



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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May 20, 2015

Pennsylvania Citizens Advisory Committee (CAC)
Department of Environmental Protection
Rachael Carson State Office Building, 14th Floor
400 Market Street
Harrisburg, PA 17105-8459
Att: Michele L. Tate

Dear Ms. Tate:

The Maryland Department of the Environment (MDE) appreciates the opportunity to provide follow-up comments on Pennsylvania's April 2, 2015 proposed RACT rulemaking *Additional Requirements for Major Sources of NOx and VOCs*. A copy of our original comments, dated June 25, 2014, is attached.

Pennsylvania is the largest up-wind contributor to Maryland's problems with ground level ozone. We have research (measurements made with airplanes and ozone balloons and modeling from EPA, Maryland and other states) that show how significant Pennsylvania's contribution is to Maryland. These data also show that Pennsylvania is a significant contributor New Jersey and other eastern states. We are very concerned over how electric generating unit (EGU) controls in Pennsylvania continue to impact the health of Maryland citizens and worry that poorly controlled EGUs in Pennsylvania will lead to Maryland being designated inappropriately under a new ozone standard.

Maryland has just finalized regulations to further reduce nitrogen oxide (NOx) emissions from coal-fired EGUs. This regulation became effective on May 1, 2015. MDE's regulations require that coal-fired EGUs minimize NOx emissions by optimizing the use of installed control technologies on every unit, every day during the ozone season. The regulations require sources to meet 24-hour block average (daily) limits and also require coal-fired EGUs within a system to meet a 30-day rolling average NOx emission rate during the ozone season. A copy of the MDE regulation, COMAR 26.11.38, is also attached.

Once again MDE urges the Citizens Advisory Committee (CAC) to revise the proposed RACT rulemaking to incorporate language that:

- Requires sources to optimize and operate their installed pollution control technologies every single day in the summer (Section .03.A & .03.B of the Maryland regulation);
- Adopts more stringent daily emission limits (Section .03 and Section .04 of the Maryland Regulation); and
- Ensures that all sources subject to RACT are controlled with post-combustion control technology, including SCR, SNCR and SACR technology.



The MDE also urges a revision of the proposed Pennsylvania NOx RACT rule to remove permit provisions allowing "optional" application of post-combustion controls as it has been found that some sources are permitted to operate their post-combustion controls at their own discretion. A source that operates its controls at its own discretion inherently implies that controls are not consistently run which in and of itself cannot meet a positive RACT determination because said controls are not consistently *put to use*. RACT includes the installation *and* the operation and maintenance of control technologies.

Maryland is also hoping that Pennsylvania will develop optimization agreements with coal-fired EGUs to minimize NOx emissions during the summer of 2015. Maryland has already required this with the adoption of our regulation and many other states are working with affected facilities to finalize optimization agreements to immediately reduce emissions.

The MDE's Air and Radiation Management Administration thanks you for the opportunity to comment on the proposed RACT rulemaking *Additional Requirements for Major Sources of NOx and VOCs*. If you have any questions, please do not hesitate to contact me or the Department at (410) 537-3255.

Sincerely,



George (Tad) S. Aburn, Jr. Director
Air and Radiation Management Administration

cc: Randy Bordner, DEP
Joyce Epps, DEP
Cristina Fernandez, EPA

