



Department of Energy

Washington, DC 20585

December 9, 2005

U. S. Environmental Protection Agency
Air and Radiation Docket and Information Center
Mail code: 6102T
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Attention: Docket ID No.OAR-2022-0058

Dear Sir or Madam:

The Department of Energy (DOE) has reviewed the Environmental Protection Agency's proposed amendments to the rule, "National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters," published in the October 31, 2005, *Federal Register* (70 FR 62264). Enclosed please find a copy of the Department's comments and recommendations on the proposed regulations based on our review of their potential impacts on DOE operations and sites.

DOE appreciates the opportunity to comment on the proposed rule. If you have any questions concerning these comments, please contact Mr. Mallory Humphreys of DOE's Oak Ridge Operations Office (HumphreysMP@oro.doe.gov; 865-576-4307) or Mr. Emile Boulos of my staff (emile.boulos@eh.doe.gov; 202-586-1306).

Sincerely,

A handwritten signature in black ink, appearing to read "A. Wallo".

Andrew Wallo
Director
Office of Air, Water and Radiation
Protection Policy and Guidance

Enclosure

cc: James Eddinger (w enclosure)

Enclosure

United States Department of Energy
Comments on
“National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial,
Commercial, and Institutional Boilers and Process Heaters”

Proposed Rule
(70 FR 62264; October 31, 2005)

- 1. Proposed Amendments Allowing for Consolidated Testing of Commonly Vented Boilers.** At 70 FR 62267, the Environmental Protection Agency (EPA) requests comments on proposed amendments to 40 CFR 63.7522 on how a promulgated emissions averaging compliance alternative should be implemented when multiple boilers are vented to a common stack.

The Department of Energy (DOE) operates a steam plant that has two large, solid-fuel boilers each with individual emission control systems venting through a common stack. In order to meet existing State regulatory requirements, DOE carries out emissions performance tests on each individual boiler, but monitors opacity in the common stack.

In light of these proposed amendments, DOE believes that for this steam plant, an adequate, equivalent basis of compliance with the Subpart DDDDD industrial boilers NESHAP would be achieved by meeting the Subpart DDDDD 20 percent opacity limit on visible emissions in the common stack, along with meeting the other continuous compliance demonstration requirements of §63.7540 (*i.e.*, operating limits, work practice standards, emission limits, fuel analysis, performance testing) on each affected boiler. Our analysis of the proposed rule suggests that this equivalent method of compliance would not be allowed. We note that EPA’s intent in including the emissions averaging provision in the final rule was to provide an equivalent, more flexible, and less costly compliance alternative (70 FR 62267). We believe this approach will provide necessary data, but will be less costly.

We ask EPA to make the regulatory language more flexible by accommodating these situations such that opacity monitoring can be carried out in a common stack, but performance testing be allowed for the individual boilers, if the source elects to test the individual boilers and not make use of the emissions averaging provision. This could serve to provide for adequate monitoring of emissions while reducing compliance costs to regulated sources.

- 2. National Stack Testing Guidance.**

At 70 FR 62268 of the preamble, the National Stack Testing Guidance issued by EPA on February 2, 2004, is mentioned. It is our understanding that the February 2004 guidance has been superseded by final guidance issued on September 30, 2005.