



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



September 1, 2006

U.S. Environmental Protection Agency
EPA Docket Center, EPA West (Air Docket)
Mail Code 6102T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Attention: E-Docket #OAR 2004-0076

Re: **Connecticut Department of Environmental Protection Comment on Notice of Data Availability for EGU NOx Annual and NOx Ozone Season Allocations for the Clean Air Interstate Rule Federal Implementation Plan Trading Programs, 71 Fed. Reg. 44283, (August 4, 2006)**

Dear Docket Administrator:

The Connecticut Department of Environmental Protection (CTDEP) submits this letter regarding the U.S. Environmental Protection Agency (EPA)'s *Notice of Data Availability (NODA) for EGU NOx Annual and NOx Ozone Season Allocations for the Clean Air Interstate Rule Federal Implementation Plan (CAIR FIP) Trading Programs*. While CTDEP in partnership with EPA seeks to implement a CAIR NOx Ozone Season Trading Program as expeditiously as possible, CTDEP urges EPA to correct an inaccuracy in Connecticut's CAIR NOx Ozone Season budget.

Exeter Energy, LP (Exeter) is a dedicated tire burning facility located in Sterling, Connecticut. Exeter is not included in the Acid Rain Program or NOx Budget Program. Heat input from Exeter's two units, B1 and B2, was not included in any of the NOx SIP Call Ozone Season budget calculations for Connecticut or the CAIR NOx Ozone Season budget calculations. However, EPA has included these two units in the NODA as CAIR NOx Ozone Season Units, based on EPA's seemingly revised interpretation of the definition of "fossil-fuel fired" with respect to a dedicated tire burning facility.

While we understand EPA's policy stated at 70 FR 44290 that "the addition or removal of existing units to or from a State's inventory will not impact the size of the State's emission budget," we are concerned by inaccuracies with respect to the establishment of Connecticut's CAIR NOx Ozone Season budget. First, the 1998 Integrated Planning Model (IPM) run was used to establish Connecticut's CAIR NOx Ozone Season budget while the Memorandum of Understanding (MOU) to which EPA was a signatory along with Connecticut, Massachusetts and Rhode Island – an MOU correcting the inaccuracies of the 1998 IPM modeling -- was ignored. Second, Exeter's units were included in EPA's inventory of Connecticut CAIR NOx Ozone Season Units without including heat input from said units in any of the budget determination calculations, even though the Exeter units commenced operation in 1991. CTDEP recommends that EPA include heat input from the Exeter units in the determination of Connecticut's CAIR NOx Ozone

Season budget and accordingly increase Connecticut's CAIR NOx Ozone Season Budget to correct EPA's oversight on this issue.

CTDEP appreciates the opportunity to comment on the NODA and trusts that EPA will correct Connecticut's CAIR NOx Ozone Season budget. If you or members of your staff have any questions regarding this letter, please do not hesitate to contact Richard Pirolli of my staff at 860-424-4152.

Sincerely,



Anne Gobin

Chief

Bureau of Air Management

cc: David Conroy, Manager, EPA Region I Air Quality Planning Unit