



CLEAN WATER ACTION

645 Farmington Ave, 3rd Floor, Hartford, CT 06105 (860)232-6232

Preliminary Comments of Roger Smith Campaign Director for Clean Water Action on the High Energy Demand Day NOx reduction initiative

Clean Water Action is a non-profit environmental health organization which coordinated the effort to require SOx, NOx, and mercury reductions from the “Sooty Six” power plants. We continue to be concerned about Connecticut’s ozone attainment problems and appreciate DEP’s work to implement solutions to this serious public health problem.

Which pollutants should be addressed?

Ozone precursors should be the primary focus of the program. DEP should also analyze and work to minimize the CO₂ impacts of various approaches in order to meet the governor’s and legislature’s global warming commitments.

While we generally support using the best technically feasible pollution controls on each power plant (as in the CT mercury and SOx laws) we are concerned that such an approach for NOx may extend the life of otherwise uneconomical units and forestall greater long-term pollution reductions.

Given multiple pollutants and energy market changes, are there critical timing issues we should be aware of in establishing shorter term and longer term objectives?

New regulations for NOx should be harmonized with the Regional Greenhouse Gas Initiative which calls for reductions of 10% by 2019, the state’s climate plan goals of cutting greenhouse gas emissions 10% below 1990 levels by 2020, and Governor’s Energy Vision to cut peak consumption 20% by 2020.

Regarding the issuance of new regulations, DEP should consider that timing with the creation of annual CEAB energy plans so that adequate reserve capacity.

DEP must also advocate for the immediately implementation of the utility recommendations to the CEAB regarding increases in energy efficiency investments.

Should there be one reduction target developed or should there be decreasing reduction targets over time?

In the short-term, the requirement should be at least to meet the modest HEDD OTC commitments. Reductions should assume future EPA administrators will phase-in *health protective* ozone standards in the range of 60ppb as recommended by EPA staff scientists. Connecticut should set out compliance with health-protective targets as our long-term benchmark, and this will help give the regulated community certainty.

What types of emission units should the program apply to?

All power generating units including uncontrolled diesel/oil distributed generation units of any size should be part of the program.

What is the most cost-effective approach?

DEP must work with DPUC and other relevant entities to ensure retirement of inefficient generating capacity as new generation comes online and energy efficiency and demand-side resources reduce peak demand. DEP should help petition FERC to cancel (or not renew) reliability must run (RMR) contracts.

Secondly, any existing generating station which receives a new contract with ratepayers (from the Phase II RFP, 2007 energy bill cost-of-service peaking provision, etc) should only receive air permits if a commensurate amount of existing inefficient capacity is retired. In no circumstances should an RMR owner be allowed to expand their plant and increase overall levels of pollution. Repowering or retirement of existing units must be required.

DEP should look for approaches which will serve to raise the dispatch price for load-following boilers on peak demand days and thereby enable cleaner peaking generation to run.

While the DPUC perversely subsidizes inefficient and polluting distributed diesel generation units to run at peak times, we would encourage a system where generators could opt to pay other units *not* to run at peak times to keep overall NOx emissions down.

Regarding co-pollutants, these diesel DG units are also a potentially major emerging global warming problem as they are large enough to have significant emissions in the aggregate, burn a relatively carbon-intensive fuel inefficiently, and are not regulated under the Regional Greenhouse Gas Initiative due to their size. See the DEP slide below for the poor emissions profile of even controlled units.

