

## Emissions Averaging Provision to Incentivize Gas Repowering

Boiler MACT's emissions averaging provision needs to be revised to give an incentive to an owner of a solid fuel boiler to repower (not reconstruct) that boiler to natural gas. Currently, the provision restricts emissions averaging to a group of boilers in the same subcategory (see §63.7522(b)). We note the Response to Comments clarifies that any boiler designed to burn solid fuel may be averaged with any other solid fuel boiler to meet the PM, Hg, or HCl emission limits for solid fuel boilers. This allows a stoker boiler to be averaged with a pulverized coal boiler, a provision that is important to some facilities.

However, under our reading of the final rule, a solid fuel boiler repowered to natural gas could not be part of an emissions average with other solid fuel boilers at a site. This switch to natural gas should be encouraged by EPA for obvious reasons.

A remedy to this flaw in the rule is to establish that, for purposes of emissions averaging, an existing unit belongs to the subcategory within which it fits as of the proposal date (June 4, 2010). However, a provision would be needed to prevent an existing natural gas unit from converting to a solid fuel boiler (burning at least 10 percent solid fuel) and using this as a strategy for compliance. Suggested regulatory language is shown below:

§63.7522(a): As an alternative to meeting the requirements of 63.7500 for particulate matter, hydrogen chloride, or mercury on a boiler or process heater-specific basis, if you have more than one existing boiler or process heater in any subcategory, you may demonstrate compliance by emissions averaging, if your averaged emissions are not more than 90 percent of the applicable emission limit, according to the procedures of this section. For purposes of this section, an existing boiler or process heater that is part of the *unit designed to burn solid fuel subcategory* or the *unit designed to burn liquid fuel subcategory* as of June 4, 2010 may be included in an emissions average group with other existing units within its subcategory even if the boiler or process heater is converted to be part of the *unit designed to burn gas 1 subcategory* after June 4, 2010. Such a converted boiler or process heater shall not be required to conduct subsequent annual performance tests as required by §63.7515(b). You may not include new boilers or process heaters in an emissions average.