

Boiler Trade Group Call
January 8, 2010

Present: Doug McWilliams, Jeff Ruediger, Dan Moss, Kathy Lockhart, John Bradfield, Debra Lane, Lee Zeugin, Jim Griffin, Jeff Miller, Melvin Keener, Amy Marshall, Britt Fleming, Glenn England, Dean Kaiser, Matt Todd, Tim Hunt, Bill Perdue, Peter Wyckoff, Dave Ailor

Status:

- Toni Jones is the new lead on CISWI; Charlene Spells and Ketan Patel will help Jones
- Robin Duncan head of natural resource and products group is Jones boss
- Brian Shrager – now the Boiler MACT lead; came from CISWI
- Jim Eddinger – will stay with Boiler MACT until proposal then work on renewable energy issues
- Bob Wayland – retains over site of Boiler MACT

First reactions to ICR data set

- Draft CISWI data set to be posted soon, only boiler up now
- Fuels binned into certain categories including “other” which include TDF, fly ash, paper residue; waste category lists a few material (cardboard, treated wood). Sludge in biomass fuel category
- Questions/issues for EPA – submit to EPA by early next week; AF&PA pulling together list of questions (mentioned several on NCASI list dealing with PM, metals, organics, dioxin) as is CIBO
 - If unit closed, pull out data – see Keener assessment below
 - Need for full test reports – wide range of emissions, need to better understand data
 - No boiler size or rating in data base – subcategorization still in place?
 - Boiler type missing - subcategorization still in place? Expect to be added or can import from previous EPA files
 - Combination boilers – pro-rated limits based on mix of fuel
 - Statistical approaches – percentile, etc.
 - Mixing of data sets from Phase I and Phase II (compliance vs normal operation)
 - Limits of detection – different methods (NCASI sent paper to EPA this week outlining problem)
 - MACT on MACT – ratcheting of controls based on new installations
 - Top 12% of data or units tested? Could significantly affect limits
 - SSM inclusion – flags in data base for S, S, and M
 - Treat boiler and heaters differently?
 - Fill data gaps in database?

- Data quality issues – following up with EPA
- Link old data with new Access database

Confirmation of efforts to look at gas, oil, coal, biomass, and mixed fuel boilers

- API doing gas, AF&PA biomass and combination boilers, and CIBO doing coal and oil
- Look at units outside top 12% and bring into floor analysis for variability purposes – HWC combustor 2001 court decision limited use of units outside top pool of sources
- CO/CEMS/THC – Mel Keener willing to look into and help with analysis

Further planning for meeting with EPA in RTP in January

- First meeting focused on response to industry questions to EPA and data base issues – call may be more appropriate - More technical staff/consultants
- Second meeting to present our recommendations about alternatives

Other issues

- Sugar industry seeking own subcategory
- Furniture industry seeking own subcategory
- HBCA for coal and biomass; **could expand to gas and oil**; small business opportunity (AMP-OH)
- advocacy – keep in mind as we plot strategy, different set of players; outreach to EPA, White House and/or Congress

Next Steps:

1. Get EPA answers to questions about data sets and fully populate with all data (CISWI and missing data)
2. Develop preliminary top 12% and floors using HIMWI methodology – likely subcategories based on boiler type, fuel type (even within coal, oil and biomass), and size
3. Develop alternatives to traditional MACT floors based on independent assessment
4. “Share point” site for sharing documents with group – access based on e-mails; URS establish after consulting with IT experts and clients
5. Boiler trade group coordination – biweekly calls; Fridays at 3 PM (ET) using 1-800-582-9079; *4632588*; next call 1/22 @ 3 PM; then 2/5; 2/19; 3/5; 3/19

From Mel Keener:

In the HWC MACT rule, EPA made the decision to exclude data from sources that have ceased operations. Is this a policy of EPA for all MACT rules or is it restricted to the HWC MACT rule?

EPA made it clear in the 2005 HWC MACT final rule (70 FR 59426, October 14, 2005) that EPA's policy for this rule was to remove any source that had ceased burning hazardous waste from the data base. It is less clear in other MACT rules. EPA alludes to this in the final HMIWI rule by choosing to use only the new data since most of the units used to develop the 1997 rule have closed. This was not addressed in the proposed PC MACT rule or the RICE proposed rule. Thus, it is not clear whether this is a general policy of EPA for all MACT rules or if it is restricted to the HWC MACT rule.

In response to a comment that EPA inappropriately removed data for units no longer operating (in the final HMIWI rule, October 6, 2009, 74 FR 51384), EPA responded by saying

“Regarding the argument that EPA improperly excluded data available from HMIWI that subsequently shut down, we believe that it is appropriate in this particular rulemaking to base the MACT floor on emissions data from facilities that are currently operating, since those are the facilities that would be complying with the rule.”