Prettyman Mark A. (DNREC)

From: seth ross [sethross2001@yahoo.com]
Sent: Monday, May 31, 2004 8:54 PM
To: Prettyman Mark A. (DNREC)
Cc: Deramo Alfred R. (DNREC)
Subject: Comments on DG draft

Mark, cc: Al

May 31st, 2004

Mark, I was going to wait until Tuesday morning to send this out but with my luck my internet connection will be down and I am going out of town until the 13th.

I have been reading with great interest the draft for the proposed regulation # 44 that you sent out last Tuesday May 25th, 2004 to those of us serving on the Distributed Generation (DG) Regulation Development Workgroup and to other interested persons.

I compliment you and those who worked with you on pulling together a good working draft. I think you chose appropriate emission values in the standards tables for nitrogen oxides, hydrocarbons, particulates, carbon monoxide, and carbon dioxide, and I am pleased that you proposed standards for all these compounds.

I do appreciate that this is a working, preliminary draft. Now, I have a few problems and one or two comments which I will address in this note.
I admit at the outset that I may be missing something or perhaps misunderstanding or mis-interpreting what I am reading.

Here goes:

I phoned in to talk to you last week but was told you were at a training session and would not be back in the office until Tuesday, so I asked to be connected to Al Deramo, and we talked for awhile.

I told Al that I was concerned that it would be tough for users of existing non-emergency generators to meet the criteria in paragraph 3.2.1 within the time prescribed (6 months after effective date, per paragraph 1.3.1). The toughest part will be the rquirement to reduce the uncontrolled nitrogen oxides (NOx) emissions, which are probably over 20 Lbs/MWh, to the new proposed limit of 4 Lbs/MWh.

Since that conversation with Al I have been thinking about the contrast of the above generators covered in paragraph 3.2.1 to the generators covered in the next paragraph, 3.2.2, which covers existing non-emergency generators participating in the Delaware Electric Cooperative Interruptible Service Program.

The contrast is striking. It appears that participants in the program will be getting off easy--buy a commercial fuel catalyst, switch to a biodiesel blend or gas, and will not have to meet an emission standard.
Non-participants on the other hand will be be forced to spend a lot of money in a short time to reduce NOx emissions by over 80%, to control the other emissions, and to formally document their compliance.
One factor that caught my attention was that to be eligible for this attractive option a user had to have joined the program prior to September 21, 2003.

The above interpretation prompts me to ask a few questions.
What is it about this program that sets it apart ?
Are the emissions much lower for some reason ?
Do the generators run only a limited number of hours per year ?
Why is there no requirement for an
emission test to demonstrate performance ?
Basically, why don't these generators have to meet the same requirements as the other non-emergency existing generators ?

Another serious issue is that all existing non-emergency generators, once they have complied with the requirements in paragraphs 3.2.1 and 3.2.2, can run indefinitely without any further reductions.
But new non-emergency generators, covered in paragraph 3.3, will be required to have lower emissions starting with the effective date of this regulation, then again in 2008 will have to have even lower emissions. By 2008 the existing generators' emissions will far exceed the emissions of generators installed since the regulation went into effect. Many of these existing generators will have years of useful life, well beyond 2008.

I think the output-based emission standard of Lbs/MWh shown in the tables in the draft should at some point in the future apply to all generators.
Grandfathering time should be spelled out and a phase-down schedule in this regulation would do it.
There is a provision in the draft in paragraph 3.4 for a Departmental review 6 years out.
Also there is a "Reconstructed" definition for parts replacement that essentially makes the old generator "new".
These are good, but are not a substitute for a definite time schedule for emission reduction.

Other comments:

* The only place generator size is mentioned is 450 kW or less in the Del Elec Co-op program (3.3.2). Perhaps the place to indicate the size range subject to this regulation is in paragraph 1.2, Applicability.
* Concerning the agenda items for credit for CHP and Flared gases. I do think it is important to include these in the regulation.
* "Dual-Fuel" generators, and "credit for end-use efficiency and non-emitting resources". Since there may be very few of these DNREC may want to consider these on a case-by-case basis. Simpler.
* Combustion turbines. I will be interested in hearing the reason for possibly excluding combustion turbines. I don't know much about it.

Regards, Seth
P.S. I will be shutting down computer sometime today (Tuesday June 1st) in preparation for leaving town and will turn it on again on June 13th. See you on the 16th.
S