



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

May 13, 2020

EPA Docket Center, EPA West (Air Docket)
U.S. Environmental Protection Agency
Mailcode: 2822T 1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Proposed Rule "Air Plan Disapproval; Maryland; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standard." 85 FR 22381 (April 22, 2020)
Docket ID No. EPA-R03-OAR-2018-0042

Dear Docket Administrator:

The Maryland Department of Environment (MDE) appreciates the opportunity to comment on the Environmental Protection Agency's (EPA) proposed rule titled, "Air Plan Disapproval; Maryland; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standard," regarding Maryland's "good neighbor" obligations under Clean Air Act (Act) section 110(a)(2)(D)(i)(I) (good neighbor provision) for the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standards (2010 SO₂ NAAQS).

EPA is proposing to determine that the portion of the August 17, 2016 Maryland SO₂ infrastructure SIP submittal addressing CAA section 110(a)(2)(D)(i)(I) (the interstate transport of pollution) is not approvable because it does not include measures addressing the SO₂ emissions from the Luke Paper Mill in Maryland that, based on the available information described herein, EPA believes will contribute significantly to the projected nonattainment in West Virginia or will interfere with maintenance of the 2010 SO₂ NAAQS.

The VERSO Corporation announced the closure of the Luke Paper Mill on April 30, 2019 and the last day of employment scheduled for June 30, 2019. On May 7, 2020, Verso Luke LLC officially notified MDE of its request for a complete closure of the Luke Mill Facility and termination of all associated air quality permits. The notification letter also acknowledged that Verso, or any potential new owner of the facility, must apply for and obtain all new air quality permits in order for this facility to begin operations any time in the future. The letter is included as an addendum.

EPA's disapproval of the interstate transport of pollution section of the Maryland SO₂ infrastructure SIP is based on the sole-source emissions from the Luke Paper Mill. Since the Luke Paper Mill has been closed for over a year, the Verso Luke Corporation has surrendered and terminated all associated air quality permits and has acknowledged that any new operational activity at the plant would require new air quality permits; MDE requests that the disapproval be vacated and that full approval of the infrastructure SIP be instituted.

Sincerely,

Ben Grumbles
Secretary