



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

January 29, 2021

Kiernan Wholean
Bureau of Air Management
Connecticut Department of Energy and Environmental Protection
79 Elm Street, 5th Floor
Hartford, Connecticut 06106

Dear Mr. Wholean:

On December 3, 2020, Connecticut Department of Energy and Environmental Protection (CT DEEP) proposed the Connecticut Regional Haze Plan for the Second Implementation Period (2018 – 2028) for public comment. We have reviewed the proposal and enclosed our comments. If you have any questions, please call Anne McWilliams of my staff at 617-918-1697.

Sincerely,

A handwritten signature in black ink, appearing to read "John Rogan".

John Rogan, Manager
Air Quality Branch

Enclosures

Enclosure
EPA Comments on Connecticut's December 2020 Proposed RH SIP Revision

- Note that the national goal of the visibility protection program is to prevent any future and remedy any existing anthropogenic visibility impairment in mandatory Class I federal areas. In the preamble to the 1999 Regional Haze Rule, the EPA calculated that if the rate of visibility improvement observed over the roughly ten-year period from the mid-1990's to 2005 continued into the future, the national goal would be achieved in sixty years, i.e., in 2064. Thus, the uniform rate of progress and other analytical requirements use 2064 as an endpoint for analysis. 64 FR 35714, 35731-32 (July 1, 1999). However, neither the Clean Air Act nor the Regional Haze Rule provides that the goal of the program is to achieve natural visibility conditions by 2064, that the iterative planning process under the program terminates in 2064, or that the regional haze program entails submission of exactly six regional haze SIPs and SIP revisions. Therefore, please remove references to 2064 as an end date of the program and SIP submissions, except as 2064 relates to calculating the uniform rate of progress (glidepath).
- It would be helpful if Connecticut could clarify how the Asks were developed and adopted, both individually and collectively. What information was considered in deciding what went into each Ask? Were the four factors considered and weighed in the development of particular Asks? If so, how?
- What does it mean for each MANE-VU state to "address" the Asks? Is it Connecticut's understanding that MANE-VU states have agreed to comply with each of the Asks? Alternatively, does it mean that each state has to consider each of the Asks?
- Note that Connecticut is correct that it does not have to submit a monitoring strategy; however, it must comply with 40 CFR 51.308(f)(6)(iii), (v), and (vi), and the SIP submission must explain how Connecticut meets these requirements.
- EPA has concerns regarding the SIP submission's support for the conclusion that Connecticut is not reasonably anticipated to contribute to visibility impairment in any Class I area.
 - As EPA explained in the 1999 Regional Haze Rule, Clean Air Act section 169A(b)(2) establishes "an 'extremely low triggering threshold.'" 64 FR at 35721. The Act and Rule provide that the contribution assessment must consider all emissions from a state, as opposed to just emissions of a particular pollutant or pollutants or from a subset of sources. Additionally, EPA's 1999 determination that each of the contiguous 48 states meets the contribution threshold relied on "a large body of evidence demonstrat[ing] that long-range transport of fine PM contributes to regional haze," *id.*, including modeling studies that "preliminarily demonstrated that each State not having a Class I area had emissions contributing to impairment in at least one downwind Class I area." *Id.* at 35722.
- Ask 1 – Additional information on how Connecticut regulates SO₂ emissions from EGUs ≥ 25 MW would be useful, as it is not currently clear why Connecticut has concluded that it is not necessary to address SO₂ emissions under this Ask.
 - Are the requirements for sources listed in Table 5-1 based in underlying state or federal rules? It is unclear whether the substantive requirements referred to in Ask 1 (i.e., year-round operation of controls) are contained in RCSA section 22a-174-7 or just the record keeping and reporting aspects.

- Ask 1 – Connecticut should provide additional information as to how it regulates NO_x emissions from EGUs \geq 25 MW. Specifically, Connecticut should discuss the requirements of the newly adopted RSCA section 22a-174-22e and RSCA section 22a-174-22f.
- Ask 2 – Although MANE-VU did not list any individual Connecticut sources for four-factor analysis, it would support the state’s decision to not conduct any such analyses if the SIP submission addressed the several relatively large sources of visibility impairing pollutants that MANE-VU and the National Park Service noted. While it may or may not ultimately be necessary for Connecticut to conduct four-factor analyses for these sources, additional explanation could help bolster the state’s decision. This explanation could include, *inter alia*, existing and upcoming controls and shutdowns and whether or not those controls/shutdowns are currently enforceable (and through what mechanisms) and/or “effective”. This information may already be included elsewhere; however, it would bolster the SIP submission vis-à-vis satisfying the requirements of 40 CFR 51.308(f)(2)(i) to also address these sources in the context of the four factors and why a four-factor analysis is not necessary here.
- Ask 4 – Are the requirements to lock in lower emitting fuels effectuated/contained only in Title V permits, or are they based in an underlying state or federal rule? If so, what rule(s)? Additional clarification in the SIP narrative about the nature of the enforceable mechanism(s) and explanation of how they achieve the Ask would be helpful.
- Connecticut should discuss Municipal Waste Combustors (MWCs) as one of the larger NO_x emission sources. In addition, Connecticut should discuss the recent adoption of RSCA section 22a-174-38 which controls MWC emissions.
- How does Connecticut address the requirement of 40 CFR 51.308(f)(2)(iii) that the emissions information used must include information on emission in a year at least as recent as the most recent NEI (i.e., 2017)?
- The summary and conclusions section mention RSCA 22a-174-19a and b, but it is not clear how those two rules factor into Connecticut’s long-term strategy. Are they relevant to any of the Asks for the second implementation period?
- How does Connecticut satisfy 40 CFR 51.308(g)(1), (2), and (5)? The section on emission inventories and emission trends provides the state’s emissions information but it is not clear how the regulatory requirements of those provisions are fulfilled. The section on monitoring and visibility assessment states that it is relevant to 51.308(g), but again it is not clear how the particular requirements of that subsection have been met.
- There are rule requirements at 51.308(f)(1) and 51.308(g)(3) to include data representing “current visibility conditions” based on the most recent 5-year period for which data are available. There are several tables in the draft SIP that include current visibility data for the 2013-2017 period. However, the final 2018 IMPROVE data have been available since April 2020, and the 2019 IMPROVE data will soon be available. Therefore, calculations that represent current conditions (to comply with rule requirements) should be updated to include 2014-2018 data or 2015-2019 data, as appropriate.
- The natural conditions, baseline conditions and current conditions (through 2018) were updated in the final IMPROVE dataset that was posted in April 2020. A technical memo (addendum) from EPA includes those values and can be found here: <https://www.epa.gov/visibility/memo-and-technical-addendum-ambient-data-usage-and-completeness-regional-haze-program>. Some of the natural conditions and baseline values may differ slightly compared to table 2-1.

- In all discussions and maps of IMPROVE sites, please clarify that IMPROVE *protocol* sites do not represent Class I areas, and the site in CT is not at a Class I area. If using the map in Figure 2-1, specifically point out that the RH rule covers the sites represented by the orange dots, and the blue dots are extra sites that are not covered under the rule. Alternatively, a Class I area map could be used instead.
- The visibility trends charts in Figure 2-3 are labeled as “fractions”, however all of the numbers are absolute deciviews and are not normalized (they are therefore not fractions).
- Please explain why MANE-VU used 2011 as the baseline year for modeling (as compared to using a more recent year). Presumably the choice was due to timing issues, but please include an explanation.
- Section 6.4 notes that majority of emissions from fires in MANE-VU were from residential wood combustion, and documents that a large percentage of primary CT PM emissions from are from residential wood combustion. But the document does not discuss why control of residential wood combustion sources does or does not need to be considered as part of the long-term strategy.