

40 CFR 63 Subpart X - Rule Interpretation Memos

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Last Modified; October 26, 2000

Air Rule Interpretation Summary Form

Code Number	63X.001
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Applicability of 40 CFR 63, Subpart X to a blast furnace slag fixation building.	October 26, 2000
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 C.F.R. Part 63, Subpart X § 63.545	Description: National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
Interpretation Request:	
Title 40 Code of Federal Regulation (C.F.R.) § 63.545 establishes standards for fugitive dust sources. As part of the disposal process, the facility stores, crushes and mixes blast furnace slag with fixing agents in the slag fixation building. Is the slag fixation building subject to the requirements of 40 C.F.R. § 63.545?	
Determination:	
The storing, crushing, screening, and mixing of blast furnace slag with fixing agents in preparation for the slag to be disposed of in an approved landfill is not part of the lead smelting and/or refining process. Hence, the storing, crushing, screening, and mixing of blast furnace slag is not considered to be “handled between process steps” and does not meet the definition of a materials storage and handling area. Therefore, because lead is not being recovered during this operation as part of the lead smelting or refining process, the standards for fugitive dust sources, 40 C.F.R. § 63.545, are not applicable.	

Bibliography:

Title 40 C.F.R. Part 63, Subpart X (July 1, 1999).

59 Fed. Reg. 63941 (June 9, 1994).

60 Fed. Reg. 32587 (June 23, 1995).

62 Fed. Reg. 32209 (June 13, 1997).

Background Information Document, U.S. Environmental Protection Agency: “Secondary Lead Smelting – Background Information for Promulgated Standards” (EPA-453/R-95-008b) [June 13, 1995].

Air Rule Interpretation Summary Form

Code Number	63X.002
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Applicability of 40 CFR 63, Subpart X to a stationary central vacuum system installed to meet OSHA requirements.	October 26, 2000
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> ___ </u>
40 C.F.R. Part 63, Subpart X § 63.545	Description: National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting

Interpretation Request:

Title 40 Code of Federal Regulation (C.F.R.) § 63.545 establishes standards for fugitive dust sources and the measures put in place to control fugitive dust emissions within certain areas of secondary lead smelters. Is a stationary Central Vacuum System, put in place to comply with Occupational Safety and Health Administration (OSHA) requirements and utilized by plant personnel for cleanup of the entire lead smelting facility, considered a control measure and subject to the requirements of 40 C.F.R. § 63.545?

Determination:

Any equipment that removes or collects fugitive dust particles at plant roadways, battery breaking areas, furnace areas, refining and casting areas, and materials storage and handling areas and routes the dust particles to a filter which is vented to the atmosphere is subject to the requirements of 40 C.F.R. § 63.545. However, the requirements of 40 C.F.R. § 63.545 are not applicable if the equipment removes or collects fugitive dust particles to control indoor air quality in a total enclosure and exhausts the purified vent stream from the filtration system directly back into the enclosure and not to the atmosphere.

Bibliography:

Title 40 C.F.R. Part 63, Subpart X (July 1, 1999).

59 Fed. Reg. 63941 (June 9, 1994).

60 Fed. Reg. 32587 (June 23, 1995).

62 Fed. Reg. 32209 (June 13, 1997).

Tex. Health & Safety Code § 382.027 (Effective: Sept. 1, 1995)

Background Information Document, U.S. Environmental Protection Agency: “Secondary Lead Smelting – Background Information for Promulgated Standards” (EPA-453/R-95-008b) [June 13, 1995].

Please note, in the event that an external customer feels that this rule interpretation is in error or a source of information has been overlooked which would change the determination, a request for reconsideration may be submitted. Requests must be submitted on a Reconsideration Process Form which is available at the TNRC's homepage: <http://www.tnrc.state.tx.us/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.

Air Rule Interpretation Summary Form

Code Number	63X.003
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Applicability of 40 CFR 63, Subpart X to drossing operations	October 26, 2000
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Rule/Regulation Citation(s):	Federal Rule: <u>X</u> State Regulation: <u> </u>
40 C.F.R. Part 63, Subpart X §§ 63.544 - 63.545	Description: National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
Interpretation Request:	
Title 40 Code of Federal Regulation (C.F.R.) Part 63, Subpart X establishes standards for process fugitive sources in 40 C.F.R. § 63.544. Is the drossing operation subject to the standards for process fugitive sources if an enclosed vacuum hooding, under negative pressure, is used to control emissions from the drossing operation?	
Determination:	
The drossing operation (a manual procedure in which lead-bearing materials [dross] is removed from the refining kettle and stored in a dross storage box) is not included in the list of process fugitive sources; therefore, it is <u>not</u> subject to the requirements of 40 C.F.R. § 63.544. However, based on the definition of materials storage and handling area, the standards for fugitive dust sources, 40 C.F.R. § 63.545, are applicable to the drossing operation. This includes the storage of dross in the dross storage box. Please note that if the owner or operator cannot utilize the minimum controls specified in 40 C.F.R. § 63.545(c)(5), they should propose control measures that are at least as stringent as the minimum requirements of 40 C.F.R. § 63.545(c)(5). The proposed control measures should be submitted to the Administrator for review and approval in accordance with 40 C.F.R. § 63.545(b).	

Bibliography:

Title 40 C.F.R. Part 63, Subpart X (July 1, 1999).

59 Fed. Reg. 63,941 (June 9, 1994).

60 Fed. Reg. 32,587 (June 23, 1995).

62 Fed. Reg. 32,209 (June 13, 1997).

Background Information Document, U.S. Environmental Protection Agency: “Secondary Lead Smelting – Background Information for Promulgated Standards” (EPA-453/R-95-008b) [June 13, 1995].

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