Petcoke Calcining/Clean Water Act: Environmental Organizations Petition U.S. Environmental Protection Agency for Promulgation of Effluent Limit Guidelines

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Twelve environmental organizations submitted an October 31st Petition to the United States Environmental Protection Agency ("EPA") seeking Clean Water Act effluent limit guidelines ("ELGs") for petcoke calcining facilities.

The environmental organizations submitting the Petition include:

- Environmental Integrity Project.
- Center for Biological Diversity.
- Environmental Law & Policy Center.
- Clean Water Action
- Food & Water Watch
- Habitat Recovery Project
- Healthy Gulf
- Micah Six Eight Mission
- RESTORE
- Three Rivers Waterkeeper
- Vessel Project of Louisiana
- Waterkeeper Alliance

(Collectively, "EIP").

The ELGs would be applied to petroleum coke processing facilities. These facilities are stated to use oil and superheat it into a carbon-dense coal like substance ("Petcoke") used in metal manufacturing.

Section 301(b) of the Clean Water Act authorizes EPA to promulgate national categorical standards or limits to restrict discharges of specific pollutants on an industry-by-industry basis. These effluent limits are incorporated into a point source discharges National Pollution Discharge Elimination System permit as a baseline minimum requirement.

Clean Water Act effluent limits are derived from research regarding pollution control technology used in the industry. The analysis will include the degree of reduction of the pollutant that can be achieved

through the use of various levels of technology. The applicable standards are dictated by the kind of pollutant discharged.

EPA's development of categorical limits is an ongoing process. The federal agency continues to promulgate categorical standards for facilities that have not been addressed. Existing categorical standards are also assessed to a determine if revisions are warranted.

The EIP have requested that EPA develop a categorical standard for the referenced process.

The Petition describes petcoke calciners as heating:

…"green" petroleum coke ("petcoke") in oxygen-deficient air kilns and furnaces to temperatures up to 2500 F. The volatile, high-heat hydrocarbons, residual water, and sulfur evaporate, resulting in a dense, rock-like calcined petcoke product. High-grade calcined petcoke with low residual sulfur and heavy metal contents that is capable of conducting electricity is used in the smelting process for metals such as aluminum and iron and in steel production.

The Petition outlines arguments for why EPA should establish a Clean Water Act categorical standard, which include:

- Petcoke Calciners Must be Identified in EPA's ELG Plan Because They Are a Category of Sources Discharging Non-Trivial Amounts of Toxic or Nonconventional Pollutants For Which ELGs and NSPS Have Not Previously Been Published.
- EPA Has Never Published ELGs or NSPS for Petcoke Calciners.
- Petcoke Calciners Discharge Non-Trivial Amounts of Toxic Pollutants.
- Petcoke Calciners Discharge Non-Trivial Amounts of Nonconventional Pollutants.
- Petcoke Calciner Discharges are Also Non-Trivial Because of Their Community and Environmental Impacts.
- EPA Must Establish ELGs for Petcoke Calciners Three Years After Identifying the Category in the ELG Plan.

A copy of the Petition can be downloaded here.