

New RCSA section 22a-174-22e/22f Subcommittee  
Entire draft of Section 22e/Section 22f applicability (revised)  
8/13/15  
Summary of Discussion

Before the meeting Corine Hellerman (Sikorsky) asks how CT's imminent bump-up impacts this. Wendy Jacobs (CT DEEP): It makes the regulation even more necessary. Corine: But will it get more stringent? Wendy: I don't think so, unless EPA requires more.

Jim Romanski (Yale): How does this compare to PA's notice for case-by-case RACT? Merrily Gere (CT DEEP): It's a more stringent process. PA submits a notice about the case-by-case proposal to EPA and it's published after the fact.

Jim: Regarding the 120 day notice requirement for testing requests differing from the 3 one hour tests, 120 days is a long time. Merrily: Please submit comments if you have them. Jim: Maybe enforcement needs that the first time, but each subsequent time is a bit much.

Brian Freeman (Robinson & Cole): The draft 22f language begins with subsection (b). Merrily: Yes. In the e-mail we sent it said to assume that the definitions would be the same as those used in 22e.

Corine: Is the 137 lb/day actual or potential? Merrily: It's actual. Corine: Even for the item you're still discussing? Merrily: Yes.

Steve Eitelman (Pratt & Whitney): How well circulated was this within the Bureau? Merrily: We've had several meetings, primarily with enforcement (Bob Girard and other enforcement supervisors). Ric Pirolli and Paul Bodner are also aware of what's going on. I'd be surprised to have something dramatically different based on feedback from the Air Bureau.

Corine: What is the timeframe for making this effective? Merrily: 12/31/16. Corine: What's the precedent for subsection (d)(12)? Requiring compliance with Phase 2 limits for new units is 6 years before Phase 2 kicks in. Merrily: Any new construction would have to meet BACT anyway, so that would be at least as stringent as these limits.

Jim: Is that the drop dead date? Merrily: That's the effective date, not the compliance date. Last August we had as the worst case going to the Governor's office by November 2015. I'd like to wrap this up. One complication is the e-regulation system. The e-regulation system has just been released and is creating a lot of uncertainties. Getting regulations into that system is an effort. Jim: Is this an electronic system? Merrily: It's a document management system and requires new software and training. It might be worth doing a search on it. It's another IBM document management system. The approval process is handled through it.

Bob Tyler (Woodard & Curran): What about once in always in in 22f? Merrily: We have not developed 22f to be once in always in. Effectively it would be, but I would not characterize it as that. If you take a limitation after the effective date you can limit yourself out. Jaimeson Sinclair (CT DEEP): Would it be more effective to say don't emit above 137/274 lb/day unless you're in compliance with this regulation?

Mark Sussman (Murtha, Cullina, Richter and Pinney): What about water injection only being RACT for the non-ozone season limit? Merrily: Water injection should allow you to meet the other limits. Mark: I'm not sure they'd all meet that. Merrily: We expect that they would but we can talk about that.

Josh Berman (Sierra Club): Regarding (g)(2)(G), what is the date range of retirement of a unit that would qualify? Merrily: We have a cease operating date. Josh: What ensures that you're not counting retirements from the past? Merrily: I understand what you're saying. We probably should specify times.

Josh: Regarding (g)(2)(F), you might not want to encourage that for grid reliability concerns. Jim: A lot of people have units subject to major/area source Boiler MACT. There's an option to burn gas but you can switch to oil for curtailment and still qualify as gas burning. There's not much time you can burn oil (48 hours). Josh: I don't want to preclude a unit from being able to do that. Jim: We reference the federal rule so they don't have to get an order or permit to do that. Josh: I'm thinking about EGUs. Merrily: This is not a mandate – it's a compliance option. Josh: I see it as discouraging ISO-NE fuel diversification. Merrily: We're allowing people to make the business/market decision. We're not forcing them.

Josh: I'm curious about the \$12,300 dollar/ton threshold in subsection (h). Merrily: That came from DE's background cost information for its RACT rules. Josh: What year's dollars? Merrily: It came out of a range in a presentation. I'm not sure what year's dollars. That number is one of the few that exist. Josh: Is the annualized basis assuming a 100% capacity factor? Merrily: Yes.

Josh: We have a strong focus on coal plants. I know you picked a NY/DE influenced number. You're also looking at the 2015 NAAQS and I feel that CT is missing the opportunity to push forward, especially regarding other states. The Bridgeport plant gets 0.135 with no controls and I feel you could get better than 0.12, especially regarding advocacy with other states.

Merrily: Does this workgroup feel we need a lot more process? Jim: If there's something significant, could you talk about it at SIPRAC? Merrily: Yes.