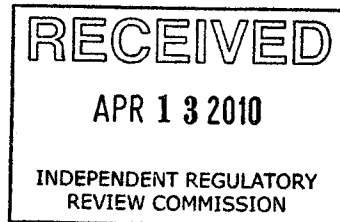


April 12, 2010



A New Generation of Energy

2818

Pennsylvania Department of Environmental Protection
Environmental Quality Board
RegComments@state.pa.us

Re: 25 PA Code Chs. 121 and 127 - New Source Review

Dear Board Members:

Thank you for allowing Conectiv Energy to submit comments on the proposed revisions of the Nonattainment New Source Review (NNSR) regulations published in the Pennsylvania Bulletin On February 6, 2010. Conectiv Energy manages more than 6,000 MW of generation, including a fleet of generating stations in five mid-Atlantic states, including Pennsylvania. Our comments focus on the proposed revision of requiring facilities to aggregate "de minimis" increases of PM_{2.5} and the PM_{2.5} precursor SO₂ to determine whether emission offsets or ERCs will be required.

While an existing de minimis aggregation requirement currently exists for NO_x and VOC in ozone nonattainment areas in Pennsylvania, aggregating de minimis PM_{2.5} emission increases is extremely problematic because of the low significance level of PM_{2.5} emissions (e.g., 10 tons) that, in aggregate, would trigger the requirement to procure ERCs for PM_{2.5} or PM_{2.5} precursors. This provision would discourage relatively small projects that involve PM_{2.5} emissions located in or that impact PM_{2.5} nonattainment areas. There is no equivalent Federal requirement for Pennsylvania to include aggregation of de minimis PM_{2.5} emission increases in the proposed PM_{2.5} nonattainment rules, making the Pennsylvania rule unnecessarily more stringent than the Federal rule.

Furthermore, the availability of PM_{2.5} ERCs to offset increases in PM_{2.5} is of great concern. PM_{2.5} nonattainment from an NSR perspective is a relatively recent phenomenon. As such, PM_{2.5} emission inventories are not well defined and facilities that have reduced PM_{2.5} emissions or that have shut down within the last few years likely do not have adequate records of PM_{2.5} emissions and reductions to create PM_{2.5} ERCs. In addition, the spatial requirement that PM_{2.5} ERCs must typically be generated within the nonattainment area in which they will be applied or be from a nearby nonattainment area with a demonstrated impact will further decrease PM_{2.5} ERC availability.

We appreciate your consideration of our comments. Please contact me at (302) 451-5077 or gary.helm@conectiv.com with any questions.

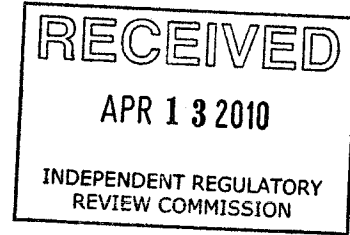
Kind regards,

A handwritten signature in black ink, appearing to be "M. Gary Helm".

M. Gary Helm
Sr. Environmental Consultant

2818

From: Gary.Helm@Conectiv.com
Sent: Monday, April 12, 2010 4:38 PM
To: EP, RegComments
Subject: 25 PA Code Chs 121 and 127 - New Source Review
Attachments: Conectiv PA NSR Comments 10-04-12.pdf



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