



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



VIA FACSIMILE AND ELECTRONIC MAIL

January 30, 2006

Stephen L. Johnson, Administrator
U.S. Environmental Protection Agency
Air Docket
Mail Code 6102T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Attention: Docket #OAR-2003-0062

Re: Connecticut Department of Environmental Protection Comments on the Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards, 70 FR 65984 (November 1, 2005)

Dear Administrator Johnson:

I am pleased to comment on behalf of the Connecticut Department of Environmental Protection (CTDEP) on the U.S. Environmental Protection Agency's (EPA's) above-referenced rulemaking (PM2.5 Implementation Rule). The PM2.5 Implementation Rule describes the planning framework and requirements for a state to consider when developing a plan to reduce air pollution to meet the PM2.5 national ambient air quality standards.

Connecticut is making significant strides in controlling air pollution within our borders, despite the geographic penalty we suffer as a result of being situated downwind from the major northeast metropolis and large electric utilities and industrial sources in the eastern half of our country. However, we need EPA's help to continue to reduce air pollution and protect the public health of our citizens and our environment. Wise and timely federal rules and guidance are particularly important now given the challenge states face to prepare attainment plans for multiple, interrelated and highly complex federal rules, including the 8-hour ozone standard, regional haze requirements and the Clean Air Mercury Rule. Effective federal management of long-range air pollution transport is key for Connecticut and other northeast states to meet our environmental goals.

While CTDEP monitors levels of PM2.5 below the national ambient air quality standard in all areas of Connecticut, the counties of Fairfield and New Haven are designated as PM2.5 nonattainment as a portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT area. EPA based Connecticut's designation on the area's PM2.5 contribution to downwind areas, even though atmospheric transport and dispersion modeling conducted by CTDEP and EPA suggest that emissions from Connecticut are not contributing significantly to measured nonattainment in New York City and northern New Jersey.

While disputing Connecticut's designation in this situation, CTDEP recommends that EPA apply an "area of violation/area of influence" approach to area attainment planning in future particulate matter rulemakings to better address nonattainment as a result of transport from upwind areas. That approach appropriately targets emissions reductions to upwind areas culpable for downwind nonattainment. As set forth in more detail in the comments submitted in this docket by the Northeast States for Coordinated Air Use Management (NESCAUM), such an approach also improves the application of reasonable further progress (RFP), avoiding the dedication of resources to implement mandatory RFP requirements in states in which nonattainment is a result of overwhelming transport from an area of influence in an upwind state. Both the states and our federal partners need to devote our limited resources and efforts toward achieving real environmental benefit.

In addition, we offer the following specific concerns with the PM2.5 Implementation Rule:

1) Precursor emissions. With regard to state demonstrations to exempt certain presumed precursors, we encourage EPA to define criteria and requirements necessary for a successful demonstration. Such criteria should take into account the impacts of potentially exempted precursor emissions in downwind areas as well as the area for which the demonstration is made.

2) Use of Integrated Planning Modeling (IPM). While we appreciate the efficiency offered when existing State Implementation Plan (SIP) quality modeling may be used for attainment planning purposes, CTDEP has concerns about the application of IPM to estimate future electricity supply and demand. The IPM was devised for use on a national scale and incorporates economic estimates that are inappropriately applied to small geographic areas. Connecticut's experience with EPA's 1998 IPM modeling to develop the original NOx SIP Call budget¹ clearly demonstrates the inappropriateness of applying the IPM model to a geographic area as small as Connecticut as well as the failure of IPM to take into account Connecticut's unique energy supply, infrastructure and energy planning efforts.

3) Reasonably Available Control Technology (RACT). The promulgation of the PM2.5 Implementation Rule offers an opportunity to EPA to provide states with cost and technology guidelines to use in RACT determinations and to update guidance materials to reflect advances in control equipment and operating efficiencies. Good candidates for revision include Alternative Control Technique and Control Technique Guideline documents and the October 1998 *Stationary Source Control Techniques Document for Fine Particulate Matter* (EPA-452/R-97-001). For states to fulfill their obligations, we rely on EPA to issue and update in a timely manner the necessary revised guidance.

4) Major source thresholds. EPA's proposed major source threshold for PM2.5 nonattainment New Source Review of 100 tons/year of direct PM2.5 emissions is inappropriately high. The operation of sources with emissions below 100 tons/year has the potential to produce high, localized ambient PM2.5 concentrations (see Attachment B to the NESCAUM comments in this docket). EPA should reduce the threshold to a level of 25 tons/year.

5) PM2.5 monitoring. We agree that the use of continuous emissions monitors (CEMs) to measure PM2.5 is a better approach to monitoring compliance than visual methods. Accordingly, the use of PM CEMS is becoming more prevalent, particularly at large utility boilers. We encourage EPA to publish guidance and regulations with all due expediency regarding such improved source monitoring so that states might obtain the emissions reductions associated with improved source compliance.

More detail on these items of concern is set forth in the comments submitted in this docket by NESCAUM. CTDEP staff worked with the NESCAUM staff developing the NESCAUM comments and encourages EPA to heed the recommendations therein. If you or members of your staff have any questions regarding this letter, please do not hesitate contact me at 860-424-3026.

Yours truly,



Anne R. Gobin, Chief
Bureau of Air Management

cc: David Conroy, EPA New England

¹ As you know, the adjustment of Connecticut's NOx SIP Call budget, necessitated by the vagaries of the IPM, was accomplished through a Memorandum of Understanding (MOU) among Connecticut, Massachusetts, Rhode Island and EPA, which redistributed EPA's NOx SIP Call budget allocations among the MOU states.