

## FACT SHEET

### RECONSIDERATION OF THE AIR TOXICS STANDARDS FOR INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS AND PROCESS HEATERS AT MAJOR SOURCE FACILITIES

#### ACTION

- On December 1, 2014, the Environmental Protection Agency (EPA) announced reconsideration of and proposed amendments to the rule “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.” The EPA is only requesting public comment on three issues raised in the petitions for reconsideration. The amendments are technical corrections to the final air toxics rule for boilers and process heaters, which the agency published on January 31, 2013, to clarify implementation and compliance issues.
- EPA is seeking public comment on three issues the agency has agreed to reconsider. The three issues are:
  - Definition of startup and shutdown periods and the work practices that apply during such periods.
  - Revise carbon monoxide (CO) emission limits based on a minimum CO level of 130 parts per million.
  - The use of particulate matter continuous parameter monitoring system (PM CPMS), including the consequences of exceeding the operating parameter.
- EPA is also proposing several technical corrections. These amendments are being proposed to correct inaccuracies and oversights that were promulgated in the final rule. EPA is soliciting comment only on whether the proposed changes provide the intended accuracy, clarity and consistency.
  - EPA is proposing an alternative definition of startup and an alternative work practice that applies during startup to the definition and work practice that is being reconsidered.
  - The proposed amendments do not change the coverage of the final rule. The clarifications and corrections should make it easier for owners and operators and for local and state authorities to understand and implement the requirements.
  - EPA is also removing the affirmative defense provision (section 63.7501 of subpart DDDDD) from the final rule, in light of the recent Court decision vacating the provision in the Portland Cement National Emission Standards for Hazardous Air Pollutants.
- The amendments will not increase the costs for the final rule.
- The EPA will accept comment on the three issues raised in the reconsideration and these proposed technical corrections/clarifications for 45 days following publication in the Federal Register.

## BACKGROUND

- Boilers burn fuels, including natural gas, fuel oil, coal, biomass (e.g., wood), refinery gas, or other gas to produce steam. The steam is used to produce electricity or provide heat. Process heaters heat raw or intermediate materials during an industrial process. The boilers and process heaters that would be covered by these standards do not burn solid waste unless they are exempt under the Clean Air Act from standards for incinerators.
- Boilers and process heaters are used at industrial facilities, and boilers are used to provide heat for commercial facilities and institutions. The majority of major source boilers and process heaters are located at industrial facilities.
- There are approximately 14,000 major source boilers in the US. All of those would be required to conduct periodic tune-ups and a one-time energy assessment, and 12 percent would be required to take steps to meet emissions limits if they do not already meet them.
- On March 21, 2011, the EPA published in the Federal Register national air toxics standards for major source industrial, commercial, and institutional boilers. On the same day, the EPA also promulgated national air toxics standards for area source industrial, commercial, and institutional boilers and for commercial and industrial solid waste incinerators (CISWI).
- On January 31, 2013, the EPA finalized amendments to the March 21, 2011 the final rule for major source boilers and process heaters. The final rule reflects reasonable approaches consistent with the requirements of the Clean Air Act. Subsequently, the EPA received 10 petitions for reconsideration of the January 31, 2013 final rule. Some of the issues identified in the petitions raised technical issues that the agency believes would benefit from additional public involvement. In addition, the agency wants to ensure that the public has ample opportunity to comment on changes in the final rule that were not in the proposal.

## HOW TO COMMENT

- The EPA will accept comment on the proposal for 45 days after publication in the Federal Register. Comments, identified by Docket ID Number EPA-HQ-OAR-2002-0058 may be submitted by one of the following methods:
  - [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
  - E-mail: Comments may be sent by electronic mail (e-mail) to [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov), include docket ID No. EPA-HQ-OAR-2002-0058 in the subject line of the message.
  - Fax: Fax your comments to: (202) 566-9744, attention Docket ID No. EPA-HQ-OAR-2002-0058.
  - Mail: Send your comments to: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code: 28221T, Attention Docket ID No. EPA-HQ-OAR-2002-0058, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

- Hand Delivery or Courier: Deliver your comments 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**

- To download this reconsideration notice from EPA's Web site, go to:  
<http://www.epa.gov/airquality/combustion/actions.html>.
- To download a redline/strikeout version of the amended final rule go to:  
<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 the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA WJC West Building, 1301 Constitution Avenue, 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 the 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 proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2002-0058.
- For further information about the proposal, contact Mr. Jim Eddinger of EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Energy Strategies Group at (919) 541-5426 or by email at [Eddinger.jim@epa.gov](mailto:Eddinger.jim@epa.gov).