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Miscellaneous Coating Manufacturing/NESHAP: U.S. Environmental Protection Agency Proposed Residual Risk and Technology Review

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The United States Environmental Protection Agency (“EPA”) published a September 4th Federal Register Notice proposing the results of a Residual Risk and Technology Review (“RTR”) of the Clean Air Act National Emission Standards for

Hazardous Air Pollutants (“NESHAP”) for the Miscellaneous Coating Manufacturing (“MCM”) category. See 84 Fed. Reg. 46610.

EPA’s proposed rule determines risks due to emissions of air toxics from the MCM source category are acceptable and therefore the current NESHAP provides an ample margin of safety to protect public health.

The proposal is the second stage in a two-stage regulatory process for developing emission standards for NESHAP categories.

Section 112 of the Clean Air Act requires in the first stage the establishment of technology-based standards. The second stage requires that EPA evaluate those standards. This evaluation determines whether the current technology-based maximum available control technology is adequate or additional standards needed to address any remaining risks associated with hazardous air pollutant emissions (i.e., the “residual risk review”).

EPA concluded it could identify no new cost-effective controls under the technology review to achieve further emissions reductions from process units subject to NESHAP standards.

The September 4th proposal also includes revisions related to emissions during periods of startup, shutdown, and malfunction. Also included are clarification of regulatory provisions for certain vent control bypasses along with provisions for electronic reporting of performance test results, performance evaluation reports, compliance reports, and Notification of Compliance Status reports.

Finally, the proposal addresses periodic performance testing of oxidizers used to reduce emissions of organic hazardous air pollutants.

A copy of the Federal Register Notice can be downloaded [here](#).