

STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION



November 23, 2010

EPA Docket Center EPA West (Air Docket)

Attn: Docket ID No. EPA-HQ-OAR-2009-0491

U.S. Environmental Protection Agency

Mail Code: 2822T

1200 Pennsylvania Avenue, N. W.

Washington, DC 20460

Re: Notice of Data Availability Supporting Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone: Revisions to Emission Inventories. Docket ID: EPA-HQ-OAR-2009-0491

Dear Docket Administrator:

The Connecticut Department of Environmental Protection (CTDEP) appreciates the opportunity to comment on the "Notice of Data Availability Supporting Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone: Revisions to Emission Inventories" (75 FR 66055, October 27, 2010), hereafter referred to as the "2nd NODA". CTDEP recognizes the Environmental Protection Agency's (EPA) efforts to act swiftly to address interstate transport and make the rulemaking process more transparent than at any other time in the recent past. CTDEP has one general comment and one Connecticut-specific comment on the 2nd NODA.

General Comment

Boiler Maximum Achievable Control Technology (MACT)

At FR 66057, the EPA "...seeks comment on whether or not to revise projected non-electric generating unit (EGU) emissions inventories for 2014 to reflect sulfur dioxide (SO₂) and PM2.5 reductions from the proposed National Emissions Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (75 FR 32006)..." (Boiler MACT). EPA goes on to say that if the projected reductions associated with the final Boiler MACT differed from the proposed projected Boiler MACT reductions, EPA would use the final rule projections if they become available in time for use in EPA's modeling for the final Transport Rule.

CTDEP recommends that EPA <u>not</u> include the projected reductions from the Boiler MACT in the final Transport Rule modeling. There is too much uncertainty regarding the finalization of the Boiler MACT, both in terms of level of reductions and timing. If the final Boiler MACT differs significantly from the proposed Boiler MACT, and if EPA is not able to use the final rule projections due to timing, modeling results could be inaccurate and EPA's revisions to the Transport Rule could be ill-advised. Overwhelming transport issues for downwind states could be exacerbated in such a circumstance. Modeling assumptions should be based on final rules with a certain outcome (i.e., that are not challenged in district court) for accurate emissions estimates.

Transport Rule NODA comments
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Connecticut-specific comment

Controls required by the Connecticut State Implementation Plan (SIP)

EPA requests comment on their inclusion of revised 2012 and 2014 non-EGU point and nonpoint projected emissions to reflect controls required by the New York SIP. CTDEP notes that similar controls are required by Connecticut's SIP, yet they have not been included in the 2nd NODA. CTDEP recommends that control levels required by Connecticut's consumer products, architectural and industrial maintenance coatings, portable fuel containers, mobile equipment repair and refinishing, solvent metal cleaning, adhesives and sealants, and asphalt paving rules (see Attachment A) be included in the 2012 and 2014 non-EGU point and nonpoint projected emissions in the 2nd NODA.

In closing, CTDEP urges EPA to include the recommendations set out in this letter in order to finalize a Transport Rule as quickly as possible in order to further protect public health and the environment while ensuring such rule is based on the most accurate modeling assumptions available. If you have any questions regarding this letter, please do not hesitate to contact Wendy Jacobs of my staff at 860-424-3457.

Very-truly yours,

Gary S. Rose, Director Engineering & Enforcement

Bureau of Air Management

Attachment A: MARAMA spreadsheet with Connecticut control measures to include in modeling

Attachment A

MARAMA spreadsheet with Connecticut control measures to include in modeling

State Comment, if any. 2006 OTC Model Rule for Adhesives and Sealants (SCC 4-02-007-xx) CT adoption of 22a-174-44 completed 10/3/2008 Actual or Estimated Compliance Date: Reductions began 1/1/2009. Include 64.4% VOC reduction in 2013? Yes Include 64.4% VOC reduction in 2017? Yes Include 64.4% VOC reduction in 2020? Yes OTC Model Rule for Asphalt Production Plants Actual or Estimated Compliance Date: No Rule No rule in CT Include 35% NOx reduction in 2013? No nclude 35% NOx reduction in 2017? No Include 35% NOx reduction in 2020? No Actual or Estimated Compliance Date: NA No facilities in CT. Specify % incremental reduction in NOx NA missions from 2007-2013 for kilns in you State Specify incremental % reduction in NOx missions from 2007-2017 for kilns in you NA Specify incremental % reduction in NOx missions from 2007-2020 for kilns in you NA State 2006 OTC Model Rule for Glass and Fiberglass Furnaces Actual or Estimated Compliance Date: NA No facilities in CT. Specify % incremental reduction in NOx missions from 2007-2013 for furnaces in NA your State Specify incremental % reduction in NOx emissions from 2007-2017 for furnaces in NA your State Specify incremental % reduction in NOx missions from 2007-2020 for furnaces in NA your State Model Rule for NOx for nonEGU Point Source ICI Boilers < 25 mmBtu/h Not adopted in CT. CT likely to depend on EPA national rule, Actual or Estimated Compliance Date: possibly for inclusion in BOTW inventory. Include 10% incremental NOx reduction in 2013 inventory? nclude 10% incremental NOx reduction in No 2017 inventory? Include 10% incremental NOx reduction in No 2020 inventory? 2006 OTC Model Rule for NOx for NonEGU Point Source ICI Boilers 25 to 50 mmBtu/hi Not adopted in CT. CT likely to depend on EPA national rule, Actual or Estimated Compliance Date: No Rule possibly for inclusion in BOTW inventory Include 50% incremental NOx reduction in No 2013 inventory? Include 50% incremental NOx reduction in No 2017 inventory? Include 50% incremental NOx reduction in Nο 2020 inventory? 2006 OTC N del Ru for NOx for NonEGU Point Source ICI Boilers 50 to 100 Not adopted in CT. CT likely to depend on EPA national rule, Actual or Estimated Compliance Date: No Rule ossibly for inclusion in BOTW inventory Include 10% incremental NOx reduction in Nο Include 10% incremental NOx reduction in No 2017 inventory? nclude 10% incremental NOx reduction in 2020 inventory? 2006 OTC Model Rule for NOx for NonEGU Point Source ICI Boilers 100 to 250 mmBtu/hi Not adopted in CT. CT likely to depend on EPA national rule. Actual or Estimated Compliance Date: No Rule possibly for inclusion in BOTW inventory. Include 40% incremental NOx reduction in No 2013 inventory? nclude 40% incremental NOx reduction in No 2017 inventory? Include 40% incremental NOx reduction in No 2020 inventory? ICI Boiler Distillate Oil Sulfur in Fuel Limits Section 16a-21a of the Connecticut General Statutes conditions implementation of 500ppm heating distillate & oad diesel oil In CT on similar implementation in NY, MA & RI. Therefore, do not include in the OTB/OTW Actual or Estimated Compliance Date: No Rule ventory. CT will reassess for inclusion in BOTW inventory Sulfur fuel content in 2007 0.39 Same as Sulfur fuel limit in 2013 2007 Same as Sulfur fuel limit in 2017 2007 ame as Sulfur fuel limit in 2020 2007 ICI Boiler Residual Oil Sulfur in Fuel Limits Actual or Estimated Compliance Date: Although CT has committed in its Regional Haze SIP to pursue adoption of 0.5% sulfur residual oil and 15 ppn sulfur distillate oil, not enough progress has been made to include the reductions in the OTB/OTW inventory. C will reassess whether such reductions should be included in the BOTW inventory at the time that inventory is d No Rule Sulfur fuel content in 2007 1.09 Same as Sulfur fuel limit in 2013 2007 ame as Sulfur fuel limit in 2017 2007 Same as Sulfur fuel limit in 2020

2001 OTC Model Rule for Consumer Products CT adoption of 22a-174-40 completed 7/26/2007. Included both 2001 and 2006 OTC Model Rules. Reductions began January 1, 2009. Compliance Date: Is the 14.2% VOC reduction already No CT 2007 emissions from 2008 NEI, which uses same EF for CT as for non-OTC states, so rule not in 2007 estimates. accounted for in 2007 inventory?

If reductions not already accounted for in If reductions not already accounted for in 2007, should they be applied in 2013? If reductions not already accounted for in 2007, should they be applied in 2017? If reductions not already accounted for in 2007, should they be applied in 2020? Yes Yes 2001 OTC Model Rule for Architectural and Industrial Maintenance (AIM) Coatings CT adoption of 22a-174-41 completed 7/26/2007. Reductions began May 1, 2008, but EPA 2008 NEI values Compliance Date: specified to be used by CTDEP for 2007 are based on an emission factor 22% lower for OTC states (incl CT) than most other states. Is 31% VOC reduction already accounted for in 2007 inventory?

If reductions not already accounted for in 2007, should they be applied in 2013?

If reductions not already accounted for in 2007, should they be applied in 2017?

If reductions not already accounted for in 2007, should they be applied in 2017? ee No Adjust 2007 CT upward to remove EPA NEI 22% reduction Yes Then apply 31% reduction for subsequent inventory years. Yes Yes 2007, should they be applied in 2020? 2001 OTC Model Rule for Portable Fuel Conta CT initial regulation (22a-174-43) became effective 5/1/2004. Reductions began 5/1/2004. Compliance Date: Is VOC reduction already accounted for in 2007 inventory? CT linearly interpolated between 2005 & 2008 NEI to estimate PFC phase-in for 2007. Yes clude reductions based on 10-year Yes turnover rate in 2013 inventory? Include reductions based on 10-year Yes turnover rate in 2017 inventory? Include reductions based on 10-year Yes turnover rate in 2020 inventory? 01 OTC 22a-174-3b(d) revised 4/4/2006 to reflect OTC Model Rule. Compliance Date: Is the 38% VOC reduction already No 2008 NEI uses identical EF for all states, which does not appear to reflect OTC Model Rule (when compared to CT draft 2005 PEI estimates). counted for in 2007 inventory? If reductions not already accounted for in 2007, should they be applied in 2013?

If reductions not already accounted for in 2007, should they be applied in 2017?

If reductions not already accounted for in 2007, should they be applied in 2017? Yes Yes Yes 2007, should they be applied in 2020? vent Cleaning CT adoption of 22a-174-20(f) completed 7/26/2007 Compliance Date: eductions began 5/1/2008 Is the 66% VOC reduction already accounted for in 2007 inventory?

If reductions not already accounted Yes 2007, should they be applied in 2013? If reductions not already accounted for in Yes 2007, should they be applied in 2017?
If reductions not already accounted for in Yes 2007, should they be applied in 2020? CT adoption of 22a-174-44 completed 10/3/2008 Actual or Estimated Compliance Date: Reductions began 1/1/2009 Include 64.4% VOC reduction in 2013 Yes inventory? Include 64.4% VOC reduction in 2017 Yes inventory? Include 64.4% VOC reduction in 2020 Yes inventory? 006 OTC CT amendment of 22a-174-20(k) adopted Dec 2008. Actual or Estimated Compliance Date: Reductions began May 1, 2009 Include 20% reduction for emulsified in Yes 2013 inventory? clude 20% reduction for emulsified in Yes 2017 inventory? Include 20% reduction for emulsified in Yes 2020 inventory? 006 OTC Model Rule for Cons CT adoption of 22a-174-40 completed 7/26/2007. Included both 2001 and 2006 OTC Model Rules. Reductions began January 1, 2009. Actual or Estimated Compliance Date: nclude 2% incremental VOC reduction in 2013 inventory? Include 2% incremental VOC reduction in Yes 2017 inventory? ide 2% incremental VOC reduction in Yes 2020 inventory? 2006 OTC Model Rule for Portable Fuel Contain CT amendment of 22a-174-43 completed 1/29/2007 Actual or Estimated Compliance Date: Reductions began 7/1/2007, but not included in 2007 inventory nclude reductions based on 10-year Yes turnover rate in 2013 inventory? Include reductions based on 10-year turnover rate in 2017 inventory? Yes Yes turnover rate in 2020 inventory? 2006 OTC M el Rule for NOx for Area Source ICI Bo ers < 25 mmBtu/hr Not adopted in CT. CT likely to depend on EPA national rule. Actual or Estimated Compliance Date: No Rule possibly for inclusion in BOTW inventory. Include 10% incremental NOx reduction in 2013 inventory? Include 10% incremental NOx reduction in 2017 inventory? No Include 10% incremental NOx reduction in No 2020 inventory? 2006 OTC Mc le for NOx for A rs 25 to 50 m Not adopted in CT. CT likely to depend on EPA national rule, Actual or Estimated Compliance Date: No Rule possibly for inclusion in BOTW inventory. Include 50% incremental NOx reduction in No 2013 inventory? Include 50% incremental NOx reduction in No 2017 inventory? Include 50% incremental NOx reduction in Nο 2020 inventory? 2006 OTC Model Rule for NOx for Area Source ICI Boilers 50 to 100 mmBtu Not adopted in CT. CT likely to depend on EPA national rule, Actual or Estimated Compliance Date: No Rule possibly for inclusion in BOTW inventory. Include 10% incremental NOx reduction in Nο 2013 inventory? Include 10% incremental NOx reduction in 2017 inventory? No Include 10% incremental NOx reduction in 2020 inventory? No

Stationary Area Sources: State Staff Recommendations for On-the-Books/Way Regional Attainment Demonstration Modeling

CT DC DE MA MD ME MH NJ NY PA RI VT VA

2006 OTC Model Rule for NOx for Area Source ICl Boilers 100 to 250 mmBtu/hr Not adopted in CT. CT likely to depend on EPA national rule, possibly for inclusion in BOTW inventory. Actual or Estimated Compliance Date: No Rule Include 40% incremental NOx reduction in 2013 inventory? Include 40% incremental NOx reduction in 2017 inventory? Include 40% incremental NOx reduction in 2017 inventory? Include 40% incremental NOx reduction in 2020 inventory? No No No Residential Heating Oil Sulfur in Fuel Limits Actual or Estimated Compliance Date: No Rule Section 16a-21a of the Connecticut General Statutes conditions implementation of 500ppm heating distillate & off-road diesel oil in CT on similar implementation, do not include in the OTB/OTW inventory. CT will reassess for inclusion in BOTW inventory. 0.3% Sulfur fuel limit in 2013 2007 Same as 2007 Same as 2007 Sulfur fuel limit in 2017 Sulfur fuel limit in 2020 Actual or Estimated Compliance Date: No Rule Although CT has committed in its Regional Haze SIP to pursue adoption of 0.5% sulfur residual oil and 15 ppm sulfur distillate oil, not enough progress has been made to include the reductions in the OTB/OTW inventory. CT will reassess whether such reductions should be included in the BOTW inventory at the time that inventory is due. Sulfur fuel content in 2007 0.3% Same as 2007 Same as 2007 Same as 2007 Sulfur fuel limit in 2013 Sulfur fuel limit in 2017 Sulfur fuel limit in 2020 ICI E Actual or Estimated Compliance Date: Although CT has committed in its Regional Haze SIP to pursue adoption of 0.5% sulfur residual oil and 15 ppm sulfur distillate oil, not enough progress has been made to include the reductions in the OTB/OTW inventory. CT will reassess whether such reductions should be included in the BOTW inventory at the time that inventory is due. Sulfur fuel content in 2007 1.0% Same as 2007 Same as 2007 Same as 2007 Sulfur fuel limit in 2013 Sulfur fuel limit in 2017 Sulfur fuel limit in 2020