

What types of air quality permits should require a cumulative impact analysis (CIA)?	Should a cumulative impact analysis be required only for air permits in or near environmental justice communities?	Should a cumulative impact analysis be required if the air permit will reduce emissions?	Any additional information you would like to share with MassDEP?
We support a CIA requirement for major comprehensive plan applications that increase net emissions near overburdened communities. We support that any plan application that produces a net decrease in emissions should not be subjected to a CIA requirement. Non-major comprehensive plan applications for increased emissions are already covered by the requirements for BACT and required by MassDEP to perform modeling of emissions within the existing permitting framework; and, those stationary sources should not be required to conduct CIA. Limited plan applications involve less consequential amounts of emissions and should not be required to conduct CIA.	No.	No. This would serve as a disincentive for institutions and industries committed to reducing their carbon footprint through incorporating energy efficient technologies.	
All	No	Yes	Maybe
New Major Comprehensive Plan Approvals only and those which increase emissions in overburdened areas.	Yes	No	With a focus on Sustainability being a driving force behind environmental improvements within the regulated community it would be prudent to recognize these efforts and not force additional burdens on these environmentally responsible organizations. Additionally, the DEP should adopt quantitative standards to avoid the ambiguity of a qualitative approach.
All air quality permits.	No but EJ communities should take particular concern.	Yes. Even though it reduces emissions, it still will have emissions that impact the local air quality and interact with the other local and regional sources of pollution.	
More thought needed on plan approvals but a bright line exemption should be made for operating permit renewals, which do not incorporate any new substantive requirements that would impact off-site receptors.		no	

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Major comprehensive plan approvals and some non-major comprehensive plan approvals. For context, we do not believe that all non-major comprehensive plan approvals should be required; only ones that are some percentage (~25%? 50%?) of the significant emission rate. Simply having 10 tons per year of a pollutant from a project (or being required to go through the CPA process to install a control device or new equipment that will reduce emissions) should not require a CIA.	For fairness, ease of implementation (i.e. consistent regulations), and not favoring the businesses located in rural areas, at a minimum there should be a gateway process that all applicants must follow. In some cases, businesses were located in an area first and the municipality allowed and zoned for development closer and closer to the facility/business. It could feel punitive to those sites that did not intentionally site within a community that would have qualified as "EJ" well into the past. We understand that land values are commonly cheaper within historical EJ communities (and/or there are former shuttered industrial sites already zoned appropriately) and new facilities may choose to site within an EJ community for cost reasons. We would not advocate for an intentionally/knowingly burdensome activity such as that; we imagine that the CIA process would quantitatively or qualitatively demonstrate that such a NEW facility would need to have state of the art pollution control equipment to intentionally site in such a place.	No. There would be no negative impacts to the baseline for the surrounding EJ population. Also, for projects that demonstrate a net-zero increase in emissions within the plan approval process (i.e. like-kind equipment replacement at end-of-life), we respectfully request MassDEP consider those projects to be excluded from the CIA process as well.	There must be a balance and systems in place that do not bring projects to a grinding halt. This sort of unintended uncertainty will cause businesses to look elsewhere to implement their projects. From some of the stakeholder calls already, it is evident that some of the NGO / non-profit environmental advocates do not understand the pace required to stay competitive. For a small project (via LPA), the unpredictability of having a project go through a CIA review and then having the EJ community or agency say that a control device will be required (that would not be required via the BACT analysis) could disincentivize companies from replacing aged equipment that would otherwise need to go through LPA. Businesses need to understand as early as possible whether additional capital is going to be required to accomplish an otherwise small project. At least initially, this is why we suggest that a subset of CPAs and major source threshold projects (major CPAs via PSD and NA-NSR) should require the CIA process. These projects inherently have longer lead-times, larger budgets, longer agency review and public comment periods already, so it is a natural fit. Once EOEEA/MassDEP determine which measures they are going to collectively track within the state for beneficial progress within EJ communities and if it can be shown through data that the existing CPA+ process is not making significant enough progress, it would be logical to consider extending to the LPA process. As a sidenote, we are curious what additional resources MassDEP will receive in order to review and facilitate additional elements on plan approval applications - will MassDEP need to revise the review periods for any plan approvals to incorporate the CIA process? Finally, environmental NGOs / non-profits requested outreach to the EJ community prior to submitting a project for plan approval, seemingly suggesting that plan approvals are just a formality that get rubber-stamped (which is not our experience) and sped through. Again, in the interest of balance, we respectfully request that MassDEP consider the confidential nature of some projects and the competitive advantage required by businesses. Early announcement of projects when they have been strategically timed could be a disadvantage in some cases. We advocate for engagement with the EJ community/ies to begin when the plan approval process with MassDEP begins and a company has made "public" its intent to commit to a project by submitting a plan approval that becomes part of the public record.

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<p>It was made clear in the presentation of 10/26/21 that “not all stationary sources of air pollutants require an air permit,” because they do not exceed predetermined emission thresholds, and that many projects include “several different pieces of equipment that emit pollutants” – some requiring permits and others not requiring them. Therefore, it appears that a significant number of polluting projects have already been exempted from a cumulative impact analysis. Our position is that projects whose emissions are significant enough to require a permit should require a CIA. We also believe that emissions thresholds need frequent re-evaluation based on emerging science that advances our understanding of public health and environmental impacts, and that a timetable for such re-evaluations should be built into the new regulations. We note the absence of mobile sources of air pollutants from that part of the presentation, and ask for clarification of how those will be addressed. As residents of the Fore River Basin, our area, like many EJ communities, is subject to significant marine traffic emissions, as well as those from both private and commercial motor vehicle traffic. A meaningful CIA must include both stationary and mobile sources of air pollutants. (More in “comments” below)</p>	<p>No. EJ communities should be prioritized because of the damage to public health and the environment already being experienced there. However, it goes without saying that we have one atmosphere, and that air pollutants travel. With New England already being the “tailpipe of America” for pollutants coming from the entire country to our West, any pollutants being added here, even in “pristine” areas of the Commonwealth, need to be calculated via CIA when the addition of more polluters is being considered.</p>	<p>In principle, it sounds like a good idea, but in practice, we believe it is likely to result in slowing our transition to truly clean, renewable energy. We can easily imagine (because we have experienced it) proposals to replace old coal/oil/gas-fired facilities with newer, more “efficient” gas-fired facilities, without considering either</p> <ul style="list-style-type: none">• the pollution footprint of gas (due to leaks from extraction and transportation, in addition to burning), which makes gas GHG emissions comparable to coal; or• a cost-benefit analysis between building a more efficient fossil fuel project that slightly reduces emissions, and a project option that uses truly clean energy. A meaningful cost-benefit analysis must include the currently “externalized” social cost to human health and the environment of each proposal’s emissions, and not only the costs to build and operate the facility. <p>Our position is that there must be a CIA for any project that proposes to emit permit-level pollution to determine whether there are viable options to reduce emissions further than what is proposed. Given the IPCC’s finding that there can be no further expansion of fossil fuels if earth is to be spared climate catastrophe, it is urgent that a claim of reducing emissions from proponents of fossil fuel-fired projects be regarded with suspicion, and certainly not be exempted from a CIA that includes comparison of the proposal with the cleanest technology available for such a project.</p>	<p>Current Mass. law does not allow ships in port to connect to land-based power, so when they are docked for several days in Mass. ports, including the Fore River, they run their diesel engines constantly to provide on-board power. This creates significant emissions, in our case, immediately adjacent to EJ communities. Yet because they are “transient,” they have not been measured. Requiring ships to use shore-based electricity when in port is an obvious solution to this problem. If this requires legislation, please let us know so that we can pursue it. Meanwhile, any meaningful CIA near major roads and ports needs to include a measurement of emissions from auto and maritime traffic. This measurement needs to account for the spikes in pollution when ships are in port and during peak traffic times, and not only yearly averages.</p>