



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: 0000056

Category: NSPS
EPA Office: Region 4
Date: 01/05/2000
Title: NSPS Applicability to Sand Reclamation Facilities
Recipient: Jeryl Stewart
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Subjects: Part 60, OOO, Nonmetallic Mineral Processing
Part 60, UUU, Calciners and Dryers in Mineral Ind.

References: 60.731
60.734
60.734(c)

Abstract:

Q: Are furnaces used in sand reclamation facilities at foundries subject to 40 CFR Part, Subpart UUU?

A: Furnaces constructed, reconstructed, or modified after April 23, 1986, would be subject to Subpart UUU because industrial sand is a nonmetallic mineral and the rule does not specify a size or throughput cutoff.

Q: Are all calciners and dryers that emit less than 11 tons of particulate exempt from opacity monitoring requirements under 40 CFR Part, Subpart UUU?

A: Yes. Subpart UUU identifies a number of specific types of calciners and dryers that are exempt from opacity monitoring because their particulate emissions are known to be less than 11 tons per year. In several previous determinations the Agency has extended this exemption to other types of calciners and dryers that emit less than 11 tons of particulate per year.

Q: Are crushing and grinding operations that occur in sand reclamation processes at foundries subject to 40 CFR Part 60, Subpart OOO?

A: The applicability of Subpart OOO to such operations depends upon whether the process is used merely to break up the organic binder that holds the molds together or whether the process also results in size reduction of the sand particles in the mold.

Letter:

4APT-ARB

Mr. Jeryl W. Stewart
Compliance Validation Program
Tennessee Department of Environment and
Conservation
Division of Air Pollution Control
9th Floor, L&C Annex
401 Church Street
Nashville, Tennessee 37243-1531

SUBJ: New Source Performance Standard Applicability to Sand Reclamation Systems
Used in Foundry Operations

Dear Mr. Stewart:

Thank you for your letter of October 19, 1999, in which you asked for determinations regarding the applicability of 40 C.F.R. Part 60, Subpart OOO (Standards of Performance for Nonmetallic Mineral Processing Plants) and 40 C.F.R. Part 60, Subpart UUU (Standards of Performance for Calciners and Dryers in Mineral Industries) to sand reclamation systems used in foundry operations. Based upon our review of the applicability provisions in these regulations, we concur with the following interpretations presented in your letter:

(1) Furnaces used in sand reclamation operations at foundries are subject to Subpart UUU if the furnace is constructed, reconstructed, or modified after the applicability date of the standard (April 23, 1986). The basis for this conclusion is that industrial sand is classified as a nonmetallic mineral under the definitions in 40 C.F.R. Section 60.731, and calciners and dryers of any size that process nonmetallic minerals are subject to the Subpart UUU since size or throughput are not among the criteria considered when determining applicability under this regulation. As noted in your letter, U.S. Environmental Protection Agency (EPA) Region 6, previously determined in 1997 that calciners used in sand reclamation operations at foundries are subject to Subpart UUU.

(2) Owners and operators of calciners or dryers that emit less than 11 tons of particulate per year are exempt from all opacity monitoring requirements in 40 C.F.R. Section 60.734. At the time Subpart UUU was promulgated, EPA had determined that opacity monitoring was unnecessary for affected facilities that emit less than 11 tons of particulate per year, and a list of calciners and dryers that are specifically exempt from opacity monitoring requirements because their particulate emission rates were known to be less than 11 tons per year was promulgated at 40 C.F.R. Section 60.734(c). In several determinations issued following the promulgation of Subpart UUU, EPA has indicated that the exemption in 40 C.F.R. Section 60.734(c) may be extended to any calciner or dryer that has been demonstrated to have a particulate emission rate of less than 11 tons per year. Based upon the precedents established in these previous determinations, we agree with your position that EPA does not need to make a case-by-case determination granting an opacity monitoring exemption to each Subpart UUU facility that emits less than 11 tons of particulate per year. Since the authority to implement Subpart UUU in the state of Tennessee has been delegated to your agency, any company that supplies you with information demonstrating that particulate emissions from their calciner or dryer are less than 11 tons per year would qualify for an opacity monitoring exemption.

(3) Crushing and grinding that occurs in the sand reclamation process would not result in Subpart OOO applicability if these operations are used to break down the organic binder holding the sand in the molds together rather than to crush the sand itself. The basis for this conclusion is that, although industrial sand is classified as a nonmetallic mineral under the definitions in 40 C.F.R. Section 60.671, Subpart OOO is only applicable to operations where crushing or grinding of nonmetallic minerals occurs. Therefore, if the crushing that takes place in the sand reclamation operation separates the sand from the binder that holds the molds together but does not result in a reduction in the size of the sand particles, equipment in the reclamation operation would not be part of a nonmetallic mineral processing line and would not be subject to Subpart OOO.

If you have any questions about the determinations provided in this letter, please contact Mr. David McNeal of the EPA Region 4 staff at (404) 562-9102.

Sincerely,

R. Douglas Neeley
Chief
Air and Radiation Technology Branch Air, Pesticides and Toxics Management Division