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Attention: Docket ID No. EPA-HQ-OAR-2008-0708

Regarding: EPA's Proposed Rule, 77 FR 60341, October 3, 2012, National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines

Dear Administrator Jackson:

The Ozone Transport Commission (OTC) appreciates the opportunity to comment during EPA's reopening of the comment period (77 FR 60341, October 3, 2012) for the proposed amendments to the National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE NESHAP) and the New Source Performance Standards for Stationary Internal Combustion Engines (NSPS). In OTC's August 8, 2012 comments, one of OTC's primary concerns with EPA's proposal was the adverse impacts to air quality caused by the operation of generators driven by RICE. OTC does not agree with any exemption or relaxation from the current requirements for any RICE that operate as, or are located at, an outer continental shelf (OCS) source as such a relaxation may hinder the OTC member states' efforts to attain and maintain the current and future ozone national ambient air quality standards(NAAQS).

"Remote Exemption"

As part of the comments that EPA received during its initial comment period regarding the proposed amendments to the RICE NESHAP and NSPS, various commenters included a request to "relax" or "exempt" compression ignition (CI) engines that operate at an OCS source and afford such OCS sources the same flexibility provided to certain RICE located in Alaska. OTC is concerned that such a request does not adequately protect the public health and welfare. As OTC previously commented, EPA should not provide an across the board exemption for RICE located in less densely populated areas, as emissions from OCS sources can be transported to densely populated onshore areas, some of which may be designated non-attainment for ozone or another pollutant. EPA has recognized the impact of offshore emission impacts, and is taking steps to implement a coordinated strategy to address emissions from ships and ocean going vessels in Emission Control Areas (ECA). EPA fact sheets state "*the U.S. coastline and much of the interior of the country will experience significant improvements in air quality due to reduced PM and ozone from ships*

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*complying with ECA standards. Coastal areas will experience the largest improvements; however, significant improvements will extend hundreds of miles inland to reach nonattainment areas”.*¹ Exempting RICE engines on OCS sources is contrary to EPA’s previous position on offshore emissions.

In the Ozone Transport Region (OTR), there are many areas which are designated as non-attainment for ozone. Just off the coast of these non-attainment areas, the Bureau of Ocean Energy Management (BOEM) is poised to auction 2,434 square miles of the continental shelf in the Atlantic Ocean, which would allow wind farms to sprout 10 miles off the shores of six states, from Massachusetts to Virginia.² These “wind energy areas” are often abutting non-attainment counties in the OTR.

Not only are many of the non-attainment areas near these “wind energy areas” highly populated, but so are the communities along the coasts of the rest of the contiguous U.S. Based upon 2011 data from the U.S. Census Bureau, 52% of the country’s population lives in coastal communities³. Emissions from OCS sources could affect nearly 150 million U.S citizens. To provide an adequate level of air quality to coastal communities EPA must require more than “management practices” to minimize emissions from RICE on OCS sources.

As OTC commented in its August 8, 2012 letter, modern, effective controls are available that are suitable for unmanned operation, can be effectively operated and monitored remotely, and with the appropriate provisions and considerations can often be integrated into RICE operations that do not have access to offsite power, such as an OCS source could be. There are also many proven controls for CI engines as well, such as diesel oxidation catalysts, diesel particulate filters, and selective catalytic reduction. While commenters raised concerns about the cost to test and certify RICE at OCS sources, these cost can and should be budgeted for within projects to ensure that all sources of emissions are controlled and are compliant with all applicable laws under the OCS regulations.

OTC is currently aware of only one OCS source in the Atlantic Ocean. As such, any new OCS source in the Atlantic Ocean would be a new source of emissions (emissions which states have not, and cannot, account for in any current or projected emission inventory), and should be required to control all sources of its emissions, and not just “change the oil” or “inspect hoses, belts, and spark plugs” as generally available control technology to minimize emissions.

Many areas of the OTR do not meet the current NAAQS for the ozone and yet a new lower standard is anticipated. Meeting current and future ozone NAAQS will require additional emission reductions, not fewer. Therefore, relaxing the requirements for RICE at OCS sources would increase rather than decrease emissions that contribute to the formation of ozone. OTC urges EPA not to allow any relaxation or exemption for any RICE located at OCS sources.

Sincerely,



J. Wick Havens

Interim Executive Director

¹ <http://www.epa.gov/otaq/regs/nonroad/marine/ci/420f10015.htm#3>

² <http://www.doi.gov/news/pressreleases/Salazar-Launches-Smart-from-the-Start-Initiative-to-Speed-Offshore-Wind-Energy-Development-off-the-Atlantic-Coast.cfm>

³ <http://stateofthecoast.noaa.gov/population/welcome.html>