

DEPARTMENT OF THE ENVIRONMENT  
AIR AND RADIATION ADMINISTRATION

**RESPONSE TO COMMENTS**

for the

PUBLIC HEARING held on March 20, 2018  
in BALTIMORE, MD  
related to amendments to COMAR 26.11.40

Purpose of Hearing: The purpose of the public hearing was to allow for public comment on the Maryland Department of the Environment's (the Department or MDE) proposal regarding amendments to COMAR 26.11.40 NOx Ozone Season Emission Caps for Non-trading Large NOx Units and associated amendments.

These regulations allocate NOx ozone season tonnage caps and establish Part 75 monitoring requirements to satisfy NOx SIP call requirements under the Clean Air Act.

Date and Location: The public hearing was held on March 20 at 10:00 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor SERV Conference Room, Baltimore, Maryland 21230.

Attendance: Zach Singer - ASR Group, Alayna Chuney - Chesapeake Bay Foundation

Statement: The Department's statement was read by Wendy Sollohub, Administrative Specialist, Regulations Development Division of the Air and Radiation Administration, Department of the Environment.

Comments and Responses: Comments were received from American Sugar Refining, Inc. (ASR) and Dominion Energy.

A summary of the comments received and the Departments responses are below.

**COMMENT:**

Dominion Energy commented that they support the amendments as proposed. The text of the amendments make it clear that the monitoring and reporting requirements apply to NOx and the emissions budget allocation is commensurate with Dominion Energy's requested allocation.

**RESPONSE:**

The Department appreciates Dominion Energy's comment. The Department worked with affected sources during the stakeholder process and thanks Dominion Energy, and the other sources, for working with the Department on the establishment of the allocations. The Department also agrees that it is clear that the monitoring and reporting requirements only apply to NOx.

**COMMENT:**

ASR commented that they are working to upgrade their CEMS hardware and software systems to meet the new regulations, but per their vendors' advisement, they do not believe the upgrading of the CEMS for their No. 6 boiler will be completed by the regulations expected effective date of April 23, 2018. ASR asked that the date of the new regulations be extended to provide a reasonable time for the affected sources to complete the necessary CEMS upgrades.

**RESPONSE:**

The Department recognizes the challenges sources may have complying with the regulatory requirements by May 01, 2018. The Department is committed to working with these sources and encourages them to contact the Maryland Department of the Environment's Air Quality Compliance Program to discuss compliance with COMAR 26.11.40.