

AT&T Services, Inc.

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August 3, 2018

Via Electronic Submittal to: <http://ac.ecology.commentinput.com/?id=rU53f>

Attention

Jean-Paul Huys
Department of Ecology, Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: Comments on proposed "Air quality fee rule, Revising Chapters 173-455 and 173-400 WAC".

To Whom It May Concern:

AT&T Services, Inc., on behalf of itself and its operating affiliates (collectively, "AT&T") welcomes this opportunity to provide comments in response to the Department of Ecology, Air Quality Program ("Department") proposed rule referenced above, as published on June 20, 2018 [WSR18-13-109]. We understand that written comments are timely if submitted on or before August 3, 2018.

AT&T provides integrated communications services to households, businesses, and federal, state and local government agencies throughout Washington State and nationwide. In providing these services, AT&T operates emergency stationary internal combustion engines to support network infrastructure when commercial power service is interrupted.

While it does not appear that the Department intended to capture emergency engines under 500 HP, the proposed rule (by deleting the detailed applicability and exclusion provisions at WAC 173-400-102) now appears to include them if they are subject to a New Source Performance Standard (NSPS) or National Emission Standard for Hazardous Air Pollutants (NESHAP). Requiring registrations and emission inventory reports for these engines will create an unnecessary burden on both the regulated community and the Department with little or no environmental benefit.

AT&T endorses the attached recommendations of the Environmental, Health & Safety Communications Panel to clarify or otherwise modify the Proposal in certain aspects, which AT&T hereby incorporates by reference.

Sincerely,

Barbara L. Patton
Senior Manager - EH&S
AT&T Services, Inc.

Attachment



August 3, 2018

Via Electronic Submittal to: <http://ac.ecology.commentinput.com/?id=rU53f>

Attention

Jean-Paul Huys
Department of Ecology, Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: Comments on proposed "Air quality fee rule, chapter 173-455 WAC".

To Whom It May Concern:

The Environmental Health & Safety Communications Panel (EHSCP or "we") is pleased to provide comments in response to the Department of Ecology, Air Quality Program ("Department") proposed rule referenced above, as published on June 20, 2018 [WSR18-13-109].

The EHSCP is a consortium of communications environmental, health, and safety (EH&S) professionals dedicated to promoting employee safety and health, and environmental responsibility throughout the communications industry. The EHSCP strives to provide constructive input to the development and implementation of environmental, health, and safety standards and guidelines that affect the varied businesses within the communications industry. As such, the panel maintains an active advocacy role, providing comments and recommendations to federal and state agencies where issues concern the communications industry. More information regarding the EHSCP can be found at www.ehscp.org.

While it does not appear that the Department intended to capture emergency engines under 500 HP, the proposed rule (by deleting the detailed applicability and exclusion provisions at WAC 173-400-102) now appears to include them if they are subject to a New Source Performance Standard (NSPS) or National Emission Standard for Hazardous Air Pollutants (NESHAP).

Table 8 of the preamble estimated the proposed rule would impact 148 additional sources. However, based on calculations from our membership, we estimate this will affect at least 300 additional emergency engines in the communications industry alone. We believe if emergency engines in all industries are included there will be thousands of newly regulated engines, all of which operate very infrequently with inconsequential impact to air quality.

Businesses typically requiring emergency stationary internal combustion engines include:

- Police, fire and other emergency responders,
- Hospitals and urgent care facilities,
- Doctor or medical offices,
- Nursing homes,
- Schools,
- Day care facilities,
- Churches, and

- Grocery and retail stores.

Requiring registrations and emission inventory reports for these engines will create an unnecessary burden on both the regulated community and the Department with little or no environmental benefit.

The EHSCP recommends two changes to **WAC 173-400-100 Source classifications** to clarify the emergency engine exception (***additions are in bold italicized text***).

We suggest the following amendment to paragraph (c).

(c) Any category of stationary source that includes an emissions unit subject to a new source performance standard (NSPS) under 40 C.F.R. Part 60 (in effect on the date in WAC 173-400-025), other than subpart AAA (Standards of Performance for New Residential Wood Heaters), ***and emergency stationary internal combustion engines, as defined at 40 C.F.R. § 60.4219 or 40 C.F.R. § 60.4248, that are rated at less than 500 horsepower,***

We suggest the following amendment to paragraph (e).

(e) Any source, or emissions unit subject to a National Emission Standard for Hazardous Air Pollutants for Source Categories (~~(((Maximum Achievable Control Technology (MACT) standard)))~~) under 40 C.F.R. Part 63 (in effect on the date in WAC 173-400-025) that is not subject to chapter 173-401 WAC. ***other than emergency stationary RICE, as defined at 40 C.F.R. § 63.6675, that are rated at less than 500 horsepower,***

On behalf of the EHSCP member companies, thank you again for the opportunity to provide comment on this proposed rule. Please contact me if you need additional information or would like to discuss our comments further.

Sincerely,



Bryan Stolte
Chair - Environmental, Health & Safety Communications Panel
Tel: (405)202-2074