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Commonwealth of Pennsylvania
Environmental Quality Board
P O Box 8477
Harrisburg, PA 17105-8477



Subject: Comments on Proposed Rules for Additional RACT Requirements for Major Sources of NOx and VOC's

Dear Environmental Quality Board Members:

Please consider the attached comments on the proposed rulemaking that would adopt additional Reasonably Available Control Technology (RACT) requirements for major sources of NOx and VOC's in the Commonwealth ("RACT 2"). The JELD-WEN, inc. (JELD-WEN) wood products manufacturing facility in Towanda, PA would be subject to the proposed regulations.

JELD-WEN supports PADEP's approach in crafting the proposed rules to include provisions for flexibility in achieving compliance. If a source cannot meet the presumptive NOx requirements, or participate in the NOx emissions averaging provisions, then the source owner may propose an alternative NOx RACT limitation under a case-by-case RACT determination based on cost-effectiveness.

However, JELD-WEN is concerned about the number of additional case-by-case RACT determinations the company would be required to perform that are not related to flexibility. Under the current proposed RACT 2 rules, the JELD-WEN Towanda, PA facility is required to prepare burdensome, time-consuming, case-by-case RACT proposals for thirteen (13) VOC's sources and four (4) NOx sources. Most are for relatively minor sources where, we believe, the probability of identifying additional cost-effective controls is low. The requirement also seems contrary to PADEP's objective, as stated in the preamble, of limiting the number of case-by-case RACT determinations. JELD-WEN requests that the criteria that triggers such a determination be revised in a manner that truly limits the number of case-by-case RACT determinations required.

Thank you for the opportunity to comment on the proposed rulemaking. If you have any questions or require additional information, please contact the undersigned at (570) 268-8737 or by email: micks@jeld-wen.com.

Sincerely,

Michael L. Steele
Environmental Engineer

cc: C. W. Benton

1) Flexibility in Meeting "RACT 2" Requirements

JELD-WEN, inc. (JELD-WEN) supports PADEP's approach in crafting the proposed rules to include provisions for flexibility in achieving compliance. For example, if a source cannot meet the presumptive RACT requirements or emissions limits of §129.97, or participate in the NOx emissions averaging provisions of §129.98, then the source owner may propose an alternative NOx or VOC's RACT limitation under §129.99. Section 129.99 describes the case-by-case RACT determination based on cost-effectiveness which is an appropriate tool for providing flexibility.

We believe the case-by-case RACT approach could be appropriate for one of our sources that is an older, natural gas-fired, standby boiler with a federally enforceable capacity factor limit of 10%. The boiler is subject to the proposed rules however retrofitting controls or installing new burners to meet the presumptive limit of §129.97 for this limited use source probably would not be cost-effective.

2) Limiting the Number of Case-by-case RACT Determinations

JELD-WEN supports the use of the case-by-case RACT determination as a tool for providing flexibility in complying with the presumptive limits of §129.97 of the proposed rules as presented above in Comment 1). This comment addresses the additional case-by-case RACT determinations required under §129.99(b) and (c) for VOC's and NOx sources where no presumptive limits exist.

JELD-WEN supports the objective noted in the preamble to the proposed rules of limiting the number of resource-intensive, time consuming, case-by-case RACT determinations. However, the "RACT 2" rules, as currently proposed, do not achieve this objective. Sections 129.99(b) and (c) impose a case-by-case RACT determination on all sources that do not have a presumptive RACT limit specified elsewhere in §129 or in the proposed §129.97, that have potential emissions above a specified de minimus level. The de minimus source level is 2.7 tons VOC's per year and 5.0 tons NOx per year. Under the current proposed rules the JELD-WEN wood products manufacturing facility in Towanda, PA would be required to prepare the burdensome, case-by-case RACT proposals for thirteen (13) VOC's sources and four (4) NOx sources. Each RACT proposal, based on a detailed "Top-Down" control technology cost-effectiveness evaluation specific to that source, would have to be reviewed and approved by PADEP and included in PA's State Implementation Plan.

Also, we believe that few, if any, additional cost-effective emissions controls will be identified in these "RACT 2" case-by-case RACT determinations for the smaller sources with emissions just above the current de minimus level. The existing sources were previously subjected to a case-by-case RACT determination under the first round of RACT in the 1990's ("RACT 1"). The newer sources installed since then were subjected to PA New Source Review (PA NSR) and PA Best Available Technology (PA BAT) requirements. Many of JELD-WEN's VOC's sources are also subject to the Maximum Achievable Control Technology (MACT) requirements of the Plywood and Composite Wood Products NESHAP's for HAP's that are also VOC's. Preparing case-by-case "RACT 2" proposals for small sources already in compliance with these programs seems like a burdensome paperwork exercise rather than one that would result in meaningful VOC's and NOx emissions reductions.

An alternative that would effectively limit the number of case-by-case RACT determinations would be to increase the size of the individual sources subject to the requirement. It is proposed that the case-by-case RACT determinations be limited to those sources with potential emissions at or above the levels considered a "significant increase" under the NSR programs. A "significant increase" is what triggers similar "Top-Down" control technology cost-effectiveness evaluations for BACT and LAER. Then individual sources with potential emissions of 40 tons per year or more, for those sources in the ozone transport region, would be subject to case-by-case, "RACT 2" determinations. A second RACT evaluation for these larger sources could be meaningful with additional control technology options now considered technically feasible since "RACT 1".

Another possible alternative is to expand on the logic used by PADEP in establishing the presumptive NOx limits. (See IRRRC Regulatory Analysis Form, item 19, page 10.) That is, limit the case-by-case RACT determinations for "RACT 2" to those sources where "no controls" was determined to be RACT under "RACT 1".

PADEP has clearly identified the major contributors to ground-level ozone and has established the presumptive NOx limits in the proposed §129.97 and VOC's limits elsewhere in §129 to address them. However, under the current proposed "RACT 2" rules, some of the smallest contributors are tasked with the most resource intensive burden – the case-by-case RACT determination. The case-by-case RACT determinations should be reserved for those larger sources, where no presumptive limit exists, that have a reasonable chance to result in meaningful reductions in ozone precursors. Or, alternatively, those sources where no presumptive limit exists, that are currently not controlled.

3) §121.1 - Definitions

The following terms used in the proposed rules should be defined:

- a) "furnace"
- b) "kiln"
- c) "other combustion source" Please clarify that "other combustion source" would include those combustion sources that are process heaters where the products of combustion are in direct contact with the process material or medium being heated.

4) §129.97(c)(1) – Individual Heat Input Rating of Combustion Sources

Please clarify the meaning of individual heat input rating of combustion sources in §129.97(c)(1): "...or other combustion source with an individual rated gross heat input less than 20 million Btu/ hour." (underline added for emphasis).

For example, in the case of a surface coating operation - considered one source for VOC's - six (6) coating ovens are used, each oven having two (2) natural gas-fired burners rated at 2 MMBtu/ hour each. Is it the rating of each individual burner at 2 MMBtu/ hour that is considered? Or each oven at 4 MMBtu/ hour? Or the entire surface coating operation at 24 MMBtu/ hour? Please clarify that in this example the individual combustion source would be each oven with a rating of 4 MMBtu/ hour.

A second example involves process dryers where the products of combustion are in direct contact with the process material. Two (2) process dryers are each served by its own natural gas-fired furnace with three (3) burners rated at 5 MMBtu/ hour each burner. The two (2) process dryers discharge through a common stack. Please clarify that in this example the individual combustion source would be each furnace with a rating 15 MMBtu/ hour.

5) §129.97(k) and §129.99(i) - Alternate Compliance Schedule Petitions

JELD-WEN supports the concept of allowing for an alternate compliance schedule under certain conditions. However, under the current proposed rules it appears that the provisions for an alternate compliance schedule are limited to those instances when a control device is required to be installed. Conditions meriting an alternate compliance schedule should also include process changes such as installation of low-NOx burners.

6) §129.99(d)(6) and §129.100 - Compliance Demonstration for Case-by-case RACT Sources

Section 129.99(d)(6) regarding case-by-case RACT proposals, references §129.100 that provides two (2) options for compliance demonstration - CEM's or stack testing. It should be noted that not all VOC's sources subject to case-by-case RACT can be stack tested. Provisions should be made for alternative methods of compliance demonstration such as by material balance and USEPA computer modeling including WATER9, TANKS, etc. as approved by PADEP.

7) §129.100(c) - Waiver of Requirement to Demonstrate Compliance for Case-by-case RACT Sources

JELD-WEN supports the concept of allowing a waiver of the requirement to demonstrate compliance under certain conditions. However, under the current proposed rules the provisions for a waiver are limited to those sources subject to §§ 96, 97, and 98 - but not §99, the case-by-case RACT sources. Section 129.99(d)(6) references §129.100. The waiver of requirement to demonstrate compliance should be available to all sources subject to the proposed rules including those subject to §129.99, the case-by-case RACT determination.