



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
AIR AND RADIATION

D. Teed Wafle  
Morgantown Energy Associates  
555 Beechurst Ave.  
Morgantown, WV 26505

Dear Mr. Wafle:

The Acid Rain Division has received your request for an applicability determination for the Morgantown Energy Facility ("Morgantown") under 40 CFR Part §72.6(c). This letter represents EPA's official determination of applicability for Morgantown's two circulating fluidized boilers which commenced commercial operation on April 17, 1992 (ORISPL 10743).

As described in your letters, the Morgantown Energy Facility consists of two circulating fluidized bed boilers, totalling 750 mmBtu/hr, headered to a single steam turbine. Morgantown is a qualifying facility (docket number QF89-25-000) and is the subject of a power sales agreement with Monongahela Power, dated March 1, 1989. Monongahela agreed to purchase 50 MWe of a facility planned to output 52.8 MWe. You indicated no significant changes in the power purchase commitment that would allow the costs of compliance to be passed through to Monongahela.

Based on the information above, both circulating fluidized boilers at Morgantown Energy Facility are not affected by the requirements of the Acid Rain Program. A unit needs only to meet the criteria of one provision of 40 CFR §72.6(b) to be unaffected. Morgantown meets the criteria set forth at 40 CFR §72.6(b)(5) for an unaffected qualifying facility. However, from the facts submitted in your September 3, 1993 letter, the two boilers at Morgantown do not appear to meet the criteria for unaffected cogeneration units under 40 CFR §72.6(b)(4).

Note, however, that 40 CFR §72.6(b)(5) provides that up to 130% of the total planned net output capacity may be installed and remain unaffected. If more than 68.6 MWe (130% of the total planned net output capacity of 52.8 MWe) is installed at the Morgantown Energy Facility, one or more units serving the capacity in excess of that amount will become affected by the Acid Rain Program requirements.

This determination is based solely on the representations made in your letters dated September 3, 1993 and November 2, 1993. According to 40 CFR 72.6(c)(5), this decision may

be appealed under 40 CFR part 78. 40 CFR §72.6(c) requires you to send copies of this letter to each owner or operator of the Morgantown Energy Facility. If you have further questions regarding the Acid Rain Program, please contact Kathy Barylski of my staff at (202) 233-9074.

Sincerely,

Brian J. McLean, Director  
Acid Rain Division

cc: OECA