

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management  
Rule No. 335-3-4-.08  
Rule Title: Wood Waste Boilers

         New   X   Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

YES

Is there another, less restrictive method of regulation available that could adequately protect the public?

NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

YES

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Does the proposed rule have an economic impact?

NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

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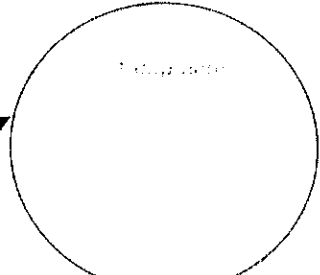
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Marilyn Elliott

Date 01-20-17

Date Filed



APA-2  
11/96

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
AIR DIVISION

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Environmental Management

**RULE NO. & TITLE:** Rule 335-3-4-.08 – Wood Waste Boilers (Amend)

**INTENDED ACTION:** Revise Division 3 of the ADEM Administrative Code with the amendment of Rule 335-3-4-.08 (Wood Waste Boilers).

**SUBSTANCE OF PROPOSED ACTION:**

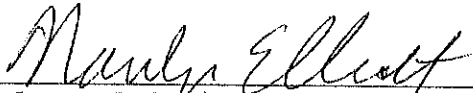
Rule 335-3-4-.08 is being revised to delete standards that apply to a source that is no longer in existence.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**

Comments may be submitted in writing or orally at a public hearing to be held 10:00 a.m., March 8, 2017, in ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** March 10, 2017

**CONTACT PERSON AT AGENCY:** Larry Brown (334) 271-7878

  
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Lance R. LeFleur  
Director

### **335-3-4-.08 Wood Waste Boilers.**

(1) Applicability. This rule applies to boilers and other indirect heat exchangers using not less than thirty percent (30%) wood waste or wood by-products as fuel measured by heat input.

(2) Except as provided in paragraph (3) of this rule, no person shall cause or permit the emission of particulate matter from any existing wood waste boilers in excess of 0.30 grains per standard dry cubic foot adjusted to fifty percent (50%) excess air. Provided that: for any existing wood waste boiler which must be modified in order to meet the emission limitations of this rule, no person shall cause or permit the emission of particulates in excess of:

(a) 0.17 grains per standard dry cubic foot, adjusted to fifty percent (50%) excess air for combination gas and wood waste boilers.

(b) 0.20 grains per standard dry cubic foot, adjusted to 50 percent excess air for combination oil and wood waste boilers.

(c) 0.23 grains per standard dry cubic foot, adjusted to fifty percent (50%) excess air for combination coal and wood waste boilers.

(d) 0.20 grains per standard dry cubic foot, adjusted to fifty percent (50%) excess air for boilers using wood waste only.

~~(3) In lieu of the particulate emission limitations contained in paragraph (2) of this rule for existing wood waste boilers at pulp mills in Talladega County having a rated capacity greater than 300 million BTU per hour:~~

~~(a) The allowable particulate emission limit shall be 0.60 grains per standard dry cubic foot adjusted to 50% excess air, with the additional requirement that total mass particulate emissions shall not exceed 347 pounds per hour.~~

~~(b) In lieu of the opacity limits contained in rule 335-3-4-.01, such units shall not discharge into the atmosphere particulate of an opacity greater than that designated as seventy six percent (76%) opacity, as determined by fixed one hour averages (the average of each ten six minute averages per discrete clock hour).~~

~~(c) The transmissometer system for continuous measurement of the opacity of stack emissions shall be the technique for determining compliance with opacity limits. The transmissometer shall comply with the requirements of 40 CFR 60, Appendix B, Performance Specification 1. If the opacity monitoring system is not operating properly, the EPA Reference Method 9 (40 CFR 60, Appendix A), utilizing one hour averages, shall serve as the compliance technique.~~

**Author:** James W. Cooper and John E. Daniel.

**Statutory Authority:** Code of Alabama 1975, §§22-28-14, 22-22A-5, 22-22A-6, and 22-22A-8.

**History:** Effective Date: July 26, 1972.

**Amended:** January 27, 1981; December 9, 1983; October 10, 1984; November 21, 1996; September 7, 2000-;XXXXXX, 2017.