



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

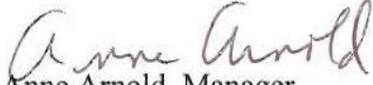
July 10, 2014

Merrily Gere
Stationary Source Control Group
Bureau of Air Management
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127

Dear Ms. Gere:

Thank you for the opportunity to review Connecticut's proposed certification of reasonably available control technology for the 2008 8-hour ozone standard. We have reviewed the proposal and you will find the Agency's comments in the Enclosure. If you have any questions on this issue, please call me at 617-918-1047 or Bob McConnell of my staff at 617-918-1046.

Sincerely,


Anne Arnold, Manager
Air Quality Planning Unit

Enclosure

Enclosure

EPA Comments on Connecticut's Proposed RACT Certification for the 2008 Ozone Standard

1. For clarity, it would be useful to include a remark at the end of the first paragraph of Section B, 1997 8-hour ozone NAAQS, that all sources initially covered by the more stringent serious and severe nonattainment area threshold for the one-hour ozone standard remain subject to RACT, and therefore are not relieved of their obligation to comply with RACT in spite of the higher thresholds associated with Connecticut's current designation status. Reference could also be made to EPA's discussion on this issue in EPA's June 6, 2013 proposed implementation rule for the 2008 ozone standard. (See 78 FR 34192, footnote 36.)
2. EPA recommends that the title for Table 5 be revised. The title currently indicates that Table 5 is a list of non-CTG (Control Techniques Guideline) major sources, but Table 5 appears to be a list of all facilities in Connecticut subject to RACT, whether via a non-CTG single source RACT order or otherwise. Additionally, we suggest the language regarding the applicability threshold be removed, as it indicates that major sources are only those with potential emissions greater than 100 tpy of NO_x, or 50 tpy of VOC. As noted in comment 1 above, due to the anti-backsliding requirements of the CAA, for some sources in Connecticut these thresholds are lower.
3. The content of Table 5 should be modified to include citations for the RACT requirement for each source or group of sources. The current category headings are not sufficient, and in some cases might be misleading. For example, one group of sources is labeled "Clean Air Interstate Rule (CAIR) Sources." However, the fact that a source is subject to CAIR, does not automatically mean it has met RACT. In addition, although the category heading of "Sources Subject to VOC RACT orders" provides useful information, the category that follows labeled "Additional VOC sources" raises questions.
4. Table 5 contains a category labeled, "Major Sources of VOC Due to Fuel Burning." The footnote to this title seems to indicate that the RACT status of these sources may vary from source to source. Therefore, for each source, Connecticut should provide a reference to either the applicable RACT requirement or to the emissions cap that has been imposed to keep emissions below the major source threshold. Sources on this list that are not currently subject to either of these requirements must be addressed.
5. Pages 23-24 includes a discussion of the impact that emissions from infrequently run electrical generating units (EGUs) have during high electricity demand day (HEDD) events. Connecticut notes that control of such emissions may be necessary to achieve the ozone NAAQS expeditiously within the state. We agree that it important to address HEDD emissions.
6. We commend Connecticut for the diligent work it has done to analyze whether the state's current suite of NO_x RACT control requirements are sufficient, or need to be upgraded in

light of requirements imposed by other states. In particular, Table 7 provides a very good synopsis of Connecticut's findings in this matter. Connecticut concludes:

“Based on emissions statements submitted by Connecticut's Title V sources in 2013, municipal waste combustors and EGUs together are responsible for more than 70% of the stationary source NO_x emissions in Connecticut. DEEP acknowledges that emissions limitations required of these sources in other states are more stringent than those now required in Connecticut.”

DEEP then commits to evaluate additional control options for these sectors, and to adopt new requirements as deemed appropriate. We encourage Connecticut to undertake this action, as the information presented within Table 7 infers that in a number of cases, more rigorous control levels may be warranted in order to comply with the RACT requirement of the CAA. Additionally, the information provided regarding Covanta's development of Low NO_x technology for use at municipal waste combustors is appropriate to review as a potential RACT requirement. For the development of any new requirements, we note that EPA's proposed implementation rule for the 2008 ozone standard, published on June 6, 2013, indicated that RACT measures should be effective no later than January 1, 2017. (See 78 FR 34194). Connecticut notes, on page 32, “DEEP would seek to move such an amendment or replacement regulation adoption through the regulatory adoption process to allow for adoption by December 31, 2016.” Connecticut needs to ensure that the effective date of any rules it adopts for meeting RACT require compliance by January 1, 2017.

Finally, we note that because Connecticut has chosen to follow this two-step process of submitting a narrative first and additional rules at a later date, EPA's likely action would be to issue a conditional approval of the initial RACT submittal. The new NO_x regulations would need to be adopted, submitted to EPA and approved, in order for Connecticut to receive full approval of its RACT submittal. In order for EPA to issue a conditional approval, Connecticut must include a firm commitment to undergo this analysis and submit any revised rules to EPA by a date certain, no later than one year after EPA's conditional approval.

7. Regarding the use of emissions trading as a means for complying with NO_x RACT, we agree with Connecticut's decision to review the appropriateness of allowing the current trading program to continue given existing emission limits and to also consider imposing more stringent emission limits.
8. Connecticut should review its previously issued single source RACT orders to ensure that they are still sufficient for meeting RACT. In particular, any such orders that determined that no feasible emission reductions existed, and therefore RACT involved no emission controls, reformulation, etc., should be reviewed to determine whether that conclusion is still valid.
9. There is a typo in the last sentence of page 8. The phrase “to week” was presumably intended to be “to work.”