

From: Kevin Stewart [kstewart@alapa.org]
Sent: Tuesday, April 04, 2006 9:59 AM
To: Gao Frank F. (DNREC); 'Alan Muller'; 'Kevin Stewart'; michael.d.fiorentino@law.widener.edu; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)
Subject: RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda

Thank You.

Kevin

From: Gao Frank F. (DNREC) [mailto:Frank.Gao@state.de.us]
Sent: Tuesday, April 04, 2006 8:47 AM
To: Kevin Stewart; Alan Muller; Kevin Stewart; michael.d.fiorentino@law.widener.edu; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)
Subject: RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda

Kevin, and other committee members,

Regarding your follow-up questions, I agree to put them in the first meeting minutes. Please see the attached version 3. Thank you all.

Frank

Air Quality Management-DNREC
New Castle, DE 19720
Phone: (302)323-4542 FAX: (302)323-4598

From: Kevin Stewart [mailto:kstewart@alapa.org]
Sent: Monday, April 03, 2006 11:08 AM
To: Gao Frank F. (DNREC); 'Alan Muller'; 'Kevin Stewart'; michael.d.fiorentino@law.widener.edu; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)
Subject: RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda

Hello Frank,

Thank you for the response. Only a few thoughts...

I would first point out that the follow-up questions I cited were in fact offered by me (but not answered) in the course of the meeting and this is why I was seeking to have them reflected in the minutes.

As to the question I asked in the meeting that was a "chicken or egg" kind of question, I must admit that I viewed it as an attempt to resolve a dichotomy: Either the emission rate was determined first, and tonnage reductions then calculated, or the tonnage reductions were first determined, then the emission rates necessary to achieve them were back-calculated. I simply felt that my question was answered in a manner tantamount to agreeing that it was the former case, not the latter.

Looking forward to meeting with all of you again.

Yours,

Kevin

P.S. If you have not yet done so, please change my email in your address book to kstewart@lunginfo.org. Thanks!

Kevin M. Stewart, kstewart@lunginfo.org

Director of Environmental Health

American Lung Association of the Mid-Atlantic

Serving the communities of Delaware, Pennsylvania and West Virginia

101 Good Drive, Suite 1

Lancaster, PA 17603

Phone: 717.397.5203 Fax: 717.397.5244 HelpLine: 1-800-LUNG-USA ext. 2

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Advocating for better health laws is vital to saving lives. If you care about lung diseases such as asthma, COPD and lung cancer, tobacco issues and clean air concerns, make your voice count by joining the E-Advocate Network at www.lungaction.org. Get involved today so we can all breathe easier tomorrow!

From: Gao Frank F. (DNREC) [mailto:Frank.Gao@state.de.us]

Sent: Monday, April 03, 2006 11:31 AM

To: Alan Muller; Kevin Stewart; michael.d.fiorentino@law.widener.edu; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)

Subject: RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda

Dear committee members:

Thanks to Kevin and Alan for the good comments on the first meeting minutes. Attached please find the second version. Please be advised that the minutes are to record what we discussed in the first meeting. Therefore, only those comments that aim to complete and/or correct the minutes are incorporated in the attached second version. New issues, even though as follow-ups of the first meeting, will be addressed in the second meeting and recorded in the second meeting minutes. By the way, all comments will be made on-record and posted on DNREC's website.

Please review the second version. If you have additional comments, please indicate if they are for (1) completing/correcting the first meeting minutes, or (2) follow-up or new issues that need to be addressed in the second meeting. I am planning to finalize and post the first meeting minutes on Friday (April 7). So, please provide comments by COB of Thursday.

Our second meeting is scheduled on April 19. The tentative agenda is below:

1. Discussion/approval of the first meeting minutes.
2. Discussion of follow-up issues of the first committee meeting.
3. Introduction to DNREC webpage for "Regulation 1142 Section 2".
4. Presentation of Valero and discussion.
5. Discussion on the first draft of regulatory language.
(The draft will be distributed later this week or early next week, so that the committee members will have ample time to review it before the second meeting.)
6. Other relevant issues.

I would appreciate it if you could provide suggestions or additional agenda item by COB Thursday, so that I can finalize and post it on our website on Friday (April 7).

Thank you all again.

Frank

Air Quality Management-DNREC
New Castle, DE 19720
Phone: (302)323-4542 FAX: (302)323-4598

From: Alan Muller [mailto:amuller@dca.net]
Sent: Friday, March 31, 2006 1:15 PM
To: Kevin Stewart; Gao Frank F. (DNREC); michael.d.fiorentino@law.widener.edu; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)
Cc: dbrown@alade.org; Morris.Makeba@epamail.epa.gov; Rivera Jaime Gus H (DHSS); Delaware.chapter@sierraclub.org; dasmail@delawareaudubon.org; David Keifer
Subject: RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda

At 11:34 AM 3/30/2006 -0500, Kevin Stewart wrote:

Hello,

A clarification re these parts of the proposed minutes:

RE: 3.(3)

You currently have written:

“Kevin Stewart noted that a 0.04 lb/mmBTU rate limit was cited in the presentation, and asked whether the Department had pre-determined this level of control on the basis of which the tonnage reduction required would be calculated; or alternately whether the Department would determine how much reduction would be needed first and then derive an emission rate limit (such as 0.04 lb/mmBTU).

“Ron responded that we did not follow either approach because levels of controls should depend on availability and feasibility of control technology. Frank mentioned that the rate limit of 0.04 lb/mmBTU in the presentation was a start point that serves as an example of the level of control that has been demonstrated achievable.”

For the record, it would be appropriate to point out that the correct answer to my question reported in the first paragraph is: “The first of the two options listed by Kevin is what the Department chose. The Department chose a level of control (based on availability and feasibility of control technology) and then used that as the basis upon which the tonnage reduction expected would be calculated.”

Furthermore, I do not believe that my follow-up questions as to whether the 0.040 lb/mmBTU option was truly the most optimal were answered. (Specifically, questions along the following lines: What about 0.035 or 0.045 lb/mmBTU? Was there a distinct and useful break-point in the cost-effectiveness curve for NOx reduction technologies? Should units be looked at individually as to what each one's optimum emission rate might be?)

Green Delaware agrees that this point should be clarified. From our point of view, we are

looking for the lowest emissions that can reasonably be required. (I mean this in a literal sense and am not invoking any particular terms of the air regulatory art....)

RE: 3.(4)

A point for the record: I also pointed out that because of atmospheric chemistry, equal NOx and VOC tonnage reductions or equal reduction ratios do not necessarily result in the same reduction in ozone concentrations.

This is true. However, the subject should be taken up with caution because (1) NOx and VOCs have harmful effects in themselves in addition to their role as ozone precursors, and (2) the chemistry of atmospheric ozone formation is sufficiently complex that dischargers have often used uncertainties surrounding it to obstruct reductions.

Where possible, the Lung Association encourage optimization of the relative NOx and VOC reductions to achieve the best end result.

Yours,

Kevin Stewart

A point of my own: At least three people on the committee list seem to be consultants or 3rd parties (Power Tech Solutions; Environmental Resources Management). I would like some clarification as to who they are representing.

Regards,

Alan Muller

From: **Kevin Stewart [kstewart@alapa.org]**

Sent: **Thursday, March 30, 2006 11:35 AM**

To: **Gao Frank F. (DNREC); amuller@dca.net; michael.d.fiorentino@law.widener.edu; eft@envirotruth.com; Patrick.Covert@valero.com; John.Deemer@valero.com; pjacoby@powrtechsolutions.com; taras.lewus@erm.com; Llewellyn Gerald (DHSS); Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC); Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)**

Cc: **dbrown@alade.org; Morris.Makeba@epamail.epa.gov; Rivera Jaime Gus H (DHSS); Delaware.chapter@sierraclub.org; dasmail@delawareaudubon.org**

Subject: **RE: Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda**

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RE: 3.(3)

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“Ron responded that we did not follow either approach because levels of controls should depend on availability and feasibility of control technology. Frank mentioned that the rate limit of 0.04 lb/mmBTU in the presentation was a start point that serves as an example of the level of control that has been demonstrated achievable.”

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RE: 3.(4)

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Yours,

Kevin Stewart

P.S. If you have not yet done so, please change my email in your address book to kstewart@lunginfo.org. Thanks!

Kevin M. Stewart, kstewart@lunginfo.org

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From: **Gao Frank F. (DNREC)**

Sent: **Thursday, March 30, 2006 10:04 AM**

To: 'amuller@dca.net'; 'kstewart@lunginfo.org';

'michael.d.fiorentino@law.widener.edu'; 'eft@envirotruth.com';

'Patrick.Covert@valero.com'; 'John.Deemer@valero.com';

'pjacoby@powrtechsolutions.com'; 'taras.lewus@erm.com'; Llewellyn Gerald (DHSS);

Amirikian Ronald A. (DNREC); Rangan Ravi (DNREC); Harris Bill (DNREC);

Steltzer Bruce (DNREC); Lutrzykowski Mark J. (DNREC)
Cc: 'dbrown@alade.org'; 'Morris.Makeba@epamail.epa.gov'; Rivera Jaime Gus H (DHSS); 'Delaware.chapter@sierraclub.org'; 'dasmal@delawareaudubon.org'
Subject: **Reg 1142 Sec 2: Large boilers, Mtg 1 minutes and Mtg 2 agenda**
Attachments: **Reg42Sec2_Mtg1 minutes_draft.doc**

Dear committee members,

First, thank you all for participating in the first committee meeting on March 15. Attached hereto is a draft of meeting minutes. Please review, comment, and let me know if I have missed any important issues, by the end of next week (April 7).

We have recently created a webpage for publishing information relevant to this rule making. Please visit: http://www.dnrec.state.de.us/air/aqm_page/pro_regs.htm

Then, select "Regulation No. 1142, Section 2 - Specific Emission Control Requirements". We have put some documents there already, including Start Action Notice (SAN), Committee Member List, AQM Presentation in the first meeting, etc., for public review/comment.

Our second committee meeting is scheduled on April 19. A tentative agenda is

1. Discussion/addition/approval of the first meeting minutes.
2. Introduction to DNREC webpage for "Regulation 1142 Section 2".
3. Presentation of Valero and discussion.

John: I would ask if you could distribute Valero's presentation a few days before the meeting.

4. Discussion on the first draft of regulatory language
We will distribute the first draft about 10 days before the meeting.
5. Other relevant issues.

If you would like to add item(s) to the agenda, please let me know by the end of next week (April 7).
Thanks.

Frank Gao
Lead Engineer of AQM

Air Quality Management-DNREC
New Castle, DE 19720
Phone: (302)323-4542 FAX: (302)323-4598