



Connecticut Department of

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VIA ELECTRONIC MAIL

January 7, 2013

EPA Docket Center
EPA West (Air Docket)
Attention Docket Nos. EPA-HQ-OAR-2009-0234;
EPA-HQ-OAR-2011-0044

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
a-and-r-docket@epa.gov

Dear Sir/Madam:

Thank you for this opportunity to comment on the proposed reconsideration of certain National Emission Standards for Hazardous Air Pollutants (NESHAP) and Revisions to the New Source Performance Standards (NSPS) for Fossil Fuel-Fired Electric Generating Units, which was published in the Federal Register on November 30, 2012 (77 FR 24976).

On December 16, 2011, the U. S. Environmental Protection Agency (EPA) promulgated the first-ever standards under Section 112 of the Clean Air Act (CAA) limiting power plant emissions of HAPs, including mercury (Hg), acid gases and such toxic metals as lead, chromium, nickel and selenium. Adoption of these standards is an important step in the decades-long effort to develop a regulatory strategy that strikes the appropriate balance between protecting public health and avoiding the imposition of unnecessary costs on the regulated community. At the same time, EPA conducted and implemented a periodic review of the NSPS that regulate criteria air pollutants, as required by the CAA. EPA projects that these rules together lead to quite substantial reductions in emissions of Hg and hydrogen chloride (HCl) from fossil fuel-fired electric generating units (EGUs), as well as additional reductions in fine particulate matter and sulfur dioxide (SO₂) from those sources.

In the reconsideration, EPA proposes to reduce the Hg emissions limit for new lignite-fired units by one-fourth and establish an SO₂ emission limit for integrated gasification combined cycle EGUs. EPA's proposal also would increase the Hg, lead, selenium and filterable particulate matter (fPM) limits applicable to new coal and lignite-fired EGUs by a factor of 10 or more, as well as increase the SO₂ emissions limit for coal, lignite and petroleum coke-fired plants by a factor of 2.5. In addition, EPA identifies a narrow set of definitional and implementation issues, including technical revisions to the work practice requirements applicable during periods of startup and shutdown of units.

The Connecticut Department of Energy and Environmental Protection (DEEP) appreciates EPA's efforts to address the important issues associated with developing sensible and protective limits on emissions of mercury and other toxic air pollutants. DEEP supports EPA's decision to review and reconsider a number of the new source maximum achievable control technology (MACT) based limits adopted slightly over a year ago while retaining the emission limits for the existing sources. We agree that several of those limits appear to be overly stringent for general application to newly constructed EGUs, and we urge EPA to conclude its reconsideration of the new source MACT limits as expeditiously as possible.

DEEP, however, does not agree with all of the reconsidered limits. DEEP is concerned that the reconsidered limits of the newly constructed EGUs be more stringent than the corresponding limits for the existing units. We identified two emission limits, fPM for liquid oil (continental)-fired EGUs and lead for coal-fired EGU, where the proposed limits on reconsideration are too lenient and less stringent than the applicable limits on the existing units. The source of the problem appears to be EPA's continued use of a

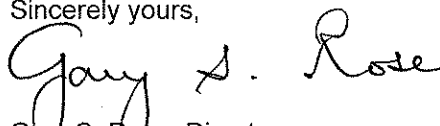
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process that attempts to determine the variability in performance of each individual unit, where sufficient data for this approach do not exist. This process gives an estimate of the variability of the unit that is a function of the limited number of tests rather than the variability that one would expect from the combustion technology and fuel. This leads to erroneous results, such as the calculation of new source MACT floors that are higher than the existing source MACT floors.

Rather than calculating the variability in performance for each unit, DEEP recommends that EPA develop a variability factor based on the variability in performance of a larger data set comprised of units employing similar designs. Such an evaluation would be based on all relevant information, including engineering information, continuous emissions monitoring data and the variability in performance of units of similar design.

We encourage EPA to complete this important rulemaking in a manner that will minimize successful challenges to EPA's final rules. Please get in touch with me at 860-424-3468 if DEEP may be of assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "Gary S. Rose". The signature is written in black ink and is positioned above the typed name and title.

Gary S. Rose, Director
Engineering & Enforcement Division
Bureau of Air Management