

FRANKLIN COUNTY

REPLY TO

BOARD OF COUNTY COMMISSIONERS
33 MARKET STREET, SUITE 203
APALACHICOLA, FL 32320
(850) 653-8861, EXT. 100
FAX (850) 653-4795



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REPLY TO

AUG 11 2009

PLANNING & BUILDING DEPT.
34 FORBES STREET, SUITE 1
APALACHICOLA, FL 32320
(850) 653-9783
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AIR PROTECTION BRANCH

August 4, 2009

Jac Capp, Program Manager
Air Protection Branch
Environmental Protection Division
4244 International Parkway
Atlanta Tradeport – Suite 120
Atlanta, Georgia 30354

404-363-7100 (fax)
404-651-5778 (fax)

RE: Comments on Permit Amendment 4911-099-0033-P-01-1 for the Longleaf Energy Station, Early County, Georgia.

To Whom It May Concern:

On behalf of the Franklin County Board of County Commissioners, please accept these comments in opposition to the Georgia Environmental Protection Division's ("EPD") proposed Permit Amendment No. 4911-099-0033-P-01-1 ("Amendment" or "Permit Amendment") to the Prevention of Significant Deterioration ("PSD") permit issued for the Longleaf Energy Station, Early County, Georgia.

The Verified List of Impaired Waters produced by the Florida Department of Environmental Protection on May 12, 2009, shows fish consumption advisories for Mercury in St. George Sound, Apalachicola Bay, Indian Lagoon, Gulf of Mexico, East Bay, Apalachicola River, Sweetwater Creek, Upper Sweetwater Creek, Bird Bay, Equiloxic Creek, Lake Seminole, Chipola River, Dead Lake, Crooked River, Alligator Harbor, East Bayou, West Bayou, Blounts Bay, and New River. These impaired waters are located throughout the Florida watershed of the 107-mile Apalachicola River and the 35 miles of coastal and estuarine waters associated with Apalachicola Bay. The pervasiveness of these fish consumption advisories is solid evidence that no new sources of air-borne mercury pollution should be permitted in the Apalachicola watershed, which includes the Chattahoochee and Flint Rivers. It is highly likely that mercury pollution from the proposed Longleaf Energy Station will directly reach the Apalachicola River and Bay by the air and water.

The permit should not be issued because it does not require Longleaf to use Maximum Achievable Control Technology (MACT) or to set appropriate MACT-based limits on hazardous air pollutants. The residents of Franklin County depend in large part on the health and integrity of the Apalachicola ecosystem. People make a living through fishing guide services, sales of fishing gear, boat sales, eco-tourism, crabbing, oystering, shrimping, and commercial finfishing. The Apalachicola ecosystem is famous for the

quality of its seafood and its pristine nature. However, people pay attention to fish consumption advisories and steer away from locales with pollution problems. Because it will burn coal and because it will not have MACT, the Longleaf Energy Station will add more mercury to fish in the Apalachicola watershed.

Congress enacted the present version of Section 112 of the Clean Air Act to address two central concerns. First, the air pollutants addressed by Section 112 are very toxic, posing “a significant threat to public health.” When Congress amended the Act to create the currently applicable requirements, studies estimated that the “cancer incidence attributable to toxic air pollution may be as high as 500,000 fatal cases for those Americans now alive.” And hazardous air pollutants “also cause widespread environmental degradation.” Lakes and rivers in more than 45 states and several tribes all across the United States are now posted with fish advisories and warnings for pregnant women and children because of high mercury levels in fish attributable to mercury emissions from coal-fired power plants.

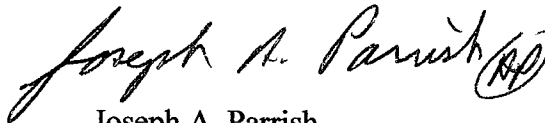
Second, Congress amended section 112 in response to agencies’ persistent failure and delay in regulating these air toxics. Congress described efforts to reduce hazardous air pollution as “a record of false starts and failed opportunities,” and speculated that agency foot-dragging might be motivated by the fact that reductions might be “potentially very costly for some source categories or pollutants.” Those twin legislative concerns – enormously harmful pollutants, and regulatory agencies that had persistently failed to address them – resulted in a legal framework that demands strict limitations, and provides agencies with little discretion to relax or avoid those limits.

The proposed permit revisions fail to include adequate testing or monitoring requirements to ensure enforceability and compliance with the proposed MACT limits.

In this era of transition from dirty energy sources, such as coal, to sustainable, cleaner energy sources such as biomass, solar, and wind, it is imperative that regulatory agencies such as the Georgia Environmental Protection Division, not allow the proliferation of plants such as Longleaf Energy Station.

For the reasons set forth above, we ask EPD to deny the requested MACT permit.

Sincerely,

A handwritten signature in cursive script that reads "Joseph A. Parrish" followed by a circled "EPD" in the bottom right corner.

Joseph A. Parrish,
Chairman