

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

IN THE MATTER OF THE APPLICATION )  
OF CATOCTIN, POWER LLC FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE ) CASE NO. 8997  
AND NECESSITY TO CONSTRUCT A )  
NOMINAL 600 MW GENERATING )  
FACILITY IN FREDERICK COUNTY, MARYLAND )

I have just two points I would like to comment on as my final official input to these proceedings.

First, I wanted to thank the Public Service Commission for having the foresight to include interveners in this process. Including people who will be directly impacted by the power plant as true parties in the proceedings not only provides the PSC with a viewpoint that goes beyond the rules and regulations, but allows us to see how the State agencies work to protect our interests.

Second, I want to again make some comments on the ambient air quality testing issue. I would hope that since the PSC has included interveners as part of this process that they would weigh the concerns of the community very heavily if they were to decide to grant this CPCN. The community has continually asked about the air quality in Adamstown, especially at the school where hundreds of our children spend their days. This school is only a mile from the proposed power plant site. The answer continues to be – we do not know, but we are sure it is fine.

It really does concern me that both the State and Catocin Power have spent so much time and effort trying to stop ambient air quality testing in Adamstown. Why?

- Is it the cost? In my opinion, both the State and Catocin have spent more money coming up with and presenting arguments against the testing that it would have cost to just do it. 50 to 75 thousand dollars per test is peanuts compared with the other costs associated with this project.
- Is there something to hide? I don't think so, but the more the idea of testing is opposed, and the more vehemently it is opposed, the more it looks to the casual observer that there is something that is not right.
- Would a change in the results after the plant is in operation immediately indicate that the plant is the culprit? No, it would mean that additional investigation needs to be done if there is a significant change.
- What is a significant change in ambient air quality? I wish I knew, but to come up with numbers we would need to have current ambient air quality data for Adamstown. Hence our dilemma.

If we knew – today – that the ambient air quality in Adamstown was normally at only one or even 10 percent of the NAAQS, then we would not be nearly as concerned. In that case stack monitoring data that was made publicly available in a timely manner would be sufficient to address our concerns, but since we do not know – it does not work for us.

As part of this process I honestly am not concerned about the regional air quality. The State's monitoring system is concerned with regional quality. I am concerned about the air quality in the shadows of these point pollution sources – here in Adamstown. Monitors at Dulles or even at

the Frederick Airport do nothing to tell us about the true air quality so close to these sources. By the time that any emissions from these sources reach either of those sites that have been significantly dispersed in the atmosphere or deposited on the ground somewhere in between.

From a regulatory point of view the State has to say that the models are okay because that's what the EPA requires. Those of us who from our homes can see the existing Eastalco and Trans-tech facilities, and will see at least 14 feet of the Catoctin Power Plant stacks above the Eastalco facility, want and need more.

I again call on the PSC that if a CPCN is granted, to include my proposed as stated:

Approval of the CPCN application should be contingent on quarterly air testing at a minimum of 3 locations surrounding the plant (one of which must be Carroll Manor Elementary School). These tests must be conducted by an independent third party and funded by Catoctin Power. The testing will continue until the plant has been in full operation for more than two years, however, if the testing during operations shows that there is a measurable difference in any of the pollutant levels, thus contradicting the modeling and expert assertions, then the testing will continue as long as the plant is in operation.

This contingency would only be required if Sempra approves the Catoctin power plant project for construction. Testing would begin immediately and continue quarterly.

Monitoring should include all criteria pollutants including CO, NO<sub>x</sub>, VOCs, SO<sub>2</sub>, Fluorides, PM<sub>10</sub> and PM<sub>2.5</sub>.

Again, in 40 CFR 52.21 it states that an exemption from the ambient air monitoring requirement can be requested if the air quality impacts are projected to be less than the *de minimis* levels. As part of its application Catoctin has requested the exemption, and the State has no objection, but I am asking that the PSC not grant this exemption – which it is well within its power. There is nothing in the regulations that require that the exemption be granted. I am asking that you use this proposed condition or something similar (the CFR is much more restrictive than what I proposed) to provide the level of comfort that the people of Adamstown should be able to expect from this process. We need to know that our children are safe spending their days at the school, and that all of us who spend our lives in the shadow of the plant are breathing air that will not harm us.

All I am asking is that the PSC require proof about the true ambient air quality to ease the concerns raised by the residents of the Adamstown area. The only way to do that is to provide true ambient air quality testing by an independent source.

Respectfully,

Donald L James  
5800 Morland Dr N  
Adamstown, MD 21710