THEODORE R. KULONGOSKI
Governor

August 3, 2010

Lisa Jackson, Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Jackson:

I write to express my support for your recent decision to issue a Request for Information regarding the proposed Tailoring Rule relative to greenhouse gas (GHG) emissions from biomass boilers. Your decision to solicit information and scientific perspectives on the net effect of this class of boilers on GHG signals a keen awareness of the significant and unique role of biomass as a source of renewable, domestic energy. It also conveys an understanding of the "value-added" importance of biomass derived from forest residue in advancing the health and resiliency of our nation's forests.

I also write to express my concern about a potential unintended consequence of the proposed Boiler MACT rule – the Maximum Achievable Control Technology rule for industrial, commercial and institutional boilers and process heaters – that was published on June 4, 2010. While these regulations are important to protect public health from hazardous air pollutants, I am particularly concerned about the impact these regulations could have on our growing renewable energy sector. I understand that the requirements in the rule for biomass-fueled boilers are based on the performance achieved by the best controlled biomass facilities. However, because of variability in boiler design and fuel quality, the proposed limits may be impracticable for many existing biomass boilers, and could create a significant disincentive for the development of new biomass boilers. This could work against our goal to expand the use of sustainable biomass as part of our GHG reduction efforts.

While I support efforts to address serious health threats from air emissions, I also believe that regulations can be crafted in a balanced way that protects the environment and human health, advances our goal of growing renewable energy sources, promotes forest health and creates jobs for our citizens. Thus, I appreciate your willingness to consider flexible approaches that appropriately address the diversity of boilers, operations, sectors and fuels. I encourage EPA to consider employing a methodology that sets emissions standards based on what real world best performing units actually have achieved while protecting human health. EPA should

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take into account the potential for bias in its emissions database, the practical capabilities of controls or the variability in operations, fuels and testing performance across the many regulated sectors.

As EPA develops a final Boiler MACT rule, I hope you will carefully consider sustainable approaches that protect the environment and public health while fostering economic recovery and jobs within the bounds of the law. Thank you for your consideration of these views.

Sincerely,

THEODORE R. KULONGOSKI
Governor

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