

# ALERT! June 2004

ALERT is a monthly update on transportation and air quality planning activities in the Delaware Valley.



## CONFORMITY

### **Pennsylvania Among States to Sue West Virginia Coal Plants**

The states of Pennsylvania, Connecticut, New Jersey and New York will sue Allegheny Energy Inc., the owner of five coal-fired power plants in West Virginia for violating the Clean Air Act, after the federal government dropped its investigation of the power plants late last year.

A Notice of Intent to Sue letter was sent to the company identifying Clean Air Act violations at five of their power plants in West Virginia. Allegheny Energy Inc. is based in Greensburg, PA.

An investigation undertaken by the federal Environmental Protection Agency (EPA) revealed that coal plants owned and operated by Allegheny Energy made major improvements without installing the legally required air pollution controls. As a result, they have continued to emit hundreds of thousands of tons more pollution each year.

In addition, the Notice of Intent to Sue letter identifies unpermitted modifications at three power plants in Pennsylvania, but the states have deferred joint action on those power plants since Pennsylvania has initiated its own investigation and is in discussions with Allegheny Energy regarding those violations.

Sulfur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>x</sub>) compounds emitted from these plants cause smog, acid rain, respiratory disease and many other harmful effects. Allegheny Energy Inc. is the fifth largest emitter of sulfur dioxide and the tenth largest emitter of nitrogen oxide in the nation.

### **More Details Announced on Proposed Clean Air Interstate Rule**

The Bush administration released a supplement to its proposed Clean Air Interstate Rule that would establish permanent caps to significantly reduce emissions of nitrogen oxides (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) in the eastern United States. The proposed supplement includes implementation details on model cap-and-trade programs for power plants, like the Clean Air Act's Acid Rain program, which states may adopt to achieve required emissions reductions.

The implementation details seek to ensure complete accountability and transparency as this rule is implemented. Each of the 29 states affected and the



**US EPA Stage  
II  
Recovery Group  
Monday,  
June 28<sup>th</sup>.**

"Don't Top off the  
Tank " Event

District of Columbia must submit a plan to EPA that demonstrates how it will meet its assigned statewide SO<sub>2</sub> and NO<sub>x</sub> emissions budget.

In 2015, NO<sub>x</sub> emissions from the electric power sector would be 65 percent below today's levels. SO<sub>2</sub> emissions from that sector would be 50 percent below current levels by 2015 and about 70 percent below when fully implemented. For more information on the supplemental proposal, the public comment and hearing processes, and the January 2004 proposed Clean Air Interstate Rule, visit: <http://www.epa.gov/interstateairquality>.

### **Rendell Administration Announces \$750,000 to Reduce Diesel Emissions**

PennDEP Secretary for Air, Recycling and Radiation Protection Nicholas DiPasquale announced grants totaling \$750,000 to reduce school bus idling and help finance the purchase and installation of diesel retrofit technology on trucks and buses to improve air quality. The grant announcement was made during a Clean Air Partners event hosted by the Philadelphia Diesel Difference and Air Quality Partnership.

Diesel vehicles can be at least 80 percent cleaner following the installation and operation of retrofit technology, and most likely any visible smoke or detectable smell also can be eliminated or reduced.

The diesel vehicle retrofit demonstration grants are funded under the April 2003 settlement between the U.S. Environmental Protection Agency and the Virginia Electric Power Co., currently known as Dominion Resources Inc. Under terms of the settlement agreement, \$750,000 was awarded for retrofits or idling reduction projects in Pennsylvania. For more information on grants recipients and the air pollution control program, visit DEP's Web site at [www.dep.state.pa.us](http://www.dep.state.pa.us), Keyword "DEP Diesel Emissions."

### **Approval and Promulgation of Air Quality Implementation Plans for Pennsylvania**

EPA has approved State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. These revisions amend Pennsylvania's 2005 rate-of-progress (ROP) plan for its portion of the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area (the Philadelphia area). These revisions update the plan's emission inventories and motor vehicle emissions budgets (MVEBs) to reflect the use of MOBILE6 while continuing to satisfy the ROP requirement for 2005.

ALERT contains news items related to air quality and transportation.

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