

November 22, 2019

**VIA ELECTRONIC MAIL**

Ozone Transport Commission  
800 Maine Avenue SW, Suite 200  
Washington, DC 20024  
Email: [ozone@otcair.org](mailto:ozone@otcair.org)

**RE: Comments Sierra Club, Chesapeake Bay Foundation, Clean Air Council,  
Connecticut Fund for the Environment, and Environmental Integrity Project  
Regarding Maryland Section 184(c) Petition**

Dear Members of the Ozone Transport Commission:

On behalf of their hundreds of thousands of members living in the Ozone Transport Region, the Sierra Club, Chesapeake Bay Foundation, Clean Air Council, Connecticut Fund for the Environment, and Environmental Integrity Project respectfully submit these comments in response to the Ozone Transport Commission's (OTC's) October 18, 2019 Notice on Public Comment Period and Public Hearing.

In prior comments submitted to the OTC on August 16, 2019, which we incorporate by reference here, we demonstrated that, during the 2018 ozone season, numerous coal units in Pennsylvania were emitting ozone-forming nitrogen oxides (NO<sub>x</sub>) at rates that far exceeded past actual performance.<sup>1</sup> Indeed, even controlling for operating profile, we showed that Pennsylvania coal units in 2018 emitted NO<sub>x</sub> at far higher rates than they had in 2005, when NO<sub>x</sub> emission allowance prices were considerably higher and EGUs would have been incentivized to optimize controls rather than purchase allowances.<sup>2</sup> Moreover, through an expert technical analysis<sup>3</sup> and actual unit-specific emissions data,<sup>4</sup> we demonstrated that there is no technical impediment to units achieving emission rates consistent with best past performance.

Emissions data from the 2019 ozone season, which have become available since we submitted our prior comments, reinforce the need for tighter limits on Pennsylvania's coal fleet. Units in the fleet continue to underperform compared to past actual performance. For example, Cheswick's July average NO<sub>x</sub> emission rate showed no improvement between 2018 and 2019, going from 0.205 lb/MMBtu in 2018 to 0.206 lb/MMBtu in 2019.<sup>5</sup> By comparison, the average NO<sub>x</sub> emission rate for Cheswick in July 2005 was below 0.08 lb/MMBtu, *more than 60 percent*

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<sup>1</sup> Comments of Sierra Club, Chesapeake Bay Foundation, Clean Air Council, Connecticut Fund for the Environment/Save the Sound, Conservation Law Foundation, and Environmental Integrity Project Regarding Maryland Section 184(c) Petition (Aug. 16, 2019), at 6-15 (August 2019 Comments).

<sup>2</sup> *Id.* at 7 ("When the cost of pollution allowances are sufficiently high, facilities will optimize operation of installed controls; absent high emissions allowance prices, some units will elect to emit greater quantities of NO<sub>x</sub> and save on control costs.") and 12 (discussing the two Keystone units).

<sup>3</sup> Dr. Ranajit Sahu, Technical Note Responding to EPA Claims Regarding SCR NO<sub>x</sub> Performance Degradation, attached as Exhibit B to August 2019 Comments.

<sup>4</sup> August 2019 Comments at 15-17.

<sup>5</sup> Data from EPA's Air Markets Program Database, available at <https://ampd.epa.gov/ampd/>.

lower than 2018 and 2019 emission rates.<sup>6</sup> Likewise, Montour’s July average NOx emission rate did not appreciably improve between 2018 and 2019, with Unit 1 going from 0.115 lb/MMBtu in 2018 to 0.111 lb/MMBtu in 2019 and Unit 2 going from 0.135 lb/MMBtu in 2018 to 0.132 lb/MMBtu in 2019.<sup>7</sup> By comparison, the average NOx emission rate for July 2005 for Montour Unit 1 was 0.046 lb/MMBtu and for Unit 2 was 0.057 lb/MMBtu, both more than 50 percent lower than 2018 and 2019 emission rates.<sup>8</sup>

At the same time, considerable improvement in the performance at certain other units in the Pennsylvania coal fleet provides additional confirmation that further emission reductions are possible within the fleet. Homer City, for example, dramatically improved its average NOx emission rate between 2018 and 2019. Unit 1’s July NOx emission rate dropped from 0.166 lb/MMBtu in 2018 to 0.103 lb/MMBtu in 2019, a nearly 40 percent improvement.<sup>9</sup> Unit 2’s NOx emission rate dropped from 0.184 lb/MMBtu in July 2018 to 0.105 lb/MMBtu in July 2019, a 43 percent decrease.<sup>10</sup> And Unit 3’s NOx emission rate dropped from 0.109 lb/MMBtu in July 2018 to 0.086 lb/MMBtu in 2019, a 22 percent improvement.<sup>11</sup>

OTC states’ proposed recommendation—requiring 24-hour NOx emission limits on the Pennsylvania coal units consistent with those adopted by Delaware, Maryland, and New Jersey<sup>12</sup>—is appropriate and timely. As discussed in our August 2019 Comments,<sup>13</sup> ozone presents a serious public health concern in the Ozone Transport Region. The OTC states are facing 2021 attainment deadlines and are not presently on track to meet that deadline, necessitating further reductions in ozone precursor emissions.<sup>14</sup> The affected downwind states already impose on their own in-state sources the specific requirements that the OTC is recommending for Pennsylvania’s coal fleet, making the recommendation eminently equitable. Meanwhile, the design values that will be used to evaluate whether areas have timely attained will incorporate data from the upcoming 2020 ozone season, leaving time to achieve needed precursor emission reductions if states act quickly. We therefore urge the OTC states to expeditiously submit their Section 184(c) request to the U.S. Environmental Protection Agency and seek more protective daily NOx emission limits to become effective at the beginning of the 2020 ozone season commensurate with the limits already imposed on downwind sources in Maryland, New Jersey, and Delaware.

Thank you for your consideration.

Respectfully submitted,

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> OTC Recommendation for Establishing Daily Limits for Coal-Fired EGUs in Pennsylvania to Ensure that Existing Control Technologies are Optimized to Minimize Nitrogen Oxide Emissions Each Day of the Summer Ozone Season (Oct. 18, 2019) (OTC Recommendation).

<sup>13</sup> August 2019 Comments at 1-6.

<sup>14</sup> OTC Recommendation at 1.



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