



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

AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Mr. Matthew Todd  
American Petroleum Institute  
1220 L Street, NW  
Washington, DC 20005

Dear Mr. Todd:

On January 31, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" in the *Federal Register*. 78 Fed. Reg. 7138. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for major source boilers and process heaters under section 112 of the Clean Air Act. *See* 76 Fed. Reg. 15608. The EPA received petitions for administrative reconsideration of the January 31, 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:

- Definitions of startup and shutdown periods and the work practices that apply during such periods;
- Revised carbon monoxide (CO) limits based on a minimum CO level of 130 ppm; and
- The use of continuous parameter monitoring systems (CPMS), including the consequences of exceeding the operating parameter.

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.

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If you have any questions regarding the reconsideration process, please contact Jim Eddinger of my staff at (919) 541-5426. We thank you for your continuing interest in this rule and look forward to hearing from you during the reconsideration process.

Sincerely,

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Janet G. McCabe  
Acting Assistant Administrator



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

AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Mr. David A. Buff  
Golder Associates Inc  
6026 NW 1st Place  
Gainesville, Florida 32607

Dear Mr. Buff:

On January 31, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" in the *Federal Register*. 78 Fed. Reg. 7138. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for major source boilers and process heaters under section 112 of the Clean Air Act. See 76 Fed. Reg. 15608. The EPA received petitions for administrative reconsideration of the January 31, 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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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Ms. Donna Harman  
American Forest & Paper Association  
1111 19th Street, Suite 800  
Washington, DC 20036

Dear Ms. Harman:

On January 31, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" in the *Federal Register*. 78 Fed. Reg. 7138. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for major source boilers and process heaters under section 112 of the Clean Air Act. *See* 76 Fed. Reg. 15608. The EPA received petitions for administrative reconsideration of the January 31, 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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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

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

Dear Mr. Bessette:

On January 31, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" in the *Federal Register*. 78 Fed. Reg. 7138. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for major source boilers and process heaters under section 112 of the Clean Air Act. *See* 76 Fed. Reg. 15608. The EPA received petitions for administrative reconsideration of the January 31, 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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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Ms. Lisa M. Jaeger  
Bracewell & Giuliani LLP  
2000 K Street, N.W. Suite 500  
Washington, DC 20006-1872

Dear Ms. Jaeger:

On January 31, 2013, the U.S. Environmental Protection Agency published the final rule titled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" in the *Federal Register*. 78 Fed. Reg. 7138. This final rule made certain revisions to the final rule published on March 11, 2011, which established emissions standards for major source boilers and process heaters under section 112 of the Clean Air Act. *See* 76 Fed. Reg. 15608. The EPA received petitions for administrative reconsideration of the January 31, 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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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Ms. Leslie A. Hulse  
American Chemistry Council  
700 2nd Street, NE  
Washington, DC 20002-4308

Dear Ms. Hulse:

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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Mr. James S. Pew  
Earthjustice  
1625 Massachusetts Avenue, NW, Suite 702  
Washington, DC 20036-2212

Dear Mr. Pew:

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OFFICE OF  
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Ms. Lauren Freeman  
Hunton & Williams LLP  
2200 Pennsylvania Ave. NW  
Washington, DC 20037

Dear Ms. Freeman:

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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Mr. Douglas A. McWilliams  
Squire, Sanders & Dempsey (US) LLP  
4900 Key Tower, 127 Public Square  
Cleveland, Ohio 44114

Dear Mr. McWilliams:

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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Ms. Leslie Sue Ritts  
Ritts Law Group, PLLC  
620 Fort Williams Parkway  
Alexandria, Virginia 22304

Dear Ms. Ritts:

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AUG - 5 2013

OFFICE OF  
AIR AND RADIATION

Mr. William F. Lane  
Kilpatrick Townsend & Stockton LLP  
Suite 1400, 4208 Six Forks Road  
Raleigh, North Carolina 27609

Dear Mr. Lane:

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Additionally, the EPA intends to make certain clarifying changes and corrections to the final rule, some of which were also raised in the petitions for reconsideration. Specifically, the EPA intends to: (1) clarify issues related to the applicability of the major source boiler rule to natural gas-fired electric utility steam generating units (EGUs); (2) clarify the compliance date for coal- or oil-fired EGUs that become subject to the major source boiler rule; (3) correct the conversion error in the MACT floor calculation for existing hybrid suspension grate boilers; (4) clarify certain recordkeeping requirements, including, for example, those related to records for periods of startup and shutdown for boilers and process heaters in the Gas 1 subcategory. The EPA also intends to clarify and correct certain inadvertent inconsistencies in the final rule regulatory text, such as removal of unnecessary references to statistical equations, inclusion of averaging time for operating load limits in Table 6 to the final rule, and correction of the compliance date for existing sources to reflect the effective date of the final rule.

If you have any questions regarding the reconsideration process, please contact Jim Eddinger of my staff at (919) 541-5426. 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 fluid and cursive, with the first name "Janet" being more prominent.

Janet G. McCabe  
Acting Assistant Administrator