

October 3, 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
 Acme Brick Company
 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 Coated
 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

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 Alliance of Forest Owners
 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 Industrial Sand Association
 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
 Non-Ferrous Founders’ Society
 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

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
Chamber SWLA
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.
Distilled Spirits Council of the U.S.
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

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
Printing Industries of America
Railway Tie Association
Rayonier
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 Manufacturers 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

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.
Greater Shreveport Chamber of Commerce
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
Indiana Manufacturers Association
Industrial Minerals Association - North America
Innovative Pine Technology Inc.
Interfor
International Diatomite Producers Association
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 Association of Business and Industry

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.
Superior Graphite Co.
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 Aluminum 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.

Louisiana Association of Chamber of Commerce
Executives
Louisiana Farm Bureau Federation
Louisiana Forestry Association
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
Marvin Windows and Doors
Masco Corporation
Maxi-Seal Harness Systems, Inc.
McShan Lumber Company, Inc.
MeadWestvaco
Melrose Timber Company, Inc.
Metal Treating Institute

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