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## **CITY OF PHILADELPHIA**

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**Re: Draft GP-20**

June 29, 2020

To Whom It May Concern:

Below please find Councilmember Katherine Gilmore Richardson's comments on the Department's Proposed General Plan Approval and/or General Operating Permit for Natural Gas-Fired Combined Heat and Power Facilities (BAQ GPA/GP 20) (GP-20) on behalf of the undersigned members of the Philadelphia City Council Committee on the Environment, Councilmembers Katherine Gilmore Richardson, Cindy Bass, Kendra Brooks, Jamie Gauthier, Derek Green, and Helen Gym.

#### **1. General Comments**

- a. GP-20 does not allow DEP to properly consider the environmental justice implications of any facility.*

Philadelphia continues to struggle with air quality issues. In last year's State of the Air report from the American Lung Association, Philadelphia ranked among the worst cities for both ozone and particle pollution, putting our residents' health at risk.<sup>1</sup>

<sup>1</sup> American Lung Association. 2019. "State of the Air Most Polluted Cities." Available at <http://www.stateoftheair.org/city-rankings/most-polluted-cities.html>

Poor air quality hits communities of color particularly hard. People of color are more likely to live near polluting industries.<sup>2</sup> They are also more likely to suffer from urban heat island impacts.<sup>3</sup> A study in the Proceedings of the National Academy of Sciences found that pollution exposure among Black and Hispanic people far outweighs the amount of pollution they cause.<sup>4</sup> These environmental impacts have led to significant health disparities for Black and Hispanic Americans, including higher rates of asthma<sup>5</sup>, as well as premature, underweight, and stillborn births<sup>6</sup> to name only a few. Most recently, we've seen significantly higher rates of Covid-19 infection and mortality among people of color which can likely be attributed to systemic conditions that cause racial health disparities, such as pollution and toxin exposure.<sup>7</sup>

The Department is able to establish a general permit for stationary air contamination sources if it determines that standard specifications and conditions can be used to adequately regulate them. In this case, the draft GP-20 permit includes gas-fired spark-ignition internal combustion engines, stationary gas-fired combustion turbines, and combined heat and power facilities (CHP). These systems vary widely in operation and impact compared to each other and within their individual categories. For example, the U.S. Environmental Protection Agency (EPA) has an entire catalog of just CHP technologies.<sup>8</sup> It reviews five of the most common CHP technologies, and as early as the introduction, it notes that the technologies differ in their efficiency, emissions, cooling requirements, noise, success in different climates, maintenance costs, and physical imprint.<sup>9</sup> By creating a general permit, the Department is making it impossible to consider the individual needs and concerns of a specific neighborhood. The breadth of this proposal does nothing to ensure that the applicant is selecting a technology that prioritizes community health, safety, value, and livability. All of which are of great concern as these technologies are often connected to larger facilities that are located in a wide range of neighborhoods.

The GP-20 draft also creates an annual average emissions limit, meaning that as long as the facility is under its overall 12-month emissions limit, there could be situational spikes above the major threshold. This is unacceptable. As Philadelphians who live around the former PES refinery site testified during the public meetings of August 2019, spikes in the release of toxins can lead to severe or even fatal events for community members who suffer from asthma, emphysema, or other illness associated

<sup>2</sup> Tabuchi, H. May 17, 2020. "In the Shadow of America's Smokestacks, Virus is One More Deadly Risk." *The New York Times*. Available at <https://www.nytimes.com/2020/05/17/climate/pollution-poverty-coronavirus.html>

<sup>3</sup> Popovich N. and Flavelle, C. August 9, 2019. "Summer in the City is Hot, but Some Neighborhoods Suffer More." *The New York Times*. Available at <https://www.nytimes.com/interactive/2019/08/09/climate/city-heat-islands.html>

<sup>4</sup> Tessum, C.W., Apte, J.S., et. al. March 26, 2019. "Inequity in consumption of goods and services adds to racial-ethnic disparities in air pollution exposure." *PNAS* 116 (13). Available at <https://www.pnas.org/content/116/13/6001>

<sup>5</sup> Caffrey, M. August 8, 2017. "Princeton Study: Being Black Doesn't Cause Asthma; The Neighborhood Does." *American Journal of Managed Care*. In Focus Blog. Available at <https://www.ajmc.com/focus-of-the-week/princeton-study-being-black-doesnt-cause-asthma-the-neighborhood-does>

<sup>6</sup> Flavelle, C. June 18, 2020. "Climate Change Tied to Pregnancy Risks, Affecting Black Mothers Most." *The New York Times*. Available at [https://www.nytimes.com/2020/06/18/climate/climate-change-pregnancy-study.html?algo=identity&fallback=false&imp\\_id=827029242&action=click&module=Science%20%20Technology&pgtype=Homepage](https://www.nytimes.com/2020/06/18/climate/climate-change-pregnancy-study.html?algo=identity&fallback=false&imp_id=827029242&action=click&module=Science%20%20Technology&pgtype=Homepage)

<sup>7</sup> Ray, R. April 9, 2020. "Why are Blacks dying at higher rates from COVID-19?" *The Brookings Institution*. Available at <https://www.brookings.edu/blog/fixgov/2020/04/09/why-are-blacks-dying-at-higher-rates-from-covid-19/>

<sup>8</sup> U.S. Environmental Protection Agency Combined Heat and Power Partnership. September 2017. *Catalog of CHP Technologies*. Available at [https://www.epa.gov/sites/production/files/2015-07/documents/catalog\\_of\\_chp\\_technologies.pdf](https://www.epa.gov/sites/production/files/2015-07/documents/catalog_of_chp_technologies.pdf)

<sup>9</sup> *Id.*

with chronic exposure to toxic air pollution. This situation should not be replicated at any future sites in the City of Philadelphia. Any facility should be required to maintain an emissions level below the major threshold at all times, and ambient air monitors on the property should track and publicly report air quality data to ensure the facility is compliant.

Finally, the proposed permit only requires the holder to list the tons of hazardous air pollutants (HAPs) on an individual basis. This ignores EPA guidance from the Integrated Urban Air Toxics Strategy, which stressed the presence of multiple emissions sources and HAPs in urban areas.<sup>10</sup> The research stated that exposure to multiple toxins poses harm; therefore, all permit holders should have to comply with the Strategy to reduce the cumulative risk of HAPs.

*b. GP-20 does not prioritize comprehensive greenhouse gas emissions reductions.*

Climate change continues to pose an existential threat to the health and wellbeing of our planet. Reducing our reliance on fossil fuels is the single most important thing we can do help stop the catastrophic impacts of greenhouse gas (GHG) emissions.

Although shifting to clean, renewable energy is not something we can do overnight, it must remain our primary focus. Every energy policy should take us one step closer to reaching net zero emissions. CHP facilities are included as part of Pennsylvania's Climate Action Plan, but the detailed analysis of CHP facilities demonstrates that there continue to be concerns around the overall role of CHP facilities in the long term. The Climate Action Plan explains that "GHG emission reductions associated with CHP facilities come from electricity savings that outweigh the result of increased natural gas use."<sup>11</sup> On page 72 of the Climate Action Plan, it states "Long-term contributions of CHP to GHG emission reductions is a continually evolving research and analysis area, given that more ambitious renewable generation targets are being set and high-efficiency natural gas combined cycle generation continues to increase as a fraction of the generation mix. This is an area worth more detailed study and investigation."<sup>12</sup> Additionally, it states in Appendix A that "the economics for CHP installations are expected to become unfavorable by the mid-2030s." The overly broad GP-20 draft does not require nor is there any incentive for an applicant to select a technology that is more efficient, meaning there is no guarantee that any of these facilities will contribute to lowering our GHG emissions, helping the state achieve its 2025 or 2050 emissions reduction goals.

## **2. Comments on the Technical Supporting Document**

*a. The Department should require comprehensive engagement with the local municipal government.*

Instead of notifying the local municipal government about where the air pollution source is to be located, the applicant should be required to show the Department that they have engaged directly with

<sup>10</sup> See [FR, Vol. 64, No. 137/7/19/39](#)

<sup>11</sup> Pennsylvania Department of Environmental Protection. April 29, 2019. *Pennsylvania Climate Action Plan 2018: Strategies and actions to reduce and adapt to climate change*. Available at <http://www.depgreenport.state.pa.us/elibrary/GetDocument?docId=1454161&DocName=2018%20PA%20CLIMATE%20ACTION%20PLAN.PDF%20%20%20%3cspan%20style%3D%22color:blue%3b%22%3e%28NEW%29%3cspan%3e>

<sup>12</sup> *Id.*

the local government about its plan to create a new or modify an existing air pollution source and that it has worked to address any concerns or questions posed by elected officials, government agencies, or the community groups they engage.

- b. The Department should require that all records should be maintained for the duration of the facility and be made available to the local government.*

Any documents relating to air quality, toxic pollution, or GHG emissions should be made easily available to the local municipal government. In order to ensure the facility operates with transparency and accountability to the public, elected leaders must have access to the full history of records relating to the facility, and it must be made immediately aware of any violations of emissions thresholds or release of toxic chemicals.

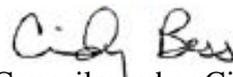
### **3. Conclusion**

As written, the GP-20 permit is too broad and allows for too much flexibility in the selection of facility technology. With the overwhelming data on disparate health impacts of toxic air pollution on communities of color, as well as the alarming reports on the impacts of climate change, the Department must be bold in its action. Permits ensure that we have the necessary and relevant information to keep our communities safe and healthy. Nothing about this proposal allows for the state or a local municipality to do that. Therefore, we recommend the Department continue to manage these sources of toxic air pollution through an individual permitting mechanism. Additionally, we recommend that the Department evaluate its current permitting processes to ensure that it is taking structural racism and climate change impacts into account when evaluating a permit for any toxic air pollution facility. We do not have any time left to waste, and regulators must partner with elected officials to ensure we create communities that are safe, healthy, and livable.

In Service,



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Member At-Large, City of Philadelphia  
Chair, Committee on the Environment



Councilmember Cindy Bass  
Eighth Council District, City of Philadelphia  
Vice Chair, Committee on the Environment



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