



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 15, 2015

Mr. James Fitzgerald, Executive Director
Far West Agribusiness Association
1717 Rustle Road, Suite 212
Spokane, WA 99224-2065

Re: Regulation of Ammonium Sulfate as a Toxic Air Pollutant

Dear Mr. Fitzgerald:

Thank you for your recent letter requesting clarification of the regulation of ammonium sulfate as an air pollutant in Washington.

Ammonium sulfate has been regulated as toxic air pollutant in Washington since 2009. To my knowledge, this is the first time that concerns regarding the regulation of the air emissions of this chemical have been brought to our attention.

Specifically, you asked the Department of Ecology (Ecology) to consider exempting ammonium sulfate fertilizers from new source review under Chapter 173-460 WAC. You requested that existing ammonium sulfate operations and new facilities be exempt from the requirements of Chapter 173-460 WAC.

Many activities involving ammonium sulfate are already exempt from new source review requirements. For example: WAC 173-400-110(4) exempts "primary agricultural production activities including soil preparation, planting, fertilizing, weed and pest control, and harvesting." Because Chapter 173-400 WAC and Chapter 173-460 WAC are companion rules, the exemptions listed in WAC 173-400-110(4) apply to the regulation of ammonium sulfate under Chapter 173-460 WAC. Simply put, end users of ammonium sulfate fertilizer do not need to obtain an air permit.

Ammonium sulfate is only considered for regulation if it is being emitted from a new or modified source of air pollution requiring a pre-construction air permit (aka. notice of construction order of approval). Ecology's Air Quality Program would only regulate ammonium sulfate when the emissions of this pollutant come from a source that is taking an action that requires a notice of construction application under WAC 173-400-110; and increased emissions of this chemical into ambient air exceed a *de minimis* rate (0.0131 lb/hr).

Mr. James Fitzgerald

April 15, 2015

Page 2

A few examples when Ecology would consider regulating ammonium sulfate include:

- A new ammonium sulfate fertilizer manufacturing facility where ammonium sulfate emissions exceed the *de minimis* rate.
- An existing ammonium sulfate fertilizer manufacturing facility that wants to increase production resulting in increases in ammonium sulfate emissions above the *de minimis* rate.
- New emissions of ammonium sulfate from new or increased transfer of fertilizer to a centralized distribution center if the emissions increase exceeds the *de minimis* rate.

Your letter notes that many ammonium sulfate fertilizers are in a form where air emissions are likely to be very low or negligible. These factors are considered by Ecology in determining the quantity of emissions that might occur from an applicable process. If there are no (or *de minimis*) air emissions of ammonium sulfate, a source will not need a permit for this pollutant.

Ecology does, however, inventory equipment at facilities operating under approval orders (air permits). For instance, a fertilizer facility with other activities requiring approval and *de minimis* emissions of ammonium sulfate would need to provide a list of all equipment operating on-site.

While we do not exempt all processes involving ammonium sulfate from new source review, I believe our regulations represent a balanced approach. Because Washington State also has seven local clean air agencies, my response only applies to sources regulated by Ecology. Washington's seven local clean air agencies may have somewhat different permitting criteria, and I recommend contacting them before constructing or operating any new source in their jurisdictions.

I hope this letter clarifies situations in which ammonium sulfate air emissions might be regulated.

Please contact Gary Palcisko at (360) 407-7338 or gary.palcisko@ecy.wa.gov if you have additional questions or would like further clarification.

Sincerely,



Stuart A. Clark
Air Quality Program Manager