

Dominion Energy Brayton Point, LLC
Prevention of Significant Deterioration Permit
Draft Permit Number 052-120-MA13
Response to Comments
Unit #3 Boiler Emission Control Project

On January 28, 2009, EPA New England published in the *Fall River Herald News* a notice for public review and comment of a proposed Prevention of Significant Deterioration (PSD) permit for the Dominion Brayton Point, LLC (Dominion) facility in Somerset, Massachusetts. In addition, on March 2, 2009, EPA New England held a public hearing on the proposed PSD permit at the Somerset Public Library in Somerset, MA.

EPA has prepared this document known as the “response to comments” (RTC) that briefly describes and addresses the significant issues raised during the comment period and what provisions, if any, of the draft permit have been changed and the reasons for the changes.

As described in General Issue #1, below, EPA is issuing two final permits to Dominion: one final permit that approves the construction and operation of the two natural draft cooling water towers as part of a new closed-cycle cooling system; and a separate permit that approves the installation and operation of a new dry scrubber and fabric filter (DS/FF) emission control system on the facility’s Unit #3 boiler. EPA completed the RTC and final permit for the natural draft cooling towers project on April 2, 2009, and, after an appeal to the Environmental Appeals Board, that final permit went into effect on May 13, 2009.

This RTC document addresses those comments on the draft permit that pertain to the Unit #3 boiler emission control system project. EPA is mailing the RTC and the final permit approving the Unit #3 emission control system to everyone who commented on the draft permit or who requested a copy. EPA notes that Dominion submitted comments that pertained to the facility’s unit #3 DS/FF control system on February 27, 2009. Dominion formally withdrew its comments on October 5, 2009. EPA did not receive any other comments on the Unit #3 control system. The remaining general issues include minor clarifications and typographical error corrections to the permit.

General Issues:

Issue 1. On August 28, 2008, Dominion submitted a PSD permit application that proposed several changes to the existing plant. These changes included the construction and operation of two natural draft cooling water towers as part of a new closed-cycle cooling system and the installation of a new dry scrubber and fabric filter (DS/FF) emission control system on the facility’s Unit #3 boiler.

On January 28, 2009, EPA provided for public review and comment a single draft PSD permit that approved all the changes Dominion requested in its August 28, 2008 PSD application and January 9, 2009 supplemental application. EPA’s Fact Sheet explained the legal and factual

basis for EPA's draft permit and noted that the applications described two separate and severable projects: 1) the construction and operation of two natural draft cooling water towers as part of a new closed cycle cooling system; and 2) the installation of DS/FF emission control systems on the facility's Unit #3 boiler.

Considering that the applications described two separate projects, EPA has reconsidered issuing a single PSD permit and instead is issuing two final permits for the two separate projects: one final permit for the natural draft cooling towers and one final permit for the Unit #3 boiler DS/FF emission control systems. EPA believes two separate permits will expedite the final issuance for both permits.

EPA notes that each project will result in a significant actual emission increase of particulate matter less than 10 microns in diameter (PM_{10}) and 2.5 microns in diameter ($PM_{2.5}$). Therefore, each project is independently subject to the PSD program for these pollutants. In addition, each project is being proposed to address separate underlying requirements: the cooling water towers are being installed to meet the requirements of a federal National Pollutant Discharge Elimination System (NPDES) water permit, and the DS/FF for Unit #3 is being installed to meet requirements of a state regulation for the control of sulfur dioxide (SO_2) and mercury for existing coal-fired utilities. In addition, as the comments below indicate, the two projects potentially raise distinct issues that can be more efficiently addressed by focusing individually and separately on each project.

As noted above, EPA has already issued the final permit for the natural draft cooling towers and that permit became effective on May 13, 2009. Therefore, this RTC and the accompanying final permit pertain solely to the Unit #3 boiler DS/FF emission control systems.

Revisions:

EPA is issuing two separate final permits to Dominion: one permit, issued on April 2, 2009 and effective as of May 13, 2009, for the cooling towers (**Final Permit Number 052-120-MA14**), and a second permit, accompanying this RTC, for the DS/FF controls for Unit #3, **Final Permit Number 052-120-MA15**. Each permit contains the emission limits, monitoring, recordkeeping and reporting provisions for the applicable emission units. All provisions for each permit were originally noticed in the January 28, 2009 draft permit. The separation of the two permits is not resulting in any changes to any provision as presented in the January 28, 2009 draft permit (although there are some changes to the final permits in response to other comments, as described below).

Issue #2. The signature page of the draft PSD permits included language that stated that the permit shall be effective 30 days after the date of signature comments requesting a change in the permit are received. Since Dominion withdrew its comment on the draft permit on October 5, 2009, EPA is revising this language to read as follows to avoid any confusion about the effective date of the permits.

“This permit shall be effective upon signature and shall remain in effect until it is surrendered to EPA.”

Issue #3. Condition I.1.e of the draft permit includes the following language:

“Subject to the provisions of section XII, compliance with the PM_{2.5} and PM₁₀ concentration based emission limits for Unit #3 shall be determined by the test methods contained in section IV of this permit.”

Since the requirements of Section XII “Creditable Evidence” apply to all conditions of the permit, EPA believes Condition I.1.e is unnecessary and is removing the condition from the permit.

Issue #4: EPA corrected a typographical error in the “Background for informational purposes” section on page 2 of the permit. The 10th line contains the term “*power* activated carbon” and it should read “*powder* activated carbon.”