

Reconsideration of Final Rule
Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants
for Area Sources: Industrial, Commercial, and Institutional Boilers

Summary of proposed changes- December 2, 2011

APPLICABILITY:

- Adding temporary boilers to the list of boilers not subject to subpart JJJJJJ.
 - consistent with the Boiler MACT
- Adding residential boilers and electric boilers to the list of boilers not subject to subpart JJJJJJ.
 - The definition of “residential boiler” includes boilers in dwellings located at institutional facilities (e.g., universities) or commercial/industrial facilities (e.g., farms)

TUNE-UP REQUIREMENTS:

- Amending rule to specify that all existing boilers subject to the tune-up requirement would have two years (by March 21, 2013) in which to demonstrate initial compliance, instead of one year (by March 21, 2012) currently in the final rule.
 - **If EPA has not taken final action on the initial compliance date for tune-ups prior to the date (March 21, 2012) for initial compliance, EPA is considering staying the effectiveness of the rule for 90 days- as allowed under CAA section 307(d)(7)(B)- so that EPA could complete reconsideration.**
- A new subcategory for seasonally operated boilers
 - After the initial tune-up, required to complete a tune-up every five years, instead of on a biennial basis (as required for non-seasonal boilers)
- Changing the requirement for subsequent tune-ups only for oil-fired boilers equal to or less than 5 MMBtu/hr to a tune-up once every 5 years.
- Removing the requirement for new boilers to conduct the initial tune-up at initial startup.

DEFINITIONS:

- Amending the definition of “period of natural gas curtailment or supply interruption” to clarify that periods of supply interruption that are beyond control of the facility can also include on-site gas system emergencies and equipment failures, that legitimate periods of supply interruption are not limited to off-site circumstances, and that it includes the curtailment of any gaseous fuel and is not limited to just natural gas.

- Revising the definition for “Hot water heater” to clarify that hot water boilers with a heat input capacity less than 1.6 million Btu per hour are included in this definition.

EMISSIONS LIMITS AND MONITORING:

- Amending the mercury and CO emission limits for coal fired boilers.
 - Mercury limit changing from 4.8 lb/TBtu to 22 lb/TBtu
 - CO limit changing from 400 ppm to 420 ppm
- Amending the monitoring requirements to allow sources subject to a carbon monoxide emission limit the option to install, operate, and maintain a carbon monoxide and oxygen continuous emission monitoring system.

RECORDKEEPING AND REPORTING:

- Amending 40 CFR 63.11225(b) to clarify the requirements for submitting a biennial report for units that are only subject to a biennial tune-up.
- Amending 40 CFR 63.11225(c)(2) to add additional record requirements. These would include a copy of the energy assessment and the days of operation for each boiler that meets the definition of a seasonal boiler.
- Amending 40 CFR 63.11225(c)(2) to specify that records of fuel use and type are required only for boilers that are subject to numerical emission limits in subpart JJJJJ, instead of for all boilers.
- Revising 40 CFR 63.11225(d) to remove the requirement that the most recent 2 years of records be maintained “on site” by adding language that allows for computer access or other means of immediate access of records stored in a centralized location.
- Revising 40 CFR 63.11225(g) to add any physical change that may result in the applicability of a different subcategory to the notification requirement.
- Amending 40 CFR 63.11214(c) to remove the requirement for submitting the energy assessment upon request.