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June 29, 2020

Pennsylvania Department of Environmental Protection
Rachel Carson Building
400 Market Street
Harrisburg, PA 17101
CC: Public Comment Submission

To whom it may concern,

Please accept the following submission for public comment regarding the Proposed General Plan Approval and/or General Operating Permit for Natural Gas-Fired Combined Heat and Power Facilities.

In reference to the [DEP General Plan Approval and/or General Operating Permit Instructions](#).

1. **The General Plan Approval and/or General Operating Permit Instructions #2 allows spikes in emissions above the major threshold limit**, as long as emissions are lowered at other times to keep within the annual limit. *It states that approval will not be given for construction, modification or operation of a facility if the facility's total emissions from all air contamination sources located at the facility exceed the major threshold for any consecutive 12 month rolling period.*

A minor or synthetic minor facility should NEVER exceed a major threshold. People with medical conditions such as asthma, emphysema, and COPD can be severely or fatally affected during the spikes.

- Recommendation: In facilities with major capacity equipment, fuel usage must be regulated to ensure these entities are always operating under capacity, 365 days a year.
- Recommendation: Ambient air monitors must be installed to keep track of emissions. The readings should be publicly available in real time, on a website.

2. The DEP should require the owner to **measure emissions of hazardous air pollutants (HAPs) cumulatively**, in relation to public health. All HAPs are either carcinogenic or cause other diseases. Listing the amount of each individual HAP separately, avoids showing the cumulative effect these pollutants have in

combination with each other. It also ignores the HAPs already present in urban environments.

The DEP should follow the EPA's Integrated Urban Air Toxics Strategy (FR, Vol. 64, No. 137/7/19/39). The EPA details the increased impacts of HAPS in urban areas and recommends calculating the cumulative risk of HAPS in these areas, rather than assessing each pollutant individually. *This EPA Strategy states, "even in cases where individual pollutant levels are low enough that exposure to any one pollutant wouldn't be expected to pose harm, some pollutants may work together such that their potential for harm increases and exposure to the mixture poses harm...multiple pollutant exposures, which may be prevalent in urban populations, may cause increased public risks."*

In reference to the Permit Application "APPLICATION FOR AUTHORIZATION TO USE GENERAL PLAN APPROVAL AND/OR GENERAL OPERATING PERMIT BAQ-GPA/GP-20 Natural Gas-Fired Combined Heat and Power Facilities"

1. In SEPTA's CHP in the Nicetown neighborhood of Philadelphia, **95% of the waste heat will be released into the air** in a neighborhood flagged in red on the city's map of heat islands. Every CHP should be required to capture and use most of the heat generated, or else it should not be considered a "Combined Heat and Power" plant.

Page 8 of the application asks for "thermal output," but doesn't mention the requirements for capturing thermal output and using it here, or in the Technical Support Document. This must be clarified and defined.

Efficient CHPs can capture and use up to 90% of their waste heat. The EPA has supported Combined Heat and Power Plants because they both generate energy and use the heat generated for temperature control in buildings. This makes a CHP potentially a more efficient use of burning a fossil fuels than a traditional power plant.

In reference to the "The General Plan Approval and/or Operating Permit BAQ-GPA/GP-20"

1. Page 7 "Notification Requirements section c.(v)" **should state that during an emergency, if shut-down and start-up would generate more pollution than the emergency, then an owner or operator may continue to operate the source** at their discretion, provided that there is no chance of an explosion. Instead, the plan allows vulnerable communities living near a CHP to be exposed to increased emissions during an emergency, for an indefinite amount of time. This is unacceptable and an assault on the vulnerable communities who are usually forced to host polluting facilities. This is a direct threat to both the health of the public as well as the environment and cannot be allowed. The DEP document states,

"During an emergency an owner or operator may continue to operate the source at their discretion, provided they submit justification for continued operation of a source during the emergency and follow all the notification and reporting requirements in accordance with the paragraphs (ii)-(iv), as applicable."

In reference to The [Technical Support Document](#) "Technical Support Documents For the General Plan Approval and/or General Operating Permit for Combined Heat and Power Facilities (BAQ-GPA/GP-20, 2700-PM-BAQ0219)"

1. XIV Notification Requirements on p. 10. **The community should receive notice of any**

polluting project in local print media, and a notice should be shared with local radio and TV news media. *It states, "There are several notifications that the owner or operator of a facility must perform, including a municipal notification to the local governments where the pollution source is to be located."*

Informing local government of a polluting project is not the same as informing the affected community. Government officials can decide to stay silent for a variety of reasons. Vulnerable communities next to power plants are disproportionately minority and low income, which means that one group is unduly burdened, in violation of the Civil Rights Act of 1964. A reliable, consistent notification system should be implemented to ensure transparency and accountability of both the regulating body and operator.

2. Recordkeeping Requirements on p. 10 **should require records to be kept for the lifespan of the facility** and shared with local government, to facilitate fact-finding, in the case of perceived or actual harm to the community. It currently only requires records to be kept for 5 years. Such records need to be preserved and stored securely for future review if needed, specifically with evolving science that continues to show the harmful impacts from this industry to both public and environmental health.

Pennsylvania has a long history of fossil fuel use and production, resulting in abandoned coal mines, gas wells, and contamination of land and water across our commonwealth. Air quality levels in the state continue to be of major concern, especially in areas where legacy pollution continues to thrive at the expense of public health, particularly in minority and low-income communities. Decades of damage by fossil fuel operators, past and present, have plagued our state for far too long. Enforcing effective regulations on fossil fuel operators and producers must be a priority. Operators who harm the health of the public and the environment must be held accountable and the Department of Environmental Protections in this state must enact and enforce protections and consequences in a timely, consistent manner. We cannot afford to allow the gas industry to operate unchecked a moment longer.

Sincerely,



Senator Katie J. Muth