



THE SITE REMEDIATION MACT IS BACK...

Do you remember hearing about the finalization and revision of the Site Remediation Maximum Achievable Control Technology (MACT) rule back in 2002 and 2006? As you may recall, the MACT rule established controls for hazardous air pollutants (HAP) emissions at major sources where remediation technologies and practices were being used to clean up contaminated environmental media (e.g., soil, groundwater, or surface water). You probably exhaled with relief when you noticed the CERCLA or RCRA corrective action exemptions established in the rule. Well, not so fast...

A little update

On May 13, 2016, in response to a petition for reconsideration, the [EPA proposed changes](#) to the 2006 final MACT rule to remove the exemptions for site remediation activities conducted under the authority of CERCLA or RCRA corrective action. The proposed rule also extended compliance requirements to spill sites that are determined to be a major standalone source of HAPs.

Does this mean what I think it means?

Yes, if you're thinking that most refineries with continuous remediation will now be affected facilities. As proposed, CERCLA or RCRA sites that generate remediation material containing greater than one (1) megagram (Mg) per year of aggregate organic HAPs will become subject to all applicable requirements of the MACT rule.

Darn, I think this rule applies to me. Now what?

The rule will require emission controls and/or work practice standards for process vents, remediation material management units, and equipment leaks. There are two main steps you'll need to take if you think your facility is now subject to the general standards of the rule:

1. Determine existing remediation equipment and collect data to make applicability determination (< 1 Mg/year HAPs)
2. Develop a compliance plan to address affected facilities

Compliance deadlines for existing facilities

The proposed compliance date for existing sources (facilities that commenced construction prior to May 16, 2016) is 18 months after publication in the Federal Register of the final amendments. Initial notifications must be submitted within 120 calendar days after final amendments are published in the Federal Register.

Compliance deadlines for new facilities

New sources (facilities that commenced construction after May 16, 2016) will need to comply with rule requirements upon startup or the date of issuance of the final rule in the Federal Register, whichever is later.

Do I need to worry about this now?

It's not too early to start thinking about rule applicability and your data needs. Compliance deadlines, especially the 120-day initial notification deadline, will sneak up fast once the revisions to the rule are final. The rule is expected to be final in summer 2017.

Questions?

Trihydro's team of remediation experts have been partnering with facility managers since we opened our doors more than 32 years ago. We know how big of a headache rule changes can be, and we take pride in making your job easier. It's the reason we do business. Contact our [CERCLA and RCRA experts](#) or give us a call at 800-359-0251 with questions or to learn more.

EXEMPT FACILITIES

There are a few specific exemptions from the rule, which include:

- Remediation at gas stations from LUSTs
- Remediation at farm or residential sites
- Remediation at R&D facilities
- Generation of < 1 Mg of remediation waste per year
- Site remediation completed within 30 days

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verb: research or make inquiries into something
synonyms: investigate, inquire into, probe, explore, research, look into