

Lime Manufacturing Plants/NESHAP: U.S. Environmental Protection Agency Proposed Amendments



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The United States Environmental Protection Agency ("EPA") published a January 5th Federal Register Notice proposing amendments to the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for lime manufacturing plants ("Lime Manufacturing NESHAP"). See 88 Fed. Reg. 805.

Hazardous air pollutant ("HAP") emissions standards are proposed for the following pollutants:

- Hydrogen chloride
- Mercury
- Total hydrocarbon as a surrogate for organic HAP
- Dioxin/furans

The lime manufacturing industry consists of facilities that use a lime kiln to produce limestone product from limestone by calcination.

EPA states it has an obligation under Section 112(d) of the Clean Air Act to address all HAPs listed under this statutory provision. Further, the agency notes that in the Louisiana Environmental Action Network v. EPA decision issued on April 21, 2020, the D.C. Circuit held that the federal agency must address unregulated emissions from a major source category when an 8-year technology review is undertaken. As a result, it states that the Lime Manufacturing NESHAP proposes to address currently unregulated emissions of HAP from the lime manufacturing source category.

EPA had previously taken final action in 2020 on the risk and technology review required by Clean Air Act Sections 112(d)(6) and (f)(2) for the Lime Manufacturing NESHAP. Therefore, the proposed rule would amend the NESHAP to ensure that all emissions of HAP from sources in the lime manufacturing category are regulated. Note that is category standards are currently codified at 40 C.F.R. Part 63, Subpart AAAAA.

Key sections of the preamble for the proposed rule include:

- Background
- Analytical Procedures and Decision Making (including how EPA addressed the unregulated emissions sources)
- Analytical Results and Proposed Decisions
- Summary of Cost, Environmental, and Economic Impacts

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