Industrial, Commercial and Institutional Boilers/Process Heaters/NESHAP: U.S. Environmental Protection Agency Finalizes Amendments



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The United States Environmental Protection Agency ("EPA") published an October 6th Federal Register Notice finalizing amendments to the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for industrial, commercial, and institutional boilers and process heaters. See 87 Fed. Reg. 60816.

This NESHAP applies to all industrial, commercial, and institutional boilers and process heaters located at major sources of hazardous air pollutant emissions.

Industrial/commercial boiler source category typically includes boilers used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity. This includes, but is not limited to, boilers used in commercial establishments, medical centers, research centers, institutions of higher education, hotels and laundries to provide electricity, steam, and/or hot water. However, waste heat boilers are excluded from the definition.

The process/heaters source category includes, but is not limited to, secondary metal process heaters, and petroleum and chemical industry process heaters. Process heaters are defined as enclosed devices using controlled flame, and the unit's primary purpose is to transfer heat indirectly to a process material or to a heat transfer material for use in a process unit (instead of generating steam). Process heaters do not include units used for comfort, heat or space heat, food preparation for on-site consumption or auto claves. Waste heaters are excluded from the definition.

Certain of the previously issued standards for this NESHAP category had been challenged and the District of Columbia Circuit Court of Appeals remanded them to EPA for further explanation.

The final rule therefore finalizes amendments to several numeric emission limits for both new and existing boilers and process heaters. EPA states that the numeric emission limits are intended to be consistent with the District of Columbia Circuit Court of Appeals Opinion and provides a compliance date for these limits.

EPA's use of carbon monoxide ("CO") as a surrogate for organic hazardous air pollutants is also addressed. The use of a CO threshold to represent the application of the maximum achievable control technology ("MACT") for organic hazardous air pollutants is reviewed.

Thirty-four different emission limits were finalized in the final rule and differ as follows from their original promulgation in 2011 and amendment in 2013. Twenty-eight of the emission limits are more stringent while six are less stringent than the previously promulgated emission limits.

Key components of the preamble of the Federal Register include:

- Revisions to MACT Floor Emission Limits
- Overarching Methodology and Dataset Basis
- UPL Methodology for Limited Datasets
- Solid and Liquid Fuel HCL Emission Limits for New Sources
- Biomass Fluidized Bed PM Emission Limits for Existing and New Sources
- Beyond-the-Floor Emission Limits
- Revisions to Output-Based Emission Limits
- CO as a Surrogate for Organic HAP
- CO 130 PPM Threshold Emulsion Limits
- New Source Definition
- Approval for CO in Lieu of O2 monitoring for CO CEMS Compliance Calculations

A copy of the Federal Register Notice can be downloaded here.