

Additions to Boiler MACT Rule Prior to Proposal  
to Ensure Full Public Comment on Key Policy Issues

1. Health standard under CAA §112(d)(4):
  - a. Balanced discussion of health emission standards (protective limits for fenceline risks) for both HCl and manganese including weight of evidence to determine when a HAP is a threshold pollutant
  - b. Add total select metal (TSM) compliance option as alternative to particulates (PM) standard since these metals are the actual regulated HAPs and PM is just a surrogate (TSM was in original MACT) and essential to health standard for manganese
  
2. Avoid cherry picking of data that leads to a set of standards that few if any well controlled actual boilers can meet:
  - a. Seek input on whether the data base used reflects the actual performance of the top 12% of sources within the population of boilers (not the small sample EPA has) and whether there are any noticeable biases especially for the test data used for setting floors.
  - b. Solicit comment on additional ways EPA should consider the variability of fuel quality, boiler designs, test performance, and use conditions that may influence emissions of best performers that are not taken into account in the method selected. For example,
    - i. Include each test run (not average of test runs) in determining best performing boilers to better capture variability given the inadequacies of the data base (not representative, small sampling of a very large variety of boilers and process heaters)
    - ii. Seek comment on alternative floor methodology that puts all best performing units into a pool of top performers and then select limits so 12% of units can actually meet the set of four or five different HAP limits
  - c. Ask for feedback on the appropriateness of setting floors from units whose emission are below the test method detection limit that could skew floor calculations
  - d. Invite comment on the possibility that the limits being proposed may be technically unachievable by even well controlled sources such as the CO limits for biomass boilers or PM or other limits for gas-fired units
    - i. Invite comments on the ability to achieve the limits within three years (or even four if states grant extensions) given the thousands of boilers affected and other major regulations that will create

competition for pollution control consultants/engineers and vendors potentially driving up costs of compliance further.

- Further subcategorization of boiler category should be adequately noticed in the preamble to allow additional segmentation before promulgation such as:
  - Further subcategories by boiler design for suspension burners, fuel cells and Dutch ovens and for all HAPs regulated (PM, HCl and Hg and not just dioxin and CO/THC)
  - Differentiation of boiler/process heater based on size specifically work practice standards (or alternative limits) for 30 to 50 MM Btu/hr heat input units
  - Consider limited use subcategory that uses a work practice rather than emission limit