TBACT and Presumptive TBACT Updates

Cleaner Air Oregon

REFORMING OREGON’S INDUSTRIAL AIR QUALITY REGULATIONS

Inviting Oregonians to help create new regulations that protect what we all care about: the health of our people, a clean environment, and the economic vitality of our communities.

May 8, 2018
TBACT - Summary of Changes

Changes required by SB1541

- Sources with TBACT not required to reduce unless risk > 200/10
- TBACT = NESHAP for major sources
- Cost effectiveness based on toxic air contaminants, not PM or VOCs
TBACT - Similarities

Similarities to previous draft rules:

• Required on all significant TEUs if source remains above 50/5

• Requires a case-by-case determination, subject to approval by DEQ

• Uses same factors to consider in determination
Determining if NESHAP = TBACT

Under SB1541, compliance with major source NESHAP would be considered TBACT if the NESHAPs:

• Result in actual reductions of hazardous air pollutants.

• Do not allow other toxics to pose “material” risks that aren’t controlled by the NESHAP
What is a NESHAP?

- **National Emission Standards for Hazardous Air Pollutants** set by EPA for stationary industrial/commercial sources of hazardous air pollutants
- **Maximum Achievable Control Technology** for over 100 industry categories
- **Risk and Technology Review** is a follow-up review by EPA of health risk and technology improvements may be included
Under SB 1541, if a source employs TBACT on all significant TEUs, DEQ cannot require additional reductions or limitations unless risks exceed:

- Four times the cancer benchmark (200/million),

  or

- Two times the non-cancer benchmark (HI of 10)

The multipliers are not subject to the sunset.