

January 22, 2009

Edward L. Martin, P.E.  
Division of Air Quality  
North Carolina Department of Environment, and Natural Resources  
1641 Mail Service Center  
Raleigh, North Carolina, 27699-1641

Attention: Permits Section

**These comments were presented verbally to the Public Hearings Officers on January 22, 2009 in Statesville, NC at Chase High School.**

---

*"Good evening. My name is Ulla Reeves and I am the Regional Program Director for the Southern Alliance for Clean Energy.*

*I am here tonight to request that the North Carolina Division of Air Quality deny Duke Energy's request to be classified as a minor source of hazardous air pollutants (HAPs) for the Cliffside coal plant.*

*To put it simply, it is inconceivable that one of the largest coal plants in the state could emit the extremely small amounts of pollution that a TRUE minor source would.*

*More specifically, for the past three years, Duke Energy has claimed it would emit HAPs totaling well over 217 tons – clearly major source levels. Now Duke suddenly claims, with illegal and insufficient evidence that it will emit less than 25 tons of HAPs annually. This IS a miraculous 85% decrease in some of the most toxic substances known to man.*

*The draft permit also assumes that Duke would consistently be able to remove 99.9% of the hydrochloric acid contained in Unit 6. This assumption has never been demonstrated during normal operating conditions and is not plausible. If this near-perfect removal rate were to drop by just a small fraction of 1%, Unit 6 would be a major source of hazardous air pollution.*

*Duke Energy has previously claimed they will operate Cliffside in the most cost effective way for customers. Unfortunately, this typically translates to burning the cheapest coal. This is a huge contradiction to Duke's request to be a minor source because the permit will not limit the kinds of coal burned, and thus the HAPs emissions will continuously change and will not guarantee minor source status.*

*To this point, Duke Energy has not proposed to utilize Continuous Emission Monitoring systems to ensure its levels remain as miraculously low as they say they will be, and DAQ will have no way of guaranteeing these low levels.*

*DAQ must not forget that Duke Energy is currently under a Federal District Court Order to comply with the Mercury Maximum Achievable Control Technology (MACT)*

*standards. Duke is CLEARLY trying to circumvent the MACT requirements by saying they are not a major source and it is the responsibility of the Division of Air Quality to ensure that our air is safe. DAQ: Allowing over 134 pounds of mercury pollution is excessive, dangerous, unconscionable, and irresponsible to the people of North Carolina. Allowing Duke Energy to operate Cliffside as a minor source will do nothing to reduce mercury emissions.*

*I speak on behalf of myself, the Southern Alliance for Clean Energy and our members, and all the citizens of North Carolina who believe coal is dirty and outdated, and who can't be here tonight. I respectfully request that DAQ take a bold, new stance to independently analyze the facts of this permit modification. Please hold Duke Energy accountable and require them to install the maximum control technologies to truly protect public health and the environment, such as it is your charge to do so. There are comparable power plants in Virginia and Pennsylvania that prove Duke can do better to limit mercury and other HAPs, rather than skirting the law.*

*Thank you. Good night."*