



March 11, 2019

Via Electronic Filing

U. S. EPA Docket Center (EPA/DC)
U.S. Environmental Protection Agency
Mail Code: 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attn: DOCKET ID No. EPA-HQ-OECA-2018-0843

Re: *Public Comment on EPA's National Compliance Initiatives for Fiscal Years 2020-2023, 84 Fed. Reg. 2848 (Feb. 8, 2019)*

Dear Administrator Wheeler and Staff:

In response to the above-referenced docket, American Municipal Power, Inc. (AMP) and the Ohio Municipal Electric Association (OMEA) hereby provide the following comments for the record. We support EPA's proposed changes to the newly renamed National Compliance Initiatives (NCIs, formerly the National Enforcement Initiatives), specifically EPA's stated intent to employ a wider range of tools outside the enforcement realm to achieve compliance with environmental laws.

Background on AMP/OMEA

AMP is a non-profit wholesale power supplier and service provider for 135 members, including 134-member municipal electric systems in the states of Ohio, Pennsylvania, Michigan, Virginia, Kentucky, West Virginia, Indiana, and Maryland and the Delaware Municipal Electric Corporation, a joint action agency with nine members headquartered in Smyrna, Delaware. AMP's members collectively serve more than 650,000 residential, commercial, and industrial customers and have a system peak of more than 3,400 megawatts (MW). AMP's core mission is to be public power's leader in wholesale energy supply and value-added member services. AMP offers its members the benefits of scale and expertise in providing and managing energy services.

DELAWARE DELAWARE MUNICIPAL ELECTRIC CORPORATION **INDIANA** CANNELTON **KENTUCKY** BENHAM • BERA • PADUCAH • PARIS • PRINCETON • WILLIAMSTOWN
MARYLAND BERLIN **MICHIGAN** CLINTON • COLDWATER • HILLSDALE • MARSHALL • UNION CITY • WYANDOTTE **OHIO** AMHERST • ARCADIA • ARCANUM • BEACH CITY • BLANCHESTER
BLOOMDALE • BOWLING GREEN • BRADNER • BREWSTER • BRYAN • CAREY • CELINA • CLEVELAND • CLYDE • COLUMBIANA • COLUMBUS • CUSTAR • CUYAHOGA FALLS • CYGNET • DELTA
DESHLER • DOVER • EDGERTON • ELDERADO • ELMORE • CALION • GENOA • GEORGETOWN • GLOUSTER • GRAFTON • GREENWICH • HAMILTON • HASKINS • HOLIDAY CITY • HUBBARD
HUDSON • HURON • JACKSON • JACKSON CENTER • LAKEVIEW • LEBANON • LODI • LUCAS • MARSHALLVILLE • MENDON • MILAN • MINSTER • MONROEVILLE • MONTEPELIER • NAPOLEON
NEW BREMEN • NEW KNOXVILLE • NEWTON FALLS • NILES • OAK HARBOR • OBERLIN • OHIO CITY • ORRVILLE • PAINESVILLE • PEMBERVILLE • PIONEER • PIQUA • PLYMOUTH • PROSPECT
REPUBLIC • SEVILLE • SHELBY • SHILOH • SOUTH VIENNA • ST. CLAIRSVILLE • ST. MARYS • SYCAMORE • TIPP CITY • TOLEDO • TONTOGANY • VERSAILLES • WADSWORTH • WAPAKONETA
WAYNESFIELD • WELLINGTON • WESTERVILLE • WHARTON • WOODSFIELD • WOODVILLE • YELLOW SPRINGS **PENNSYLVANIA** BERLIN • BLAKELY • CATAWISSA • DUNCANNON
EAST CONEMAUGH • ELLWOOD CITY • EPHRATA • GIRARD • GOLDSBORO • GROVE CITY • HATTFIELD • HOOVERVILLE • KUIZTOWN • LANSDALE • LEHIGHTON • LEWISBERRY • MIFFLINBURG
NEW WILMINGTON • PERKASIE • QUIAKERTOWN • ROYALTON • SAINT CLAIR • SCHUYLKILL HAVEN • SMETHPORT • SUMMERHILL • WAMPUM • WATSONTOWN • WEATHERLY • ZELIENOPE
VIRGINIA BEDFORD • DANVILLE • FRONT ROYAL • MARTINSVILLE • RICHLANDS **WEST VIRGINIA** NEW MARTINSVILLE • PHILIPPI

AMP's diverse energy portfolio makes the organization a progressive leader in the deployment and procurement of renewable and advanced power assets that includes a variety of base load, intermediate and distributed peaking generation. AMP and its members own or have long term contracts for approximately 1,900 megawatts (MW) of generation and AMP members have diverse resource portfolios that include coal, natural gas, hydro, solar, wind, landfill gas, diesel and wholesale market purchases. AMP's renewable resources made up approximately 21 percent of its members' energy needs in 2017. In Ohio, AMP owns or operates on behalf of members, the 707 MW (fired) natural gas combined cycle AMP Fremont Energy Center in Fremont, along with 51 diesel-fired generators and 9 single cycle natural gas-fired turbines used for peak shaving at multiple sites. This proposed action could have a direct impact on AMP and AMP member generating assets and we appreciate the opportunity to provide comments on this proposed action.

The OMEA represents the Ohio and federal legislative interests of AMP and member Ohio municipal electric systems. Subsequent "AMP" references herein also represent the interests and comments of OMEA.

AMP/OMEA Comments

AMP generally supports EPA's proposed changes to the NCIs, and particularly in the following two areas. First, AMP agrees with EPA's proposal to transition the "Keeping Industrial Pollutants Out of the Nation's Waters" NCI to "National Pollutant Discharge Elimination System (NPDES) Significant Non-Compliance (SNC) Reduction." We support EPA's rationale that the proper focus of this NCI should be on overall NPDES significant non-compliance, and not just on the NPDES compliance of sources of industrial pollutants.

Second, AMP strongly supports EPA's proposal to de-emphasize the NCI category of "Reducing Air Pollution from the Largest Sources" by returning it to EPA's "core" enforcement program rather than continuing it as an area of heightened scrutiny and focus. As the agency notes in the Federal Register preamble, the power sector (of which AMP is a part) has been a focus within this enforcement initiative for over 20 years. During this time, the power sector has evolved to include increasing dependence on non-emitting renewable generation, a greater dependence on natural gas and a notable reduction in air emissions. AMP and its members have significantly reduced their net emissions of multiple criteria pollutants through a shift to renewable, cleaner generating technologies and improved emissions controls. Returning this area of agency activity to EPA's core enforcement program recognizes the dramatic strides in overall Clean Air Act compliance and air emissions reductions that the power industry has voluntarily achieved over the last 20 years, while ensuring that those improvements in air quality are maintained.

We thank U.S. EPA for this opportunity to provide input to the agency on these important matters. Please let us know if you need any additional information.

Respectfully Submitted,



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