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West Virginia Department of Environmental Protection

Bob Wise
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

June 3, 2004

Ms. Judith M. Katz, Director
Air Protection Division
U.S. EPA Region III
1650 Arch Street (3AP00)
Philadelphia, PA 19103

Re: Preliminary Region III Response to
West Virginia PM_{2.5} Recommended
Nonattainment Areas /Boundaries

Dear Ms. Katz:

We must express our strong objection to EPA's suggested expansion of our recommended PM_{2.5} nonattainment areas/boundaries. Our carefully considered recommendations were provided to Regional Administrator Welsh by Cabinet Secretary Timmermeyer in a letter dated February 13, 2004. Subsequently, Region III staff informed us of probable modifications during a conference call on May 13, 2004. Four counties were proposed for addition to the state recommended nonattainment areas: Harrison, Mason, Monongalia and Pleasants. Furthermore, we were told that Region III would not be using the MIRA model or a process similar to the 8-hour ozone designations to inform the decision but rather would impose a one-size-fits-all mechanism that was ostensibly being applied nationwide. While Region staff outlined the process and the resultant additions, neither the raw data nor the calculations were made available to the state. We urge EPA to reconsider these unwarranted additions and withhold these new counties from its upcoming designation response letter.

We highlighted several of our concerns and frustrations to you at the recent Region III Air Directors' meeting (May 26-27, 2004). We also pointed out that if EPA consistently follows this questionable process, Gallia County OH should also be added to the Huntington-Ashland MSA because it contains two large electric generating facilities (Kyger Creek: 1025 MW and Gavin: 2600 MW) and it borders Lawrence County OH which is part of the potential nonattainment area.

Our state faithfully adhered to EPA's designation guidance for both the 8-hour ozone and PM_{2.5} nonattainment recommendations. Notably, EPA provided only one modification to our ozone recommendations. That modification originated from use of a more recent data set than the state's evaluation but yielded no substantive change in the area's designation (i.e. Early Action Compact). Now despite our same diligence in following EPA's guidance on PM_{2.5}



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designations, EPA seeks to usurp the states' recommendations by inappropriately expanding potential nonattainment areas. Incredibly, EPA even proposes to add two counties in West Virginia that are monitoring attainment (Harrison and Monongalia). During the meeting, you explained the extremely short period available for state input prior to the issuance of the related 120 day response letters from EPA. We are very disturbed and disappointed by the rash approach which is unfolding for the PM designations. However, it seems that the timing and methodology are being driven by EPA Headquarters.

Many states, including West Virginia, had hoped to see more consistency in the most recent ozone designations. Indeed, there is at least one adjacent county in another state which contributes to ozone nonattainment in our state that EPA failed to include within the nonattainment boundaries. But EPA cannot redress such deficiencies through the PM_{2.5} designation process. Moreover, the present course will only make matters worse not better. It is especially troubling because EPA has failed to provide an implementation rule in a timely manner. It is unclear what control requirements will apply. Which pollutants must be evaluated for New Source Review? Which pollutants must be offset and by what ratio? EPA has also failed to finalize the related Transportation Conformity Rule to date. Thus, the consequences and ramifications of expanding the nonattainment areas remain largely uncertain.

EPA appears to be taking an overly simplistic approach to extend nonattainment boundaries by placing undue emphasis on recent emission inventory totals without considering some current controls as well as near-term implementation of future controls on PM emissions and precursors. The net effect is to unfairly condemn many counties with power plants to nonattainment (if they are adjacent to nonattainment areas). This appears sharply contrary to the market-based programs which EPA has been promoting over the past decade and could seriously jeopardize the proposed Clean Air Interstate Rule.

Notwithstanding the above serious concerns, we are herein responding to your verbal invitation to provide updates related to the disputed counties. We are identifying relevant existing and expected emission controls for power plants in Harrison, Mason, Marion, Monongalia, Pleasants and Preston counties (please see attachment). We have also reevaluated our recommendation for Jefferson County, WV. We originally included it in the Berkeley County nonattainment area predominately because it is part of the MSA as defined in 1999. However, based upon the data provided by EPA Region III and, to a lesser extent, the absence of Jefferson County in the MSA as defined in 2003, we now believe it is appropriate to designate Jefferson County as attainment/unclassifiable for PM_{2.5}.

Sincerely,

John Benedict, Director
Division of Air Quality

attach

cc: Stephanie Timmermeyer, Cabinet Secretary

Attachment: Electric Generating Emission Controls in Selected WV Counties

Note: SCR and SNCR controls only operate during ozone season

Allegheny Energy Supply Company LLC Control Equipment and Efficiencies As of June 1, 2004

County	Unit	Low-NOx Burners		Scrubber		SCR		SNCR	
		In Service Date	% Reduction						
Preston	Albright 1 (76 MW)			-	-	-	-	-	-
	Albright 2 (76 MW)	Mar-05	40%	-	-	-	-	-	-
	Albright 3 (140 MW)	Dec-02	35%	-	-	-	-	-	-
Monongalia	Fort Martin 1 (552 MW)	Jun-00	60%	-	-	-	-	Jun-04	20%
	Fort Martin 2 (552 MW)	Jun-01	69%	-	-	-	-	Jun-04	20%
Harrison	Harrison 1 (640 MW)	-	-	1994	98%	May-02	87%	-	-
	Harrison 2 (640 MW)	-	-	1994	98%	May-03	87%	-	-
	Harrison 3 (640 MW)	-	-	1994	98%	May-03	87%	-	-
Marion	Rivesville 5 (48 MW)	-	-	-	-	-	-	-	-
	Rivesville 6 (93 MW)	-	-	-	-	-	-	-	-
Pleasants	Pleasants 1* (626 MW)	Nov-99	40%	1979	98%	May-03	83%	-	-
	Pleasants 2* (626 MW)	Feb-86	40%	1980	98%	May-03	83%	-	-
Pleasants	Willow Island 1 (55 MW)	Feb-01	39%	-	-	-	-	-	-
	Willow Island 2 (188 MW)**	May-02	48%	-	-	-	-	-	-
* % reduction for Pleasants scrubbers will be slightly less due to a 15% scrubber bypass									
** Over-fire air (OFA) on Willow Island Unit 2									

American Electric Power (AEP)

County	Unit	Low-NOx Burners		Scrubber		SCR		SNCR	
		In Service Date	% Reduction	In Service Date	% Reduction	In Service Date	% Reduction	In Service Date	% Reduction
Mason	Mountaineer 1300 MW net			FGD wet limestone planned 2007	95%	May-02	90%		
				No plans at this time		No plans at this time			
	Phillip Sporn Unit # 1 (150 MW)	Dec-97 *							
	Unit # 2 (150 MW)	Jan-97 *							
	Unit # 3 (150 MW)	pre-2002 *							
	Unit # 4 (150 MW)	pre-2002 *							
	Unit # 5 (450 MW)	pre-2002							
*Average NOx rate in 2002 = 0.59 lb/mmBTU; combustion improvements since 2002 yielded 0.48 lb/mmBTU in 2004 ytd.									

Edison Mission

County	Unit	Low-NOx Burners		Scrubber		SCR		SNCR	
		In Service Date	% Reduction	In Service Date	% Reduction	In Service Date	% Reduction	In Service Date	% Reduction
Marion	Grant Town (80 MW)			Circulating Fluidized Bed (CFB) - 1992	90%			Spring 2004	70%