

# Georgia Department of Natural Resources

Environmental Protection Division • Air Protection Branch

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Noel Holcomb, Commissioner

Carol A. Couch, Ph.D., Director

Ms. Meg Victor  
U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue  
MC 6204J  
Washington, D.C. 20460

## **Subject: Clean Air Interstate Rule - Cogeneration Units Firing Biomass**

Dear Ms. Victor:

The Georgia Environmental Protection Division (EPD) participated in a conference call with the U.S. EPA (EPA) and the National Association of Clean Air Agencies (NACAA) on November 28, 2006 regarding the applicability of cogeneration units to the Clean Air Interstate Rule (CAIR). As part of this conference call, EPA requested state and local input on the inclusion of biomass fired boilers in the CAIR universe as a result of the efficiency requirements in the cogeneration provisions of the Model CAIR rule.

Georgia EPD does not believe that these efficiency requirements were properly included in these regulations, at least when applied to biomass fired units. As EPA representatives stated during the November 28, 2006 NACAA conference call, the efficiency requirements in the Rule were based on firing oil and gas, not biomass, which has inherently lower efficiencies.

These potentially affected sources have never been included (nor could they have been since a determination of the number and nature of these sources has never been made) in EPA's allocations of emissions under the CAIR rules, nor were the emissions from these sources ever included in the CAIR rule modeling. Thus, it is abundantly clear that EPA never intended these sources to be included as affected units under this regulation. Additionally, EPA has never analyzed the impacts of the CAIR rule on these sources, has never assessed the cost effectiveness of controlling emissions from these sources, and has never analyzed the environmental impact of reduced emissions from these sources.

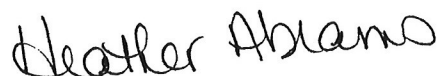
It is apparent to us that since EPA never analyzed the effects or benefits of including these sources and never included any of these sources in inventories for modeling or allocations, EPA did not intend for these sources to be affected by this Rule. Therefore, we believe that the appropriate line of action would be for EPA to issue a clarification to the Rule which clearly states that the efficiency requirements of the cogeneration

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provisions of the Rule apply to fossil fuels only. If it is EPA's intent that these biomass fired sources are to be affected by this Rule, EPA must proceed through a proper rulemaking which would include an analysis of the impacts and cost vs. benefits as discussed above.

Georgia EPD appreciates the opportunity to submit comments on this subject matter. Please contact Susan Jenkins at 404-362-4598 or via [susan\\_jenkins@dnr.state.ga.us](mailto:susan_jenkins@dnr.state.ga.us) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Heather Abrams". The signature is written in a cursive, slightly slanted style.

Heather Abrams  
Chief  
Air Protection Branch

c: Susan Jenkins (Georgia EPD)  
via electronic mail Amy Royden-Bloom (NACAA)