

Basis for Decision to Rescind RO #6 – Oceanus Plastics

A Synthetic Minor limit such as the one in RO #6 is a federally enforceable limit on facility-wide emissions. Such limits are sought by facilities that have relatively low actual emissions, but who's potential-to-emit is large enough that they may be required to:

- 1) Obtain a Title V Air Operating Permit, and/or
- 2) Become subject to federal National Emission Standards for Hazardous Air Pollutants (NESHAPs) for major sources.

In 1995, when RO #6 was issued, both of the above-listed criteria may have been a concern at Oceanus Plastics because of their emissions of styrene, a Hazardous Air Pollutant (HAP). RO #6 provided a federally enforceable facility-wide limit of the potential, facility-wide, styrene emissions. Hence, it protected Oceanus Plastics from needing to obtain an AOP and from being subject to NESHAPs that apply to major sources.

Oceanus Plastics has been tracking and recording styrene emissions. Records show that actual emissions have been below 10,000 pounds per year since 1995. Recent records show that styrene emissions were 1,289 lb pounds CY 2015 and 2,467 pounds in CY 2016.

In addition to maintaining styrene emissions below 10,000 pounds per year, Oceanus Plastics has also undergone two noteworthy changes that support the conclusion that the facility now has lower potential emissions than in 1995. First, the facility now utilizes injection molding, which is a lower emitting process than what they used in 1995. Second, the facility has reduced the size of the space they use for manufacturing.

Calculating potential-to-emit at a facility like Oceanus Plastics is difficult due to the many factors that influence their operation. Recognizing that there are problems with calculating potential emissions, EPA issued guidance titled the "January 25, 1995 Potential to Emit Transition Policy" and related extension and clarifications memos in 1996 and 1998. These state that facilities that maintain actual emissions at less than 50% of the major source threshold may be treated "natural minors" as opposed to "synthetic minors". For Oceanus Plastics, that threshold is 10 tons/yr (20,000 pounds per year) of a single HAP (styrene). So, per the policy, if emissions are maintained below 10,000 pounds per year of styrene, the facility can be treated as a non-major source... even without a permit limit such as the one in RO #6.

In summary, we considered the following factors in deciding to proceed with Oceanus Plastics' request to revoke RO #6:

- 1) actual emissions from the facility are less than 10,000 pounds per year since 1995; and
- 2) facility operations have changed such that lower emitting processes are being used; and
- 3) the facility's manufacturing space is smaller than it was in 1995.