

September 6, 2011

The Honorable John A. Boehner
U.S. House of Representatives
1011 Longworth House Office Building
Washington, DC 20515

The Honorable Harry M. Reid
United States Senate
522 Hart Senate Office Building
Washington, DC 20510

The Honorable Nancy Pelosi
U.S. House of Representatives
235 Cannon House Office Building
Washington, DC 20515

The Honorable Mitch McConnell
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

Dear Speaker Boehner; Minority Leader Pelosi; Majority Leader Reid; Minority Leader McConnell:

We are writing to express our united and strong support for H.R. 2250 and S. 1392, the “EPA Regulatory Relief Act of 2011,” bipartisan legislation to address the serious concerns that remain with EPA’s Boiler MACT rules. As they exist today, the final Boiler MACT rules will have serious economic impacts on a vast array of facilities across the industrial, commercial and institutional sectors. These rules place at risk tens of thousands of high-paying manufacturing jobs that our nation cannot afford to lose.

As finalized, the Boiler MACT rules are unaffordable, just as the proposed rules were. The rules are not achievable for real-world boilers across the range of fuels and operating conditions. EPA also has created a presumption that materials commonly used as fuels are wastes subject to the extremely costly and stigmatizing incinerator standards. This would not only impose billions of dollars in unreasonable costs, but it also would cause millions of tons of valuable materials to be diverted to landfills and replaced with fossil fuel – a bad result for the environment.

As EPA has acknowledged, the rules were finalized with serious flaws because EPA was forced to meet a strict court-ordered deadline. The final Boiler MACT rule alone would cost over \$14 billion in capital for the manufacturing sector, plus billions more in annual operating costs. Complying with the incinerator standards could cost several billion dollars more in capital.

Legislation is needed to resolve serious uncertainties and vulnerabilities, including to:

- ensure the rules are stayed for an adequate and certain period, as EPA’s current administrative stay is being challenged in court;
- allow EPA adequate time to re-propose the rules and get them right, including time for stakeholders to conduct more emissions testing and to avoid mistakes that occur when rulemakings of this scope and importance are rushed and become vulnerable to legal challenge;
- provide direction and support for EPA to use the discretion it already has under the Clean Air Act and Executive Order 13563 to add flexibility and make the rules achievable;

- clarify that using non-hazardous materials as fuels does not result in boilers being treated as incinerators; and
- give facilities more time to comply with the complex and capital-intensive requirements of the rules.

If enacted, the “EPA Regulatory Relief Act” will provide the much-needed certainty and time for EPA to get the rules right and for businesses that will be investing billions of dollars to rationally plan for the capital expenses. This legislation will preserve jobs and the competitiveness of the U.S. manufacturing sector while protecting the environment.

We urge you to pass this important legislation as soon as possible and send it to the President for his signature.

Sincerely,

A/C Power Colver
 AbitibiBowater
 Alabama Forestry Association
 Alabama Pulp & Paper Council
 Allegheny Hardwood Utilization Group, Inc.
 American Architectural Manufacturers Association
 American Chemistry Council
 American Coatings Association
 American Coke & Coal Chemicals Institute
 American Composites Manufacturers Association
 American Fiber Manufacturers Association
 American Forest & Paper Association
 American Foundry Society
 American Frozen Food Institute
 American Home Furnishings Alliance
 American Loggers Council
 American Municipal Power
 American Petroleum Institute
 American Sugar Cane League
 American Wood Council
 Amerities Holdings LLC
 Anthony Liftgates, Inc.
 APA – The Engineered Wood Association
 Appleton Papers Inc.
 APUs by Rex, LLC
 Archer Daniels Midland Company
 ARIPPA
 Arkansas Forestry Association
 Arkansas State Chamber of Commerce
 Associated Industries of Arkansas, Inc.
 Associated Industries of Vermont

Association of American Railroads
 Association of Independent Corrugated Converters
 Atlantic Wood Industries, Inc.
 Barge Forest Products Co.
 Beet Sugar Development Foundation
 Belden Brick Company
 Belimed, Inc.
 Bennett Lumber Company
 Berco, Inc.
 Biomass One, LP
 Biomass Power Association
 Blue Bell Creameries
 Blue Ridge Paper Products
 Boise Cascade, LLC
 Boise Inc.
 Brick Industry Association
 Business Council of Alabama
 Business Roundtable
 Cahaba Timber Co.
 California Forestry Association
 California League of Food Processors
 California Metals Coalition
 Canyon Creek Logging
 Carolina Cotton Works, Inc.
 Cement Kiln Recycling Coalition
 Chaney Lumber Co., Inc.
 Charles Ingram Lumber Co.
 Coast Wood Preserving, Inc.
 Coastal Plywood Company
 Collins Pine Company

Colorado Association of Commerce & Industry
 Composite Panel Association
 Construction Materials Recycling Association
 Corn Refiners Association
 Council of Industrial Boiler Owners
 Cresote Council
 Decker Energy International, Inc.
 Dietz & Watson, Inc.
 Domtar Corporation
 Douglas County Forest Products
 Eastman Chemical Company
 Eaton Corporation
 Electric Mills Wood Preserving
 Empire State Forest Products Association
 Evergreen Packaging
 Fibrek
 Finch Paper LLC
 Flakeboard America
 Flambeau River Papers
 Florida Forestry Association
 Florida Pulp and Paper Association
 Flower City Tissue Mills Co., Inc.
 FMC Corporation
 Forest Landowners Association
 Forest Resources Association Inc.
 Forging Industry Association
 Fowler Post Co, Inc.
 Fox River Fiber Company
 Genesee Power Station LP
 George A. Whiting Paper Company
 Georgia Association of Manufacturers
 Georgia Paper & Forest Products Association, Inc.
 Georgia-Pacific LLC
 Glatfelter
 Glier's Meats, Inc.
 Green Diamond Resources Company
 H. W. Culp Lumber Co.
 Hardwood Federation
 Hardwood Manufacturers Association
 Hardwood Plywood and Veneer Association
 Harrigan Lumber Co., Inc.
 Hawaii Forest Industry Association
 Hesse and Sons Dairy LLC
 Hood Industries, Inc.
 Idaho Forest Group
 INDA, Association of the Nonwoven
 Fabrics Industry
 Indiana Hardwood Lumbermen's Association
 Industrial Energy Consumers of America
 Industrial Fastener Institute
 Industrial Minerals Association - North America
 Innovative Pine Technology Inc.
 Interfor
 International Falls Chamber of Commerce (MN)
 International Paper
 J.T. Fennell Company, Inc.
 JELD-WEN, Inc.
 Jordan Lumber & Supply, Inc.
 Kansas City Power & Light
 Kapstone Paper and Packaging Corporation
 Kentucky Forest Industries Association
 Kercher Industries, Inc
 Kitchen Cabinet Manufacturers Association
 Koppers Inc.
 Lake States Lumber Association
 Land O Lakes Wood Preserving Co.
 Langdale Forest Products Co.
 L'anse Warden Electric Company, LLC
 Leggett & Platt, Incorporated
 Longview Fibre Paper and Packaging, Inc.
 Louis Dreyfus Agricultural Industries
 Louisiana Farm Bureau Federation
 Louisiana Pacific Corporation
 Louisiana Pulp and Paper Association
 LyondellBasell Industries
 Maine Pulp & Paper Association
 Manufacture Alabama
 Manufacturers and Chemical Industry Council
 of North Carolina
 Maple Flooring Manufacturers Association
 Maxi-Seal Harness Systems, Inc.
 McShan Lumber Company, Inc.
 MeadWestvaco
 Melrose Timber Company, Inc.
 Metal Treating Institute
 Metals Service Center Institute
 Michigan Biomass
 Michigan Forest Products Council
 Minnesota Chamber of Commerce
 Minnesota Forest Industries
 Mission Plastics North

Mission Plastics of Arkansas
 Mississippi Manufacturers Association
 Missouri Forest Products Association
 Motor & Equipment Manufacturers Association
 Mount Vernon Mills, Inc.
 Muscatine Foods Corporation
 National Association for Surface Finishing
 National Association of Manufacturers
 National Association of Trailer Manufacturers
 National Concrete Masonry Association
 National Council of Farmer Cooperatives
 National Council of Textile Organizations
 National Federation of Independent Business
 National Lumber and Building Material Dealers Association
 National Oilseed Processors Association
 National Solid Wastes Management Association
 National Spinning Company
 NC Association of Professional Loggers, Inc.
 Neenah Paper Inc.
 Nevada Manufacturers Association
 New Hampshire Timberland Owners Association
 Nippon Paper Industries USA Co.
 Nisus Corporation
 NORA, An Association of Responsible Recyclers (formerly the National Oil Recyclers Association)
 North American Die Casting Association
 North American Wholesale Lumber Association
 North Carolina Chamber
 North Carolina Forestry Association
 Northwest Pulp and Paper Association
 Ohio Chamber of Commerce
 Ohio Forestry Association
 Ohio Manufacturers' Association
 Ohio Municipal Electric Association
 Ohio Willow Wood Company
 OMNOVA Solutions, Inc.
 Oregon Forest Industries Council
 Owens-Illinois, Inc.
 Pacific Wood Laminates
 Packaging Corporation of America
 Page & Hill Forest Products Inc.
 Partnership for Affordable Clean Energy
 Pellet Fuels Institute
 Pennsylvania Business Council
 Pennsylvania Chamber of Business and Industry
 Pennsylvania Forest Products Association
 Pennsylvania Manufacturers' Association
 Peterson Mfg. Co.
 Pile Driving Contractors Association
 Piney Creek LP
 Plum Creek
 Port Townsend Paper Corporation
 Portland Cement Association
 Possum Tree Farm
 Potomac Supply Corporation
 PPG Industries
 Precision Machined Products Association
 Precision Pulley & Idler
 Prince Manufacturing Corporation
 Railway Tie Association
 Rex Lumber, LLC
 Rhodia, Inc.
 River Trading Company
 Rock-Tenn Company
 Rosboro LLC
 Roseburg Forest Products Company
 ROW, INC.
 Roy "O" Martin Lumber Company, LLC
 Rubber Manufactures Association
 Rudd Company, Inc.
 S.I. Storey Lumber Co., Inc.
 Sage Automotive Interiors
 Sappi Fine Paper North America
 Sauder Woodworking Co.
 Scotch Plywood Company, Inc
 Seymour Manufacturing Co., Inc.
 SierraPine Limited
 Smith Street Mill
 Society of Chemical Manufacturers and Affiliates
 South Carolina Forestry Association
 South Carolina Pulp and Paper Association (SCPPA)
 South Carolina Timber Producers Association
 Southeast Wood

Southeastern Lumber Manufacturers Association
Southern Appalachian Multiple-Use Council
Southern Forest Products Association
Southern Pressure Treaters' Association
SP Newsprint Co.
States Industries, LLC
Steel Manufacturers Association
Stella-Jones Corporation
Streator Dependable Mfg. Co.
Sunbury Textile Mills, Inc.
Tegant Corporation
Ten-Tec, Inc.
Tennessee Chamber of Commerce & Industry
Tennessee Forestry Association
Tennessee Paper Council
Texas Association of Manufacturers
Texas Forestry Association
Textile Rental Services Association
The Association for Hose & Accessories Distribution (NAHAD)
The Business Council of New York State, Inc.
The Carpet and Rug Institute
The Dow Chemical Company
The International Association of Machinists and Aerospace Workers
The Oeser Company
The United Brotherhood of Carpenters and Joiners of America
Thilmany Papers
Thomasson Company
Thompson Industries, Inc
Timber Products Company
TMA
Tolleson Lumber Company
Tradewinds International Inc.
Treated Wood Council

Tri-State Generation and Transmission Association
TrueGuard - wood preservation
U.S. Beet Sugar Association
U.S. Chamber of Commerce
Uniboard USA LLC
Unifi Manufacturing Inc.
USA Rice Federation
Vector Tool and Engineering
Verso Paper Corp.
Virginia Chamber of Commerce
Virginia Forest Products Association
Virginia Forestry Association
Virginia Manufacturers Association
Washington Contract Loggers Association, Inc.
Water Treatment Services Inc.
Wausau Paper
Webb Consultants, Inc.
WEBB Furniture Enterprises Corp
The Westervelt Company
Weyerhaeuser Company
Window and Door Manufacturers Association
Wisconsin Manufacturers & Commerce
Wisconsin Paper Council
Wood Machinery Manufacturers of America

cc: The Honorable Fred Upton
The Honorable Henry Waxman
The Honorable Barbara Boxer
The Honorable James Inhofe
United States Senate
U.S. House of Representatives