



Rhode Island Department of Environmental Management
235 Promenade Street
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Rhode Island Office of Energy Resources
One Capitol Hill
Providence, RI 02908

December 1, 2014

VIA EMAIL

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
EPA Docket Center (EPA/DC), Mail Code 28221T
Attn: Docket ID No. EPA-HQ-OAR-2013-0602
1200 Pennsylvania Avenue, NW
Washington, DC 20460
A-and-R-Docket@epa.gov

Re: Docket ID No. EPA-HQ-OAR-2013-0602 – *Rhode Island's Comments on Proposed Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, 79 FR 34830 (June 18, 2014)*

Dear Administrator McCarthy:

The State of Rhode Island's Department of Environmental Management (RIDEM) and the Rhode Island Office of Energy Resources (RIOER) respectfully submit these comments on the U.S. Environmental Protection Agency's (EPA) proposed Clean Power Plan (CPP) published on June 18, 2014 in the Federal Register [79 FR 34830-34958].

Rhode Island is a participating state in the Regional Greenhouse Gas Initiative (RGGI) and as such our State was a signatory state in the RGGI comments submitted to EPA on November 5, 2014. Rhode Island fully endorses the RGGI comments and the following comments are aligned with the RGGI comments but will also present our state specific concerns. We, the Director of RIDEM and the Commissioner of RIOER support the framework of the CPP, including the concept of utilizing four building blocks to establish the state goals. As proposed, the CPP will further strengthen the RGGI program and provides a means for Rhode Island to demonstrate compliance with the CPP. In Rhode Island, the RIDEM implements the RGGI program and the RIOER is responsible for preparing the plan for the allocation of the auction proceeds per Rhode Island General Law §23-82-6. This arrangement has been very successful for Rhode Island. To date, the State has received \$32,810,335 in auction proceeds since September, 2008. The proceeds are primarily invested in energy efficiency, renewable energy, and other consumer benefit programs.

In Rhode Island, all of our electric generating units (EGUs) are natural gas combined cycle units (NGCCs). Under a state rate compliance option, we have no coal generation, Oil/Gas steam or other generation to redispatch to NGCC and we have no opportunity to improve facility heat rates. Therefore, Building Blocks 1 and 2 do not necessarily directly apply to our State. The remaining Building Blocks (3 & 4) apply and these emission reduction techniques are currently utilized in our State and are major components of our proposed State Energy Plan. This Best System of Emission Reductions (BSER), specifically Building Blocks 3 & 4 as proposed by the EPA, will build off our existing energy efficiency and renewable energy programs. Given our success in RGGI, we anticipate that Rhode Island will continue to participate in the RGGI program and will most likely submit a regional mass-based compliance plan with the other RGGI states. We are confident that the RGGI program will adequately lead to compliance with the proposed CPP.

Rhode Island would like to reiterate a concern pertaining to double-counting and renewables. As discussed in Comment No. 6 entitled EPA Should Explicitly Prohibit “Double-Counting” of the RGGI comments, the EPA should be flexible in recognizing differences in states’ renewable portfolio standards (RPSs) and at the same time avoid potential double-counting issues.

The EPA has led an unprecedented outreach effort to all stakeholders before the proposed rule was published and throughout the entire comment period. We greatly appreciated the support from the Region 1 staff as well as state specific tools such as the online State Goal Visualizer which enabled states like Rhode Island to better understand the methodology in setting the state targets. Likewise, the numerous webinars and conference calls further helped the states to understand the proposed plan’s concepts and answered many questions. This outreach was the catalyst for many insightful discussions and ideas which ultimately we hope will result in an improved Clean Power Plan.

We look forward to continuing to work in partnership with the EPA in the coming months. If you have any questions, please contact Doug McVay, Chief of the RIDEM’s Office of Air Resources at doug.mcvay@dem.ri.gov or 401-222-2808 ext. 7011.

Sincerely,



Janet Coit
Director
Rhode Island Department of Environmental
Management



Marion S. Gold
Commissioner
Rhode Island Office of
Energy Resources