

Chambers, Laura M.

2818

From: COMAS-MONTALVO, LUIS A [LACOMAS-MONTALVO@sunocoinc.com]

Sent: Monday, March 22, 2010 7:36 AM

To: EP, RegComments

Subject: FW: EQB Proposed Modifications to 25 PA Code Chapters 121 and 127 - ID # 7-450 (#2818)

RECEIVED
2010 MAR 31 PM 1:27
INDEPENDENT REGULATORY
REVIEW COMMISSION

These are Sunoco, Inc. comments to the proposed modifications to 25 PA Code Chapters 121 and 127.

§ 121.1 Definitions

The proposed definition of Regulated NSR pollutant would include SO₂ and NO_x as precursors to PM_{2.5} and add PM_{2.5} to the list. The proposed modification would make de-minimis emissions of PM_{2.5} subject to the 10 year aggregation provisions of § 127.203a and potentially to those in § 127.203. PADEP has not provided any justification which is significantly more stringent the Federal NSR rule. This would severely hinder implementing even many small projects. PM_{2.5} ERCs are very expensive, not readily available and difficult to generate. Sunoco understands that any potential emission reductions of PM_{2.5} related to the aggregation of de-minimis emissions were not considered in the SIP revision analysis; therefore the aggregation requirement should not be included in the final rule.

Sunoco recommends adding proper wording in § 127.203 and § 127.203a specifically excluding PM_{2.5} from the de-minimis aggregation requirements.

§ 123.203a

In order to determine if a project will result on a net significant increase, it is required to add increases and decreases in actual emissions of a regulated pollutant that occurred at the facility during the contemporaneous period. The contemporaneous period is defined as the date between 5 years before construction on the project commences and the date that construction is completed. Under the so called "PM₁₀ Surrogate Policy", EPA allows the use of PM₁₀ emissions as a surrogate for PM_{2.5} in NSR applicability determinations. Therefore, many facilities that used the Surrogate Policy in permit applications do not have actual PM_{2.5} contemporaneous emissions. In order to avoid overestimating PM_{2.5} actual contemporaneous emissions, we recommend that the 5 and 10 year aggregation periods described in this section be started prospectively after the effective date of the rule. *(Note: this is a long shot and may be in conflict with the proposed change to allow generating ERCs for reductions accruing after 04/5/05)*

§ 127.210 Offset ratios

The rule should clearly indicate that offsets shall be provided only once for a particular pollutant. For example a facility located in the Ozone Transport Region that triggers NSR for NO_x and PM_{2.5}, should only provide offsets for either NO_x or NO_x as a precursor for PM_{2.5}, but not for both.

Luis A. Comas

Environmental Manager Consultant

Sunoco, Inc

lacomas-montalvo@sunocoinc.com

Tel: 610-833-3429

Cell: 610-420-3129

Fax: 866-302-2148

10 Industrial Highway MS4

Lester, PA 19029

3/31/2010