



LARRY HOGAN
GOVERNOR

STATE HOUSE
100 STATE CIRCLE
ANNAPOLIS, MARYLAND 21401-1925
(410) 974-3901
(TOLL FREE) 1-800-811-8336

TTY USERS CALL VIA MD RELAY

November 20, 2015

Shawn M. Garvin
Regional Administrator
U.S. Environmental Protection Agency
Region III (3RA00)
1650 Arch Street
Philadelphia, PA 19103-2029

Dear Mr. Garvin:

Thank you for your letter to Maryland Department of the Environment (MDE) Secretary Ben Grumbles on March 20, 2015. The U.S. Environmental Protection Agency (EPA) notified Maryland of the settlement agreement between the EPA, Sierra Club and the Natural Resources Defense Council over the new sulfur dioxide (SO₂) standard and the aggressive schedule included in that agreement.

Maryland appreciates the opportunity to present the EPA with a recommendation for the designation of areas under the 2010 primary, 1-hour National Ambient Air Quality Standard (NAAQS) for SO₂. Maryland recommends that EPA designate the Herbert A. Wagner Generating Plant ("Wagner") area as "attainment" with respect to the new SO₂ standard.

Between 2007 and 2010, Maryland power generators invested an estimated \$2 billion in air pollution controls to reduce SO₂ emissions. As shown in Attachments 1 and 2, these reductions in SO₂ emissions resulted in dramatic reductions in 1-hour SO₂ concentrations across the State.

A summer 2013 air monitoring study regarding 1-hour SO₂ levels around the Wagner area shows that SO₂ levels are generally below the new standard. Attachment 3 summarizes the data from the 2013 air monitoring study.

As shown in Attachment 4, preliminary air quality modeling also demonstrates that the Wagner area can attain the new SO₂ standard. In mid-April 2015, the owners of the Wagner facility, Raven Power, began to use a lower sulfur coal at Wagner unit number 2 as a method of compliance with the federally enforceable Mercury and Air Toxics Standards. Modeling current emissions, adjusted for the reduced sulfur content of the new coal, results in SO₂ concentrations below the new standard.

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As EPA knows, this kind of technical modeling analysis is complicated and takes significant time and resources to complete. Because of the late, March 20th notification, the final modeling analysis will be submitted as expeditiously as possible under separate cover by MDE Secretary Grumbles.

In early 2016, Raven Power will also be adding a dry sorbent injection (DSI) system to unit number 3 at the Wagner facility to comply with the Mercury and Air Toxics Standards. DSI control technology can also help reduce SO₂ emissions. The modeling described in Attachment 5 will capture the benefits from both the 2015 and 2016 emission reduction efforts at the Wagner plant.

Maryland is not making a designation area boundary recommendation at this time. Maryland recognizes, though, that this designation recommendation submittal is only the first step in the SO₂ designation process and looks forward to working with the EPA and Maryland stakeholders during the remaining steps of the process. Maryland is requesting routine coordination calls with EPA on issues related to the designation of the Wagner area. For more details, please see Attachment 6, which is a timeline.

Please note that Maryland's submission of this designation recommendation letter is consistent with §107(d)(1) of the Clean Air Act. It is also consistent with Consent Decree, Case No. 3:13-cv-03953-SI, *Sierra Club and Natural Resources Defense Council v. Gina McCarthy, Administrator, United States Environmental Protection Agency*.

If you have any questions about this submission, please do not hesitate to contact Ben Grumbles, Secretary, Maryland Department of the Environment at 410-537-3084.

Sincerely,



Larry Hogan
Governor

cc: Ben Grumbles, Secretary, Maryland Department of the Environment

Enclosures