

US EPA ARCHIVE DOCUMENT

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 97**

[FRL-]

**Notice of Availability of Unit-Specific Information for  
Affected Sources Under Section 126 and Proposed Section  
110 FIP Rulemakings; Reopening of Comment Period**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability and request for  
comment; reopening of comment period.

**SUMMARY:** EPA is reopening the comment period for the  
Notice of Availability of Unit-Specific Information for  
Affected Sources Under Section 126 and Proposed Section  
110 FIP Rulemakings, published on August 9, 1999,  
regarding three sets of data related to the proposed  
Federal NO<sub>x</sub> Budget Trading Program. The August 9, 1999  
notice established a 30-day comment period, which ended  
on September 8, 1999. EPA is reopening the comment  
period for all information contained within the data  
files, which were referenced by the notice, to September  
24, 1999. In particular, EPA continues to solicit comment  
on 1997 heat input data for all Electric Generating Units

(EGUs), including those EGUs reporting under EPA's Acid Rain Program.

We may use the data in the data files in the future to allocate NO<sub>x</sub> allowances under the Federal NO<sub>x</sub> Budget Trading Program. We proposed the program in rulemakings under Sections 126 and 110 of the Clean Air Act. The program aims to reduce interstate transport of ozone by controlling emissions of nitrogen oxides (NO<sub>x</sub>). NO<sub>x</sub> emissions significantly contribute to violations of the National Ambient Air Quality Standard for ozone in downwind states.

Readers should note that we will only consider comments about the data discussed in this notice and the August 9, 1999 notice. We are not soliciting comments on any other topic. In particular, we are not reopening the comment period for the October 21, 1998 proposed rule on the Section 126 rulemaking or the October 21, 1998 proposed rule on the Section 110 Federal Implementation Plans (FIPs) through this Notice of Data Availability. Neither are we soliciting comments on inventory data for 1995 and 1996 that we used to develop Statewide emission budgets.

**DATES:** The EPA is reopening the comment period to end on September 24, 1999.

**ADDRESSES:** Comments may be submitted to the Air and Radiation Docket and Information Center (6102), Attention: Docket Nos. A-97-43 (section 126 rulemakings) and A-98-12 (section 110 FIP rulemakings), U.S. Environmental Protection Agency, 401 M Street SW, room M-1500, Washington, DC 20460, telephone (202) 260-7548. Identify your comments with these docket numbers. Submit two originals and exact duplicates of your comments to each docket. Please submit your comments on paper, not in electronic format. We request this so that we do not receive multiple versions of the same comment that might contradict each other.

Documents relevant to this action are available for inspection at the Docket Office, at the above address, between 8:00 a.m. and 5:30 p.m., Monday through Friday, excluding legal holidays. A reasonable copying fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** General questions concerning today's action should be addressed to Margaret

Sheppard, Acid Rain Division, EPA, Mail Code 6204 J, 401 M Street SW, Washington DC, 20460; telephone 202-564-9163, email address sheppard.margaret@epa.gov. For technical questions concerning heat input data, contact Kevin Culligan at telephone 202-564-9172, email address culligan.kevin@epa.gov.

**SUPPLEMENTARY INFORMATION:**

Outline:

1. What is today's action?
2. Why is EPA reopening the public comment period?
3. When are my comments due?
4. What data should I comment on?
5. What things is EPA not requesting comment on?
6. Where are the data files?

1. What is today's action?

Today, we are reopening the public comment period on the August 9, 1999 notice of data availability (64 FR 43124), entitled "Notice of Availability of Unit-Specific Information for Affected Sources Under Section 126 and Proposed Section 110 FIP Rulemakings." The public comment period for that notice ended on September 8,

1999. Today's notice reopens the public comment period through September 24, 1999.

In addition, we are emphasizing that you may comment on heat input data for 1997 for units reporting under the Acid Rain Program, as well as the other data in the files referenced in the August 9, 1999 notice.

For further information and background on the data referenced by this notice and EPA's rulemakings related to NO<sub>x</sub> transport under Sections 126 and 110 of the Clean Air Act, see the August 9, 1999 notice (64 FR 43124).

2. Why is EPA reopening the public comment period?

Just before the September 8, 1999 deadline for submission of comments, we received several requests to extend the public comment period. Some commenters requested more time to understand potential discrepancies between company records and the data in EPA's data files. Further, although EPA has received comments on heat input data for 1997 for units reporting under the Acid Rain Program, some commenters said that it was not clear whether there had been an opportunity to comment on such heat input data.

EPA agrees that it may improve the quality of the data to provide some additional time to compare the

values with company records. Further, EPA notes that many commenters submitted comments on heat input data for 1997 for units under the Acid Rain Program in response to the August 9, 1999 notice of data availability or prior notices. However, because some commenters claim that they were unclear about whether EPA was requesting comment on the 1997 heat input data, we emphasize that they may comment on such data, in addition to the other data in the data files.

Most commenters requesting an extension asked for a thirty-day extension. We are instead reopening the public comment period for approximately two weeks. Many of the commenters requesting the extension are checking data (e.g., 1997 and 1998 heat input data) that they previously reported to EPA or to the Energy Information Administration (EIA). Under the Acid Rain Program, the designated representative for the affected source has certified that the data reported to EPA are accurate. The data we have provided for comment in the data files differ from the original reports in that: (1) we calculated heat input and electric generation values for the ozone season for each year from hourly or monthly data in the reports to EPA or EIA, and (2) we apportioned

electric generation data for an entire plant to individual units that would receive NO<sub>x</sub> allowance allocations. Reopening the public comment period for approximately two weeks will provide a reasonable, additional period for checking the original reports and submitting any resulting comments. This also provides a reasonable, additional period for commenters to submit any other comments.

3. When are my comments due?

Postmark your comments no later than Friday, September 24, 1999.

4. What data should I comment on?

Comment on any data in the data files "eguburn.txt," "egunonox.txt" and "nonegu.txt" in the compressed file labeled "alldata.zip". We are particularly interested in comments that may change data that we could use to determine NO<sub>x</sub> allowance allocations under the Federal NO<sub>x</sub> Budget Trading Program. These data include, among other things:

- Electric generation data from EGUs from May through September for the years 1995 through 1998.
- Electric generation data from electric generators that do not burn fuel from May through September for



the years 1995 through 1998.

- Nameplate capacity data for electric generators that do not burn fuel.
- Heat rate data for EGUs.
- Heat input data for May through September for the years 1997 and 1998 for EGUs.
- Heat input data for May through September for the year 1995 for non-EGUs. In addition, if you find that the heat input for your non-EGU during May through September for the year 1995 is not representative of your unit's operation over the last several years, then you may comment and provide us heat input data for May through September for the years 1996, 1997, and/or 1998.

See the section entitled "What supporting documentation do I need to provide with my comments?" in the August 9, 1999 notice of data availability for further details on information you should provide with your comments.

If you have already submitted comments on the August 9, 1999 notice of data availability, you may submit supplementary comments.

5. What things is EPA not requesting comment on?

EPA is requesting comment only on the data in the

data files referenced here and in the August 9, 1999 notice of data availability. We are not requesting comment on any other issue or data.

6. Where are the data files?

The datafiles are available on the Regional Transport of Ozone webpage at <http://www.epa.gov/ttn/rto/>. You will find links to the data under the "Related Documents and Data" subheadings under the "Transport FIPs" and "Section 126 Petitions" headings on the Regional Transport of Ozone webpage. Look for a WinZip file labeled "a WinZip file containing heat input and electric generation data that EPA or States could use for determining NOx allowance allocations. EPA requests comment on these data." In addition to the data files, the WinZip file also contains a text file describing the fields in the data files, "readme.txt," and a text file describing EPA's method for preparing the electric generation data, "outmethd.txt". In addition, these data are in Docket Nos. A-97-43 (Section 126 rulemaking) and A-98-12 (Section 110 FIP rulemaking).

{signed} \_\_\_\_\_ Dated: September 9,

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**Paul Stolpman,**

Director, Office of Atmospheric Programs

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