

Initial Notification of Applicability

National Emission Standards for Hazardous Air Pollutants for 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 pollutants¹, 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 pollutants¹ 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 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 (§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.
- *Institutional boiler* means a boiler used in institutional establishments such as medical centers, research centers, and institutions of higher education 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 emergencies, 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)).

Period of natural gas curtailment or supply interruption means a period of time during which the supply of natural gas to an affected facility is halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or supply interruption. (see §63.11237 Definitions)

For example, under this rule a boiler that usually burns natural gas is still considered to be a gas-fired boiler even if it temporarily switches to fuel oil when the gas supply is curtailed under the conditions of a contract with the gas supplier.

Under this rule, a boiler loses its gas-fired boiler status if it switches from natural gas to fuel oil in response to rising natural gas prices.

- (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 or liquid fuel and is withdrawn for use external to the vessel at pressures not exceeding 160 pound-force per square inch gauge (psig), including the apparatus by which the heat is generated and all controls and devices necessary to prevent water temperatures from exceeding 210 degrees Fahrenheit (99 degrees Celsius). For example, many hot water heaters at an affected source that are used to heat bathroom or dishwashing water have capacities no more than 120 U.S. gallons and meet the pressure requirements of this exemption (see §63.11237 Definitions and §63.11195(f)).
- (3) *Waste heat boiler* means a device that recovers normally unused energy and converts it to usable heat. Waste heat boilers are also referred to as heat recovery steam generators. (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 for other NESHAP standards.* If your boiler is used as a control device for another process that is subject to part 63 and at least 50 percent of the heat input to the boiler is provided by the gas stream that is regulated under another subpart the boiler is exempt from this rule (see §63.11195(g)).
- (6) *Research and Development boilers.* If your boiler is used specifically for research and development it is exempt; 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)).
- (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.* If your boiler is required to have a permit under section 3005 of the Solid Waste Disposal Act or if your boiler is covered by 40 CFR part 63 subpart EEE you are a hazardous waste boiler (see §63.11195(c)).

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

Existing sources: No later than September 17, 2011.

New sources: No later than September 17, 2011, or within 120 days after startup of a new source, whichever is later.

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 you meet 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, 2012.
- 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 complete the energy assessment 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.

The complete federal rule can be found at:

<http://www.gpo.gov/fdsys/pkg/CFR-2011-title40-vol14/pdf/CFR-2011-title40-vol14-part63-subpartJJJJJ.pdf>

Initial Notification Report

National Emission Standards for Hazardous Air Pollutants for
Industrial, Commercial, and Institutional Boilers Area Sources
40 CFR Part 63, Subpart JJJJJJ

SECTION I : GENERAL INFORMATION

Owner/Operator:

Name: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone (daytime): _____

Email Address: _____

Facility Information:

Air Quality Permit # (if applicable): _____

Name: _____

Physical Address: _____

City: _____ State: _____ Zip Code: _____

Facility Contact: _____ Title: _____

Phone (daytime): _____

Email Address: _____

Facility Classification: Area Source Major Source

If your facility is a major source of hazardous air pollutants (HAP), please refer to the National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63 Subpart DDDDD

Compliance Dates

Existing sources subject to a tune-up work practice or management practice standard: March 21, 2012

Existing sources subject to the energy assessment requirement: March 21, 2014

Existing sources subject to an emission limit : March 21, 2014

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

(Check all that apply.)

SECTION II: SOURCE DESCRIPTION

1. Complete the table below for each affected existing boiler

Emission Unit ID ¹	Emission Unit Name (design and manufacturer name)	Size: Rated Heat Input Capacity (MMBtu/hr) ²	Fuels Used ³

[Add rows to the table for additional boilers, as necessary.]

2. Complete the table below for each affected new boiler

Emission Unit ID ¹	Emission Unit Name (design and manufacturer name)	Size: Rated Heat Input Capacity (MMBtu/hr) ²	Fuels Used ³

[Add rows to the table for additional boilers, as necessary.]

¹ If the source has an operating permit, use the IDs that are consistent with those reported in the permit.

² MMBtu/hr refers to million British thermal units per hour. Boilers often have a nameplate listing the rated heat input capacity on the unit. This rated capacity may have also been reported to the entity insuring the boiler or the state labor and safety inspector.

³ Report all fuels each unit is capable of using.

SECTION III: CERTIFICATION

The undersigned certifies under the penalty of law that all information and statements provided in this notification, based on information and belief formed after reasonable inquiry, are true, accurate, and complete.

Signature

Date

Printed Name

Title

Submit this form to:

Peter B. Lloyd, Ph.D., P.E.
Office of Environmental Assistance and Protection
Forsyth County government Center
201 North Chestnut Street
Winston-Salem, NC 27101-4120