

DEQ Rulemaking Announcement

DEQ re-opens comment period on proposed rules for PGE Boardman

Why is DEQ re-opening the public comment period?

PGE and several citizen groups have asked DEQ to re-open the comment period on proposed pollution control rules for the Boardman coal-fueled power facility to consider new information.

DEQ's current rules, adopted in 2009, satisfy federal requirements for air quality and pollution controls and presumes PGE will operate the Boardman facility until at least 2040. In April 2010, PGE asked DEQ to adopt less stringent emission limits based on a 2020 closure date. DEQ instead proposed three options with emission limits that would apply if PGE chose to close the plant in 2015, 2018, 2020 or 2040 or later. The comment period for that rule proposal closed on October 1.

PGE has proposed a new approach that would require the Boardman facility to meet increasingly stringent emission limits, close no later than Dec. 31 2020 and eliminate existing rules that allow the plant to operate indefinitely.

DEQ considers the new proposal to have merit and is re-opening the public comment period from Oct. 29 through Nov. 15, 2010.

Summary of PGE's new proposal

- Closure of the Boardman coal-fired boiler facility by Dec.31, 2020, with no option to operate the plant beyond that date once the federal Environmental Protection Agency approves Oregon's rules.
- A limit for nitrogen oxides beginning in 2011 based on the installation of low-nitrogen oxide burners as currently required and as proposed in all options DEQ is considering. The nitrogen oxide limit would tighten in 2014 based on the installation of additional control equipment.
- A 0.4 lb/mmBTU limit for sulfur dioxide beginning in 2014 based on the installation of a dry sorbent injection system. The sulfur dioxide limit would tighten to 0.3 lb/mmBTU beginning in 2018.
- Before the 2014 and 2018 compliance dates for sulfur dioxide, PGE would conduct a pilot study to confirm that the limits can be

met without violating other air quality requirements, such as particulate or mercury limits. If it could not, DEQ would establish the most stringent limit feasible for the plant.

- Existing requirements to control mercury emissions in 2010 remain in place.

Closure by 2020 ensured. The proposed plan, upon EPA approval, would repeal the 2040 option in the 2009 rules that requires an approximately \$460 million dollar investment in controlling emission for sulfur dioxide and nitrogen dioxide, replacing it with a 2020 closure plan. The new plan would require approximately \$44 million dollars for nitrogen oxide emission controls and \$23 to \$52 million dollars for sulfur dioxide emission controls in the 2011-2020 timeframe. By 2014, nitrogen oxide and sulfur dioxide emissions would be reduced by about 10,900 tons per year, with another 2,400 tons per year reduced by 2018, and all remaining emissions from the plant eliminated after 2020. The new proposal can be found at DEQ's website: www.deq.state.or.us/aq/pge.htm

Background

On Oct. 1, DEQ completed a 30-day public comment period and received over 2,500 comments on three options for emission control technologies that would allow the plant to operate until 2015, 2018 or 2020 and would meet federal requirements. Details of DEQ's three proposed options can be found at www.deq.state.or.us/aq/haze/docs/pge/proposedRulemakingAnnouncement.pdf.

Comparison of DEQ proposed rules and the new PGE proposal

PGE's new proposal is modeled on DEQ's proposed Option 2 (DSI with 2018 closure), with the following changes:

- Plant closure no later than Dec. 31, 2020. This means that the plant could operate for two years longer than DEQ's Option 2.
- To offset emissions from the two extra years of operation, the sulfur dioxide limit would become more stringent on July 1, 2018 and then all emissions from the plant would cease by Dec.31, 2020.



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DEQ and the Environmental Quality Commission have the statutory authority to address this issue under ORS 468.020 and 468A.025. These rules implement ORS 468A.025

Alternative formats/ accommodations

DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications and Outreach at 503-229-5696 or call toll-free in Oregon at 800-452-4011; fax to 503-229-6762; or e-mail deqinfo@deq.state.or.us. People with hearing impairments may call 711.

DEQ's assessment of the new proposal. DEQ considers this proposal to have merit because it meets federal requirements that DEQ is mandated to implement, adds certainty for a 2020 plant closure, and does not preclude the plant from closing earlier.

The proposal includes stringent interim emission limits for nitrogen oxides and sulfur dioxide that meet the federal requirements to improve visibility, and would also protect Native American cultural resources in the Columbia River Gorge.

DEQ has developed a draft rule for public review and comment based on PGE's new proposal. The draft rule shows what the implementing regulations would look like if this proposal were to be adopted by the EQC.

How to Comment

Comments on the new proposal and other aspects of this rulemaking may be submitted anytime between Oct. 29 and Nov. 15, 2010, in writing via regular mail, fax, or e-mail, or at the public hearings specified below. It is not necessary to attend a hearing in order to comment. Written comments received prior to the deadline are treated equally with oral comments.

For additional information, contact Brian Finneran at DEQ Air Quality Division, 811 SW Sixth Ave. Portland, OR 97204, toll free in Oregon at 800-452-4011 or 503-229-6278.

Comments may be mailed to the above address, faxed to Brian Finneran at 503-229-5675, or submitted by email to NewBART4PGE@deq.state.or.us

Public hearings

Two public hearings are scheduled. DEQ will record and review all comments.

Nov. 8, 2010, 6 p.m.
Metro Regional Center
Council Chambers
600 NE Grand Avenue
Portland, OR

Nov. 9, 2010, 6 p.m.
Port of Morrow
River Front Room
2 Marine Drive
Boardman, OR

Comment deadline is Nov 15, 2010

All comments must be received by DEQ by 5 p.m., Monday, Nov. 15, 2010. No comments will be accepted after this time.

How will rules be adopted?

DEQ received many public comments on the three early closure options proposed by DEQ in September 2010. DEQ will review those comments together with comments received during this re-opened comment period when forming its final recommendation to the Environmental Quality Commission. DEQ will prepare a response to all comments received during the public comment periods and may modify the proposed rules. A summary of the comments will be presented to the commission for consideration prior to adoption. DEQ will also include amendments to Oregon's Regional Haze Plan to incorporate the final recommendations for the Boardman facility. DEQ intends to present its recommendation to the EQC in December 2010.

DEQ will notify persons of the time and place for final commission action if they submit comments during the hearing or comment period or request to be placed on DEQ's mailing list for this rulemaking. Sign up for notification online at [DEQ's PGE Boardman webpage](#).

Rulemaking Documents

The following rulemaking documents and related information are available online:

[DEQ's PGE Boardman webpage](#)

Proposed rulemaking documents at DEQ's website
<http://www.deq.state.or.us/regulations/proposedrules.htm>

- [Oct. 22, 2010 PGE request letter](#)
- [Oct. 22, 2010 PGE letter w/attachment](#)
- [Oct. 22, 2010 Citizen Group request letters](#)
- [Proposed regulations based on PGE's proposal](#)