

## FACT SHEET

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

#### **ACTION**

- On November 5, 2015, the Environmental Protection Agency (EPA) finalized revisions to the 2013 amendments to the final rule “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters” (Boiler MACT), as a result of reconsideration of three of its provisions.
- The agency reconsidered the three provisions because it had not provided adequate opportunity for notice and comment on these for the final rule. These provisions are:
  - the definition of startup and shutdown periods and the work practices that apply during such periods;
  - the carbon monoxide (CO) emission limits based on a minimum CO level of 130 parts per million; and
  - the use of a particulate matter continuous parameter monitoring system (PM CPMS) and the consequences of exceeding the operating parameter.
- In this final action, the EPA is:
  - Retaining the three reconsidered provisions.
  - Finalizing the proposed alternate definition of startup and the proposed alternative work practice standards that must be employed during startup periods.
  - Finalizing a number of clarifying changes and corrections to the final rule to provide accuracy, clarity and consistency.
  - Finalizing the removal of 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.
- EPA projects that these updates will result in no significant change in costs, emission reductions or health benefits from the Boiler MACT.
- The final 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.

#### **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.
- EPA received 10 petitions for reconsideration of certain aspects of the January 31, 2013, final rule. Some of the issues identified in the petitions raised technical questions that the agency believed would benefit from additional public involvement. EPA granted reconsideration of three provisions of the 2013 rule, in order to provide an additional opportunity for public comment.

#### **FOR MORE INFORMATION**

- To download a copy of the final reconsideration, go to EPA's website at: <http://www.epa.gov/airquality/combustion/actions.html>.
- To download a redline/strikeout version of the amended final rule go to: <http://www3.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. (Docket ID No. EPA-HQ-OAR-2002-0058)
  - 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.
- 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 [edding.jim@epa.gov](mailto:edding.jim@epa.gov).