



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG - 5 2013

OFFICE OF
AIR AND RADIATION

Mr. Robert D. Bessett
President
Council of Industrial Boiler Owners
6801 Kennedy Road, Suite 102
Warrenton, Virginia 20187

Dear Mr. Bessett:

On February 1, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" in the *Federal Register*. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for area source boilers under section 112 of the Clean Air Act. The EPA received petitions for administrative reconsideration of the February 1, 2013, rule pursuant to section 307(d)(7)(B) of the Clean Air Act. This letter is to inform you that the EPA is granting the petitions for reconsideration on the following issues:

- The definitions of startup and shutdown periods;
- Alternative particulate matter standard for new oil-fired boilers that combust low-sulfur oil;
- Establishment of a subcategory for limited-use boilers and the applicable standards for that subcategory;
- Provision that eliminates further performance testing for particulate matter for boilers whose initial compliance test shows that its particulate matter emissions are equal to or less than half of the particulate matter emission limit; and
- Provision that eliminates fuel sampling at coal-fired boilers that demonstrate compliance with the mercury emission limit by fuel analysis based on the results of the boiler's initial compliance demonstration.

The reconsideration petitions stated that the public lacked sufficient opportunity to comment on these provisions. Although these provisions were established after consideration of public comments received on the proposed rule, the EPA is granting reconsideration in order to allow an additional opportunity for comment. The EPA will issue a *Federal Register* notice that will provide a more detailed description of the issues on which public comment will be solicited, as well as specific information about the process to be followed. We are continuing to evaluate the other issues raised in the petitions.

If you have any questions regarding the reconsideration process, please contact Mary Johnson of my staff at (919) 541-5025. We thank you for your continuing interest in this rule and look forward to hearing from you during the reconsideration process.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe". The signature is stylized with a large initial "J" and a long, horizontal flourish at the end.

Janet G. McCabe
Acting Assistant Administrator



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OFFICE OF
AIR AND RADIATION

Ms. Lisa M. Jaeger
Attorney
Bracewell & Giuliani, LLP
2000 K Street, NW, Suite 500
Washington, D.C. 20006-1872

Dear Ms. Jaeger:

On February 1, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" in the *Federal Register*. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for area source boilers under section 112 of the Clean Air Act. The EPA received petitions for administrative reconsideration of the February 1, 2013, rule pursuant to section 307(d)(7)(B) of the Clean Air Act. This letter is to inform you that the EPA is granting the petitions for reconsideration on the following issues:

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OFFICE OF
AIR AND RADIATION

Ms. Leslie A. Hulse
Assistant General Council
American Chemistry Council
700 2nd Street, NE
Washington, D.C. 20002

Dear Ms. Hulse:

On February 1, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" in the *Federal Register*. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for area source boilers under section 112 of the Clean Air Act. The EPA received petitions for administrative reconsideration of the February 1, 2013, rule pursuant to section 307(d)(7)(B) of the Clean Air Act. This letter is to inform you that the EPA is granting the petitions for reconsideration on the following issues:

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OFFICE OF
AIR AND RADIATION

Ms. Donna A. Harman
President and CEO
American Forest & Paper Association
1111 19th Street, NW, Suite 800
Washington, D.C. 20036

Dear Ms. Harman:

On February 1, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" in the *Federal Register*. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for area source boilers under section 112 of the Clean Air Act. The EPA received petitions for administrative reconsideration of the February 1, 2013, rule pursuant to section 307(d)(7)(B) of the Clean Air Act. This letter is to inform you that the EPA is granting the petitions for reconsideration on the following issues:

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OFFICE OF
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Mr. Neil E. Gromley
Attorney
Earthjustice
1625 Massachusetts Avenue, NW
Washington, D.C. 20036-2212

Dear Mr. Gromley:

On February 1, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" in the *Federal Register*. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for area source boilers under section 112 of the Clean Air Act. The EPA received petitions for administrative reconsideration of the February 1, 2013, rule pursuant to section 307(d)(7)(B) of the Clean Air Act. This letter is to inform you that the EPA is granting the petitions for reconsideration on the following issues:

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