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Comments of the Council of Industrial Boiler Owners (CIBO) on  
Implementation of the 2008 National Ambient Air Quality Standards for Ozone:  
State Implementation Requirements  
Proposed rule; 78 Fed. Reg. 34178 (June 6, 2013)

The Council of Industrial Boiler Owners (CIBO) appreciates the opportunity to comment on EPA's proposed revisions to the Ozone SIP Requirements rule for the 2008 National Ambient Air Quality Standards for Ozone.

CIBO is a broad-based association of industrial boiler owners, architect-engineers, related equipment manufacturers, and University affiliates with members representing 20 major industrial sectors. CIBO members have facilities in every region of the country and a representative distribution of almost every type of boiler and fuel combination currently in operation. CIBO was formed in 1978 to promote the exchange of information within the industry and between industry and government relating to energy and environmental equipment, technology, operations, policies, law and regulations affecting industrial boilers. Since its formation, CIBO has been active in the development of technically sound, reasonable, cost-effective energy and environmental regulations for industrial boilers. CIBO supports regulatory programs that provide industry with enough flexibility to modernize -- effectively and without penalty - the nation's aging energy infrastructure, as modernization is the key to cost-effective environmental protection.

CIBO strongly supports the many flexibility options for states that EPA has included in the proposed rule and submits comment on four specific areas.

1. CIBO supports a streamlined process to minimize the burdens on state and industry as they attempt to comply with implementation requirements associated with multiple iterations of the ozone

NAAQS—1997, 2008, and projected 2014/15 standards. Streamlining—in this case minimizing the need to file updated RFP plans, RACT and RACM determinations, and revised contingency plans—reduces the likelihood of wasted, duplicative SIP development efforts. More importantly, streamlining decreases the likelihood that many company investments in pollution controls and process upgrades will result in stranded costs.

2. CIBO endorses a flexible attainment demonstration approach that recognizes the site-specific nature of each nonattainment area, and the need to tailor emission reduction strategies based on local, site-specific factors. CIBO supports the flexibility approach that gives states the freedom to use science-based judgments to determine the appropriate mix of NO<sub>x</sub> and VOC controls that are necessary to bring a nonattainment area into attainment on schedule rather than having to rely on an across-the-board VOC reduction strategy. Ample evidence shows that a tailored control program is much more effective in reducing ozone concentrations than an inflexible, across-the-board program. A tailored control program should apply to RACT/RACM control decisions as well as any new RFP requirements.

3. CIBO supports a flexible modeling approach that would allow states preparing attainment SIPs to take credit for emission reductions from existing federal programs and for on-the-way federal programs that will be implemented before the first attainment deadline. This will minimize the need for additional state-specific control requirements.

4. CIBO supports EPA's suggested approach of allowing states to craft VOC control programs based on VOC reactivity profiles. CIBO members have process units that emit relatively non-reactive VOCs. An across-the-board VOC reduction program in an area with significant non-reactive VOCs is likely to be less effective than a tailored program focused primarily on highly-reactive VOCs. The ability of the Houston CMSA to significantly reduce ozone concentrations demonstrates the effectiveness of a VOC reactivity-based approach.

CIBO also endorses the comments filed by NEDA-CAP, which include additional detail regarding the benefits of the flexibilities proposed by EPA.