

Newfile 18 H A

Air Pollution - EPA
Ambient Air Quality Std
for Lead.

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J. ALLEN OVERTON, JR.
PRESIDENT

MEMORANDUM

December 14, 1977

TO: Environmental Matters Committee
Nonferrous Smelter Subcommittee

FROM: James R. Walpole, Senior Counsel

RE: 1. Proposed EPA Ambient Air Quality Standard for Lead
2. Proposed EPA Standard for Implementation Plans
for Lead

1. The Environmental Protection Agency, on December 14, 1977, proposed an ambient air quality standard for lead (copy enclosed). A public hearing will be held on January 17, 1978 and written comments may be submitted until February 17, 1978. This standard will directly affect lead and copper smelters, and possibly other facilities.

The proposed National Primary and Secondary Ambient Air Quality standard for lead and its compounds is 1.5 micrograms per cubic meter -- monthly arithmetic mean.

BACKGROUND

In 1975 the Natural Resources Defense Council filed a lawsuit against EPA urging that a National Ambient Air Quality Standard for Lead be established. The court ruled in favor of NRDC and on April 8, 1976 EPA announced that lead would be added to the list of pollutants for which ambient air quality standards would be set (see AMC memo of April 8, 1976, copy enclosed).

PROPOSED STANDARD

On December 14, 1977 EPA proposed a national ambient air quality standard for lead of 1.5 micrograms per cubic meter. According to the preamble to the proposal, lead emissions from automobiles are the principal source of lead air emissions. The Agency expressed concern that there are other programs and agencies attempting to control the level of lead in the air, e.g. other EPA programs, Food and Drug Administration, Occupational Safety and Health Administration, etc.

The preamble states that EPA has used information available to assess the economic impact of the controls necessary to reduce lead air emissions. It states:

For primary copper smelters, primary and secondary lead smelters, grey iron foundries, and battery plants, attaining the standard may require the control of fugitive lead emissions, i.e., those emissions escaping from process steps, other than emissions from smokestacks. Fugitive emissions are difficult to estimate, measure, or control, and it is also difficult to predict their impact on air quality near the facility. From the information available to the Agency, it does appear that non-ferrous smelters may have great

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difficulty in achieving lead air quality levels consistent with the proposed standard in areas immediately adjacent to the smelter complex. While the possible impact of the standard on these facilities is of concern to EPA, and will be the subject of continuing studies and analysis, these impacts have not entered into determination of the level of the standard [page 63076, right column].

It also mentions in the preamble (page 63080, left column), that non-air sources of lead complicate the problem of establishing an air standard. Because of this situation, "no national ambient air quality standard can be assured of being protective in all locations."

PUBLIC HEARING AND COMMENTS

There will be a public hearing at the Environmental Protection Agency (401 M Street, SW, Washington, D. C.) on January 17, 1978, and comments on the proposed standards may be submitted until February 17, 1978. Comments should be submitted to: Mr. Joseph Padgett, Director, Strategies and Air Standards Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. A copy of any comments should also be sent to this office.

DOCUMENTS AVAILABLE FROM EPA

Several documents are available from EPA which provide the details regarding the development of the standard. The documents "Air Quality Criteria for Lead" and "Control Techniques for Lead Air Emissions" are available upon request from Mr. Joseph Padgett (Phone: 919/541-5204). These documents will be extremely helpful in preparing any comments on the proposed standard.

2. PROPOSED REGULATIONS FOR IMPLEMENTATION OF LEAD STANDARD

Also on December 14, 1977, the Environmental Protection Agency proposed regulations setting forth requirements for states regarding the development, adoption and submission of acceptable implementation plans for the lead National Ambient Air Quality Standard (copy enclosed). The action taken by the individual states in implementing the lead standard will, of course, be very important to those affected by the standard.

BACKGROUND

Section 110 of the Clean Air Act requires each state to submit a plan to EPA which provides for the implementation, maintenance and enforcement of primary and secondary ambient air quality standards. Once a final standard is promulgated for lead, all state implementation plans must be revised to include provisions for the implementation, maintenance and enforcement of the lead standard.

EPA PROPOSAL REGARDING IMPLEMENTATION PLANS

The proposed regulations define "point source" as any stationary source causing emissions in excess of five tons of lead per year (section 51.1). They also contain requirements for permanent lead ambient air quality monitors (section 51.17(b)). Subpart E of the proposal specifically states that each plan must contain a demonstration that the standard will be attained and maintained in the vicinity of primary and secondary lead smelters, primary copper smelters, lead gasoline additive plants, certain lead-acid storage battery manufacturing plants and other sources that emit 25 or more tons per year of lead (section 51.80).

The proposal contains requirements regarding emissions data, air quality data, etc. It states that the plan must contain a calculation of the maximum lead air quality concentrations and location of those concentrations resulting from primary and secondary lead smelters, copper smelters, and other sources (section 51.84). According to the proposal, each state shall retain all detailed data and calculations used in the preparation of lead analyses and plans, and make them available for public inspection (section 51.88).

SUBMISSION OF COMMENTS

Written comments may be submitted to EPA on the proposed regulations. They should be submitted to Environmental Protection Agency, Office of Air Quality Planning and Standards, Control Programs Development Division (MD 15), Research Triangle Park, North Carolina 27711, Attention Mr. Joseph Sableski.

DOCUMENTS AVAILABLE FROM EPA

According to the EPA notice (page 63091), there has been published a document entitled "Supplementary Guidelines for Lead Implementation Plans" which is available by writing or calling Environmental Protection Agency, Public Information Center (PM 215) 401 M Street, SW, Washington, D. C. 20460, phone: 202/755-0707.

Copies are also available of the EPA economic impact statement for these regulations: Mr. Joseph Padgett, Director, Strategies and Air Standards Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, phone: 919/541-5204.

These documents will be extremely helpful in understanding the regulations and submitting comments, and should be obtained by those affected by the regulations.

The AMC Nonferrous Smelter Subcommittee is scheduled meet January 23 in Washington, and these proposed regulations will be discussed. Comments may be drafted by members of the Subcommittee for submission to EPA.

Enclosures

Information copy sent to Managers of AMC Smelter Companies