

## **OTC Notice on Public Comment Period**

**ACTION:** Ozone Transport Commission notice of public comment period and public hearing

**SUMMARY:** The Ozone Transport Commission (OTC) is soliciting public comments regarding a proposed recommendation it has developed under Section 184(c) of the Clean Air Act (CAA). The proposed recommendation may be viewed at <https://otcair.org/>.

The OTC's recommendation proposes a control measure to establish daily control technology optimization requirements and daily nitrogen oxide (NO<sub>x</sub>) emission limits at coal-fired electricity generating units (EGUs) in Pennsylvania. It was developed to help bring areas of the Ozone Transport Region (OTR) into attainment with the National Ambient Air Quality Standard (NAAQS) for ozone by CAA mandated dates.

If, after public comment, the OTC approves the recommendation, it will be submitted to the U.S. Environmental Protection Agency under CAA Section 184(c).

### **DATES:**

#### **Comments:**

Comments must be received no later than 5:00 p.m. ET on November 22, 2019. Please submit your comments by email to [ozone@otcair.org](mailto:ozone@otcair.org) or by mail to the Ozone Transport Commission Ozone Transport Commission, 800 Maine Avenue SW, Suite 200, Washington, DC 20024.

The OTC may publish any comment received to a public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment will be considered the official comment and should include discussion of all points you wish to make.

Written comments that are submitted during the comment period will be considered with the same weight as any oral testimony presented at a public hearing, should one be requested. Written comments must be postmarked by the last day of the comment period.

#### **Public Hearing:**

A public hearing concerning the OTC's proposed recommendation will be conducted only if requested by November 14, 2019. A request for a public hearing may be submitted to the OTC by email ([ozone@otcair.org](mailto:ozone@otcair.org)) or by mail at the address, Ozone Transport Commission, 800 Maine Avenue SW, Suite 200, Washington, DC 20024. If no request for a public hearing is received by the close of business on November 14, 2019, then the hearing will be cancelled by a notice posted on the OTC website at <https://otcair.org/>. If a public hearing is requested, it will be held on November 21, 2019. The public hearing will convene at 10:00 a.m. and end at 12:00 p.m. Eastern Time (ET) or 1 hour after the last registered speaker has spoken. The hearing will be held at the Hilton Wilmington/Christiana located at 100 Continental Drive, Newark, DE 19713. Interested persons are invited to attend and express their views.

If you would like to present oral testimony at the hearing, please notify the OTC via email at [ozone@otcair.org](mailto:ozone@otcair.org) or telephone at (202) 318-0190, no later than 5:00 p.m. ET on November 18, 2019. OTC will arrange a general time slot for you to speak. The OTC will make every effort to follow the schedule as closely as possible on the day of the hearing. Oral testimony will be limited to 5 minutes for each commenter. The OTC encourages commenters to provide the OTC with a copy of their oral testimony electronically (via email) or in hard copy form. Commenters should notify OTC if they need specific translation services for non-English speaking commenters or an interpreter for deaf and hearing-impaired persons. The request for any such service should be made at least ten (10) days prior to the hearing.

**FOR FURTHER INFORMATION, CONTACT:** The Ozone Transport Commission, 800 Maine Avenue SW, Suite 200, Washington, DC 20024; phone: (202) 318-0190; email: [ozone@otcair.org](mailto:ozone@otcair.org); website: <https://otcair.org/>.

**SUPPLEMENTARY INFORMATION:** Established under the provisions of Sections 176A and 184 of the CAA, the OTC is comprised of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and the Washington, D.C. metropolitan area that includes the District of Columbia and a portion of Virginia.

Under Section 184(c) of the CAA, any State within the OTR may petition the OTC to develop, after notice and opportunity for public comment, recommendations for additional control measures to be applied within all or a part of the OTR if the OTC determines such measures are necessary to bring any area in the OTR into attainment by the dates provided by the CAA.

Approximately 30 million people living in the Northeast breathe air that fails to meet the current 2015 ozone national ambient air quality standard (NAAQS) of 70 parts per billion (ppb). As a result, large areas of the region are designated as nonattainment for ozone, including all or portions of the following: Connecticut, Delaware, the District of Columbia, Maryland, New Jersey, New York and Pennsylvania. In its assessment of ozone transport, the U.S. Environmental Protection Agency (EPA) has identified Pennsylvania as a contributor to high ozone in each of the states failing to meet the 2015 ozone NAAQS. In addition, EPA has determined that Pennsylvania contributes to portions of Connecticut, New Jersey and New York that still fail to meet the 2008 NAAQS of 75 ppb.

On May 30, 2019, Maryland petitioned the OTC under CAA Section 184(c). The Maryland petition may be viewed at <https://otcair.org/> under “Announcements.” The petition asks the OTC to consider developing additional control measures within part of the OTR, specifically the potential need for daily limits at coal-fired EGUs in Pennsylvania, as necessary to bring areas in the OTR into attainment by the dates mandated by the CAA.

On June 26, 2019, the OTC voted to proceed with the initial steps associated with the CAA Section 184(c) petition process, including analyzing recent EGU operations in Pennsylvania. Starting July 17, 2019, the OTC held a public comment period ending in a public hearing on August 16, 2019.

The OTC solicited public comment on the following: 1) whether the OTC should develop additional control measures for Pennsylvania, and if so, 2) how those specific control measures should be structured. The public comments received may be viewed at <https://otcair.org/> under “Meetings.” The OTC reviewed and analyzed these public comments and, based on this review, developed the proposed recommendation for which it is now seeking public comment.