

EPA Establishes Clean Air Act Standards for Boilers and Incinerators

On February 23, 2011, in response to federal court orders requiring the issuance of final standards, the EPA issued final MACT standards for boilers, process heaters, and certain incinerators.

The agency received more than 4,800 comments from businesses and communities across the country in response to the proposed rules. Public input included a significant amount of information that industry had not provided prior to the proposal. Based on this feedback, and in keeping with President Obama's executive order on regulatory review, EPA revised the draft standards based on the requested input to provide additional flexibility and cost effective techniques – achieving significant pollution reduction and important health benefits, while lowering the cost of pollution control installation and maintenance by about 50 percent, or \$1.8 billion.

Because the final standards significantly differ from the proposals, EPA believes further public review is required. Therefore, EPA will reconsider the final standards under a Clean Air Act process that allows the agency to seek additional public review and comment to ensure full transparency. EPA's reconsideration will cover the emissions standards for large and small boilers and for solid waste incinerators. EPA will release additional details on the reconsideration process in the near future to ensure the public, industry and stakeholders have an opportunity to participate.

The types of boilers, heaters and incinerators covered by these updated standards include:

- Boilers and process heaters at major sources of air toxics emissions that burn any type of fuel except solid waste, unless exempt under the new MACT standards for solid waste incinerators;
- Boilers at minor sources of air toxics emissions that burn coal, oil, biomass, or non-waste materials, but not boilers that burn only gaseous or any solid waste; and,
- Solid waste incinerators

In separate but related actions, EPA is finalizing emission standards for sewage sludge incinerators. While there are more than 200 sewage sludge incinerators across the country, EPA expects that over 150 are already in compliance. These standards will reduce emissions of harmful pollutants including mercury, lead, cadmium, and hydrogen chloride from the remaining 50 that may need to leverage existing technologies to meet the new standards.

EPA has also identified which non-hazardous secondary materials are considered solid waste when burned in combustion units. This distinction determines which Clean Air Act standard is applied when the material is burned. The non-hazardous secondary materials that can be burned as non-waste fuel include scrap tires managed under established tire collection programs. This step simplifies the rules and provides additional clarity and direction for facilities. To determine that

materials are non-hazardous secondary materials when burned under today's rule, materials must not have been discarded and must be legitimately used as a fuel.

To read the new rules and obtain fact sheets, go to:

<http://www.epa.gov/airquality/combustion/actions.html>.