

December 8, 2011

EPA Announces Changes to Boiler and Incinerator Air Pollution Standards

On December 2, 2011, EPA announced proposed standards to address air emissions from existing and new boilers and commercial and industrial solid waste incinerators (CISWI).

In March of 2011, EPA issued its final rule setting national air toxics standards for area and major source industrial, commercial, and institutional boilers and for commercial and industrial solid waste incinerators (CISWI). On the same day, EPA issued a notice of its intent to reconsider the boiler MACT, area source and CISWI standards. On May 16, 2011, EPA issued a stay of the boiler major source and CISWI rules. EPA claims that the December 2, 2011 proposal will apply to approximately 1.3 million boilers or roughly 14% of the 1.5 million boilers operating in the U.S.

Area source rules cover smaller boilers such as those servicing hospitals, educational institutions and commercial buildings, and do not apply to natural gas fed boilers. EPA's approach with respect to a majority of the boilers covered by the area source rules center around work practice standards with initial compliance tune ups after two years and follow up tune ups every two years thereafter. EPA also creates a new category of seasonably operated boilers which after the initial compliance tune up would only need to perform tune ups every 5 years. Temporary boilers are excluded from the rules. With respect to carbon monoxide standards, sources can monitor for carbon and oxygen or comply with an operating limit set for oxygen content. The proposal also provides for the use of continuous oxygen trim analyzer systems. Biomass- and oil-fired area source boilers will be based on generally available control technology (GACT) instead of based on maximum achievable control technology (MACT).

Major source rules regulate industrial, commercial, and institutional boilers and process heaters located at major sources of hazardous air pollutants. EPA's proposal sets up new categories of sources that burn light and heavy liquid fuels, recognizing the differences in emissions from sources burning these two types of fuel. Similarly, EPA recognized the difference in particulate emissions from various types of solid fuel burning facilities and proposes standards based on the type of fuel burned. Under the proposed rules, numeric limits for dioxin are replaced with workplace practice standards and sources are provided with greater flexibility in demonstrating compliance with applicable standards whether through use of continuous emission monitoring (CEM), oxygen content limits or stack testing.

CISWI rules cover any devices that are used to burn solid waste at a commercial or industrial facility incinerators, including energy recovery units, waste burning kilns, and, small, remote incinerators. As with the other types of sources, EPA's proposed changes provide greater flexibility in demonstrating compliance and recognize that different types of fuel burned at such incinerators have a direct impact on emissions and as have varied emission limits accordingly.

If you are covered by any of these rules, it is worth taking a good look at the proposals as EPA is also soliciting comment on additional revisions which may impact your facility.

For additional information or inquiries regarding our services related to EPA's proposed boiler and incinerator rules contact either:

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