

February 1, 2012

Dear Member of Congress:

We write to urge you to support the inclusion of the *EPA Regulatory Relief Act of 2011* as part of the conference agreement on the payroll tax-cut extension legislation (H.R. 3630). The *EPA Regulatory Relief Act*, otherwise known as the Boiler MACT legislation, is critical to preserving jobs in many manufacturing industries, and we urge you to help pass this important legislation.

As you know, the House included H.R. 2250 in its payroll tax package on December 13, 2011, and the Senate version of the legislation, S. 1392, currently has 41 bipartisan cosponsors.

EPA's recently revised rules still need more work to be achievable and affordable by businesses across America, and serious challenges still remain, including:

- **Jeopardizing critically needed jobs.** The overall capital cost of the Boiler MACT rule remains over \$14 billion for manufacturers. In the re-proposed rules, some standards became more stringent, and some limits may not be achievable, especially within the current three year compliance timeframe. This jeopardizes over 200,000 critically needed jobs.
- **Serious legal uncertainty.** The January 9, 2012 court decision overturning EPA's stay of the March 2011 rules is yet another example of the continuing morass of uncertainty surrounding the rules. There is also a troubling track record of courts overturning past Boiler MACT rules after determining EPA misclassified solid wastes – a problem the legislation would solve.
- **Inadequate capital planning time.** The rules do not provide enough time for capital planning and compliance given their complexity and competition for a limited pool of qualified domestic vendors and installers. Businesses need five years to fully comply with the rules, not the two or three years in the current rules.
- **Important biomass materials are still not listed as fuels.** This means that the boilers burning these materials could be regulated under the onerous and stigmatizing incinerator standards, or the material would be land filled – a bad result for jobs and the environment.
- **Inadequate time for EPA to finalize the rules.** EPA's current rulemaking schedule is so accelerated that it is unlikely all the comments and data that will be received during the current comment period can be fully analyzed and utilized given the highly intricate and complicated nature of the rules. Moving too fast increases the likelihood that the final rules will be overturned again.

Enactment of the *EPA Regulatory Relief Act of 2011* is the best way to provide the time needed for the development and implementation of achievable Boiler MACT rules that will deliver the intended benefits. We urge you to protect and preserve U.S. manufacturing jobs by including this bill in the conference agreement to the payroll tax package.

Sincerely,

A&E Incorporated
A. Schulman Inc.
AAON, INC.
abaxis
Accurate Castings, Inc.
Acme Brick Company
Ag Processing Inc
Alabama Forestry Association

Alkota Cleaning Systems, Inc.
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 Eagle Paper Mills

American Forest & Paper Association
American Foundry Society
American Frozen Food Institute
American Institute for International Steel
American Iron and Steel Institute
American Lawn Mower Company
American Loggers Council
American Petroleum Institute
American Sportfishing Association
American Wood Council
APA - The Engineered Wood Association
Appalachian Hardwood Manufacturers Inc.
APUs by Rex, LLC
Arcadia Chair Company
Archer Daniels Midland Company
Arizona Chamber of Commerce and Industry
Arizona Pacific Wood Preserving
Arizona Public Service Company
Arkansas Forestry Association
Arkansas Timber Producers Association
Asahi Kasei Plastics North America
Ascend Performance Materials LLC
Associated California Loggers
Associated Industries of Missouri
Associated Oregon Industries
Associated Oregon Loggers, Inc.
Association of American Railroads
Association of Free Community Papers
Association of Washington Business
Atlantic Concrete Products, Inc
Atlantic Wood Industries, Inc.
Ball Corporation
Barge Forest Products
Bertch Cabinet Mfg., Inc.
Best Metal Products Company
Bibler Bros Lumber Company
Billco Corporation
Bingaman and Son Lumber Inc.
Biomass Power Association
Boise Cascade, L.L.C.
Boise Inc.
Breeland Logging, LLC
Buckeye Technologies INC
C&C Boiler Sales & Service, Inc.
California Forestry Association
Campbell Fittings Inc
Capital Power Corporation
Carmeuse North America
Carus Corporation
Celanese Corporation
CF Industries Holdings, Inc.
Charleston Metro Chamber of Commerce
Chemstar Products Company
Cincinnati Bulk Terminals, LLC
City of International Falls
Clemson University

Cliffs Natural Resources
Coast Wood Preserving, Inc.
Coastal Forest Products
Coastal Forest Resources Company
Coastal Plywood Company
Colorado Association of Commerce & Industry
Columbia Vista Corporation
Community Papers of Florida
Community Papers of Michigan
Community Papers of Ohio and West Virginia
Composite Panel Association
Connor Sports Flooring
Conrad Forest Products
Continental Heat Treating, Inc.
Corn Refiners Association
Cottrell, Inc.
Council of Industrial Boiler Owners
Crafted Plastics, Inc.
CRT, Custom Products, Inc.
Delta Electronics Mfg. Corp.
DELTA LOGGING INC
Detrex Corporation
deVan Sealants, Inc.
Dickson Process Systems, Ltd.
Dixie Industrial Finishing Company
Docks Creek, LLC
Dominion Chemical Company, Inc.
Domtar
Domtar Paper Company, Marlboro Mill
Dow Corning Corporation
DRT Mfg. Co.
Duke Manufacturing
Eagle Manufacturing Company
Eastman Chemical Company
Elan Technology, Inc.
Elecsys Corporation
Elektrisola Inc.
Empire State Forest Products Association
Ericson Logging
Evergreen Packaging Inc.
Evonik Degussa Corporation
Fabricators and Manufacturers Association,
International
Fargo Assembly Co
Finishing and Plating Service
Florida Forestry Association
Florida Pulp and Paper Association
Flower City Tissue Mills Co., Inc.
FMC Corporation
Fontana Wood Preserving, Inc.
Forest Landowners Association
Forest Resources Association
Forging Industry Association
Foundry Association of Michigan
Fredon Corporation
Free Community Papers of New York

GEMCO Pelletizing Dies & Machining
General & Automotive Machine Shop, Inc.
GENERAL TIMBER, INC.
Georgia Association of Manufacturers
Glatfelter
Glen-Gery Corporation
Glier's Meats Inc
Gossner Foods Inc.
Grain Processing Corporation
Graphic Packaging International
Great Lakes Timber Professionals Association
Griffin, Inc.
HAMANN LOGGING
Hardwood Plywood and Veneer Association
Heat Transfer Equipment Co.
Henry Molded Products, Inc.
Hercules Draw Steel Corporation
HES INC
HK Research Corporation
Hodgdon Powder Company, Inc.
Hudapack Metal Treating Inc
Hunt Forest Products, Inc.
Hydra-Power Systems, Inc.
Hydrite
Hydrite Chemical Company
Independent Equipment Company
Independent Free Papers of America
Indiana Cast Metals Association
Indiana Manufacturers Association
Industrial Energy Consumers of America
Industrial Fasteners Institute
Industrial Minerals Association - North America
International Falls Area Chamber of Commerce
International Paper
Iten Industries
J.Palazzolo Son, Inc.
J.T.FENNELL CO., Inc.
JAMES MACHINE WORKS LLC
JELD-WEN, Inc.
Jorgensen Conveyors, Inc.
Jost Chemical Co.
Kansas Chamber
KapStone Paper
Kapstone Paper and Packaging Corp.
Kennametal Inc.
Kentucky Forest Industries Association
Kitchen Cabinet Manufacturers Association
Kiva Plastics, Inc.
Koerner Forest Products, LTD
Koller-Craft Plastic Products
La Deau Hinge Company
Lamiglas, Inc.
Leggett & Platt, Incorporated
Lifoam Industries
Lincoln Paper and Tissue LLC
Longview Fibre Paper and Packaging, Inc.

LORD Corporation
Louisiana Forestry Association
Louisiana Loggers Association, Inc.
Louisiana Pacific Corporation
LSB Industries Inc.
LyondellBasell Industries
Mag Instrument Inc.
Maine Pulp & Paper Association
Manufacture Alabama
Marlin Steel Wire Products LLC
Masco Corporation
Matthews Associates, Inc
Maynard Steel Casting Co.
McFarland Cascade
McShan Lumber Company
MeadWestvaco
Metalcasters of Minnesota
Metals Service Center Institute
Michigan Forest Products Council
Michigan Manufacturers Association
Mid-Atlantic Community Papers Association
Mid-States Energy Works, Inc.
Midwest Free Community Papers
Minnesota Chamber of Commerce
Minnesota Forest Industries
Minnesota Free Paper Association
Mississippi Lime Company
Mississippi Manufacturers Association
Mississippi Marine Corporation
Missouri Forest Products Association
Moody Dunbar, Inc
Motor & Equipment Manufacturers Association
MP Global Products
Myers Industries
NAHAD - The Association for Hose & Accessories
Distribution
National Association of Manufacturers
National Council of Textile Organizations
National Federation of Independent Business
National Gypsum Company
National Oilseed Processors Association
National Solid Wastes Management Association
NC Association of Professional Loggers, Inc.
Nelsen Steel Company
Nevada Wood Preserving
NewPage Corporation
Nippon Paper Industries USA Co., Ltd
Non-Ferrous Founders' Society
North American Wholesale Lumber Association
Northeast PA Manufacturers & Employers
Association
Northeastern Loggers' Association
Northern Arizona Loggers Association
Northwest Pulp & Paper Association
Nucor Corp
Ohio Cast Metals Association

Ohio Chamber of Commerce
 Ohio Forestry Association, Inc.
 Ohio Manufacturers' Association
 Ohio Municipal Electric Association
 O'Neal Industries
 Oregon Women In Timber
 Ormet Corporation
 Owens-Illinois, Inc.
 PA Chamber of Business and Industry
 Pacific Wood Preserving of Bakersfield
 Packaging Corporation of America
 Paper Recycling Coalition
 Paratech, Inc
 Pennsylvania Forest Products Association
 Pennsylvania Foundry Association
 Perlick Corp
 Plastics One, Inc
 PneuDraulics, Inc
 Port Townsend Paper Corporation
 Portland Cement Association
 PPG Industries
 Precision Steel Warehouse, Inc.
 Pressure Sensitive Tape Council
 Prince Manufacturing Corporation
 Professional Logging Contractors of Maine
 Quality Float Works, Inc.
 Rayonier
 Recast Energy
 Resolute Forest Products
 Riceland Foods, Inc.
 River Point, LLC
 River Trading Company, LTD
 Robert W. Wall, Inc.
 Rock-Tenn Company
 Rosboro LLC
 Roy "O" Martin Lumber Company, L.L.C.
 Rubber Manufacturers Association
 Rudd Company, Inc.
 Saint-Gobain Corporation
 Scott Metals, Inc
 SDS Lumber Company
 SGL Carbon, LLC
 Sierra Pacific Industries
 Simpson Lumber Company, LLC
 South Carolina Chamber of Commerce
 South Carolina Forestry Association
 South Carolina Pulp and Paper Association
 South Coast Lumber Company
 South-East Lumber Co
 Southeastern Advertising Publishers Association
 Southeastern Lumber Manufacturers Association
 Southwestern Association of Community
 Publications
 Southworth Paper Company
 SP Newsprint Company LLC
 SPI: The Plastics Industry Trade Association
 Spuncast, Inc.
 Squires-Belt Material Company
 Stainless Specialties, Inc.
 Star Cutter Company
 Steel Manufacturers Association
 Stella-Jones Corporation
 Storey Sawmill And Lumber Co. Inc.
 Streator Dependable Mfg.
 Sturm, Ruger & Co., Inc.
 Sunnyside Corporation
 Team Ten, LLC d/b/a American Eagle Paper Mills
 Technical Materials
 Temperform Corporation
 Temple-Inland Inc.
 Templeton Coal Company, Inc.
 Tennessee Chamber of Commerce & Industry
 Tennessee Forestry Association
 Tennessee Paper Council
 Texas Association of Business
 Texas Cast Metals Association
 Texas Community Newspaper Association
 Texas Forest Industries Council
 Textile Rental Services Association
 The Continental Products Co.
 The Dow Chemical Company
 The Fertilizer Institute
 The L.S.Starrett Co.
 The Loxcren Co., Inc.
 The Manitowoc Company, Inc.
 The Pacific Wood Preserving Companies
 The Railway Tie Association
 The Shepherd Chemical Company
 The Vinyl Institute
 Therm Tec, Inc.
 Thilmany LLC
 Thyssenkrupp Waupaca Inc.
 TMA
 Tolleson Lumber Company
 Tran-Tec Inc.
 Treated Wood Council
 Tri-State Generation and Transmission
 Association
 U.S. Chamber of Commerce
 United Electric Controls Company
 Uniweld Products Inc.
 USG Corporation
 Utah Manufacturers Association
 Utz Quality Foods, Inc.
 Valley Wood Preserving, Inc.
 Vermeer Corporation
 VernDale Products Inc.
 Verso Paper Corp.
 Virginia Forest Products Association
 Virginia Forestry Association
 Virginia Manufacturers Association
 Walex Products Company, Inc.

Washington Contract Loggers Association, Inc.
Wellborn Cabinet INC.
Western Gage Corporation
Weyerhaeuser Company
Wigwam Mills Inc.
Williams-Pyro, Inc.
Windham Millwork, Inc
Window and Door Manufacturers Association

Winston Printing Company, Inc.
Wisconsin Cast Metals Association
Wisconsin Community Papers
Wisconsin Manufacturers & Commerce
Wisconsin Paper Council
WV Manufacturers Association
Zelazoski Wood Products, Inc.
Zero Zone Inc/ NAM/AHRI