



State of Ohio Environmental Protection Agency

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DEC 9 2008

Ms. Cheryl L. Newton
Director, Air and Radiation Division
Attn.: R-19J
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604

Re: Intended Designations for the 2006 Fine Particulate Matter Air Quality Standards: Supplemental information for Ashtabula County

Dear Director Newton:

On August 18, 2008, Ohio EPA received your letter and detailed description of areas where EPA intends to modify Ohio's recommendations on air quality designations for the 2006 24-hour PM_{2.5} standards. On October 15, 2008 Ohio EPA sent you its comments on these proposed designations. Ohio EPA would like to take this opportunity to provide supplemental information which we believe further justifies a conclusion that emissions in Ashtabula Township (Ashtabula Co.) are and will remain low enough to warrant a designation of attainment for the 2006 24-hour PM_{2.5} standards.

First Energy Generation Corp. was issued a Title V permit for its power generating facility located in Ashtabula, Ohio on January 13, 2003. Until May 2006, the First Energy complex was comprised of emission sources divided in Plant A/B and Plant C. On May 24, 2006, Plant C was sold to the Ashtabula County Port Authority (ACPA). Ohio EPA received notification of the sale of Plant C on September 21, 2006 and their intent to operate only the water pumping station (see attached letter). Plant C also contained three coal-fired utility boilers (for electric generation) which are the subject of this letter. ACPA indicated that the boilers had not operated in years, were inactive and that ACPA did not have any plans to reactivate these units. ACPA requested Ohio EPA provide confirmation that no permit for the remaining insignificant emissions units would be necessary. Most importantly, ACPA recognized in their letter that if the emissions units ever were to be reactivated, ACPA would proceed through the appropriate new source review (NSR) process and obtain the appropriate permit(s).

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

On January 28, 2007 Ohio EPA received a letter from First Energy confirming the change in ownership of Plant C, ACPA's intention of no longer operating the boilers, and requested all emissions units no longer under their control be removed from the Title V permit (see attached).

Because Plant A/B and Plant C were authorized operation through one Title V permit, when a portion of the plant changed ownership both parties were obligated to operate their portion of the property in accordance with the terms of the Title V permit until such time Ohio EPA modified the permit or identified them as permanently shutdown. This included the obligation to submit appropriate applications for revisions if changes to the equipment under each respective owner changed and the obligation for each owner to submit a separate renewal application. However, based on the above information and additional discussions between Ohio EPA and each facility, we identified in our permitting system that these emissions units were permanently shutdown.

First Energy submitted an application to renew their Title V permit, on July 12, 2007, which did not include any emissions units from Plant C. Subsequently the Title V permit expired on January 13, 2008. Their renewal permit has not been issued to date. Because they submitted their application within the regulatory time frame, First Energy is able to continue to operate under their expired Title V permit under an "application shield". Ohio EPA did not receive a renewal application from ACPA. Therefore, the portion of the Title V permit applicable to ACPA, the owner of Plant C, expired on January 13, 2008. ACPA has no legal authority to operate any units under the expired Title V permit.

It is important to clarify that in order for ACPA to startup these units, NSR would be applicable. This fact, coupled with the expiration of their portion of the Title V permit, ensure that ACPA has no legal authority to reactivate the boilers of concern. In conclusion, based on the permanent closure of Plant C, we are recommending U.S. EPA designate Ashtabula Township (Ashtabula Co.) attainment for the 2006 24-hour PM2.5 standard.

I appreciate the opportunity to provide additional information and will work cooperatively with USEPA Region 5 staff as we both review new ambient data, including 2008 data, and USEPA prepares their announcement on their intended designations. If you have any questions concerning these recommendations, please feel free to contact Jennifer Hunter of the Division of Air Pollution Control at (614) 644-3696.

Sincerely,

A handwritten signature in cursive script that reads "Robert Hodanbosi". The signature is written in black ink and is positioned above the printed name and title.

Robert Hodanbosi
Chief, Division of Air Pollution Control

Enclosures