

Southwest Clean Air Agency

SWCAA appreciates Ecology updating the science behind many of the pollutants listed in the proposed rule. While this is a good task, there are many toxic chemicals that are not on the list. SWCAA understands the need to have high quality data in which to evaluate public risk from pollutants, to ignore hundreds of pollutants that have not yet been evaluated by one of the three "acceptable" agency is not in the best interest of the public. Many other states and countries have identified methodologies for determining health impacts to the public without being identified on one of the three agencies lists. One must recognize that there is limited funding for the identified three agencies and as such one could not hope that all the cancer-causing pollutants or unhealthy pollutants could be evaluated by these groups in a timely fashion as well as keep the toxicity values for those on the list up to date.

Comment 1

Remove the criteria air pollutants from the list that have established National Ambient Air Quality Standards (NAAQS) and State Ambient Air Quality Standards (SAAQS). By having these pollutants listed in separate rules with separate values is confusing at best. If the SAAQS is not sufficient to protect the public, then the SAAQS should be updated. Having these criteria air pollutants on the list just because they exist on one of the three agency lists is a "flag" that maybe the criteria for listing in this rule is not robust and discerning or that the SAAQS should be updated.

Comment 2

As a minimum, all of the hazardous air pollutants (HAPs) listed in Title III of the Federal Clean Air Act (except those specifically delisted) should be on the list of pollutants regulated under WAC 173-460. To not have them listed means that a significant number of Hazardous Air Pollutants - specifically identified by Congress, are not otherwise regulated under the New Source Review provisions of WAC 173-460-040. This ignores sound science that serves as the basis for these pollutants being identified by Congress as representing a risk to the public. This unnecessarily complicates and underestimates the health risk to the public when reviewing a new source or modified source under WAC 173-460-040.

Comment 3

Asbestos by name is specifically listed in the table of pollutants with CAS No 1332-21-4. Asbestos is defined in 40 CFR 61 Subpart M as follows: "Asbestos means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite." Only these specific zeolites are regulated as asbestos." If I was to do a search for tremolite asbestos I would find CAS No 14567-73-8 - not necessarily CAS No 1332-21-4. This may lead a person to determine that tremolite is not on the toxic pollutant list. This should be clarified for each of the zeolites identified as asbestos and listed separately with their specific CAS No. Erionite is a zeolite commonly thought of as asbestos-like but is not listed in the rule. Erionite is known to be a human carcinogen and is listed by the International Agency for Research on Cancer as a Group 1 Carcinogen. It exists in rock deposits in Oregon and North Dakota among other places in the US. Health Departments in those States have severely restricted mining activities in areas where erionite exists. If found in Washington it could not be regulated under WAC 173-460 because it is not on the list. This is a glaring example of the inadequacy of the criteria for listing pollutants in the rule.

Comment 4

Cresols (mixture), including m-cresol, o-cresol, p-cresol is on the list with CAS No 1319-77-3. The three isomers each have their own CAS No. Should a person interpret that a single isomer is not toxic but only a mixture of the three is toxic and on the list? All three isomers should be listed separately with their own CAS No.

Comment 5

Libby amphibole (sp) asbestos is identified on the proposed list without a CAS No. Is this different than the listing for asbestos CAS No 1332-21-4 - I assume so, and where does it fit in the federal definition of asbestos as described above in Comment 3? On EPA's webpage <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0801744> Libby asbestos is referred to as tremolite-actinolite series asbestos, is often called Libby Amphibole asbestos (LA). It seems to fit the definition of asbestos under CAS No 1332-21-4 under Comment 3. Should it be listed separately?

Comment 6

The pollutant list contains "Fluorides (fluoride containing chemicals), NOS". In parenthesis, fluoride is misspelled. It is unclear what is meant by fluoride containing chemicals - is it meant to say fluorine containing chemicals? If what is meant is truly fluorides then more explanation is necessary. If it means fluorine, I suspect you do not intend to capture all the PFCs, CFCs or HCFCs. Any listing without a CAS No has great potential to cause confusion.

Comment 7

The proposed list contains "Mercury, elemental" as a pollutant. This appears to be the only metal listed this way. Several other metals like copper, nickel, lead, manganese, selenium, chromium, etc., should be listed separately as an elemental component and then separately, as nickel compounds, NOS, as an example. They all should be consistent unless there is a good reason not to be.

Comment 8

Many of the pollutant names in the list have a period after the name. Is this intentional or is this an oversight?

Comment 9

It appears that the CAS No for nickel carbonate hydroxide is incorrect. The correct CAS No is 12607-70-4. The listed CAS No 1346-39-3 is not a valid CAS No.

Comment 10

Nickel oxide black is listed without a CAS No. An appropriate CAS No may be 12137-09-6.

Comment 11

The last pollutant listed in the table is "Xylene (mixture), including m-xylene, o-xylene, p-xylene" however the CAS No is 1330-20-7. The individual monomers are also listed with their individual CAS Nos but it is recommended that the naming convention be changed to reflect xylene, m-, xylene, o-, an xylene, p- so these monomers sort next to the mixed isomer listing.

Comment 12

There are several pollutants (compounds) on the list that are now banned or severely restricted for use in the US. These include several insecticides and pesticides. Why are these on the list? These pollutants/compounds are not allowed in the US by federal rule. It would be better if these items would be separated into their own list in the rule as being prohibited rather than developing or displaying ASILs or SQERs, because they should not be present in our environment. Remember the rule is generally used for permitting purposes, there is no way an agency should be permitting a

pollutant that has been federally listed and banned unless it is for a cleanup. This is another example that the basis for listing an item be predicated on the pollutant being listed on one of the three agency's lists. This is a faulty place to build your whole concept of what should be on the state-wide list. It would suggest that these items could be manufactured and/or emitted as part of an NSR activity.

Comment 13

Cobalt is on the list with CAS No 7440-48-4. This is similar to Comment 7 but in this case cobalt compounds or NOS, are not identified. Is this an oversight? Is there a reason that cobalt would or should be listed by itself as just elemental (without saying elemental)? Previously it was listed as (metal dust or fume).