

NESHAP/Bulk Gasoline Terminals: NESCAUM Comments on Proposed Technology Review/Standards of Performance



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The Northeast States for Coordinated Air Use Management (“NESCAUM”) submitted August 9th comments to the United States Environmental Protection Agency (“EPA”) addressing:

National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Technology Review and Standards of Performance for Bulk Gasoline Terminals Review: Proposed Rule

See 87 Fed. Reg. 35608-35642 (June 10, 2022)(“Proposed Rule”).

NESCAUM describes itself as the regional association of air pollution control agencies representing eight northeastern states that have primary responsibility for implementing clean air programs.

EPA’s proposed rule constitutes the Residual Risk and Technology Review (“RRTR”) for the gasoline distribution facilities and the standards of performance for the bulk gasoline terminals NESHAP category.

EPA had previously set Maximum Available Control Technology (“MACT”) standards for the gasoline distribution major source category in 1994 and conducted an RRTR review in 2006.

Sources affected by the major source NESHAP for the gasoline distribution source category include:

- Bulk gasoline terminals
- Pipeline breakout stations

The sources affected by the area source NESHAP for the gasoline distribution source category include:

- Bulk gasoline terminals
- Bulk gasoline plants
- Pipeline facilities

Initial comments outlined in the NESCAUM August 9th submission include:

- Supports EPA’s inclusion of an assessment of state emission control requirements for gasoline bulk terminals in the technology review of the proposed rule
- Several NESCAUM states have adopted/currently developing requirements for limiting emissions from the source category to address ozone formation, health impacts and odors
- References EPA’s belief that many of the sources are located in highly populated areas potentially overburdened by multiple sources of air pollution

- References demographics screening analysis in the proposed rule indicating proportion of the population of people of color living in proximity to the facilities is higher than the national average
- Concern that EPA did not include an assessment of the health impacts of Hazardous Air Pollutant emissions from these sources on residents of nearby neighborhoods (i.e., health impact analysis limited to impact or formation from emitted Volatile Organic Compounds)
- Concern that a source of emissions from the category (i.e., emissions during maintenance operations and other procedures that require full or partial emptying of tanks) was not addressed in the proposed rule

NESCAUM makes the following suggestions:

1. EPA should evaluate risks from bulk terminal emissions to residents of nearby neighborhoods, including overburdened communities, to inform decisions about whether the stringency of the proposed requirements is sufficient.
2. The cost effectiveness analysis in the Proposed Rule is overly conservative.
3. EPA should increase the frequency of required leak monitoring.
4. EPA should amend the Proposed Rule to limit emissions during roof landings and tank cleaning operations/degassing events.
5. EPA should regulate heated asphalt storage tanks to address odors and HAP impacts from those facilities.

A copy of the NESCAUM comments can be downloaded [here](#).