

Final Response to New Jersey's Petition Regarding Sulfur Dioxide Emissions from the Portland Generating Station

Fact Sheet

Action:

- On October 31, 2011, the US Environmental Protection Agency (EPA) finalized a rule to grant a petition submitted by the New Jersey Department of Environmental Protection (NJDEP) under section 126 of the Clean Air Act (CAA).
- The September 2010 petition asked the EPA to determine that the coal-fired Portland Generating Station (Portland) in Northampton County, Pennsylvania, emits air pollutants that are impacting air quality in New Jersey in violation of the interstate transport provisions of the CAA. Portland is located directly across the Delaware River (on the Pennsylvania-New Jersey state border), about 1.2 miles southwest of the SO₂ monitor in Warren County, NJ.
- This final rule requires a combination of emission limits for Portland that achieve near-term air quality improvements, and eliminate the plant's contribution to predicted air quality standard violations within 3 years.
- The rule provides flexibility for Portland to develop a specific compliance strategy that protects air quality and public health, while maximizing cost effectiveness. Actions taken to meet these limits are similar to those the facility would need to take to comply with other Clean Air Act requirements, including the recently promulgated Cross-State Air Pollution Rule (CSAPR), and the upcoming Mercury and Air Toxics Standard (MATS).
- In this rule, EPA finds that based on its own air quality modeling, Portland is contributing significantly to nonattainment in, and interfering with maintenance of the 1-hour sulfur dioxide (SO₂) standard in New Jersey. The Agency's air quality modeling predicts impacts well above the level of the 1-hour SO₂ NAAQS of 75 parts per billion.
- NJDEP has been monitoring SO₂ concentrations in Warren County since September 23, 2010. To date, based on data from the site, ground level concentrations are exceeding the level of the 1-hour SO₂ standard.
- To address these violations, the EPA is setting SO₂ emission limits and compliance schedules at Portland that will significantly improve air quality. Within 3 years from the effective date of this rule, Portland must reduce SO₂ emissions from the plant at the coal-fired units 1 and 2 by 81 percent from current permitted levels. The unit-specific SO₂ emission limits are:
 - unit 1, no greater than 1,105 pounds per hour (lb/hr), and
 - unit 2, no greater than 1,691 lb/hr.
- To ensure that the 1-hour SO₂ standard is protected at reduced operating loads, Portland must also meet a heat input-based SO₂ emission limit of no greater than 0.67 lb/mmBtu that applies regardless of operating load.
- The EPA is also establishing interim SO₂ emission limits which take effect sooner than 3 years in order to ensure that Portland is making appropriate progress towards achieving the final SO₂

emission limits. Among the options for meeting the interim limit is for the company to switch to a lower sulfur coal, which is available in ample supply.

- The interim limits will reduce SO₂ emissions by approximately 60 percent from current permitted levels within 1 year. This is approximately 46 percent lower than the actual emissions from this facility in 2010. Specifically, the interim limit requires that, within 12 months, total SO₂ emissions from units 1 and 2 combined may not exceed 6,253 lb/hr.

Background:

- The CAA allows any state to petition the EPA to find that a specific source or group of sources in another state emits or would emit any air pollutant at levels that violate the interstate transport provisions of the Act.
- The interstate transport provisions of the CAA require states to address emissions of air pollution from sources within their state that significantly contribute to nonattainment of any NAAQS and interfere with maintenance of any NAAQS in other states.
- If the Administrator finds emissions from the source(s) are violating the interstate transport provisions of the Act, the Act prohibits continued operation of the source(s) beyond three months unless EPA establishes, and the source meets, emission limits and compliance schedules (including increments of progress) that ensure the interstate provisions are met as soon as practicable, but no later than 3 years from the date of the finding.
- On May 13, 2010, NJDEP submitted a CAA section 126 petition claiming that emissions from Portland significantly contribute to nonattainment or interfere with maintenance of the 2006 24-hour fine particulate (PM_{2.5}) standards and the 3-hour and 24-hour SO₂ standards.
- EPA received a second petition on September 17, 2010, requesting that EPA make a finding under the CAA that Portland is emitting air pollutants in violation of the interstate transport provisions of the CAA with respect to the 1-hour SO₂ standard in areas in New Jersey.
 - Although NJDEP identified the September 17, 2010 petition as a supplement to the May 13, 2010 submittal, the EPA determined that it is an entirely new petition since the 1-hour SO₂ standard had not been promulgated at the time of the first petition.
 - On June 2, 2010, EPA revised the primary SO₂ NAAQS by establishing the new 1-hour SO₂ standard at a level of 75 parts per billion (ppb), based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations.
- Today's final rule is a response to the September 2010 petition. The petition submitted on May 2010 is still under consideration

For More Information:

- The EPA has established a docket for this rulemaking under Docket ID number EPA-HQ-OAR-2011-0081.
- Interested parties can download a copy of the final rule at the following address:
<http://www.epa.gov/ttn/oarpg/new.html>.