

FACT SHEET

Supplemental Proposal for the Air Toxics Standards for Lime Manufacturing Plants

ACTION

- On January 31, 2024, the U.S. Environmental Protection Agency (EPA) issued a supplemental proposal to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lime Manufacturing Plants amendments that were issued on January 5, 2023.
- The amendments were EPA's response to a remand issued by the D.C. Circuit Court in *Louisiana Environmental Action Network v. EPA*.
- After receiving public comments on the January 5, 2023, proposed rule, EPA re-evaluated the estimated costs of controls as proposed, and determined there was a significant impact on both of the small businesses in the source category. EPA conducted a small business panel and is re-proposing amendments to the Lime Manufacturing NESHAP to include regulatory flexibilities determined during the outreach with the small business representatives.
- This action re-proposes maximum achievable control technology (MACT) standards for four pollutants: hydrogen chloride (HCl), mercury, organic hazardous air pollutants (HAP), and dioxin/furans (D/F).
- These amendments will protect air quality and public health by reducing emissions of HAPs such as HCl, mercury, organic HAP, and D/F.
- The proposed action is estimated to reduce total HAP emissions from the lime manufacturing source category by approximately 905 tons per year.
- EPA estimates the proposed amendments would have a total cost to industry of approximately \$173 million per year.

BACKGROUND

- Lime manufacturing plants in this source category include facilities engaged in the manufacture of lime product (calcium oxide, calcium oxide with magnesium oxide, or dead burned dolomite) by calcination of limestone, dolomite, shells, or other calcareous substances.
- In 2004, EPA published MACT standards for particulate matter (PM) as a surrogate for metal HAP.
- In 2020, EPA finalized the results of a residual risk and technology review (RTR), where EPA found that the risks associated with air emissions from lime manufacturing were acceptable and that the current NESHAP provided an ample margin of safety to protect public health.

- In *Louisiana Environmental Action Network v. EPA*, the D.C. Court held that EPA has an obligation to address unregulated emissions from a source category when the agency conducts an 8-year technology review required by the Clean Air Act (LEAN Decision).
- As a result of emissions data collected for the 2020 RTR, EPA identified four previously unregulated pollutants: HCl, mercury, THC, and D/F, and is proposing to set MACT standards for these pollutants.
- On January 5, 2023, EPA proposed MACT standards for HCl, mercury, total hydrocarbon (THC) as a surrogate for organic HAP, and D/F. Comments received on the proposed rule identified costs not identified in the proposed EPA cost estimates for the installation and maintenance of air pollution control devices (APCD).
- After revising the cost of controls estimates, EPA determined the rule would have a significant economic impact on both of the small businesses in the source category. On August 3, 2023, EPA convened a small business panel with the small business representatives. The representatives requested health-based standards for HCl, the inclusion of an Intra-Quarry Variability (IQV) factor in the mercury standards, an aggregated organic HAP emission limit, and work practice standards for D/F.
- In this action, EPA is proposing to include an IQV in the mercury emission limits, and an aggregate organic HAP emission limit. Additionally, EPA is requesting public comment on a health-based standard for HCl. EPA determined there was not enough data to support a work practice standard for D/F.

NEW MACT STANDARDS

- The proposed amendments set MACT standards for HCl, mercury (with the inclusion of an IQV), organic HAP, and D/F, pursuant to the Clean Air Act (CAA), sections 112(d)(2) and (3).
- The MACT standards for existing sources is calculated based on the average performance of the best-performing units in each category or subcategory, and the MACT standards for new sources is based on the single best-performing source.
- We are proposing that new sources demonstrate initial compliance within 180 days after start-up, and existing sources demonstrate initial compliance within three years after the promulgation of the final rule.

FOR MORE INFORMATION

- Interested parties can download a copy of the rule notice from EPA's web site at the following address: <https://www.epa.gov/stationary-sources-air-pollution/lime-manufacturing-plants-national-emission-standards-hazardous>
- This final action and other background information are also available electronically at <https://www.regulations.gov/>, EPA's electronic public docket and comment system.
- For further technical information about the rule, contact Brian Storey, EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, at (919) 541-1103 or storey.brian@epa.gov.