

Stakeholder Comment before the Ozone Transport Commission

On behalf of ACCCE and MOG

Alexandria, Virginia

November 19, 2014

Good afternoon. I am Gene Trisko, an attorney in private practice. I am here on behalf of ACCCE, an association of major railroads, coal producers, and electric utilities, and as Chair of the Midwest Ozone Group's Government Relations Committee. ACCCE is a member of MOG. MOG is an association of major electric utilities that has been involved for many years in the ozone transport issue, and is one of only two stakeholder groups in the eastern U.S. that engages in photochemical grid modeling – the other group is in Houston, Texas.

MOG has been involved for nearly a year in the analysis of the issue that has been raised here at the OTC concerning the operation of NOx controls installed at EGUs.

Working in consultation with several states, MOG has helped to facilitate technical meetings involving states and RPOs in the analysis of the air quality impacts associated with the so-called optimization of emission controls, particularly in the nine states targeted by the section 176A petition.

MOG convened an initial technical meeting involving NE and MW states in Louisville on May 9, and another on October 24th in West Virginia. That meeting included representatives of several states as well as three RPOs – the OTC, LADCO and SESARM. The purpose of the October 24th meeting was to share the results of modeling and other technical assessments of the air quality impacts of control optimization. There were presentations by MDE, LADCO, and Alpine Geophysics on behalf of MOG.

I will not go into the details of these modeling efforts in view of the time constraints today. But the bottom line is that the three analyses, using different methods and assumptions, reached surprisingly similar results. Both LADCO and Alpine used CAMx OSAT approaches.

The findings of the three studies indicated that the downwind impacts of control optimization scenarios in the nine targeted states – including LADCO's use of a 0.10 lb. NOx cap on SCR units – were on the order of 0.3 ppb measured at the Harford monitor near Baltimore – which we are pleased to see is now monitoring attainment. That is 0.3 ppb for all nine states. There was a 0.9 ppb number, but that

included controls in Pennsylvania and Maryland that accounted for 58% of the ozone reduction.

We are all about to enter a brave new world of a potential ozone standard revision to be proposed on December 1. MOG has greatly appreciated the opportunity to work with the states in the development of technical assessments like those presented at our October 24th meeting. MOG also is pleased that the "SCOOT" process will be continuing these discussions on interstate cooperation at a meeting later this week.

MOG will look forward to future opportunities to contribute further to the development of regulatory policy decisions based on good science.

Thank you.

Note: The three modeling analyses referenced above can be accessed on the Midwest Ozone Group website, www.midwestozonegroup.com, under the "Position Statements" tab.