

FACT SHEET

Proposed Amendments to Air Toxics Standards for Taconite Iron Ore Processing

ACTION

- On May 5, 2023, the U.S. Environmental Protection Agency (EPA) proposed to amend the 2003 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing Plants, which was previously amended when EPA finalized the Residual Risk and Technology Review for this source category on July 28, 2020.
- EPA issued the initial air toxics standards for Taconite Iron Ore Processing on October 30, 2003. The rule applies to major source facilities engaged in separating and concentrating iron ore from taconite (a low-grade iron ore) to produce taconite pellets. These taconite pellets are then used as feed in blast furnaces to produce steel.
- There are eight facilities owned by two parent companies, with six facilities in Minnesota (MN) and two in Michigan (MI). One facility in MN is temporarily idled and one facility in MI is indefinitely idled.
- Following the technology review for the NESHAP, EPA is proposing:
 - Revised emissions limits for acid gases based on the emissions levels achieved by the furnaces that utilize the superior control technology (wet controls), using a calculation method known as the upper prediction limit (UPL).
 - A new emission limit for mercury for new sources based on the UPL of the emissions levels achieved by the top performing furnace.
 - A new emission limit for mercury based on the UPL of the emissions achieved by the top five performing furnaces for existing sources and allow facilities two compliance options: (1) demonstrate compliance with that UPL standard on a furnace-by-furnace basis, or (2) demonstrate compliance with a standard that is 10 percent stricter based on production-weighted average emissions from multiple existing furnaces at the facility.
- EPA will accept comment on the proposed amendments for 45 days after publication in the *Federal Register*.

TECHNOLOGY REVIEW

- The Clean Air Act (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 standards for taconite iron ore processing facilities did identify developments (i.e., wet furnace controls) that would further reduce hazardous air pollutant emissions beyond the original NESHAP. As a result, we are revising the emission limits for acid gases (i.e., hydrogen chloride and hydrogen fluoride).

BACKGROUND

- The CAA requires EPA to regulate toxic 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 standards reflect application of the maximum achievable control technology (MACT) and 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/or prevention.
- After a court decision, *Louisiana Environmental Action Network v. EPA (LEAN)*, issued on April 21, 2020, EPA is required to address any unregulated emissions from a major source category when the Agency conducts the 8-year technology review.
- Therefore, with regard to the LEAN decision, we are proposing updates to the 2020 NESHAP for taconite facilities, as part of the technology review, to address these unregulated emissions (i.e., we are proposing emission limits for mercury).

HOW TO COMMENT

- EPA will accept comment on the proposal for 45 days after publication in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2017-0664, may be submitted by one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the online instructions for submitting comments.
 - Send comments by email to: a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2017-0664.
 - Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR2017-0664.

- Mail your comments to: EPA Docket Center, Environmental Protection Agency, Mail Code: 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2017-0664.
- Deliver comments in person to: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, DC. Note: In person deliveries (including courier deliveries) are only accepted during the Docket's normal hours of operation. Special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA's website at the following address: <https://www.epa.gov/stationary-sources-airpollution/taconite-iron-ore-processing-national-emission-standards-hazardous>
- Today's action and other background information are also available either electronically at <https://www.regulations.gov/>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located at EPA Headquarters Library, room number 3334 in the WJC West Building, 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. Eastern Standard Time, Monday through Friday, excluding federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2017-0664.
- For further technical information about the rule, contact David Putney, EPA's Office of Air Quality Planning and Standards, at (919) 541-2016 or putney.david@epa.gov.