From:	FLYNT Jennifer
To:	DECONCINI Nina; Holsman, Marianne
Cc:	McLerran, Dennis; Smith, Judy
Subject:	RE: URGENT! Courtesy copy of Oregonian response
Date:	Thursday, February 18, 2016 12:26:33 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png

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I will take the lead on this tomorrow and run it by you for thorough review. I will touch base with reporter about our ability to respond later.

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------
From: DECONCINI Nina <DECONCINI.Nina@deq.state.or.us>
Date: 02/18/2016 12:21 PM (GMT-08:00)
To: '"Holsman, Marianne"' <Holsman.Marianne@epa.gov>
Cc: "McLerran, Dennis" <mclerran.dennis@epa.gov>, "Smith, Judy" <Smith.Judy@epa.gov>, FLYNT Jennifer <FLYNT.Jennifer@deq.state.or.us>
Subject: RE: URGENT! Courtesy copy of Oregonian response

Marianne,

Per usual, your characteristic good humor is desperately needed right now! So, I know I can speak for Jennifer when I say we can't do anything about this until after tonight's public meeting. It is truly all consuming.

Can we check in again tomorrow?

Thanks again for all you guys are doing to help us!

Nina

From: Holsman, Marianne [mailto:Holsman.Marianne@epa.gov]
Sent: Thursday, February 18, 2016 12:15 PM
To: DECONCINI Nina; FLYNT Jennifer
Cc: McLerran, Dennis; Smith, Judy
Subject: URGENT! Courtesy copy of Oregonian response

Hello Nina and Jennifer:

I hope you are both hanging in there! Hydrate, hydrate, hydrate!!

Fedor Zarkhin called on Tuesday with the following questions. He's trying to do a deep dive and ultimately do a compare and contrast on how states are implementing CAA requirements. We didn't opine on the compare and contrast question.

We need to get this to him this afternoon.

Here are the questions and responses. Note second to last graph where we reference Oregon specifically.

- Wants to understand the “regulatory world.”

- What are the minimum standards set by the Clean Air Act for states for hazardous air pollutants? What is the basic structure/the bones of the system? I’d like to understand what the CAA requires in terms of limits to the amount of Hazardous Air Pollutants that can be released and how the CAA provides for the enforcement of those limits.

- Knows that states can go beyond the minimum requirements so wants to compare Oregon to what other states do. (We didn’t make comparisons between ODEQ and other states. Instead, we focused on what they are doing and how we support states more generally.)

- Has EPA identified glass-makers as a potential source of HAPs?

The Clean Air Act requires EPA to regulate emissions of 187 toxic air pollutants (also called hazardous air pollutants) from a published list of industrial sources referred to as "source categories." Since sources may release more than one toxic chemical, it makes sense to regulate air toxics by sources rather than individual pollutants. As required under the Act, EPA has developed a list of source categories that must meet control technology requirements for these toxic air pollutants. EPA is required to develop regulations (also known as rules or standards) for all industries that emit one or more of the pollutants in significant quantities – referred to as “major sources.”

EPA sets National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources that have actual or potential emissions at or above the major source threshold for any air pollutant. The major source thresholds for hazardous air pollutants (HAP) are 10 tons per year for a single HAP or 25 tons per year for any combination of HAP. However, some non-major sources – referred to as “area sources” – are also subject to NESHAP. Examples of area sources include hazardous waste combustors, clay ceramics manufacturers, copper smelting and glass manufacturing.

To learn more about the Clean Air Act and reducing air toxics, visit:
http://www3.epa.gov/airquality/peg_caa/toxics.html

EPA has three national standards that potentially apply to glass manufacturing plants. Whether a standard applies can depend on a number of factors, such as startup date, type of furnace, and the amount of glass produced.

* A National Emissions Standards for Inorganic Arsenic Emissions from Glass Manufacturing Plants (issued in 1986), which set emissions limits of 2.7 tons per year for arsenic, or 85 percent control for existing glass-melting furnaces; for new or modified glass melting furnaces, the limit is 0.44 tons or 85 percent control.
* Standards of Performance for New Glass Manufacturing Plants (issued in 1980), which set performance standards to limit emissions of particulate matter (PM). Because the PM emissions from a glass furnace contain toxic metals like lead and arsenic, limiting PM also limits emissions of lead and other toxic metals.
* A 2007 National Emissions Standard Hazardous Air Pollutants for Glass Manufacturing Area Sources regulates emissions of arsenic, cadmium, chromium, lead, manganese and nickel. The rule regulates furnaces that operate continuously and use any compounds of these toxics in the raw material feed and produce at least 50 tons per year of glass. This definition rules out furnaces that melt raw materials in batches and turn off the furnace between batches. Examples of the types of facilities that are regulated by the area source rule are light bulb manufacturers and green wine bottle manufacturers. The rule was not intended to regulate glass melting furnaces at schools, furnaces used only for research and development, and furnaces that are used to produce similarly small amounts of glass (less than 50 tons per year).

Sources that are subject to a standard must obtain a type of permit known as an operating permit. Operating permits include information on which pollutants are being released, how much may be released, and what kinds of steps the source's owner or operator is required to take to reduce the pollution. Permits must include plans to measure and report the air pollution emitted. States and tribes generally issue operating permits.

The country has made substantial progress in reducing air toxics nationwide over the last two decades. According to the latest Integrated Urban Air Toxics Report to Congress (http://www.epa.gov/urban-air-toxics/second-integrated-urban-air-toxics-report-congress) since 2005, emissions of air toxics have declined as a result of EPA regulations and enforcement actions, as well as the implementation of state and local programs to address air toxics from mobile and stationary sources. EPA's latest National Air Toxics Assessment (NATA) (http://www.epa.gov/national-air-toxics-assessment/2011-national-air-toxics-assessment) also supports this downward trend in air toxics risks across the United States.

Despite this progress, some areas of the country experience locally elevated air toxics. The ability and responsibility for conducting local air monitoring to understand these problems often rests with state and local air agencies. The Oregon Department of Environmental Quality has a long-standing record of proactively conducting air monitoring to investigate air toxics concerns. A timeline for the steps taken to characterize air toxics in Portland is available on Oregon DEQ's website at: http://www.deq.state.or.us/nwr/docs/metalsem/FSMetalsTimeline.pdf.

While state or local air agencies take the lead in investigating local air toxics issues, we have provided technical advice and assistance, upon request. EPA supports programs like the long-term National Air Toxics Trends Sites (NATTS) operating in 27 cities, including Portland (near the Uroboros Glass facility). We also provide grant funding to state, local, and tribal air agencies for air monitoring and support a competitive grant program for community-scale air toxics monitoring.

Marianne Holsman
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