

BOARD OF DIRECTORS

Co-Presidents

Andrew Ginsburg
Oregon

Ursula Kramer
Tucson, AZ

Co-Vice Presidents

Colleen Cripps
Nevada

Arturo J. Blanco
Houston, TX

Co-Treasurers

G. Vinson Hellwig
Michigan

Larry Greene
Sacramento, CA

Past Co-Presidents

John Paul
Dayton, OH

Shelley Kaderly
Nebraska

Directors

Robert D. Elliott
Vancouver, WA

Joyce E. Epps
Pennsylvania

Anne Gobin
Connecticut

James Hodina
Cedar Rapids, IA

Lynne A. Liddington
Knoxville, TN

Keith Overcash
North Carolina

David J. Shaw
New York

Paul Tourangeau
Colorado

Mary Uhl
New Mexico

Executive Director

S. William Becker

For Immediate Release
June 10, 2008

Contact: Bill Becker – (202) 624-7864 (office)
(301) 806-6111 (cell)

State, Local Clean Air Agencies Release Strategy for Regulating Hazardous Emissions from Industrial Facilities

(Washington, DC) – The National Association of Clean Air Agencies (NACAA) today announced the publication of *Reducing Hazardous Air Pollutants from Industrial Boilers: Model Permit Guidance*. This model will assist states and localities in filling the regulatory gap created by the Court's rejection of the U.S. Environmental Protection Agency's (EPA's) federal rules to control emissions of hazardous air pollutants – such as mercury, benzene, acetaldehyde and chromium – from the 3,000 industrial boilers located in every state in the country at sites ranging from refineries to paper mills to manufacturing plants.

Last June, the U.S. Court of Appeals vacated EPA's emission limits for the industrial boiler category (which includes industrial, commercial and institutional boilers and process heaters). Under Section 112 of the Clean Air Act, in the case of such a vacatur, responsibility for establishing the emission limits falls to state and local clean air agencies, which must set such standards on a case-by-case basis, consistent with the statutory requirements that EPA was to follow. Specifically, the law requires that the standards – known as Maximum Achievable Control Technology standards – be based on an average of the best-performing existing sources.

"This model is an important regulatory tool that will allow state and local clean air agencies to determine appropriate emission limits and permit conditions for industrial boilers without each engaging in their own time-consuming and costly data-collection efforts. Instead, NACAA has carefully compiled and analyzed the information necessary to identify recommended emission limits, effective controls, cost information, monitoring guidelines and other information that states and localities need to issue permits," said Vinson Hellwig, Chief of the Michigan Department of Environmental Quality's Air Quality Division and Co-Chair of NACAA's Air Toxics Committee.

"NACAA's recommended limits would make significant strides in cleaning up the thousands of industrial boilers spread out across every state in the nation, which emit substantial quantities of hazardous air pollutants, many of which are known to cause cancer," added NACAA's Executive Director S. William Becker. "Under NACAA's approach, which stays true to the statutory requirements for setting emission standards, up to 85 percent of these boilers would be required to take action to reduce

their emissions. Under the emission limits in EPA's vacated rule, in most instances, no emission reductions at all would have been required."

NACAA is the national association of air pollution control agencies in 53 states and territories and more than 165 metropolitan areas across the country. To view *Reducing Hazardous Air Pollutants from Industrial Boilers: Model Permit Guidance*, or for more information about NACAA, visit the association's web site at www.4cleanair.org.

###

PRESS RELEASE

RELEASE DATE: Tuesday, June 10, 2008 CONTACT: David C. Foerter, 202.457.0911

ICAC SUPPORTS NACAA IN ITS RELEASE OF INDUSTRIAL BOILER MODEL PERMIT GUIDANCE

*NACAA Model Permit Guidance Tool
Offers Reasonable, Flexible and Cost-Effective Emission Levels
Based on Technologies Available and Deployed for Years*

Washington, D.C. The Institute of Clean Air Companies (ICAC), the national trade association representing companies that manufacture and supply stationary source air pollution control technology and monitoring systems, applauds the National Association of Clean Air Agencies (NACAA) leadership in the release of the Model Permit Guidance as an important tool to assist state and local control programs in developing effective and reasonable emission control programs to reduce hazardous air pollutants emitted by industrial boilers.

Following general failure this past year of the U.S. Environmental Protection Agency's (EPA) Industrial Boiler NESHAP rulemaking process, NACAA acknowledged the need to create a strong but flexible tool to assist States and local permitting agencies in achieving effective and reasonable levels of reductions of hazardous air pollutants (HAPs) from industrial, commercial and institutional boilers. *"There has been a virtual gridlock in applying available technologies and improving emissions, including hazardous air pollutants, on thousands of industrial boilers operating in the United States,"* said David Foerter, the Executive Director for ICAC. *"The NACAA Model Permit Guidance is an important tool to break that gridlock and restore a reasonable, sound and deliberate pathway for technology-based emissions improvements that can be applied by States and local governments,"* said David Foerter.

Due to the failed Federal regulatory process, NACAA examined the operating experience of a diverse set of boilers to develop HAP emission level recommendations based on existing technology applications. *"ICAC is aware, and NACAA has confirmed through a considerable data collection effort, that substantially low emission levels are already being achieved by new and mature industrial sources,"* said David Foerter of ICAC. A wide mix of technology solutions are available and have demonstrated feasibility and reasonableness through the successful application on a broad range of boiler types and sizes, and operating on a variety of fuels, to reduce emissions at or below a range of emissions levels recommended by NACAA.

"We believe the NACAA Model Permit Guidance will serve as a valuable tool to States and local governments to fill the air quality void created by the failed Industrial Boiler MACT rule," said David Foerter of ICAC, *"and our industry welcomes renewed opportunities to assist NACAA members and affected sources identify cost effective monitoring and control solutions."*

* * *

ICAC members are air pollution control and monitoring technology companies committed to working with and developing technology solutions for a broad spectrum of stakeholders to ensure clean air policy that promotes public health, environmental benefit, and industrial progress.