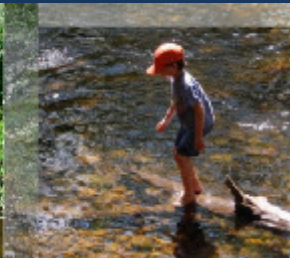
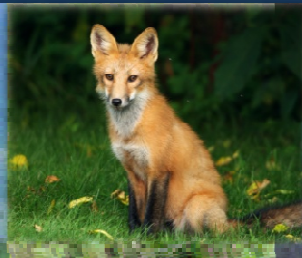




Connecticut Department of Energy and Environmental Protection



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

Environmental Justice & Permitting

Policy, Law and Implementation

October 1, 2012

Presented by Gary S. Rose



Connecticut Department of Energy and Environmental Protection

Environmental Equity Policy

The policy of this department is that no segment of the population should, because of its racial or economic makeup, bear a disproportionate share of the risks and consequences of environmental pollution or be denied equal access to environmental benefits.

Policy effective: December 17, 1993



Connecticut Department of Energy and Environmental Protection

Legal requirements

- File and obtain approval of meaningful public participation plan prior to filing any permit application
- Consult with chief elected official(s)
- Evaluate need for community environmental benefit agreement
- Effective: January 1, 2009



Terms defined in law

- Environmental justice community
- Affecting facility
- Meaningful public participation
- Community environmental benefit agreement



Process



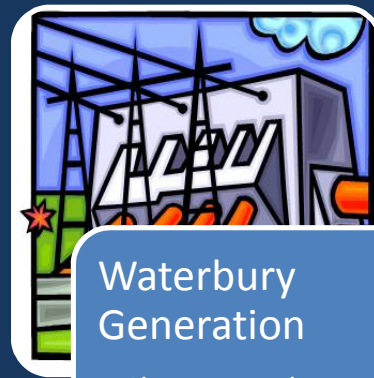
Case Studies



Hospital of St. Raphael

- Cleaner Fuel

1



Waterbury Generation

- Cleaner Fuel
- Community funding

2



PSEG New Haven

- Cleaner Fuel
- CEBA
- Operational restrictions

3



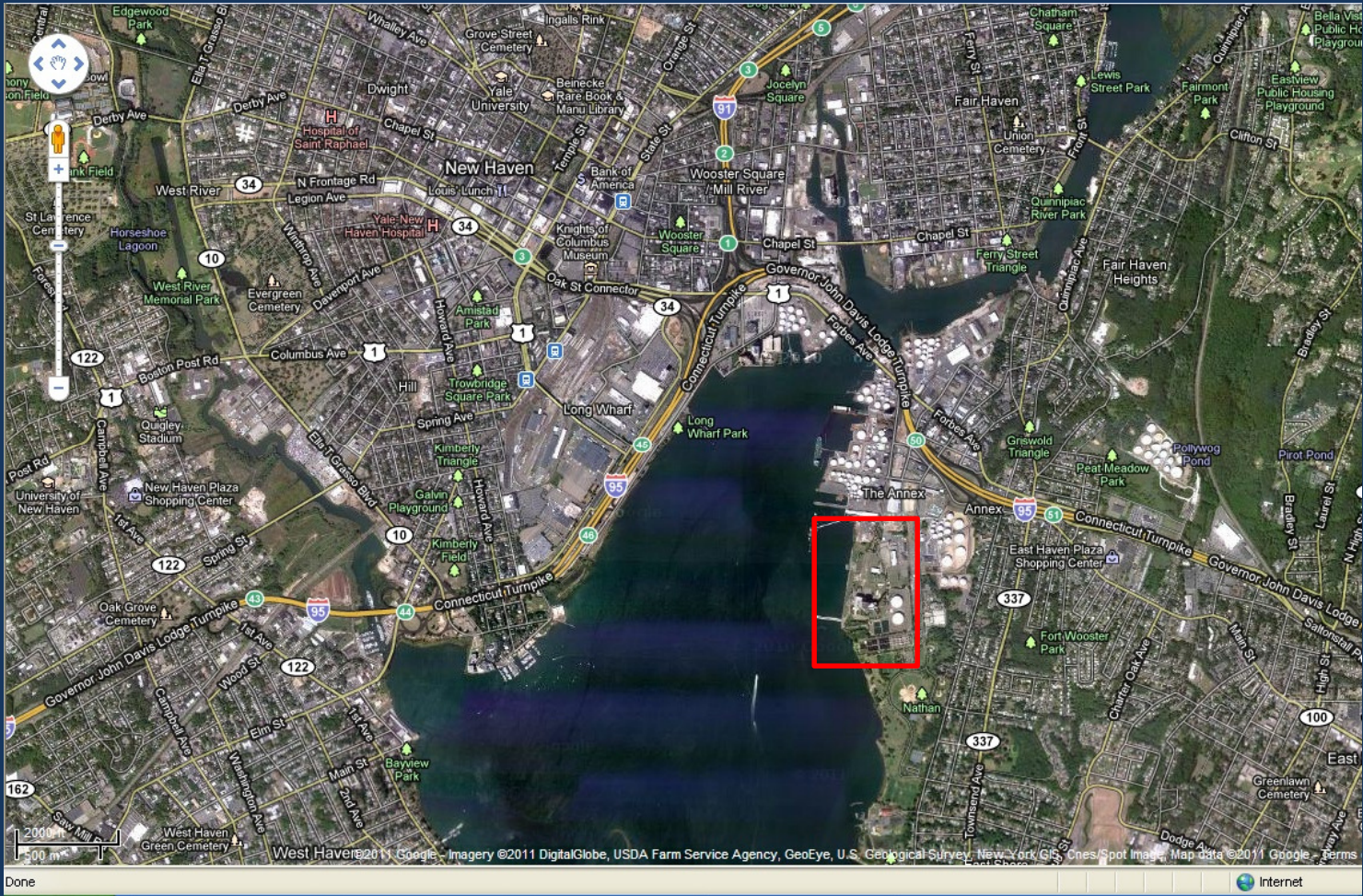
PSEG New Haven Harbor

3



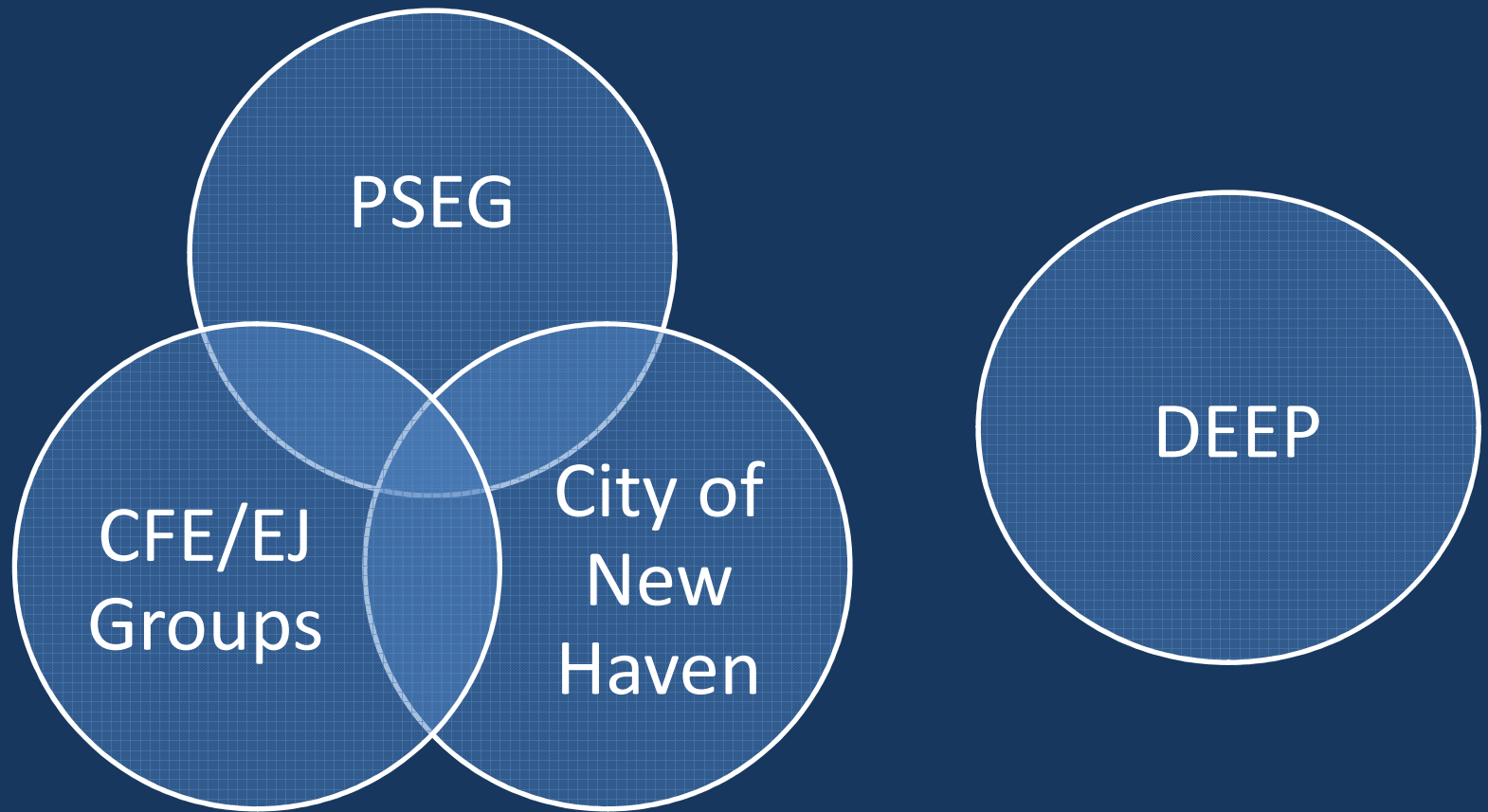
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Location



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Framework of Agreement



Content of Agreement

- Peaking units
 - Use natural gas when available
- Unit #1
 - Reduce NO_x, SO₂, PM by co-firing oil/natural gas
- \$500,000
 - East Shore Air Quality Account to reduce PM
- Incorporate agreement into Title V permit



From Concepts to Enforceability

- CEBA
 - Some elements not enforceable
- EJ approach targeted Title V
 - NSR modification concurrent
- Focus on environmental benefit
 - No net increase in emissions with new project



Permit Approaches

- First - Reference existence of CEBA
 - Negative reaction from EJ groups
- Second – Incorporate by reference
 - Negative reaction from Enforcement staff
- Third – Draft enforceable language
 - Get emission reductions keeping intent of CEBA



Achieving Environmental Outcomes

- Peaking units
 - Use natural gas when available
- Unit #1
 - Co-fire with gas in ozone season
 - Co-fire with gas in non-ozone season when peaking units operate
 - Reduce output by 4MW/hour per peaking unit when operated
- Recordkeeping
 - Compliance determination with CEBA conditions



Lessons

- Greater emission reductions achieved
 - Beyond standard for permit issuance
- Lengthy, costly hearing process avoided
- Building trust
 - EJ groups, municipality and agency
- Permitting authority must be involved

