technology (MACT) standards are based on emissions levels that are already being achieved by the best-controlled and lower-emitting sources in an industry.
- Within eight years of setting the MACT standards, the CAA directs EPA to assess the remaining health risks from each source category to determine whether the MACT standards protect public health with an ample margin of safety and protect against adverse environmental effects. This second phase is a “risk-based” approach called residual risk. Here, EPA must determine whether more health-protective standards are necessary.
- Also, every eight years after setting MACT standards, the CAA requires EPA to review and revise the standards, if necessary, to account for improvements in air pollution controls and prevention.

FOR MORE INFORMATION

- Interested parties can download a copy of the final rule notice from EPA's website at the following address: <https://www.epa.gov/stationary-sources-air-pollution/plywood-and-composite-wood-products-manufacture-national-emission>.