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Testimony to the Environmental Quality Board, May 28, 2014

Karen Melton, Board Member
Chester County Citizens for Climate Protection

Good Afternoon. I appreciate the opportunity to provide feedback on the proposal published April 19th to revise NO_x and VOCs requirements and my comments will be brief. I am speaking as a board member of the Chester County Citizens for Climate Protection -- a 501c3 organization dedicated to public outreach and education on climate change and related issues.

This hearing, like so many others, tries to determine how much loss of human life and productivity is an acceptable cost of industry doing business as usual. We know a great deal about the damages and costs of ozone created by NO_x and VOCs emissions. Just to quote the proposed rule "At elevated concentrations ozone can adversely affect human health, vegetation, materials, economic values. . . It can worsen bronchitis, heart disease, emphysema and asthma, and reduce lung capacity."

According to the PA Coal Alliance there are 8,724 jobs provided directly by coal mining and another 33,000 indirect jobs. Of course coal is not the only industry responsible for NO_x and VOCs emissions, but is the largest.

On the other hand we have more than 8 million Pennsylvanians living in areas that do not meet federal standards for smog, and are subject to the many health risks listed above, with asthma affecting about 750,000.

Air quality in Pennsylvania has been improving over time. I don't think there is debate that these improvements are a result of air quality standards and the retirement of coal plants. We have come a long way from the days when Pittsburgh looked like Beijing does today. Nevertheless we still have millions living in non-attainment areas and you are being asked by the EPA to address air quality for those millions of people.

So what have you proposed? From my readings of the rule I gather that:

- a) If it's going to cost an operator money to comply with the updated standard they can submit a "case specific proposal for an alternative emission limitation"
- b) If you have less than 3 years left on your current permit, you don't need to do anything.
- c) You get to average emissions across multiple facilities. I was thinking about how that would work with building health and safety standards where you get to ignore them in one building as long as you have another building that brings your average up. I've never really heard of averaging health and safety standards. It sounds like it could save a lot of money, but then that's not the purpose of health and safety standards. Health and safety is local and happens to individuals. If you are the person with lung disease your outcomes are not improved by the fact that there is better air quality somewhere else in Pennsylvania.
- d) You get to average emissions across 30 days -- another method of relaxing existing standards.
- e) And there's more. According to stories published in the press and testimony presented today, the proposed standard actually allows for increased emissions at some sites, and this is at a time when many plants that have advanced emission control technology choose not to use it. Apparently you don't require them to. It's sort of like saying yes we have emergency lighting installed, but we keep it turned off to save money.

- f) And finally, I understand that the emissions control technology you define as reasonably available is an old one that is significantly less effective than the technology many Pennsylvania plants already have, but have chosen to turn off to save money.

I heard Secretary Abruzzo speak at a conference in April and he talked about DEP as a department of problem solvers. Given that, I believe you have set out to solve the wrong problem. This is a problem of health and safety, we have the technology to make considerable improvement in Pennsylvania's air quality, in fact many plants already have the technology but aren't using it. Instead it appears you have tried to solve the problem that industry wants a freer pass on NO_x and VOCs emissions. Please go back to the drawing board and work on the air quality problem.

Thank you for your time.

Karen Melton
3232 W. Penn St.
Phila., PA 19129

Karen.melton@energy2070.com