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October 10, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME : Brayton Point Generating Station
Air Pollution Control Project
PROJECT MUNICIPALITY : Somerset
PROJECT WATERSHED : Mount Hope Bay
EOEA NUMBER : 13022
PROJECT PROPONENT : Dominion Energy Brayton Point, LLC
DATE NOTICED IN MONITOR : September 10, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA Regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted for this project and hereby determine that it **does not require** further MEPA review.

Project Description

The original project, described in the Environmental Notification Form (ENF) submitted in April 2003, consists of an air pollution control program to comply with 310 CMR 7.29 Emissions Standards for Power Plants, which were promulgated on May 11, 2001. The regulations require significant reductions in Nitrogen Oxides (NO_x), Sulfur Dioxide (SO₂), Carbon Dioxide (CO₂) and Mercury (Hg) emissions from the oldest power plants operating in the state. The purpose of the regulations is to bring these facilities in line with emission standards for newer plants and decrease the environmental and health impacts of power generation by reducing the pollutants that contribute to acid rain, regional haze, mercury emissions and global

climate change. The ENF indicated that the project would reduce actual NO_x emissions by approximately 60%, from 12,976 tons per year (tpy) to 5,372 tpy, SO₂ emissions by approximately 50%, from 42,521 tpy to 23,988 tpy, Carbon Monoxide (CO) emissions by 4 tpy, and Sulfuric Acid Mist (H₂SO₄) by 15 tpy.¹ In addition, it indicated that the project would reduce Hg emissions by 88 pounds per year to 127 pounds per year. The May 22, 2003 Secretary's Certificate on the ENF did not require further MEPA review.

Project Change

As described in the NPC, the project change consists of a change in the proposed SO₂ emission controls on Unit 3, a 633 megawatt (MW) net coal fired boiler. The proposed wet flue gas desulfurization (FGD) will be replaced with a dry scrubber consisting of Spray Dryer Absorber (SDA) and a fabric filter, similar to the technology used for Units 1 and 2.

Project Site

The Brayton Point Station site consists of approximately 250 acres of land on Brayton Point, a peninsula in Somerset. The site is bordered by the Lee River to the west, the Taunton River to the east, a residential neighborhood and U.S. 195 to the north, and Mount Hope Bay to the south. This existing industrial facility, in operation since the 1960's, generates approximately 1,600 MW of power. It consists of three boilers fired primarily by coal and one boiler fired by fuel oil and natural gas (Units 1, 2, 3 and 4 respectively), and associated air pollution control systems, including four emission stacks.

Procedural History

Since the filing of the ENF, a NPC and subsequently an ENF for a related project were filed with MEPA. In February 2006, the first NPC was filed disclosing wetlands impacts associated with the installation of 1.8 miles of water main and describing an Amendment to the Emission Control Plan (ECP). The water main will transfer treated gray water from the Somerset publicly owned treatment works (POTW) to meet increased water demand. The NPC identified temporary impacts to 38,144 square feet (sf) of bordering vegetated wetlands (BVW). The ECP Amendment identified installation of Hg emission control equipment and additional SO₂ reduction equipment. The NPC indicated that Powder Activated Carbon (PAC) injection systems would be installed on Units 1, 2 and 3 to reduce Hg emissions and SDA technology would be installed on Units 1 and 2 to reduce SO₂ emissions. The March 24, 2006 Secretary's Certificate on the NPC did not require additional MEPA review.

In April 2008, an ENF (EEA #14235) was filed for the replacement of the Brayton Point Station's open-cycle cooling system with a closed-cycle cooling system to comply with the heat and flow limits specified in the October 2003 final National Pollutant Discharge Elimination System (NPDES) permit issued by the United States Environmental Protection Agency (EPA).

¹ These projections are based on past actual emissions for all units from the 2000-2001 baseline.

The proposed system includes two natural draft cooling towers and supporting equipment. The review of this ENF also identified modifications to the Unit 3 coal fired boiler that required the filing of another NPC related to the Air Pollution Control Project. The Secretary's Certificate on this ENF (EEA #14235), issued on May 23, 2008, did not require additional MEPA review; however, it did note that a second NPC should be filed for the Air Pollution Control Project to disclose and describe modifications to Unit 3.

Review of the NPC

With the exception of Unit 3, all of the air pollution controls described in the August 2008 ENF and the February 2006 NPC have been installed. As noted previously, the proposed wet flue gas desulfurization (FGD) proposed for Unit 3 will be replaced with a dry scrubber consisting of SDA and a fabric filter, similar to the technology used for Units 1 and 2. The project change will reduce SO₂ emissions for Unit 3 by 90%, will reduce water demand by 885,000 gallons per day (gpd) to 1,595,000 gpd, will reduce wastewater generation by 592,600 gallons per day (gpd) to approximately 1,000 gpd and eliminates the need for construction of a 500-foot tall emissions stack.

Applications submitted to MassDEP pursuant to 310 CMR 7.02(5) and 7.029(6) are under review. Comments from MassDEP indicate that the proposed project changes are minor in comparison to the overall pollution control project and that both SO₂ and particulate emissions will be substantially reduced as a result of the project change, including a 50% reduction in particulate emissions. Also, these comments note that MassDEP will accept public comments on the proposed changes prior to issuing a determination on the applications.

Permitting and Jurisdiction

The original project is subject to environmental review pursuant to Section 11.03 (8)(b)(2) because it requires a state permit and consists of a modification of an existing major stationary source resulting in a "significant net increase" in actual emissions of greater than 15 tpy of particulate matter (PM) as PM₁₀. In this case, the increase in PM₁₀ is not a result of the combustion process but, rather, a byproduct of the air pollution control equipment that will be installed to achieve significant reductions in NO_x and SO₂. The original project and previous project changes required a Major Comprehensive Air Plan Approval and a 401 Water Quality Certificate from MassDEP and review of its National Pollutant Discharge Elimination System (NPDES) permit from EPA. Also, it required an Order of Conditions from the Somerset Conservation Commission (issued on January 23, 2006).

The project change requires a Modified Major Comprehensive Air Plan Approval and Modified Emission Control Plan from MassDEP. Also, it requires a Prevention of Significant Deterioration (PSD) Permit from EPA.

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required

permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to air quality, water quality and wetlands.

Conclusion

As noted above, the project change described in the NPC will reduce environmental impacts including SO₂ and particulate emissions. Based on a review of the information provided in the NPC and consultation with relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of a Environmental Impact Report (EIR). Therefore, no further MEPA review is required.

October 10, 2008

Date



Ian A. Bowles

Comments Received:

9/30/08 Department of Environmental Protection/Southeast Regional Office
(MassDEP/SERO)
9/29/08 Division of Marine Fisheries

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