

FACT SHEET

RECONSIDERATION OF FINAL AIR TOXICS STANDARDS FOR INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL AREA SOURCE BOILERS

ACTION

- On December 1, 2014, the U.S. Environmental Protection Agency (EPA) issued a notice announcing reconsideration of, and requesting public comment on, five specific issues in the agency's 2013 final amendments to its standards limiting hazardous air pollutant emissions from industrial, commercial, and institutional area source boilers. EPA is also proposing a limited number of amendments to the final rule.
- EPA is seeking public comment on five issues the agency has agreed to reconsider. The five issues are:
 - definitions of startup and shutdown periods;
 - alternative particulate matter (PM) standard for new oil-fired boilers that combust low-sulfur oil;
 - establishment of a subcategory and separate requirements for limited-use boilers;
 - establishment of a provision that eliminates further performance testing for PM for certain boilers based on their initial compliance test; and
 - establishment of a provision that eliminates further fuel sampling for mercury for certain coal-fired boilers based on their initial compliance demonstration.
- EPA is proposing several clarifying changes and corrections to the final rule and is soliciting comment only on whether the proposed changes provide the intended accuracy, clarity and consistency.
- EPA is proposing to amend the final rule to revise the definitions of startup and shutdown and to remove the affirmative defense provisions in light of the recent Court decision vacating affirmative defense provisions in the Clean Air Act section 112 rule establishing emission standards for Portland cement kilns.
- EPA will not respond to any comments addressing any other issues or any other provisions of the final rule.
- This proposed action does not impose any new requirements or costs, or change the compliance deadlines of March 21, 2014, for existing sources and upon startup for new sources.
- EPA will accept public comment for 45 days after the notice is published in the Federal Register.

BACKGROUND

- Boilers burn coal and other substances such as oil or biomass (e.g., wood) to produce steam and/or hot water, which is then used for energy or heat. They can also burn non-waste

materials but do so usually only in small amounts.

- Industrial boilers are used in manufacturing, processing, mining, refining or any other industry.
 - Commercial and institutional boilers are used in commercial establishments, medical centers, educational facilities and municipal buildings.
 - The majority of area source boilers covered by this rule are located at commercial and institutional facilities.
- There are approximately 1.3 million boilers located at areas source facilities that run on natural gas. They are not covered by the final standards or these adjustments. The area source standards covers approximately 183,000 boilers located at 92,000 area source facilities. Of the 183,000 covered units, approximately 182,400 (over 99%) need only to conduct periodic tune-ups, and some of these also need to perform a one-time energy assessment. Approximately 600 coal-burning units (less than 1%), that represent the largest of these sources, are required to meet emission limits.
 - On March 21, 2011, EPA promulgated national air toxics standards for area source industrial, commercial and institutional boilers. An area source facility has the potential to emit less than 10 tons per year of any single air toxic or less than 25 tons per year of any combination of air toxics.
 - On February 1, 2013, EPA issued a final rule that amended the agency's 2011 air toxics standards for industrial, commercial, and institutional area source boilers.
 - The 2013 amendments, among other things, revised the definitions of startup and shutdown periods.
 - In addition, the 2013 amendments established a subcategory and separate requirements for certain boilers that operate on a limited basis.
 - The 2013 amendments also established an alternative PM standard for new oil-fired boilers that combust low-sulfur oil, and new monitoring provisions that eliminate further stack testing for PM and further fuel sampling for mercury under certain circumstances based on initial compliance demonstrations.
 - EPA received three petitions for reconsideration of the 2013 amendments. The petitions were submitted by:
 - American Forest and Paper Association, American Wood Council, National Association of Manufacturers, Biomass Power Association, Corn Refiners Association, National Oilseed Processors Association, Rubber Manufacturers Association, Southeastern Lumber Manufacturers Association, and U.S. Chamber of Commerce
 - Council of Industrial Boiler Owners and the American Chemistry Council
 - Sierra Club, Clean Air Council, Partnership for Policy Integrity, Louisiana Environmental Action Network, and Environmental Integrity Project

HOW TO COMMENT

EPA will accept comment on the notice for 45 days after publication in the Federal Register. Comments, identified by Docket ID Number EPA-HQ-OAR-2006-0790, may be submitted by one of the following methods:

- Go to www.regulations.gov and follow the on-line instructions for submitting comments.
- Send comments by e-mail to a-and-r-Docket@epa.gov.
- Fax your comments to: (202) 566-9744.
- Mail your comments to:

Air and Radiation Docket and Information Center,
Environmental Protection Agency, Mail Code: 2822T
1200 Pennsylvania Ave., NW
Washington, DC 20460

- Deliver your comments in person or via courier to:

EPA Docket Center
1301 Constitution Ave., NW
Room 3334
Washington, DC 20004

Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- The notice of reconsideration is posted at:
<http://www.epa.gov/airquality/combustion/actions.html> and
<http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.
- Today's action and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located in EPA Headquarters Library, Room Number 3334 in EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this action can be accessed using Docket ID No. EPA-HQ-OAR-2006-0790.
- For further information about the action, contact Ms. Mary Johnson of EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Energy Strategies Group at (919) 541-5025 or by e-mail at johnson.mary@epa.gov.