



west virginia department of environmental protection

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Joe Manchin III, Governor
Stephanie R. Timmermeyer, Cabinet Secretary
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April 25, 2008

Ms. Angela King
MANE-VU c/o
MARAMA
via e-mail

RE: West Virginia Comments on the
MANE-VU 2018 Visibility Projections
Draft Report

Dear Ms. King:

The West Virginia Department of Environmental Protection, Division of Air Quality (DAQ) appreciates the opportunity to comment on the Mid-Atlantic/Northeast Visibility Union (MANE-VU) 2018 Visibility Projections Draft Report. These comments are being submitted via e-mail to the Mid-Atlantic Regional Air Management Association (MARAMA), which is assisting MANE-VU.

West Virginia is a member of the Visibility Improvement - State and Tribal Association of the Southeast (VISTAS) regional planning organization and concurs with the comments submitted by Barry Stephens, Chair of the VISTAS State and Tribal Air Directors, on behalf of the VISTAS members. VISTAS has expended a tremendous amount of resources to assist member states in developing their Regional Haze State Implementation Plans (SIPs) and has consistently delivered high-quality technical analyses. We strongly believe that the sophisticated professional work completed by VISTAS provides a more than adequate technical basis on which members can build their SIPs. Indeed, EPA and the Federal Land Managers have universally praised the VISTAS work products and initial SIPs for their technical accuracy and comprehensiveness. In addition to the VISTAS comments, DAQ would like to provide supplemental comments.

We would like to emphasize that we expressly notified several MANE-VU states at the start of the public comment period for our proposed Regional Haze SIP in October 2007. Further, though not required, the DAQ at that time provided electronic copies of the full SIP documentation, including the emission inventories developed by VISTAS, to the following MANE-VU states: Maryland, New Hampshire, New Jersey, Vermont, and Pennsylvania.

Although DAQ did receive several substantive comments from New Jersey on other matters, no comments received from New Jersey, or any other MANE-VU state, raised any issue regarding the emissions inventories used in the SIP modeling. Given subsequent developments, the DAQ believes that some of the potential commenters knew, or should have known, that significantly different emissions inventories were in process for MANE-VU's visibility evaluations. The emissions are clearly the fundamental basis for any such evaluations and should be one of the first elements examined upon review because the projected emission changes establish the expected rate of progress. Yet no one, including potential MANE-VU commenters, raised this issue during the formal comment period for our proposed Regional Haze SIP, despite proactive outreach efforts. Given the impact on evaluations for Class I areas such as Brigantine (NJ), Shenandoah (VA) and Dolly Sods (WV), the DAQ believes that it is inappropriate to arbitrarily revise the projected emissions inventory for a regulatory analysis. We believe that the approach taken by VISTAS is more suitable and supportable.

For electric generating units (EGUs), VISTAS states began with the 2018 emission controls projected by the Integrated Planning Model (IPM) version 2.1.9 and adjusted the projections to reflect known controls on specific units. West Virginia recommended that the IPM projections be used for our EGUs in 2018, since we did not have any more reliable information available to justify changes. West Virginia did, however, make adjustments to the 2009 IPM projections to remove controls that we knew were not scheduled for installation by that date. Ignoring the careful application of local knowledge, MANE-VU has inappropriately increased the SO₂ emissions of W.Va.'s EGU sources by 20%, without regard for existing/scheduled controls, and without consulting the DAQ.

MANE-VU also determined that their member states could achieve a 28% reduction in non-EGU SO₂ emissions by reducing sulfur in fuel oil. Therefore, MANE-VU asked VISTAS and the Mid-West Regional Planning Organization (MRPO) to reduce SO₂ emissions from their non-EGUs by 28%. DAQ evaluated potential controls for non-EGUs in our state and determined that there were no equivalent reasonably available controls. However, the W.Va. EGUs achieve excess emission reductions which more than offset the MANE-VU fuel oil "ask." DAQ documented this result in our proposed Regional Haze SIP as provided to the MANE-VU states identified above. MANE-VU, however, then assumed a 50-60% decrease in SO₂ emissions from industrial boilers in the VISTAS states, including W.Va. This reduction is neither realistic nor enforceable and was modeled without consulting DAQ.

The Regional Haze Rule gives states the authority to define reasonable measures for sources within their respective borders and the VISTAS states, including W.Va., provided MANE-VU with the projected 2018 VISTAS emission inventory during the interstate consultation process. MANE-VU chose not to accept the VISTAS inventory and instead evaluated the benefits of potential control strategies that do not reflect the information provided by the VISTAS states.

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DAQ believes that MANE-VU has significantly changed emission control assumptions subsequent to the formal RPO consultation meeting, without a sound basis. West Virginia strongly recommends that the MANE-VU states use the VISTAS inventories supplied to them for our states, rather than the inventory that MANE-VU has adopted. DAQ notes that EPA will ultimately determine what control assumptions are appropriate for use in SIPs to demonstrate reasonable progress toward visibility improvement. DAQ believes that the MANE-VU state SIPs are more likely to be federally approvable if the VISTAS inventories are used.

Sincerely,



William Frederick Durham
Deputy Director
Assistant Director, Planning
Division of Air Quality