

# Boiler MACT

Recent Events and Upcoming  
Compliance Issues

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# Area Source Boiler MACT

# Initial Tune-up for Existing Sources

- Current Rule Due Date – March 21, 2012
- Proposed Rule Due Date March 21, 2013
- EPA is also taking comments on bumping out the date to March 21, 2014

# Initial Tune-up cont.

- EPA is considering staying the rule in order to have the proposed rule go final with the new compliance date.
- Until the rule is changed or stayed the March 21, 2012 compliance date is in effect.
- Tune-ups done in the past year can be used however...
  - Must have Measured CO and O<sub>2</sub> levels in exhaust, before and after tune-up
    - Measurements may be made on either a dry or wet basis, as long as it is the same basis before and after the tune-up adjustments are made. CO concentration measurements must be made in units of parts per million by volume (ppmv). Oxygen (O<sub>2</sub>) concentration measurements must be made as percent by volume.
- Currently, the Notification of Compliance Status must be submitted no later than July 19, 2012.
  - Will change once proposed rule goes final.
- <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>

# New Oil Fired Boilers – Testing

- Must Complete Performance Test 180 days after Initial Startup.
- Must submit Test Protocol and “Intent to Test” notification to EPA 60 days prior to test.
  - Region I does not have any forms. Can use CT ITT forms and test protocol and send to:
    - EPA Region I – Attention Bill Osbar
    - CT DEEP – Source Emissions Monitoring Unit

# New Oil Fired Boilers – Testing cont.

- Oil Fired Units must meet 0.03 lb/MMBtu limit for “Particulate Matter”
  - EPA is still accepting comments on the limits in the rule
- Method 5 or 17 Test Method – Filterable
- Results must be reported 60 days after completion of test.
- Test Results must be submitted electronically per 63.1125(e)
  - Electronic Reporting Tool <http://www.epa.gov/ttn/chief/ert/index.html>
  - Links for Training also available
- The Notification of Compliance Status is also due 60 days after the Performance Test.

***SMALL ENTITY COMPLIANCE GUIDE  
FOR  
AREA SOURCE BOILERS***

National Emission Standards for Hazardous Air  
Pollutants for Area Sources:  
**Industrial, Commercial, and Institutional Boilers**

**40 CFR Part 63, Subpart JJJJJ**

[http://www.epa.gov/ttn/atw/boiler/imptools/area\\_sm\\_biz\\_compli\\_guide\\_appx.pdf](http://www.epa.gov/ttn/atw/boiler/imptools/area_sm_biz_compli_guide_appx.pdf)

# Major Source Boiler MACT

# Court Vacates Stay

- On January 10, 2012, the DC Circuit Court of Appeals rejected U.S. EPA's May 18, 2011 stay of the Major Source Boiler MACT Rule.
- Essentially making the "final" version of the Major Source Boiler MACT Rule published in the Federal Register on March 21, 2011 immediately effective once again.
- The implications of this were quite serious for new boilers and process heaters (i.e., those that commenced construction after June 4, 2010) which must be in compliance immediately upon startup.
- This would also mean all existing boilers once again required to be in compliance by March 21, 2013.

# EPA Responds

- On January 18, 2012, Lisa Jackson EPA Administrator, issued a letter in response to Senate Wyden's inquiry as to the implications of the court vacating the rule for Major Sources.
- In her letter she stated that, U.S. EPA will use their enforcement discretion and issue a no action assurance letter for the Major Source Boiler MACT shortly.
- Also, EPA noted that the reconsidered rules were published as proposed rules on December 23, 2011 and will soon be published final.
- Within those reconsidered rules is a provision to reset all notification, effective, and compliance dates to provide facilities with sufficient time to comply with all applicable standards.
- On February 7, 2012 EPA sent their "No Action Assurance" Letter to Major Sources.