Division of Air Pollution Control
Response to Comments


Agency Contact for this Package
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Ohio EPA held an interested party comment period on February 5, 2019 regarding draft amended rules in Ohio Administrative Code (OAC) Chapter 3745-18, "Sulfur Dioxide Regulations". This document summarizes the comments and questions received during the comment period, which ended on February 20, 2019.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

General/Overall Concerns

Comment 1: Comments were received from JSW Steel USA Ohio, Inc. in support of the proposed amendments, indicating Ohio EPA’s efforts to redesignate the Steubenville area to attainment for the sulfur dioxide National Ambient Air Quality Standards (NAAQS) are essential to JSW and failure to do so would unnecessarily stifle economic growth in the area. The full comment letter can be found at the end of this response to comments document. (John Hritz, JSW Steel)

Response 1: Thank you for your comments in support of the proposed amendments.

Comment 2: Comments were received from Buckeye Power, co-owners of the Cardinal Power Plant (along with AEP Generation Resources) in opposition to the proposed amendments. The full comment letter can be found at the end of this response to comments document. (Tom Alban, Buckeye Power)

Response 2: Ohio EPA, in consultation with U.S. EPA and Buckeye Power, has conducted additional supplemental modeling analyses which demonstrate that an emission limit somewhat higher than originally proposed will provide for attainment and maintenance of the SO2 NAAQS. The emission limit in the proposed rule has been revised accordingly to a 30-
day rolling average combined \( \text{SO}_2 \) emission limit of 4,858.75 lb/hr, increased from 4,201.2 lb/hr. The attached follow-up letter from Buckeye Power indicates that Buckeye Power supports the newly proposed limit.

**End of Response to Comments**
February 20, 2019

Paul Braun  
Ohio Environmental Protection Agency, DAPC  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Subject: Draft Rulemaking OAC 3745-18-47, 3745-18-03, 3745-18-04  
Cardinal Power Plan Sulfur Dioxide Emissions Limit  
for NAAQs attainment status in Jefferson County, Ohio

Dear Mr. Braun:

JSW Steel USA Ohio, Inc. (JSW) has reviewed and fully supports the proposed amendments to Ohio Administrative Code (OAC) Rules 3745-18-47 as prepared by the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) to incorporate a revised sulfur dioxide emissions limit for the coal-fired boilers at the Cardinal Power Plant in Jefferson County, Ohio. JSW understands that this limit is necessary to satisfy U.S. EPA requirements in order for the Steubenville, Ohio-West Virginia nonattainment area to be eligible for re-designation to attainment and to ensure maintenance of the 2010 sulfur dioxide National Ambient Air Quality Standard (NAAQS). JSW also understands that Ohio EPA has prepared amendments to OAC Rules 3745-18-03 and 3745-18-04 to incorporate compliance time schedules and measurement methods and procedures relevant to the Cardinal emissions limit.

Ohio EPA’s efforts to bring Jefferson County into NAAQS attainment status are absolutely essential to JSW as a significant stakeholder creating hundreds of jobs at our facility in Mingo Junction, Ohio. Not moving forward with such efforts would unnecessarily stifle economic growth for a county that desperately needs jobs in the quantities that JSW has been and continues to plan to create through further expansion at our Mingo Junction, Ohio facility. The proposed rules and eventual re-designation of Jefferson County as in attainment with the 2010 sulfur dioxide NAAQS will play a large role in JSW’s strategic decision business making processes, as the Mingo Junction facility competes for capital investments amongst JSW’s facilities across the globe.

Sincerely,

John Hritz  
President and Chief Executive Officer  
JSW Steel (USA), Inc.
February 20, 2019

By Electronic and U.S. Mail

Paul Braun
Ohio EPA
Division of Air Pollution Control
PO Box 1049
Columbus, Ohio 43216-1049
paul.braun@epa.ohio.gov

RE: Ohio EPA’s February 5, 2019 Interested Party Draft Related to Proposed Changes to OAC 3745-18 Comments of Buckeye Power, Inc.

Dear Mr. Braun:

On February 5, 2019, Ohio EPA issued its Interested Party Draft ("IP Draft") of the agency’s “OAC Charter 3745-18-Cardinal emissions limit” rulemaking ("Cardinal Rulemaking"). The IP Draft consists of identified changes to OAC Rules 3745-18-03, 3745-18-04 and 3745-18-47 as well as Ohio EPA’s required Business Impact Analysis ("BIA"). This letter constitutes Buckeye Power, Inc.’s comments on the IP Draft. As Buckeye Power explained in its January 29, 2019 Early Stakeholder Outreach comment letter, Buckeye Power, along with AEP Generation Resources Inc., are owners of the Cardinal Power Plant and have operational control, via Cardinal Operating Company (jointly-owned by Buckeye Power and AEP Generation Resources), of Cardinal.

The IP Draft of the Cardinal Rulemaking includes changes that seek to significantly reduce Cardinal’s maximum SO2 hourly emission rate to approximately 1/3 of Cardinal’s current emission limit. See, IP Draft at 3745-18-47(D)(3). Importantly, Cardinal’s SO2 emissions have already been sharply reduced from historic allowable limits, and Cardinal has already installed state-of-the-art SO2 controls. Additionally, Ohio EPA seeks to mandate this significant emission limit reduction as soon as this rulemaking becomes effective without any ramp down period. See, IP Draft at 3745-18-03(C)(11). Finally, Ohio EPA also seeks to require the owners of Cardinal to submit a new Title V permit application no later than 30 days after the effective date of the rulemaking. See, IP Draft at 3745-18-03(B)(9).

The Cardinal Rulemaking will impact Cardinal, the owners of Cardinal, the member cooperatives and our customers in a negative way by constraining fuel supply options as well as curtailing operational flexibility, both of which are vital to this long-standing baseload power source for the State of Ohio. Further, Buckeye’s on-going technical analysis indicates that Cardinal’s contribution in the area does not warrant such steep SO2 reductions. Air quality monitors in the northern part of the Steubenville area have monitored attainment for more than 5 years, and monitors sited near the Cardinal Plant have monitored attainment since 2011, all at levels well below the applicable standard. While Ohio EPA’s BIA portion of the Cardinal Rulemaking acknowledges the negative impact on Cardinal, the BIA does not accurately...
reflect the true costs to the owners of Cardinal and its customers nor does the BIA consider less significant reductions that still allow the area to maintain compliance with the 1-hour SO2 NAAQs. Finally, Ohio EPA’s expectation that Cardinal can immediately become compliant with such a sharp emission reduction is unreasonable.

Buckeye Power, on behalf of the owners of Cardinal as well as its members and customers, acknowledges that Ohio EPA has been and continues to be willing to work cooperatively to reach a real-world solution that allows Cardinal to operate as designed, using a range of available fuels, while assuring that the area regains attainment. To that end, Buckeye Power intends this letter to further this goal and serve as the basis for continued dialog with Ohio EPA.

Please do not hesitate to contact me with questions.

Sincerely,

Tom Alban
Vice President
Buckeye Power, Inc.
March 14, 2019

By Electronic and U.S. Mail

Robert Hodanbosi
Chief, Division of Air Pollution Control
Ohio EPA
P.O. Box 1049
Columbus, Ohio 43216-1049

RE: Ohio EPA's Proposed Changes to OAC 3745-18
Related to Cardinal Operating Station

Dear Bob:

On behalf of the Buckeye Power Inc. and AEP Generation Resources Inc., as the owners of Cardinal Power Plant, I would like to thank you and your staff for working cooperatively with us over the past couple of months to address our concerns about Ohio EPA’s proposed changes to O.A.C. Chapter 3745-18 to support Ohio’s 1-hour sulfur dioxide (SO2) SIP submittal for the Steubenville, OH-WV area.

Buckeye first notified Ohio EPA during the Early Stakeholder process that we had significant concerns about Ohio EPA’s proposed rulemaking. More recently, Buckeye submitted a comment letter on February 20, 2019 as part of Ohio EPA’s Interested Party process. In response, you and your staff have worked quickly and efficiently with us to consider the best and most current information in establishing any necessary limitations. In addition, your staff teamed with WVDEP and USEPA to assure that the appropriate analyses were undertaken.

Based on the collective work of our respective teams, I can confirm that the owners of Cardinal will agree to Ohio EPA’s proposed limit of 4,858.75 pounds of SO2 per hour as a plant-wide mass emission limit for all three units on a rolling, thirty-day average. This limit provides Ohio with a timely, common sense solution while assuring that Cardinal can operate without unreasonably constraining fuel supply options or curtailing operational flexibility, both of which are vital for this long-standing baseload power source for Ohio.

Please do not hesitate to contact me with questions and thank you again for your swift work on this matter.

Buckeye Power, Inc.

Thomas Alban
Vice President
Buckeye Power Inc.

cc: Kurt Helfrich
Janet Henry
April Bott