



**Vincent Brisini, Deputy Secretary
Pennsylvania Department of Environmental Protection (PADEP)
Rachel Carson Office Building
Harrisburg, PA**

**Public Listening Sessions on Section 111(d) Guidelines
TESTIMONY Carbon Pollution Standards for Existing Power Plants**

**JEFF A MCNELLY, ARIPPA EXECUTIVE DIRECTOR
December 16, 2013**



2015 Chestnut Street Camp Hill PA 17011
Phone: 717 763 7635, Fax: 717 763 7455
Email: jamcnelly1@arippa.org
Alt Email: office@arippa.org
Web: www.arippa.org





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RE: Public Listening Sessions on Section 111(d) Guidelines
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Introduction

My name is Jeff A McNelly, and I serve as Executive Director of ARIPPA. Organized in 1988, ARIPPA is a non-profit trade association based in Camp Hill, Pennsylvania. Its membership is comprised of electric generating plants, combusting coal refuse as primary fuel and producing alternative electrical energy and/or steam. Most ARIPPA plants are currently located in or near the anthracite or bituminous coal regions of the United States. ARIPPA plants generate approximately five percent (5%) of the total electricity produced in the Pennsylvania-West Virginia region. Hundreds to thousands of people are directly or indirectly employed by the ARIPPA industry, and live, along with their children, families, and extended families, in communities within close proximity of the ARIPPA alternative energy plants.

ARIPPA, on behalf of its member companies, is accordingly proud to provide testimony to PADEP on Carbon Pollution Standards for Existing Power Plants. On November 8th, 2013 ARIPPA supplied written testimony to the Environmental Protection Agency-EPA (Carbon Pollution Standards for Existing Power Plants Public Listening Session) which addressed the following key points:

A. Twenty-Five Years: The CFB coal refuse to alternative energy industry located in PA and WV has collectively (over the past 25 years) successfully removed and converted (in a regulated, controlled manner) over 200 million tons of coal refuse while operating at or below emission standards.

Coal refuse-to-alternative energy plants were originally constructed as Qualifying Facilities ("QFs"), subject to size restrictions pursuant to the Public Utility Regulatory Policy Act ("PURPA"). As a result, these facilities are relatively small in size, ranging in size from 30 MW to 120 megawatts.

Accordingly while the CFB coal refuse to alternative energy industry is quite unique, it unfortunately comprises a very small portion of the overall United States electric generating market. Collectively nationwide, the industry produces 1800 MGWs of alternative energy (approximately 1500MGW generated in PA and WV alone). All currently operating plants comply with and operate within state and federally established emission standards. Accordingly the total emissions from the industry on a nationwide basis are diminutive especially when balanced against the environmental benefits the industry has (for over 25 years), and will, continue to provide in the form of remediating coal refuse piles and the reclamation of polluted/damaged land and streams.

B. Environmentally Beneficial: Historical coal mining management practices caused coal refuse to be placed on the land leading to water pollution, land pollution, and air pollution. Pennsylvania's Abandoned Mine Land reclamation costs alone are estimated to be \$16+ BILLION. While Pennsylvania is scheduled to receive a little over \$1 billion in OSMRE (abandoned mine land-AML) reclamation funding, such funds are required to be used for abandoned mine sites determined to be "Priority 1 and/or 2". As such, many abandoned mine coal refuse sites in the Commonwealth, in need of reclamation, will not be reclaimed due to lack of federal funding. Without giving any value to the removal/conversion of coal refuse for electrical generation, ameliorated water quality, and the elimination of sites with the potential to uncontrollably ignite and burn the reclamation work completed privately by the coal refuse plants to date represents over \$200 Million worth of reclamation

By removing and converting coal refuse into alternative energy, ARIPPA plants are eliminating one of the major sources of contamination to surface water and groundwater in coal mining regions of the Commonwealth and the United States.

This industry provides an option for removing coal refuse piles from the environment without shifting such costs to public sources. Should that option become unavailable, the entire responsibility

for removal and clean up would fall on the shoulders of tax payers and our government, a task the Pennsylvania Department of Environmental Protection ("PADEP") has testified would cost billions of dollars and take over 500 years to accomplish.

Coal Refuse Fired EGUs are providing multi-media environmental benefits. These benefits have been recognized by various members of the US Congress, the Environmental Protection Agency (EPA), the Pennsylvania Department of Environmental Protection (PADEP), various members of the Pennsylvania Legislature, the Federal Office of Surface Mining Reclamation and Enforcement (OSMRE), as well as local environmental, watershed, and conservation groups based in Pennsylvania. These benefits include:

1. Reclamation of over 7200 acres of damaged abandoned mine lands has occurred
2. Improvements to many miles of formerly polluted streams likely accounting for billions of gallons of improved water
3. Removal, remediation, and conversion of coal refuse piles
4. Reduction in uncontrolled release of Green House Gas (GHG) emissions (i.e. uncontrolled coal refuse combustion)

C. Uncontrolled release of GHG emissions: A significant environmental problem that has occurred in the past, continues to occur today, and will likely occur in the future, is that existing coal refuse piles uncontrollably catch on fire (due to naturally occurring conditions and/or unfortunate citizen activities) producing hazardous ground level emissions

Pennsylvania was one of the first states to pass legislation as a means of abating and/or controlling existing and/or future uncontrolled coal refuse fires from active coal refuse disposal sites. This legislative action allowed the Commonwealth to approve sites and to compel private companies to extinguish detected uncontrolled fires witnessed at active coal refuse disposal operations. EPA is aware of the uncontrolled ground level emissions of greenhouse gases (CO₂, N₂O, etc.) due to the naturally occurring combustion of coal refuse piles and the release of methane that currently occurs in abandoned mine environments. ARIPPA is hopeful that EPA and PADEP will continue to

see the value of eliminating these uncontrolled emission issues through controlled activities from an industry with a proven net effect of improving our environment.

In Conclusion If any adopted Rule would prevent new or existing CFB coal refuse sources from becoming or remaining economically viable, it would impose extremely deleterious consequences for both the environment and the health/safety of several affected states citizens'. Detrimental rules may potentially displace thousands of jobs in these economically challenged areas, and drastically reduce the net amount of environmental benefits this industry provides. Given that EPA and PADEP recognize that coal refuse piles have uncontrollably burned, are burning and will likely burn in the future, the removal and conversion of coal refuse piles through controlled and regulated CFB EGUs should serve as an added incentive for EPA to encourage the construction and existence of this industry. The CFB coal refuse to alternative energy industry truly provides a multi-media of environmental improvements and benefits.

Not only is the ash generated by these coal refuse plants beneficially used, including significantly in the reclamation of mine lands, but the removal and controlled combustion of coal refuse eliminates thousands of abandoned coal refuse piles located throughout the nation... and the potential uncontrolled fires they may produce. Indeed, CFB technology was designed to effectively combust coal refuse from past mining activities in response to the immense challenges posed by the millions of tons of coal refuse deposited throughout Pennsylvania and other states

Given the 25 year proven record of the environmental benefits the CFB coal refuse to alternate energy industry has provided our nation (and will continue to provide) ARIPPA requests that PADEP assist in our industry efforts to request/secure from EPA a Carbon Pollution Standards sub categorization for NEW and/or EXISTING CFB coal refuse to alternate energy EGU's.

ARIPPA appreciates this opportunity to testify.

NOTE: ARIPPA will be providing written comments on EPA's GHG Proposed Rule for New and Existing Source Performance Standards for EGUs once the proposed rules are published in the Federal Register Jeff A McNelly, ARIPPA Executive Director Email: jamcnelly1@arippa.org