



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Mr. Timothy Hunt  
Senior Director, Air Quality Programs  
American Forest & Paper Association  
1111 19<sup>th</sup> St., N.W.  
Washington, DC 20036

Dear Mr. Hunt:

This letter is in response to the remaining five (5) questions from your October 28, 2005, E-mail regarding the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD).<sup>1</sup> Your questions, along with our responses are provided below.

**1) The rule indicates that records must be kept of the fuel type and quantity burned and that calculations must be performed to demonstrate continuous compliance with the fuel operating limit (whether using performance tests or fuel analysis); however, no averaging period is specified. What is the averaging period for determining continuous compliance with the fuel operating limits?**

There is no averaging period in the current regulation for determining continuous compliance with the fuel operating limit. To demonstrate continuous compliance, the owner or operator must:

keep records of the type and amount of all fuels burned in each boiler or process heater during the reporting period to demonstrate that all fuel types and mixtures of fuels burned would either result in lower emissions of TSM, HCl, and mercury, than the applicable emission limit for each pollutant (if you demonstrate compliance through fuel analysis), or result in lower fuel input of TSM, chlorine, and mercury than the maximum values calculated during the last performance test (if you demonstrate compliance through performance testing).

40 CFR Section 63.7540(a)(2)

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<sup>1</sup> A response to two (2) additional questions from the October 28, 2005, E-mail was given in a letter to Timothy Hunt, Senior Director, Air Quality Programs, American Forest & Paper Association, from Michael Alushin, Director, Compliance Assessment and Media Programs Division, U.S. EPA, February 3, 2006.

Emission rate calculations only need to be conducted for the initial compliance demonstration or when there is a change in the type of fuel or mixture of fuels. Recalculated emission rates resulting from a change in the fuel type or mixture of fuel must always be less than the applicable limit. Thus, there is no averaging period for determining continuous compliance with the fuel operating limits.

**2) We plan to use the HBCA for HCl and/or TSM. The demonstration is due no later than 9/13/06, and we will include our HCl and/or Mn stack testing results in the demonstration. Does this stack test represent a “performance test” implying we must comply with the operating limits determined during the one year to the compliance date per section 63.7540(a)(1)? When is the next emissions test required? When do we submit a notification of compliance status report? Is another performance test required within one year of the original test?**

The stack test conducted as part of the eligibility demonstration for the health-based compliance alternative (HBCA) does not represent a “performance test” as referred to in 40 CFR Section 63.7540(a)(1). However, the operating limits for the HBCA are established in the Title V permit based on the parameters submitted with the eligibility demonstration in accordance with Section 8(d) of Appendix A to Subpart DDDDD (as amended on reconsideration). 70 Fed. Reg. 76919, 76935 (Dec. 28, 2005). In accordance with Appendix A, Section 4 (e), these parameters may include, as appropriate, the site-specific operating limits in Table 3, which should be established using data from the manganese emissions testing conducted to demonstrate eligibility for the health-based alternative. However, the operating limits in Table 3 are not required if other appropriate parameters are submitted for incorporation into the Title V permit in accordance with section 8(d) of Appendix A.

You must update your eligibility demonstration, which will include stack testing and/or fuel analysis, and resubmit the demonstration each time any of the parameters that defined your affected source as eligible for the HBCA, changes in a way that could result in increased HAP emissions or increased risk from exposure to emissions. Appendix A, Section 11(a). If the parameters do not change, the owner or operator is not required to update the eligibility demonstration, and thus would not be required to conduct additional testing.

If an owner or operator chooses multiple compliance options (i.e., stack testing, fuel analysis, and the HBCA) to demonstrate compliance with Subpart DDDDD, only one Notification of Compliance Status Report (describing each of the compliance options used by the source) is required to be submitted for the affected source. The Notification of Compliance Status Report must be submitted before the close of business on the 60<sup>th</sup> day following the completion of performance testing and/or other initial compliance demonstrations according to Section 60.10(d)(2). 40 CFR Section 63.7545(e). Although the HBCA eligibility demonstration is due by September 16, 2006, a Notification of Compliance Status Report is not necessarily required at that time if other compliance demonstrations are still necessary under subpart DDDDD. The owner or operator is only required to submit one comprehensive Notification of Compliance Status Report by the close of business on the 60<sup>th</sup> day following completion of the last compliance demonstration.

If an owner or operator is demonstrating compliance via a stack test, annual tests are required to be completed between ten and twelve months after the previous test. 40 CFR Section 63.7515(a). Owners or operators may conduct annual tests less often if they meet the requirements in 40 CFR Section 63.7515 (b) through (d).

**3) Some states require soot blowing during one of the performance test runs. The boiler MACT rule does not specify this as a test requirement. Is soot blowing required during a stack test?**

Yes. Agency guidance on stack testing states that soot-blowing is a routine operation constituting representative process conditions. Therefore, soot-blowing should be included during stack testing. The Agency recognizes that the frequency with which sources perform soot-blowing as part of their routine operation can vary significantly. Therefore, the Agency recommends that the amount of soot-blowing required during performance testing be determined on a case-by-case basis. Refer to the EPA document “Clean Air Act National Stack Testing Guidance”, dated September 30, 2005, for additional guidance (<http://www.epa.gov/compliance/resources/policies/monitoring/caa/stacktesting.pdf>).

**4) The rule requires that pH meters have a two-point calibration every 8 hours (40 CFR Section 63.7525 (f)(3)). The repetitive 8-hour requirement is excessive for the wet scrubber liquid application and therefore is unnecessarily burdensome. A Compliance Assurance Monitoring (CAM) technical guidance document from EPA (4.5.5.1) notes clearly that the 8-hour requirement is for the calibration of laboratory pH meters, not online meters. The document states that calibration of continuous pH meters will be more difficult than lab pH meters. Additionally, the rule’s calibration schedule is not consistent with some other MACT regulations for similar applications. For example, 40 CFR Part 63 NESHAP for Refractory Products Manufacturing, Section 63.9804(e)(4) allows for a weekly pH calibration, and the application of the pH measurement in the Refractory Products rule is similar to the Boiler MACT rule, i.e., both are used in wet scrubber liquid applications. The Boiler MACT pH calibration schedule should be consistent with the similar regulatory application in the Refractory Products MACT, or, as an alternative, we think it makes sense that users should be allowed to develop a calibration and maintenance plan that is sufficient for the application and should follow that plan as a part of compliance. For example, a two-probe pH system option should be allowed. A two-probe pH system would ensure a continuous calibration check. Will EPA allow alternate pH calibration plans?**

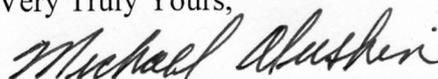
Yes. An owner or operator may submit a request for an alternative pH calibration schedule on a site-specific basis in accordance with the procedures in 40 CFR Section 63.8(f) for establishing alternative monitoring methods. Requests should be submitted to the appropriate EPA regional office for approval.

**5) Can a facility demonstrate on a case by case basis that not all chlorine found in a fuel test is emitted as chlorine gas?**

No. Owners or operators have the option to demonstrate eligibility for the compliance alternative for HCl by either stack testing or fuel analysis testing. If an owner or operator chooses to use fuel analysis testing, he or she is required to "determine the concentration of pollutants in the fuel." 40 CFR Section 63.7521(e). This provision does not allow pollutants to be excluded from the fuel analysis based on case-by-case demonstrations. If an owner or operator wishes to focus on pollutant emissions, stack testing should be used rather than a fuel analysis. Furthermore, when conducting a fuel analysis under the HBCA option, an owner or operator is required to "... assume any chlorine detected will be emitted as Cl<sub>2</sub>." Appendix A, Section 4(a)(1).

This response has been coordinated with the Office of Air Quality Planning and Standards and the Office of General Counsel. If you have any questions concerning this determination, please contact Gregory Fried at (202) 564-7016.

Very Truly Yours,



Michael S. Alushin, Director

Compliance Assessment and Media Programs Division  
Office of Compliance

cc: Jim Eddinger, Office of Air and Radiation  
Brian Doster, Office of General Counsel  
Mamie Miller, Office of Enforcement and Compliance Assurance