UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

Ref: 8P-AR

Bryce Bird, Director
Utah Division of Air Quality
P.O. Box 144820
Salt Lake City, Utah 84114-4820

RE: EPA Region 8 Comments on Utah's Proposed New Rules R307-315 and R307-316.

Dear Mr. Bird:

Thank you for the opportunity to provide comments on the state of Utah's new area source rules R307-315. NO_x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu, and R307-316. NO_x Emission Controls for Natural Gas-Fired Boilers Greater than 5.0 MMBtu. These draft rules were approved for public comment by the Utah Air Quality Board on December 7, 2022, with comments due February 15, 2023.

Our comments for R307-315 and R307-316 are laid out here:

1. Under the "Applicability" section of each rule, there is no discussion of an inclusion or exemption of residential boilers. This needs to be articulated within the rules to avoid any confusion for stakeholders. If residential boilers are included as an exemption, a definition would be required in the "Definitions" section.
2. Under the "Definitions" section for each rule, there needs to be definitions for commercial boilers, industrial boilers, and institutional boilers.
3. Within the "Definitions" section, the EPA recommends a revision of the language found under "Modification" from "planned change" to "physical or operation change."
4. The EPA recommends adding language that adequately covers monitoring, reporting, and recordkeeping. Currently, R307-315 and R307-316 does not contain an adequate certification process or testing protocols for sources to show compliance with the rule. Some potential language options can be found in other state rules; the Utah Department of Air Quality (UDAQ) should review and update R307-315 and R307-316 with similar language where appropriate.[1]

[1] A few examples of other state rules are San Joaquin Valley Unified Air District (SJVUAD) Rule 4308. Boilers, Steam Generators, and Process Heaters – 0.075 MMBtu/hr to less than 2.0 MMBtu/hr; SJVUAD Rule 4307. Boilers, Steam Generators, and Process Heaters – 2.0 MMBtu/hr to 5.0 MMBtu/hr; and SJVUAD Rule R4306. Boilers, Steam Generators, and Process Heaters – Phase 3. This is not an exhaustive list; therefore, UDAQ should review rules that correlate appropriately with R307-315 and R307-316.

Additional development of language found within R307-315 and R307-316 is required for federal approval. Region 8 will not reach any final conclusions until the state of Utah provides a formal submittal of R307-315 and R307-316, and after we conduct our own notice and comment rulemaking.

We will provide any assistance needed by UDAQ to resolve the identified issues and look forward to working with you and your staff. If you have any questions, please contact me at (303) 312-7002, or have your staff contact Amanda Brimmer, at (303) 312-6323 or at brimmer.amanda@epa.gov.

Sincerely,

2/13/2023

X Adrienne Sandoval

Signed by: Sandoval, Adrienne

Adrienne Sandoval
Director, Air and Radiation Division
EPA Region 8