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September 7, 2012

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

Subject: One Page Summary of Proposed Rulemaking, 25 Pa. Code Chapters 121 and 139: Measurement and Reporting of Condensable Particulate Matter Emissions

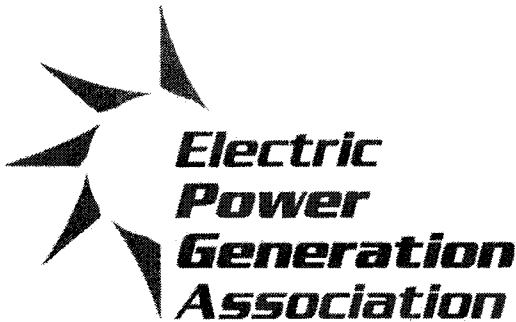
EPGA believes two changes should be made to the proposed revisions to 25 Pa. Code Chapters 121 and 139 that were published in the July 7, 2012 *Pennsylvania Bulletin*. The two requested changes will improve clarity, and provide consistency with the analogous federal regulatory provisions as well as current provisions found elsewhere in Chapter 121.

The first recommended change involves making clear that sources subject to PM₁₀ and PM_{2.5} emission limits that were issued prior to January 1, 2011 are not required to consider condensable particulate matter when determining compliance with such limits. That condensable particulate matter should not be considered is clear in the relevant federal provisions [40 CFR 51.166(b)(49)(i)(d)(vi) and 52.21(b)(50)(i)], but is not clear from the proposed wording of §139.12(c). Therefore, EPGA believes the wording of proposed §139.12(c) should be revised as follows (text to be added denoted in **bold underline**):

“Compliance with a particulate matter, **PM₁₀, or PM_{2.5}** emission limitation issued by the Department prior to January 1, 2011 will not be based on condensable particulate matter unless required under the terms and conditions of a plan approval, operating permit or the State Implementation Plan codified in 40 CFR 52.2020 (relating to identification of plan).”

The second recommended change involves eliminating the terms “primary PM₁₀” and “primary PM_{2.5}” from the definition of condensable particulate matter in the proposed §121.1. The terms “primary PM₁₀” and “primary PM_{2.5}” are not defined elsewhere in Chapter 121, and their use in this definition creates uncertainty in the meaning of the definition. Accordingly, EPGA believes the wording of proposed §121.1 should be revised as follows (text to be deleted denoted by ~~strikethrough~~):

“~~Condensable particulate matter~~—Material that is vapor phase at stack conditions but which condenses or reacts, or both, upon cooling and dilution in the ambient air to form solid or liquid particulate matter immediately after discharge from the stack. All condensable particulate matter, if present from a source, is typically in the PM_{2.5} size fraction and therefore all of it is a component of both ~~primary~~ PM_{2.5} and ~~primary~~ PM₁₀.”



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Comments on Proposed Rulemaking: 25 Pa. Code Chapters 121 and 139: Measurement and Reporting of Condensable Particulate Matter Emissions

Following are the comments of the Electric Power Generation Association (EPGA) on proposed revisions to 25 Pa. Code Chapters 121 and 139 that were published in the July 7, 2012 Pennsylvania Bulletin. EPGA is a trade association of electric generating companies with headquarters in Harrisburg, PA. Collectively, our members own and operate more than 150,000 megawatts of electric generating capacity, approximately half of which is located in Pennsylvania and surrounding states. Our members include AES Beaver Valley, LLC, Dynegy Inc., Edison Mission Group, Exelon Generation, FirstEnergy Generation Corp., GenOn Energy, PPL Generation, LLC, Sunbury Generation, LP, Tenaska, Inc., and UGI Development Company. These comments represent the views of EPGA as an association of electric generating companies, not necessarily the views of any individual member company with respect to any specific issue.

1. Proposed wording of §139.12(c)

EPGA believes the proposed wording of §139.12(c) should be revised to provide better clarity and consistency with the analogous federal provisions regarding whether condensable particulate matter must be included when determining compliance with existing PM_{10} and $PM_{2.5}$ emission limitations. The relevant federal provisions [40 CFR 51.166(b)(49)(i)(d)(vi) and 52.21(b)(50)(i)(d)(vi)] read as follows:

“...On or after January 1, 2011 (or any earlier date established in the upcoming rulemaking codifying test methods), such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for *PM*, *PM_{2.5}* and *PM₁₀* in PSD permits. Compliance with emissions limitations for *PM*, *PM_{2.5}* and *PM₁₀* issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan.” *(emphasis added)*

As currently proposed, the wording of §139.12(c) is unclear as to whether compliance with PM₁₀ or PM_{2.5} emission limitations issued by the Department prior to January 1, 2011 is to be based on inclusion of condensable particulate matter or not. The wording of the relevant federal provisions makes it clear that condensable particulate matter is not to be considered when determining compliance with such limits.

To provide clarity and consistency, EPGA believes the wording of proposed §139.12(c) should be revised to read as follows:

“Compliance with a particulate matter, PM₁₀, or PM_{2.5} emission limitation issued by the Department prior to January 1, 2011 will not be based on condensable particulate matter unless required under the terms and conditions of a plan approval, operating permit or the State Implementation Plan codified in 40 CFR 52.2020 (relating to identification of plan).”

2. Proposed definition of *condensable particulate matter*

EPGA believes that the proposed definition of *condensable particulate matter* under §121.1 should be revised to allow for consistency with the current definitions promulgated under §121.1 – please see below (text proposed for deletion denoted by strikethrough):

Condensable particulate matter—Material that is vapor phase at stack conditions but which condenses or reacts, or both, upon cooling and dilution in the ambient air to form solid or liquid particulate matter immediately after discharge from the stack. All condensable particulate matter, if present from a source, is typically in the PM_{2.5} size fraction and therefore all of it is a component of both ~~primary~~ PM_{2.5} and ~~primary~~ PM₁₀.

EPGA appreciates the Department’s efforts to craft its definition in a manner that is consistent with definition promulgated under 40 CFR 51.50¹. However, in doing so, EPGA believes that the Department inadvertently introduced the terms “primary PM_{2.5}” and “primary PM₁₀” which are not defined in §121.1 (current or proposed changes). 42 Pa.B. 4364 also identifies this issue – please see below (emphasis and comment added):

Section 51.50 of 40 CFR (relating to what definitions apply to this subpart) defines **primary** PM₁₀ and PM_{2.5} as including both the filterable and condensable fractions of PM. Filterable PM consists of those particles that are directly emitted by a source as a solid or liquid at the stack (or similar release conditions) and captured on the filter of a stack test train. Condensable PM is the material that is in vapor phase at stack conditions but condenses or reacts, or both, upon cooling and dilution in the ambient air to form solid or liquid PM immediately after discharge from the stack. The Commonwealth defines primary PM₁₀ and PM_{2.5} **in a similar manner** (EPGA comment– but not identical

¹ See 42 Pa.B. 4364 and minutes from the Air Quality Technical Advisory Committee meeting, October 20, 2011. http://www.dep.state.pa.us/dep/subject/advcoun/aqtac/2012/01-12-12/Minutes_AQTAC_10-20-2011.pdf

manner) as measured by the applicable reference method or equivalent method. See §121.1(emphasis and comment added)

EPGA appreciates the opportunity to provide comments to the proposed revisions. Please contact me via telephone or email [(717) 909-3742, doug@epga.org] with any questions or concerns regarding these comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Biden". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke extending to the right.

Douglas L. Biden, President
Electric Power Generation Association