



State of New Jersey

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June 23, 2021

Submitted via email: holly.kaloz@epa.ohio.gov

Holly Kaloz
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

Dear Ms. Kaloz:

Thank you for providing the New Jersey Department of Environmental Protection (NJDEP) the opportunity to comment on the proposed Ohio Regional Haze State Implementation Plan (SIP) Revision titled, *Ohio Environmental Protection Agency. Regional Haze State Implementation Plan for the Second Implementation Period. Draft May 2021.*

The State of Ohio does not contain any Class I areas; however, it must follow key process steps outlined by EPA's Regional Haze Guidance and document those steps in its regional haze SIP for it to be approvable. The key process steps include determining which Class I areas may have visibility impairment due to emissions generated in Ohio, selecting sources (or groups of sources) to analyze for emission control measures, performing four-factor analyses of emission control measures on the selected sources, and determining reasonable control measures necessary to make reasonable progress.

Ohio was identified by New Jersey and the Mid-Atlantic/Northeast Visibility Union (MANE-VU) as contributing to New Jersey's Class I area, the Brigantine Wilderness Area of the Edwin B. Forsythe National Wildlife Refuge, as well as other Class I areas in MANE-VU. New Jersey and MANE-VU consulted with Ohio during the MANE-VU regional haze planning process for the second planning period. According to the federal Regional Haze rule (40 CFR § 51.308 (f)(2)(ii)(B)), States must consider, in their Regional Haze SIPs, the emission reduction measures identified by other States as being necessary to make reasonable progress in the mandatory Class I Federal area. New Jersey worked with MANE-VU to develop reasonable emission reduction strategies, or "Asks", necessary to make reasonable progress in Brigantine Wilderness Area and other impacted Class I areas. New Jersey's Asks include measures for Ohio to address as a contributing State to the Brigantine Wilderness Area.

New Jersey's specific comments are as follows:

1. Emission Reduction Measures Identified in the New Jersey "Asks"

Ohio did not address all of New Jersey's Asks in their proposed SIP as required by 40 CFR § 51.308(f)(2)(ii)(A), "The State must demonstrate that it has included in its implementation plan all measures agreed to during state-to-state consultations or a regional planning process, or measures that will provide equivalent visibility improvement." New Jersey recognizes Ohio's analyses and control strategies that directly or indirectly address New Jersey Asks 1 and 2 as described in Steps 3 and 4 of the proposed Ohio regional haze SIP. However, Ohio has stated that it does not find it necessary and appropriate to implement New Jersey's Ask 3, a low sulfur fuel standard, at this time. New Jersey requests that Ohio reconsider the low sulfur fuel strategy or document in its SIP how it considered the four statutory factors in determining that the adoption of the strategy is not reasonable.

In response to New Jersey's Ask 5, Ohio stated that it lacks the authority to dictate energy policy, including the type of fuel used by a source and the order of distribution of electricity. This is not the expectation of this Ask. Ask 5 expects states to consider and document in its SIP control strategies or programs that increase in-state use of Combined Heat and Power (CHP), and other clean Distribution technologies, and use energy efficiency to decrease energy demand. Energy efficiency measures include programs that reduce emissions that could benefit visibility, for example, improving efficiency and lowering demand for fossil fuel generation is relevant to regional haze. Like many states, Ohio may not have the authority to mandate such actions, but energy efficiency can and should be supported, encouraged, and promoted by environmental agencies. Many states are pursuing renewable energy targets as strategic goals. Reducing the demand allows for emission reductions which will improve visibility.

According to 40 CFR § 51.308 (f)(2)(ii)(B), States must consider, in their Regional Haze SIPs, the emission reduction measures identified by other States as being necessary to make reasonable progress in the mandatory Class I Federal area. Ohio considered some of New Jersey's identified measures, but it did not consider all as required by this rule. Ohio should implement the measures requested by New Jersey in the MANE-VU Inter-RPO Ask,¹ or equivalent measures, to reduce emissions from sulfates and nitrates and ensure incremental progress to improve visibility at Brigantine Wilderness Area. Ohio must document how it addressed New Jersey's Asks in its Regional Haze SIP submittal for review and action by EPA and the Federal Land Managers prior to the approval of its SIP.

2. Ohio Contribution to Visibility Impairment at New Jersey's Class I area

New Jersey's analysis included varied methodologies and results for qualitative rankings. The results show that Ohio is the second topmost contributor to visibility impairment at New Jersey and MANE-VU Class I areas. Additionally, Ohio ranked 2nd in terms of maximum mass-weighted sulfate and nitrate contribution at any given MANE-VU Class I area, and 2nd at Brigantine.² By contrast, New

¹ *Statement of the Mid-Atlantic/Northeast Visibility Union (MANE-VU) States Concerning a Course of Action in Contributing States Located Upwind of MANE-VU Toward Assuring Reasonable Progress for the Second Regional Haze Implementation Period (2018-2028)*, August 25, 2017.

(<https://otcair.org/manevu/document.asp?fview=Formal%20Actions>)

² Please see Table 7 of the *Selection of States for MANE-VU Regional Consultation*, September 5, 2017.

(<https://otcair.org/manevu/document.asp?fview=Reports>).

Jersey is not considered a significant contributor to its own Class I area or any other MANE-VU Class I area, ranking at most 27th or lower at other MANE-VU Class I areas.

As shown in Table 1, the units at the Muskingum River, Avon Lake Power Plant and Gen J M Gavin facilities have significant impact on Brigantine Wilderness Area. A four-factor analysis should be performed on the nine units at these three facilities based on the MANE-VU Asks.

Table 1: Maximum Extinction Contributions from Ohio Facilities at Brigantine Wilderness Area.

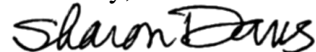
Rank	Facility Name	Unit ID	Max Extinction (Mm-1)
4	Muskingum River	5	7.685
7	Avon Lake Power Plant	12	6.720
9	Avon Lake Power Plant	1,2,3,4,	4.437
20	Gen J M Gavin	1	3.330
24	Gen J M Gavin	2	3.073
32	W H Zimmer Generating Station	1	2.551
35	Killen Station	2	2.360
39	Kyger Creek	1,2,3,4,5	2.275

40 CFR § 51.308(f)(2)(ii)(C) states, "In any situation in which a State cannot agree with another State on the emission reduction measures necessary to make reasonable progress in a Mandatory Class I Federal area, the State must describe the actions taken to resolve the disagreement." If Ohio decides not to implement New Jersey's Ask, then Ohio should include in its SIP the actions it plans to take to address its impacts on New Jersey's Class I area. New Jersey has determined that Ohio's implementation of its Asks is necessary to make reasonable and incremental progress at Brigantine Wilderness Area.

Ohio should address and consider implementing the New Jersey and MANE-VU Asks in its Regional Haze SIP to reduce emissions from sulfates and nitrates and improve visibility at Brigantine Wilderness Area and all the other Class I areas impacted by emissions from Ohio.

Thank you for the opportunity to comment on your proposed SIP. If you have any questions regarding this letter or wish to discuss further, please contact me at Sharon.Davis@dep.nj.gov.

Sincerely,



Sharon Davis, Chief
Bureau of Evaluation and Planning

c: (Email letter only)
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