

ERRATA FOR “REFORM OR ROLLBACK?”

In acting to correct a typographical error in the chart “State Regulatory Officials’ Responses Regarding Historical Baseline Emissions Calculations and Use of Emissions from Startups, Shutdowns, and Malfunctions,” EIP and CSG/ERC re-pollled the states concerning the calculation of baseline emissions prior to the promulgation of the December 31, 2003 rule. The recent responses indicate that the previous two years are used more frequently than originally reported. The following data should replace data provided in the published October 2003 Summary Report. All corrections have been incorporated in the full report, available on the Internet at www.csgeast.org and www.environmentalintegrity.org.

Page 7: Replace paragraph beginning “Ten of the eleven states” with the following:

EPA’s suggestion that a different baseline was frequently used is not supported by the experience of states that administer the program. Of the eleven states polled, ten reported using the two-year baseline the “majority,” “vast majority,” or “80-90%” of the time. Only two states responded that a period between two and five years was used “sometimes,” with the majority answering “rarely,” “very rarely” or “10-20%.” Nine of the eleven responsive states had never allowed use of a baseline period beyond five years. The remaining two allowed use of such data “once” and “very rarely.”

Appendix B: State Regulatory Officials’ Responses Regarding Historical Baseline Emissions Calculations & Use of Emissions from Startups, Shutdowns, & Malfunctions*

State	Period Used for Baseline			Use of Startups, Shutdowns, and Malfunctions to Calculate Baseline Emissions
	2 Years	2-5 Years	5-10 Years	
Connecticut	Majority	Very Rarely	Once**	No
Delaware	Vast Majority	Very Rarely	Never	No
Florida	Vast Majority	Rarely	Never	No record of counting emissions from past malfunctions, startups, and shutdowns. However, permittees are not prohibited from considering such data if good reason exists to do so.
Illinois	75-90%	Sometimes	Very Rarely	No
Indiana	Majority	Sometimes	Never	No
Louisiana¹				
Maine¹				
New Hampshire²	Vast Majority	Very Rarely	Never	No
New Jersey	Majority	Very Rarely	Never	Technically, NJ counts these emissions because historical emissions data are based on fuel data. Thus, emissions released during startups, shutdowns and malfunctions are included. However, emissions that exceed permitted levels as a result of these occurrences are not allowed and are not counted. NJDEP generally uses annual fuel use/production data and multiplies that by the baseline (normal) emissions rate factor to calculate annual tons per year.
New York	80-90%	10-20%	Never	Start-up / shutdown emissions were not used in past baseline calculations unless source had continuous emissions monitor (CEMs) data available.
Pennsylvania	80-90%	10-20%	Never	Yes, to a level that is allowed under regulation/permit. Any emissions in excess of permitted levels are not included in the baseline, e.g., malfunction emissions. Start-up / shutdown emissions were not used in past baseline calculations unless source had CEMs data available.
Vermont	Vast Majority	Very Rarely	Never	No
Wisconsin	Vast Majority	Very Rarely	Never	Yes, to a level that is allowed under regulation/permit. Any emissions in excess of permitted levels are not included in the baseline.

1. Did not respond. 2. Not included in report, but responded to STAPPA/ALAPCO inquiry.

* Last revised October 20, 2003.

** In this particular case, the permitting authority reviewed an application submitted in 1997. The new units being permitted required internal as well as external offsets. The internal offsets were obtained from an existing unit at the facility that had not operated at its normal capacity since 1990. SIP-approved regulations prohibited the use of emissions data prior to 1990. The permitting authority reviewed emissions data from 1986 to 1990 to ensure that 1990 emissions were representative for the purpose of generating offsets.

