

New RCSA section 22a-174-22e/22f Subcommittee
Entire draft (for the most part) of Section 22e/Section 22f applicability
6/11/15
Summary of Discussion

Wendy Jacobs (Connecticut DEEP) runs through presentation on: 1) What has changed in the draft of Section 22e from comments received on May 20 and from internal discussions and 2) Draft Section 22f applicability. Regarding DERC availability in Phase 1, based on preliminary analysis, there may be sufficient DERCs; however there is no guarantee about the supply and sources may not be willing to sell excess DERCs.

Regarding startup/shutdown definitions and originally proposed exclusion of startup/shutdown emissions from compliance determinations, DEEP felt it was too risky to continue to include the exclusion given the May 22, 2015 SSM court decision. Therefore, startup/shutdown definitions and related language have been removed from section 22e. Shawn Konary (NRG): But CT was not one of the listed states in the court decision. Wendy: Right, but EPA said that startup/shutdown exclusions should not be part of SIPs, so we feel it is too risky to exclude startup/shutdown emissions from compliance determinations.

Shawn: What about the operating installed controls at all times provision? If the source is in compliance without operating controls, why should it have to? Merrily Gere (Connecticut DEEP): We can look at that.

Brian Freeman (CBIA): Regarding startup/shutdown exclusion – we think it is OK for us to do this rule without pushing the limits.

Jim Romanski (Yale): As long as the averaging times are reasonable...

Sally Kruse (PSEG) would like the averaging time language (currently in subsections (d)(10) and (d)(11)) moved up in the subsection.

Jack Dunne (Pfizer): Regarding the definitions of “emergency” and “emergency engine”. What if Eversource instead of the facility owner or operator interrupts power? We have to be careful how this matches up with the NSPS/MACT for emergency engines. Steve Eitelman (UTC Pratt): We have to look at the allowed hours in RICE. Wendy: DE prevailed in the RICE litigation so the 100 hour exemption for demand response purposes was remanded to EPA. Bob Silvestri (PSEG) mentions the allowed hours in RCSA section 22a-174-3b.

Bob Tyler (Woodard & Curran): What is the averaging time for the ozone and non-ozone seasons?

Wendy: Non-ozone season is October 1 to April 30, inclusive and ozone season is May 1 to September 30, inclusive.

Jack D asks about the 0.15 non-ozone season limit. If the 24 hour limit is more stringent, you will automatically meet the 0.15 non-ozone season limit. Merrily: That was kept in because of the Executive Order that caused its inclusion in the existing Section 22, not because it makes sense.

Steve E: Are the questions regarding the test cells in the exemptions and exceptions subsection ((c)) for us? Wendy and Merrily: Yes.

Corine Hellerman (Sikorsky): Regarding the definition of “cogeneration”: Can you match 40 CFR 60 Subpart KKKK and the definition of CHP with the definition of “cogeneration”? There’s a third bin.

Someone asks about the 90% maximum capacity testing issue and how the language was changed back closer to the existing section 22 and whether or not this is the venue for that discussion. Jaimeson Sinclair (Connecticut DEEP): This may not be the venue for that.

Jim R: I have a huge problem with that. This is where we were going to address that issue. This issue shows utter inflexibility on the Department’s part. Heat input is probably the least accurate measure. If a source is getting paid to measure the output (lb/MWh), don’t you think that is more accurate? Leaving it up to the Department’s discretion is not going to work. If it’s not fixed here, where will it be fixed? Jaimeson: This affects NSR too and other non-RACT sources. Discussions are still ongoing about how to define maximum capacity. It’s not just measured by input. Jim R: The universe is not just defined by this rule, but this rule is what has been pointed to as justification regarding decisions on everything else. Wendy: PLEASE submit written comments.

Bob S: The definition of “emergency” seems to apply if the owner/operator of the power distribution system interrupts power and the definition of “emergency engine” seems to apply if the facility interrupts power. What if Eversource has to do work? Brian: How about the owner/operator or external facility supplier? Merrily: The definition of emergency includes interruption of power by the supplier. They work together. Bob: We interpret that differently. Brian: The definition of emergency includes the term “unforeseeable”. What if a letter from Eversource is sent a month ahead? Merrily: We will look at that. Send in any suggestions.

Bob S: For the definition of “out-of-control period”, what is meant by the term quadrant? Wendy: I think that definition is from the Boiler MACT. Bob S: Maybe look at it in the context of 40 CFR Part 75.

Jack: A gold star for replacing the word “source” with “emission unit” throughout the rule.

Bob S: In subsection (d)(4)(B) the Phase 2 emission limit is referenced – I’m confused about the language. Merrily: It references the Phase 2 24-hour standard. Bob S: Would I have to meet the 0.15 lb/MMBtu limit? Merrily: No. Bob S: But does it say that? Merrily: We want you to get as close as you can. Bob: So if we do water injection I will comply. Merrily: No, you won’t comply, but you’ll meet RACT. Bob S: What about the non-ozon season? Merrily: Yes. Please provide clarifying language. I’m not sure I understand the confusion.

Bob S: When you look at the 24 hour average, does it include hours not operated? Wendy: No. Look at subsection (m)(3).

Jack: My OCD is acting up regarding the order of the subsections in subsections (c)(3), (c)(6), (c)(7) and (c)(8). Wendy: I know exactly what you mean. My OCD acted up about that this morning too. We have to fix that.

Chris Santucci (UTC Pratt): What about biofuel limits? That would be addressed by limits for other fuels in subsection (d)(8) if it does not meet the definition of "other oil".

Jim R: For subsection (d)(3)(F), "unit designed to burn gas 1 subcategory", the area source boiler MACT has this option as well.

Merrily and Wendy: We have tried to address all comments – if we haven't please see us if you have a question.