

## Background Information

On April 29, 2010, the U.S. EPA proposed rules to regulate hazardous air pollutants (HAPs) emitted by industrial, commercial, and institutional (ICI) boilers and process heaters operating at major source facilities. This rule is commonly referred to as the major source ICI boiler and process heater rule. The U.S. EPA initially promulgated a final rule in March of 2011, but afterwards proposed a reconsideration of certain elements and published a final rule on January 31, 2013.

## Regulated Pollutants

The pollutants regulated by the rule are mercury, toxic metals, acid gases, and toxic organic pollutants including dioxins and furans.

## General Applicability

The major source ICI boiler and process heater rule regulates all boilers and process heaters at any facility that emits or has the potential to emit 10 tons per year of an individual HAP or 25 tons per year of all combined HAPs facility-wide. Any facility not classified as a major source is an area source, and all boilers at those facilities are subject to the area source ICI boiler rule. Any boiler, however, at either a major or area source, which burns solid waste, is subject to HAP emission requirements under the commercial and industrial solid waste incinerator (CISWI) rule, rather than the ICI boiler rule. Along with the ICI boiler rule and the CISWI rule, the U.S. EPA has finalized the non-hazardous secondary materials rule which specifies whether certain fuels are considered solid waste.

## Rule Requirements

- Emission limitations for all new and existing units 10 mmBtu/hr or larger firing solid fuels, oil, or process gas fuels. The emission limitations are for particulate matter (PM), hydrogen chloride (HCl), mercury (Hg), and carbon monoxide (CO).
- Tune-ups for new and existing units on the following schedule:
  - o Annually – Units 10 mmBtu/hr or larger without oxygen trim systems.
  - o Every 2 years – Units smaller than 10 mmBtu/hr without oxygen trim systems.
  - o Every 5 years – All units with oxygen trim systems, gaseous or light oil-fired units smaller than 5 mmBtu/hr, and all limited-use units.
- Energy assessment for any facility operating new or existing units other than those qualifying as limited-use.

## Key Changes in Finalizing Rule

Based on the most recent reconsideration, U.S. EPA made the following key changes in finalizing the major source ICI rule:

- **Adding new subcategories for light and heavy industrial liquids** to reflect design differences in the boilers that burn these fuels.



- **Adding new emission limits for particulate matter (PM)** that are different for each biomass fuel subcategory to better reflect emissions during real-world operating conditions.
- **Adding new emission limits for carbon monoxide (CO)** based on newly submitted data that shows CO emissions from boilers vary greatly. EPA is setting new limits to more adequately capture that variability.
- **Allowing alternative total selective metals emission limits** to regulate metallic air toxics instead of using PM as a surrogate, allowing more flexibility and decreasing compliance costs for units that emit low levels of HAP metals.
- **Replacing numeric dioxin emission limits with work practice standards** to reflect a more robust analysis that shows dioxin emissions are below levels that can be accurately measured.
- **Increasing flexibility in compliance monitoring** by adding alternative monitoring approaches for demonstrating continuous compliance with the PM limit.
- **Adjusting PM and CO emission limits for units located outside the continental United States** to reflect new data and to better reflect the unique operating conditions associated with operating these units.
- **Continuing to allow units burning clean gases** to qualify for work practice standards instead of numeric emission limits. EPA is removing the hydrogen sulfide (H<sub>2</sub>S) fuel specification from the rule because it does not provide a direct indication of potential hazardous air pollutants (HAPs) from combustion of gaseous fuel. Instead, mercury content alone is being used to determine clean gas.

## Compliance Dates

In finalizing this rule, the U.S. EPA extended the initial compliance date for existing sources to January 31, 2016. This date may be extended by one year with DNR and EPA approval.

## More Information

Please see the EPA's website for more information: <http://www.epa.gov/airquality/combustion/actions.html>



### ***Contacts for More Information or Assistance***

The Small Business Clean Air Assistance Program helps smaller businesses understand and comply with the Clean Air Act regulations. Contact us at 855-889-3021 (toll free) or [DNRCleanAir@wisconsin.gov](mailto:DNRCleanAir@wisconsin.gov) for assistance.



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