

EPA Seeks New Timetable for Reducing Pollution from Boilers and Incinerators

The U.S. EPA is seeking an extension in the current court-ordered schedule for issuing rules that would reduce harmful air emissions from large and small boilers and solid waste incinerators. The additional time is needed for the agency to re-propose the rules based on a full assessment of information received since the rules were initially proposed. The rules would cut emissions of harmful pollutants, including mercury and soot.

"After receiving additional data through the extensive public comment period, EPA is requesting more time to develop these important rules," said Gina McCarthy, assistant administrator for EPA's Office of Air and Radiation. "We want to ensure these rules are practical to implement and protect all Americans from dangerous pollutants such as mercury and soot, which affect kids' development, aggravate asthma and cause heart attacks."

In order to meet a court order requiring the EPA to issue final rules in January 2011, the agency proposed standards in April 2010. While EPA requested and received some information from industry before the proposal, the comments EPA received following the proposal shed new light on a number of key areas, including the scope and coverage of the rules and the way to categorize the various boiler-types. Industry groups and others offered this information during the public comment period after EPA proposed the rule. After reviewing the data and the more than 4,800 public comments, the agency believes it is appropriate to issue a revised proposal that reflects the new data and allows for additional public comment. This approach is essential to meeting the agency's legal obligations under the Clean Air Act.

EPA has estimated that there are more than 200,000 boilers operating in industrial facilities, commercial buildings, hotels and universities located in highly populated areas and communities across the country. EPA has estimated that for every \$5 spent on reducing these pollutants, the public will see \$12 in health and other benefits.

EPA is under a current court order to issue final rules on January 16, 2011 and is seeking in its motion to the court to extend the schedule to finalize the rules by April 2012.