

Initial Notification Form Supplemental Information¹

National Emission Standards for Hazardous Air Pollutants:
Industrial, Commercial, and Institutional Boilers Area Sources

40 CFR Part 63 Subpart JJJJJJ

What is the purpose of this form?

You may use this form to meet the requirements for submitting an initial notification under National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ). However, you may submit the information in another form or format.

Am I required to submit an Initial Notification?

You must submit an Initial Notification if you are subject to the Area Source Boilers NESHAP.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence (§63.2).

Area source means any stationary source of hazardous air pollutants that is not a major source (§63.2).

Am I subject to the Boilers Area Source NESHAP?

You are subject to the Area Source Boilers NESHAP if you own or operate an industrial, commercial, or institutional boiler that is located at, or is part of, an area source of hazardous air pollutants (HAP). A list of the regulated hazardous air pollutants can be found at <http://www.epa.gov/ttnatw01/orig189.html>.

Boiler means an enclosed device using controlled flame combustion in which water is heated to recover thermal energy in the form of steam and/or hot water. Controlled flame combustion refers to a steady-state, or near steady-state, process wherein fuel and/or oxidizer feed rates are controlled. A device combusting solid waste, as defined in §241.3 of this chapter, is not a boiler unless the device is exempt from the definition of a solid waste incineration unit as provided in section 129(g)(1) of the Clean Air Act. Waste heat boilers, process heaters, and autoclaves are excluded from the definition of Boiler (§63.11237).

- *Commercial boiler* means a boiler used in commercial establishments such as hotels, restaurants, and laundries to provide electricity, steam, and/or hot water.
- *Industrial boiler* means a boiler used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity.

¹Information is from U.S. EPA Air Toxics Web Site, www.epa.gov/ttn/atw/boiler/boilerpg.html
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- *Institutional boiler* means a boiler used in institutional establishments such as, but not limited to, medical centers, nursing homes, research centers, institutions of higher education, elementary and secondary schools, libraries, religious establishments, and governmental buildings to provide electricity, steam, and/or hot water.

Which boilers are not subject to the Area Source Boilers NESHAP rule (63.11195)?

- 1) *Gas-fired boiler*. If your boiler burns gaseous fuels (e.g., natural gas, process gas, landfill gas, coal-derived gas, refinery gas, hydrogen, or biogas) not combined with any solid fuels, or if your unit burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or periodic testing it is a gas-fired boiler. Periodic testing of liquid fuel shall not exceed a combined total of 48 hours during any calendar year in order to maintain your status as a gas-fired boiler (see §63.11237 Definitions and §63.11195(e)).
- 2) *Hot water heater*. If you have a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated by combustion of gaseous, liquid, or biomass fuel and is withdrawn for use external to the vessel. Hot water boilers (i.e. not generating steam) combusting gaseous, liquid, or biomass fuel with a heat input capacity of less than 1.6 million Btu per hour are included in this definition. The 120 U.S. gallon capacity threshold to be considered a hot water heater is independent of the 1.6 million Btu per hour heat input capacity threshold for hot water boilers. Hot water heater also means a tankless unit that provides on-demand hot water (see §63.11237 Definitions and §63.11195(f)).
- 3) *Waste heat boiler* means a device that recovers normally unused energy (i.e., hot exhaust gas) and converts it to usable heat. Waste heat boilers are also referred to as heat recovery steam generators. Waste heat boilers are heat exchangers generating steam from incoming hot exhaust gas from an industrial (e.g., thermal oxidizer, kiln, furnace) or power (e.g., combustion turbine, engine) equipment. Duct burners are sometimes used to increase the temperature of the incoming hot exhaust gas (see §63.11237 Definitions).
- 4) *Boilers subject to other NESHAP standards*. If your boiler is specifically listed as, or included in the definition of, an affected source in another standard(s) under part 63 (see §63.11195(a)).
- 5) *Boilers that are used as control devices to comply with other standards*. If your boiler is used as a control device for another process that is subject to part 60, 61, or 65 and at least 50% of the average annual heat input to the boiler (during any 3 consecutive calendar years) is provided by a gas stream that is regulated under another subpart (see §63.11195(g)).
- 6) *Research and Development boilers*. If your boiler is used specifically for research and development; for example, many universities or boiler manufacturers may have test boilers to develop new designs or combustion modifications. This exemption does not include boilers that solely or primarily provide steam (or heat) to a process or for heating at a research and development facility. This exemption does not prohibit the use of the steam (or heat) generated from the boiler during research and development. However, the boiler must be concurrently and primarily engaged in research and development for the exemption to apply (see §63.11195(d)).

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- 7) *Boilers subject to section 129 of the Clean Air Act.* If your boiler is specifically listed as an affected source in another standard(s) under section 129 (e.g., Hospital/Infectious Medical Waste Incinerators, Commercial/Industrial Solid Waste Incinerators, Sewage Sludge Incinerators) you are subject to a section 129 rule instead of this rule (see 63.11195(b)).
- 8) *Hazardous Waste Boilers.* Boiler required to have a permit under section 3005 of the Solid Waste Disposal Act or covered by 40 CFR part 63 subpart EEE, unless your boiler does not combust hazardous waste and combust comparable fuels (see 63.11195(c)).
- 9) *Temporary boilers.* Any gaseous or liquid fuel boiler that is designed to, and is capable of, being carried or moved from one location to another. A boiler is not a temporary boiler if the equipment is attached to a foundation or the boiler remains at a location within the facility and performs the same or similar function for more than 12 consecutive months (see §63.11237 Definitions and §63.11195(h) for more detail).
- 10) *Residential boilers.* Boilers used to provide heat and/or hot water as part of a residential combined heat and power system. This includes boilers located at institutional facilities (e.g., university campus, military base, church grounds) or commercial/industrial facilities (e.g., farm) used primarily to provide heat and/or hot water for dwellings containing four or fewer families or a single unit residence dwelling that has been converted into condominiums or apartments (see §63.11237 Definitions and §63.11195(i)).
- 11) *Electric boilers.* Boilers in which electric heating is the source of heat. Electric boilers that burn gaseous or liquid fuel during periods of electrical power curtailment or failure are included in this definition (see §63.11237 Definitions and §63.11195(j)).
- 12) *Electric utility steam generating units (EGUs).* Fossil fuel-fired combustion units of more than 25 megawatts that serve a generator that produces electricity for sale. A fossil fuel-fired unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale is considered an EGU. To be “capable of combusting” fossil fuels, an EGU would need to have these fuels allowed in their operating permits and have the appropriate fuel handling facilities on-site or otherwise available (e.g., coal handling equipment, including coal storage area, belts and conveyers, pulverizers, etc.; oil storage facilities). In addition, fossil fuel-fired EGU means any EGU that fired fossil fuel for more than 10% of the average annual heat input in any 3 consecutive calendar years or for more than 15% of the annual heat input during any one calendar year after April 16, 2015 (see §63.11237 Definitions and §63.11195(k)).

When must I submit an Initial Notification (§63.9(b)(2))?

Existing sources: No later than January 20, 2014.
New sources: No later than January 20, 2014 or within 120 days after startup of a new source.

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Is my source a new or existing source (§63.11194)?

New source means that you commenced construction or reconstruction of the boiler after June 4, 2010 and the boiler meets the applicability criteria at the time you commence construction.

Existing source means you commenced construction or reconstruction of the boiler on or before June 4, 2010.

What are my compliance dates (§63.11196)?

Existing Sources:

- Existing sources subject to a tune-up work practice or management practice standard must demonstrate compliance no later than March 21, 2014.
- Existing sources subject to an emission limit must demonstrate compliance with the emission limits no later than March 21, 2014.
- Existing sources subject to the energy assessment requirement must demonstrate compliance no later than March 21, 2014.

New sources:

- New sources must demonstrate compliance with all requirements of the rule upon startup of the affected source, or May 20, 2011 whichever is later.

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