

Oral Comments to Citizens Advisory Council

Tom Schuster, Sierra Club

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Good morning, my name is Tom Schuster, and I represent the Sierra Club and our approximately 24,000 members in Pennsylvania. I would first like to take a moment to commend DEP staff for receiving the NGA technical assistance grant to study compliance options for the Clean Power Plan. I believe this assistance will help Pennsylvania find the best way to reduce our dangerous carbon pollution while protecting electricity customers and growing our economy. We look forward to participating in the development of Pennsylvania's compliance plan.

The main topic I would like to discuss is the proposed rulemaking entitled "Additional RACT Requirements for Major Sources of NOx and VOCs," which for simplicity sake we are calling "the smog rule." Last month the CAC tabled a recommendation on this rule. Since then, the DEP has revised the rule to lower NOx emission rates for coal-fired power plants equipped with Selective Catalytic Reduction, or SCR, and we are pleased with this change. However, the proposal still contains a provision that amounts to a special exemption for one power plant: the Brunner Island plant south of Harrisburg. This plant is the largest emitter of smog-causing NOx in the region, and it is a major contributor to the significant smog problems experienced downwind from Lancaster to Philadelphia and beyond.

The Brunner Island loophole is bad policy for a number of reasons. First, it rewards the plants owners for lagging behind the pack when it comes to cleaning up pollution. All six of the other large conventional coal fired power plants in Pennsylvania have installed or are currently installing SCR, which can reduce NOx pollution by up to 90%. These plants will be, rightly and for the first time, required to operate this equipment, but Brunner Island will not be required to make any reductions, which will give it an unfair competitive advantage and could actually make it operate more. By grandfathering in Brunner Island, a signal is sent to all plant owners that it is better to stall than to invest in upgrades to

protect public health, and we don't think this is the message that DEP should send.

Second, the loophole is inconsistent with the concept of "Reasonably Available Control Technology." RACT allows for the consideration of cost effectiveness, and we have submitted an analysis showing that SCR installation and operation at Brunner Island is cost effective. But even if DEP rejects this analysis, our June 2014 comments quote the following from the RACT regulation itself:

"Economic feasibility rests very little on the ability of a particular source to 'afford' to reduce emissions to the level of similar sources. Less efficient sources would be rewarded by having to bear lower emission reduction costs if affordability were given high consideration. Rather, economic feasibility for RACT purposes is largely determined by evidence that other sources in a source category have in fact applied the control technology in question."

Again, all other power plants in Brunner Island's category have installed SCR.

Finally, and most importantly, the loophole means that millions of Pennsylvanians who live downwind of the plant will be subjected to more smog pollution than they should be, and many will suffer health consequences because of this. As you can see, a number of our members and supporters have made the trip up from the Philadelphia region, which has the 16<sup>th</sup> worst smog pollution in the country according to the American Lung Association. Some of them would like to share their concerns about excess pollution from this plant.

Thank you for your time.