

BoilerBlast News[®]

CIBO Welcomes New Members

Altech Environment USA

Upcoming CIBO Meetings & Conferences

The Industrial
Emissions Control
Technology
Conference XI and a
new Natural Gas
Conversion
Workshop Portland,
ME
Aug 5-8

EE/Technical
Committee Meetings
Arlington, VA
Sept 10-11

35th Annual Meeting
Stoweflake Resort
Stowe, Vermont
Oct 16-18

Contact CIBO

6801 Kennedy Road
Suite 102
Warrenton, VA
20187

Ph: 540-349-9043
Fax: 540-349-9850
cibo@cibo.org

Energy

As of Wednesday afternoon the 24th, the House approved the rule for consideration of both H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, and H.R. 1582, The Energy Consumers Relief Act of 2013. The vote was 232 Yeas to 188 Nays (we believe 15 not voting). We will talk about H.R. 2218 below. The Energy Consumers Relief Act of 2013 - Requires the Administrator of the Environmental Protection Agency (EPA), before promulgating a final rule that regulates any aspect of the production, supply, distribution, or use of energy (or that provides for such regulation by state or local governments) and that is estimated by the Administrator or the Director of the Office of Management and Budget (OMB) to impose aggregate costs of more than \$1 billion, to submit a report that contains: (1) an estimate of the total costs of the rule, (2) an estimate of the increases in energy prices that may result from implementation or enforcement of the rule, and (3) a detailed description of the employment effects that may result from implementation or enforcement of the rule. It also requires the Secretary of Energy (DOE): (1) to prepare an independent analysis to determine whether such rule will cause any increase in energy prices for consumers, any impact on fuel diversity of the nation's electricity generation portfolio or on electric reliability, or any other adverse effect on energy supply, distribution, or use; and (2) upon making such a determination, to determine whether such increase, impact, or effect will cause significant adverse effects to the economy and publish such determination in the Federal Register; and, it prohibits the Administrator from promulgating any such final rule if the Secretary determines that such rule will cause significant adverse effects to the economy. In the overall scheme of things this is what CIBO has been saying for years, it is about energy and anything that impacts the cost of energy impacts everything and anything we make or do. Does anyone believe that Senator Harry Reid would ever let anything like that come close to the floor in the Senate? However, we may actually see The Energy Savings and Industrial Competitiveness Act of 2013 (S. 761) better known as the Shaheen/Portman Bill come out of committee and maybe to the floor before the August recess, if no amendments are tacked on. We believe in this case the House will wait on the Senate then act. Depending on how that plays out, we may or may not be going to the Hill following our September Committee Meetings. Most of our energy issues are up on the Hill as we look for ways to promote CHP and decrease the cost and regulatory burdens associated with that and energy efficiency. New Congressman John Delaney from Maryland has begun talking about a plan to repatriate foreign earnings at competitive tax rates when they are applied to infrastructure projects. This may be a way to help move CHP and Energy efficiency projects forward. This is something we will probably be talking about at the Annual Meeting in October.

On the DOE side, they have involved CIBO and other trade associations to help them develop a report to the Secretary and eventually to Congress on the Barriers to CHP implementation. Our Energy Committee will be commenting on the outline of the report to make sure everything is covered. These comments will be turned in to DOE by the end of the month. From this outline, ICF International will draft a document that we will all have a chance to comment on prior to its completion for the Secretary and Congress. It is surely nice to know that we now have a DOE Secretary Moniz who actually knows and understands our energy and our energy needs. We will be talking about this at the September Committee Meetings as we get ready for the broader policy discussions at the Annual Meeting.

Environment

Gina McCarthy has been finally approved by the Senate after politically motivated delays and Senator Reid promising to call on the "Nuclear Option" to eliminate the need for 60 votes to kill a filibuster. We have always appreciated her candor, her willingness to listen to cogent and technically sound ideas and do the best she could to find the best way to improve the environment while finding flexibilities and ways to minimize the impacts on those regulated. We wish her well and will look forward to working with her and her staff in the future.

Politics and Ash: When the extreme environmentalist left proponents like Congressman Henry Waxman start sending out multiple dear colleague letters about coal ash that spread false, untrue or distorted messages for the House members and everyone is up there trying to get the last word, you know something is going to happen. In this case everyone but the Environmental groups is in favor of H.R. 2218, it is to be expected. Why should the truth get in the way of another nail in the coffin of coal. H.R. 2218 establishes Federal minimum requirements for the management and disposal of coal combustion residuals (CCR). It allows States to develop CCR or "coal ash" permit programs, as long as they meet the Federal minimum requirements provided in the bill. Alternatively, a State may choose to allow the EPA to administer its CCR permit program. The bill "removes the option for EPA to regulate CCR under Subtitle C of the Solid Waste Disposal Act." It requires states "to notify EPA within six months of enactment whether they intend to implement their own CCR permit program. Within 3 years, the States will be required to provide EPA details of the laws, regulations, and other features of their permit programs. If a State declines to implement its own permit program or, after notice and comment, EPA

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determines that a State's program falls short of the minimum standards in this bill, then EPA would take steps to implement a permit program for that State. If a state corrects a deficiency noted by EPA or chooses to take back its own permit program, the bill provides a mechanism by which a State may do so. The bill also sets out specific criteria for EPA to make a determination regarding whether a State permit program is deficient.. " The Federal minimum requirements established in H.R. 2218 "include certain criteria set out in Part 258 of Title 40 of the Code of Federal Regulations for managing municipal waste and other requirements that would apply specifically to the management and disposal of CCRs. The bill also requires a CCR permit program to, at a minimum, provide for annual inspections and periodic evaluations of structures; establishes a timeline for States to begin issuing permits once their permit programs are certified, and provides guidance for compliance with certain minimum standards during the intervening time. We can live with this. It is good for the country. It passed the House on Thursday the 25th by a vote of 265 to 155 with 14 (6Rs & 8Ds) not voting. However, what do you think will happen in the Senate. We are willing to bet that Senator Reid won't be wanting to invoke the "Nuclear Option" and will do everything in his power with the Administration and the Enviros to keep it from the floor. Heaven forbid, the President having to sign, or veto a bill that could allow coal to continue to exist.

Boiler MACT and the immediate concerns of the day: On Boiler MACT, there is a good EPA Q&A Document on the Area Source MACT at <http://www.epa.gov/ttn/atw/boiler/imptools/20130716qa.pdf>. You can also find it on the CIBO Website. Remember the Compliance date for Area Source boilers is March 21, 2014. That puts it at less than 9 months from today. Do you have your Tune-up and Energy Assessment complete or scheduled? Now that Secretary McCarthy is in place maybe we will see some movement on the EPA Reconsideration and, in that, some action with the court cases. We may know more by the September Committee Meetings. We doubt if we will have anything specific by the IECT Conference especially with the "All-Hands On Deck" activity on GHG rules mandated by the President's Climate Action Plan set out in June and Secretary McCarthy's objectives she laid out after taking office.

There is actually some good news from the courts on NAAQS and NSR. We will save that for the September Committee Meetings

Technical Focus Group, Energy and Environmental Committee Meetings – September 10-11, 2013 Arlington, VA

Focus Group Topic is "The Need to Balance Steam and Electricity Demands When Making Utilities Investments." Key topics of Committees to be addressed include: DOE Update, Institute for Industrial Productivity, MIT E2e Study, Boiler MACT State of Rules (Reconsideration Issues Update, Solid Fuel Analysis Procedures Discussion, Litigation), Climate Action Plan, and Coal Ash, GHG, Litigation, NAAQS, and Water Rules Updates.

Industrial Emissions Controls Technology Conference (IECT) & Natural Gas Conversion Workshop – August 5-8, 2013 Portland, Maine

Now that we have the final Boiler MACT Rule, The only boilers that do not have to do anything are natural gas fired Area source boilers. For the rest, Portland, Maine could be the final stop before compliance plans are finalized no later than the end of the first quarter next year to be able to comply with the Major Source Rule by January 31, 2016 or the Area Source Rule by March 21, 2014, or in the case of Major Source MACT, apply to the state for a one year compliance extension until January 31, 2017. This year's program will bring all the pieces together during the Emissions Control Technology portion of the conference to finalize and/or check your plans. If those include a conversion to Natural Gas, the Natural Gas Conversion workshop will provide the information you need to follow through on that alternative. As of 7/25, over 170 people have registered for the conference. The agenda and on-line registration can be found at www.cibo.org.

Annual Membership Survey

The extremely important annual membership survey will be sent to Principle Representatives early in August. Please take a few minutes to provide valuable feedback to guide CIBO's efforts in strategy development and allocation of resources for maximum benefit to members. As you open your survey, last year's responses and information are included. Only changes have to be made. Survey results will be reviewed by the committees at the September Committee Meetings, summarized and discussed at the Annual Meeting in October, and used to develop CIBO's strategy for 2014. Please complete the survey by August 16th.

35th Annual Meeting – October 16-18, 2013 – Stowflake Resort – Stowe, Vermont

It is impossible to make or do anything without energy; and, as such, the cost of energy impacts everything we make, sell or buy. Political, regulatory, economic and technical uncertainty cloud any and every energy or environmentally related question; and these can be boiled down to the effect on the cost and availability of energy – leading to this year's Annual Meeting theme:

Energy – Needed to Make or Do Anything! Planning for Industrial & Institutional Energy in the Future- Making a Path to 2018

The agenda will bring the best people together to help us find what we and our members need to plan, act and work within this legislative and regulatory uncertain energy and environmental future. Join us in Vermont's prime season. Invitation packets have been mailed.

From the President's Desk – Bob Bessette

Welcome Altech Environment USA as CIBO's newest member! For those of you that received the Annual Meeting Mark Your Calendar and invitation packet, you will see that I say energy policy has become the stepchild of politics. If you have not received one and want one, contact the office. With the new social media technologies, we know almost anything that happens almost instantaneously and can respond likewise. If something is to get done, more has to be done before anything is public and all possible stakeholder responses considered for response prior to public release. The most interesting part of everything happening is that our energy and environmental issues are up there with Obamacare, immigration reform, tax reform and the debt ceiling. In the old days engineers and science came up with the answer. Then, there was a real answer. Today politics dictates the answers and it is assumed that science and engineers will make them work. Trying to get things done in this new environment is interesting. How we develop tools to bring reality to the forefront and help our members survive will be a CIBO focus as we move through the IECT Conference, Committee Meetings, our Annual Meeting and into the years to come.