

## Boiler MACT Compliance Deadline Update

As noted in our last newsletter, on February 21, 2011, EPA finalized regulations to control hazardous air pollutants (HAPs) from existing and new industrial, commercial and institutional boilers. However, in this issue we wanted to provide you with the **latest Minor Sources and Major Sources deadline updates** that have since become available. The HAPs being regulated under this rule include emissions of mercury, cadmium, dioxin, furans, formaldehyde and hydrochloric acid.



This Maximum Achievable Control Technology (MACT) standard will affect boilers that burn coal, oil, or biomass (e.g., wood) to produce steam or hot water. EPA has estimated that these regulations will apply to more than 13,500 boiler units at Major Sources of Hazardous Air Pollutants (HAPs) and more than 200,000 boiler units at Area Sources of HAPs.

40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters) and Subpart JJJJJ (National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers) will apply to many boilers at industrial, commercial, and institutional facilities. Some boilers with greater than 10 million Btu/hr may be subject to stack testing, maintenance requirements, extensive emissions and fuel monitoring and recordkeeping. All affected boilers with greater than 10 million Btu/hr will require an Energy Assessment to identify cost-effective energy conservation measures. Although boilers with less than 10 million Btu/hr will not be required to meet emission limits, work practice standards, regular maintenance and recordkeeping do apply.

### Minor Sources

Existing sources must submit an Initial Notification to EPA by September 17, 2011. Existing sources subject to the tune-up work practice or management standard must demonstrate compliance by March 21, 2012. All existing sources subject to an emission limit or the Energy Assessment must demonstrate compliance by March 21, 2014.

### Major Sources

On May 16, 2011 EPA issued a stay to delay the effective date of the standards. The stay will allow the EPA to seek additional public comments until July 15, 2011. It is anticipated a draft amended standards will be issued by October 31, 2011.

If you have questions or need help, please contact Jeff Bibeau, REM, Associate at (413) 572-3243 or [JBibeau@TigheBond.com](mailto:JBibeau@TigheBond.com).