

**Summary of PPG Industries, Inc.'s Comments Regarding
the Proposed Rule to Control NOx Emissions from Glass
Melting Furnaces (25 Pa. Code Chapters 121, 129)**

PPG, headquartered in Pittsburgh, is a leading manufacturer of flat glass products for construction and transportation applications and maintains two facilities in the Commonwealth, Carlisle and Meadville, providing approximately 727 jobs in Pennsylvania with a total payroll of approximately \$39 million.

With regard to the EQB's proposed rule to control NOx emissions from glass melting furnaces, PPG believes that the proposed rule is arbitrarily and unreasonably over-inclusive. Comprehensive modeling performed by PPG indicates that PPG's flat glass furnaces in Carlisle and Meadville simply do not adversely affect in any material or measurable manner the 8-hour ozone attainment status of any area in Pennsylvania or elsewhere in the Northeast ozone transport Region. Because PPG's facilities do not contribute to the failure of any area to comply with air quality standards for ozone, PPG believes the proposed rule cannot legally extend to these facilities. Regulating sources that do not affect the attainment of air quality standards for ozone, at great expense, under the proposed rule violates 2 Pa. Const. Stat. § 102 and is therefore unlawful, unnecessary for the protection of public health and the environment, and economically wasteful.

However, as an alternative to excluding PPG's facilities from the proposed rule, and in the interest of protecting public health and the environment while at the same time avoiding inefficient and economically harmful overregulation of businesses committed to environmental protection, PPG urges the EQB to revise the proposed rule to allow for a variance procedure if the applicant demonstrates that: (1) it is economically unreasonable for the applicant to comply with the requirements of the proposed rule; (2) the public interest is best served by granting the variance; and (3) the applicant's current operations have no significant adverse impact on atmospheric NOx concentrations and do not effect Pennsylvania's 8-hour ozone demonstration.

PPG meets the proposed standard for granting a variance. First, the potential costs to PPG to meet the requirements of the proposed rule are enormous. At Meadville, PPG has spent approximately \$29 million in a voluntary measure to reduce NOx emissions and estimates further capital costs to comply with the proposed rule at Meadville are approximately \$500,000 in capital costs. Similarly, to meet the requirements of the proposed rule at the Carlisle facility, PPG expects it would have to spend approximately \$10.5 million to \$31 million with increased annual O&M costs. These costs are unreasonable in light of the demonstrated fact that emissions from these sources do not adversely affect the ozone attainment status of any area in the Northeast Ozone Transport Region.

PPG has a strong commitment to the protection of human health and the environment as well as a desire to conduct its business in the Commonwealth in the most economically efficient manner possible. Please consider the proposed variance procedure in these comments as an effort to balance concerns of economic waste with a recognition of the value of effective environmental regulation.