



## Department of Energy

Argonne Site Office  
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Argonne, Illinois 60439

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**STATE OF ILLINOIS**  
**Pollution Control Board**

Clerk's Office  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Attn: Docket R08-19

Dear Sir/Madam:

**SUBJECT: COMMENTS ON THE PROPOSED NO<sub>x</sub> REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) RULE**

The U. S. Department of Energy and the Argonne National Laboratory (Argonne) submit the following comments on the proposed amendments to 35 IAC Part 217 to address oxides of nitrogen (NO<sub>x</sub>) emissions from industrial boilers and other emission sources, as published in the May 22, 2009 Illinois Register:

We have identified a number of inconsistencies with respect to industrial boilers (Subpart E) with a rated heat input capacity of less than or equal to 100 mmbtu/hr. These inconsistencies relate to proposed requirements for performance testing, continuous emission monitoring systems (CEMS), and predictive emission monitoring systems (PEMS). Industrial boilers at this rating are required to meet combustion tuning as specified in Section 217.166, rather than a numeric NO<sub>x</sub> emission limit.

As currently proposed, Section 217.154(a) requires performance testing for all industrial boilers regardless of size, unless they employ CEMS. For boilers less than or equal to 100 mmbtu/hr rated heat input demonstrating compliance through an emissions averaging plan and not using CEMS, Section 217.157(a)(4) requires performance testing, but that section does not address boilers less than or equal to 100 mmbtu/hr rated heat input where emissions averaging is not used. Section 217.157(a)(5) indicates that boilers less than or equal to 100 mmbtu/hr rated heat input may use CEMS in place of emissions averaging under Section 217.57(a)(4), but since there is no numeric NO<sub>x</sub> limit specified for such boilers in Section 217.164, the use of CEMS would appear to be of little value. Similarly, the use of PEMS specified in Section 217.157(f) for boilers less than or equal to 100 mmbtu/hr rated heat input to show compliance to a non-numeric limit (combustion tuning) would also seem unnecessary.

We request that these inconsistencies be clarified prior to issuance of the final rule. In addition, Argonne has two suggested revisions to the proposed rule for industrial boilers with a rated heat input less than or equal to 100 mmbtu/hr, where the various entries of the table in Section 217.164 specify that combustion tuning is required (versus e.g. the 0.08 lb/mmbtu NO<sub>x</sub> limit for gas-fired boilers greater than 100 mmbtu/hr rated heat input). First, Argonne suggests that performance testing not be required, and second, that the use of CEMS or PEMS also not be required (although this could be employed at the option of the facility, e.g., if the facility chose to use emissions averaging).

If you have questions regarding these comments, please contact Ken Chiu of my staff at (630) 252-2376.

Sincerely,

Ronald J. Lutha  
Site Manager

cc: G. Barrett, ANL/ESQ, 201