

June 23, 2022

Re: Addition of 1-Bromopropane to the List of Federal Hazardous Air Pollutants

To Members of the Regulated Community:

On January 5, 2022, the U.S. Environmental Protection Agency (EPA) published a final rule in the Federal Register adding 1-bromopropane (1-BP), also known as n-propyl bromide (nPB), to the list of hazardous air pollutants (HAPs) pursuant to section 112 of the Clean Air Act. This action was taken in response to petitions filed by the Halogenated Solvents Industry Alliance and New York State Department of Environmental Conservation. The final rule is available at [87 FR 393](#) and was effective as of February 4, 2022. While EPA has previously removed compounds from the list of HAPs, this is the first time that a substance has been added to the list since the 1990 Clean Air Act amendments. The Connecticut Department of Energy and Environmental Protection (DEEP) has identified your facility as a potential source of 1-BP emissions that may be affected by EPA's recent action.

EPA's action may have several regulatory and permitting implications for sources emitting 1-BP, not all of which are described in this letter. You are encouraged to review the final rule and the accompanying outreach material prepared by EPA; a link is provided at the end of this letter.

As of February 4, 2022, sources must include 1-BP emissions in their HAP potential to emit (PTE) calculations for the purposes of major source applicability under sections 22a-174-3a and -33 of the Regulations of Connecticut State Agencies (RCSA).<sup>1</sup>

- If your facility is not a Title V source and remains an area source of both single and aggregate HAP emissions after the inclusion of 1-BP in your premises-wide HAP PTE (without the need for any additional federally enforceable limitation on HAP emissions), then no new major HAP source requirements apply to your facility as a result of the listing of 1-BP.
- If your facility is not a Title V source and if the inclusion of 1-BP in your premises-wide HAP PTE causes your facility to exceed the major source threshold for single and/or aggregate HAP, you must apply to DEEP for a Title V operating permit within 12 months of the effective date of the final rule (February 4, 2022). Alternatively, you may take action to reduce your premises-wide HAP PTE below the major source thresholds for single and aggregate HAP to avoid Title V applicability. To reduce your premises-wide HAP PTE below the single and aggregate HAP major source thresholds, you can reduce or eliminate 1-BP use or you can obtain a permit or order to establish an enforceable limitation on your facility's HAP emissions.

At this time, facilities that emit 1-BP cannot use RCSA sections 22a-174-33a and -33b to limit potential emissions below major source thresholds due to the way that HAP is defined in these regulations. RCSA sections 22a-174-33a and -33b define HAP to include "any air pollutant listed in section 112(b) of the

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<sup>1</sup> The relationship between the listing of 1-BP and the Department's synthetic minor permits by rule, at RCSA sections 22a-174-33a and -33b, is discussed below.

Federal Clean Air Act excluding any air pollutants that are removed from such list.” Since 1-BP was listed via a federal regulatory action rather than a legislative action, the Clean Air Act section 112(b) list was not actually amended; instead, 1-BP was listed at Title 40, Code of Federal Regulations (CFR), Part 63, Subpart C. Therefore, Connecticut’s current definition of HAP in RCSA sections 22a-174-33a and -33b is not inclusive of 1-BP. A future state rulemaking is anticipated in 2023 to resolve this discrepancy.

- If your facility is already a Title V source or if you own/operate one or more emissions units subject to individual New Source Review (NSR) permits, the listing of 1-BP may necessitate a change in permit conditions. You should assess the need for a permit modification to accommodate your facility’s 1-BP emissions.

If your facility is newly major for HAP, your facility would become subject to any applicable major source National Emission Standards for Hazardous Air Pollutants (NESHAPs) under 40 CFR Part 63.<sup>2</sup> For example, major source NESHAPs for broad, common source categories – such as the Maximum Available Control Technology standard for boilers or reciprocating internal combustion engines – may become applicable. Facilities that become subject to a major source NESHAP are generally required to submit an initial notification within 120 days of becoming subject to such standard per 40 CFR 63.9(b)(1) and (2), unless otherwise specified in the relevant standard. Facilities opting to obtain a permit or order establishing an enforceable limitation on their premises-wide single and aggregate HAP PTE below major source thresholds may not become subject to major source NESHAPs.

EPA intends to develop a rule in the near term that will address the regulatory implications of the addition of 1-BP to the HAP list. According to EPA, this regulatory infrastructure rule will be proposed for public notice and comment in 2022 and is expected to be finalized in 2023. As noted above, the listing of 1-BP in the January 5, 2022, Federal Register may have already triggered several regulatory and permitting requirements for sources emitting 1-BP.

For the final rule and additional information, please visit EPA’s webpage addressing the listing of 1-BP: <https://www.epa.gov/haps/addition-1-bp-npb-clean-air-act-list-hazardous-air-pollutants>.

For further technical information about the rule, please contact Susan Miller, of EPA’s Office of Air Quality Planning and Standards, at Miller.Susan@epa.gov or (919) 541-2443.

For questions pertaining to this letter, or to talk with DEEP staff regarding the impacts of this regulatory action to your facility, please contact Kaitlin Stern at Kaitlin.Stern@ct.gov or (860) 424-3305.

Sincerely yours,



Jacob V. Felton  
Assistant Director  
Enforcement Division  
Bureau of Air Management

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<sup>2</sup> While 1-BP is commonly used in solvent cleaning applications, 1-BP emissions are not regulated under 40 CFR Part 63, Subpart T (National Emission Standards for Halogenated Solvent Cleaning), as 1-BP is not one of the solvents explicitly identified in this regulation.