

January 6, 2006

*Name*

*Address 1*

*Address 2*

Dear *Name*:

The Department of Natural Resources and Environmental Control (DNREC) has begun the development of a new Regulation that will facilitate a reduction of air emission from Delaware's coal and residual oil fired power plants. A copy of the Start Action Notice (SAN) is attached to this letter.

The reason for the new regulation is to protect public health, safety, and welfare. Asthma attacks, respiratory disease, heart attacks, and premature deaths—all of these are among the serious public health problems caused and exacerbated by air pollutants emitted from the electric power sector. The specific units to be addressed by the regulation are those at the NRG Indian River facility in Millsboro, the Conectiv Edge Moor facility in Wilmington, and the City of Dover McKee Run facility in Dover. Pollutants to be reduced by the regulation include nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), and mercury.

- NO<sub>x</sub> is one of the key air pollutants that cause Delaware's ground level ozone problem, and an associated larger regional ozone problem that covers much of the eastern United States.
- Both NO<sub>x</sub> and SO<sub>x</sub> are significant contributors to Delaware's fine particulate matter problem, the associated larger regional fine particulate matter problem and the regional haze problem.
- Mercury is a toxic heavy metal, which, when ingested, can cause serious neurological damage, particularly to developing fetuses, infants, and children.

The Department will establish a review committee to aid in the development of the regulatory requirements and associated language. The committee will be made up of DNREC personal, persons with environmental interests, persons impacted by the emissions from power plants, and power plant owners and operators. You (or your alternate) are hereby invited to participate. At this time we anticipate holding five committee meetings, one each month, between January and May. The tentative dates and agenda for each meeting are:

- January 30<sup>th</sup>: DNREC will present reasons for Regulation, anticipated benefits, outline preliminary regulatory provisions, go over the regulatory development timeline, and provide time for discussion thereafter.
- February 23<sup>rd</sup>: Affected power plant owners and operators will have opportunity to present their views on the impacts of regulation on power in DE, to present alternate regulatory provisions for consideration, and provide time for discussion thereafter.
- March 30<sup>th</sup>: Environmental and impacted persons will have opportunity to present their views on the information discussed in the first two meetings, to present any additional information they believe pertinent to the development of the regulation, and provide time for discussion thereafter.
- April 27<sup>th</sup>: The Department will present draft regulatory language for discussion.
- May 31<sup>st</sup>: The Department will present a second draft of regulatory language for discussion.

Meetings will be held in the Air Quality Management Sections conference room, in Dover. Additional meetings are not anticipated at this time, but may be necessary. If you participate you are encouraged to attend all meetings, but in the event you are unable to attend all of the meetings, or are unable to participate at all, meeting minutes will be made available shortly after each meeting. Also, if you are unable to attend, please consider sending an alternate.

My staff and I will be contacting you shortly to understand if you would like to participate in the development of this important regulation. In the mean time, if you have any questions please give me a call at (302) 739-4791. I appreciate your time and look forward to working with you on this important issue.

Sincerely,

Ronald A. Amirikian  
Planning Supervisor

cc: Robert L. Clausen  
Raymond H. Malenfant