

Technical Comments on the Draft Title V Construction Permit No. C-0062-0032-21-V Issued by the Louisville Metro Air Pollution Control District to The Chemours Company FC, LLC, Louisville Works Plant for the HFC-23 Reduction Project

by

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A. Introduction

The Chemours Company FC, LLC (“Chemours”) owns and operates an integrated chemical plant, the Chemours Louisville Works, located in west Louisville that manufactures HCFC-22, as well as by-products HFC-23, and hydrochloric acid (HCl). The facility was owned earlier by DuPont. DuPont and Chemours separated the facilities in 2015. At present DuPont leases certain portions of the plant.

Chemours has proposed a project at the plant to accomplish two objectives: (i) Reduce HFC-23 (a potent greenhouse gas) emissions and (ii) change the regulatory status of the plant to become an area source (as opposed to major source) of hazardous air pollutants (HAP). The second objective means that several Federal regulations which apply to major sources of HAP emissions will not apply to the plant in the future. An area source of HAP is one which has the potential to emit (PTE) of less than 10 tons per year (tpy) of any one HAP and a PTE of less than 25 tpy for all HAPs. PTE is a regulatory construct in which emissions are calculated at their highest rate considering equipment design and any enforceable permit conditions. The Louisville Metro Air Pollution Control District (APCD) has proposed to issue a Draft Title V Construction Permit No. C-0062-0032-21-V to permit this project.

B. Documents Reviewed

(i) Air Permit Application prepared for Chemours by AECOM, August 30, 2021, including Appendices A-E. In particular I reviewed Appendix A, which contained the emissions calculations in detail. I note that the public version of Appendix A, which I reviewed, omitted, in several instances, critical information necessary for the emission calculations.² This necessarily limited my review and my comments below. I also reviewed Appendices B-E to the permit application.

(ii) Draft Title V Construction Permit No.: C-0062-0032-21-V (Plant ID: 0062) (“Draft Permit”) issued by APCD.

¹ Resume provided in Attachment A.

² See, for example, Application, Appendix A, pdf p. 6 relating to the chloroform tanks.

(iii) APCD's Statement of Basis accompanying the Draft Permit.

(iv) Various presentations by Chemours, including one made during discussions with Chemours staff in December 2021 and one dated January 17, 2022 at a public meeting.

C. Process Equipment Description

Briefly, as noted in the Draft Permit, the HFC-23 reduction project will include installing a pressurized chloroform feed tank, an HFC-23 recovery tower including a vent condenser (Emission Point 3003); an HCl stripping column with an associated flash tank; aqueous HCl pump tank and graphite heat exchangers; and a vacuum pump for the HFC-23 dryers, along with associated piping components. A couple of existing chloroform tanks will be removed from service.

Though the permit record does not state so, it is my understanding based on conversations with Chemours staff that additional quantities (i.e., more than current) of HFC-23 from the plant will be shipped offsite to a sister Chemours plant in Washington, West Virginia, to be destroyed in a permitted thermal oxidizer at that location.

D. HAPs In Question

Since a substantial portion of the comments below relate to Chemours' request to be designated an area source of HAPs, it is important to clarify the HAPs at issue. I show below, the table from Appendix A to the permit application the list of pollutants, which includes all HAPs that Chemours has claimed are emitted from the plant shown in tons per year. Some of the HAPs including chloroform, hydrogen chloride (HCl), benzene, formaldehyde, as well as various polycyclic aromatic compounds and metals are shown in red box highlighting in the table below.

Pollutant	Emission Point, Tons											Total, Tons
	1000, 1001	2001	2002	3001	3002	3003	3009	6005	4000	4001	5000	
PM	13.45423421											13.45
VOC	9.737898167	0.05519667	0.07		0.000664	0.188778	0.111821				0.0825	10.25
CO	148.7242629											148.72
NO _x	247.8739486											247.87
SO ₂	1.062252425											1.06
Lead												0.00
Fluorides							0.297687	0.097621				0.40
Chloroform		2.7598E-05	0.07		0.000664	0.188778	0.111821					0.37
Chlorine				0.0875			0.175813					0.26
Hydrogen Fluoride							0.297687	0.097621				0.40
Hydrogen Chloride									0.417	1.976799		2.39
Benzene	3.7181E-03											3.72E-03
Formaldehyde	1.3279E-01											1.33E-01
Arsenic	3.5411E-04											3.54E-04
Cadmium	1.9476E-03											1.95E-03
Chromium	2.4787E-03											2.48E-03
Nickel	3.7181E-03											3.72E-03
Hexane	3.1869E+00											3.19E+00
Napthalene	1.0800E-03											1.08E-03
Toluene	6.0198E-03											6.02E-03
Benzo(a)pyrene	2.1246E-06											2.12E-06
Benzo(b)fluoranthene	3.1869E-06											3.19E-06
Chrysene	3.1869E-06											3.19E-06
Dichlorobenzene	2.1246E-03											2.12E-03
Indeno(1,2,3-cd)pyrene	3.1869E-06											3.19E-06
Barium	7.7903E-03											7.79E-03
Beryllium	2.1246E-05											2.12E-05
Cobalt	1.4872E-04											1.49E-04
Copper	1.5049E-03											1.50E-03
Manganese	6.7280E-04											6.73E-04
Mercury	4.6034E-04											4.60E-04
Molybdenum	1.9476E-03											1.95E-03
Selenium	4.2493E-05											4.25E-05
Vanadium	4.0722E-03											4.07E-03

E. General Comments

1. In the interest of clarification and transparency, Chemours should provide additional details regarding any environmental impacts that are associated with or could be potentially associated with the shipment of HFC-23 (and any other materials) from the Louisville plant to other offsite locations, including Washington, WV, as well as the ultimate fate of these materials. This missing information includes details such as:

- (i) The names of each substance that will be shipped offsite and to what extent that substance is currently shipped offsite;
- (ii) The quantities of each substance that will be shipped offsite;
- (iii) The end locations of each shipped material and its fate;
- (iv) Potential environmental impacts, including air emissions, during shipment;
- (v) Potential environmental impacts, including air emissions as a result of the ultimate disposal of substances at the receiving sites;
- (vi) Details supporting the regulatory analyses that Chemours may have done at the receiving sites to accommodate the shipments from the Louisville plant as a result of this project.

With regards to item (iv) above, I have reviewed the summary of stack testing at the Thermal Convertor Scrubber Outlet located at Chemours' Washington Works in West Virginia in July 2019 and also, presumably for the same source in October 2021 – as shown in two slides in Chemours' January 17, 2022 presentation. While these two summaries indicate high levels of destruction

efficiency for trifluoromethane, Chemours should clarify the following to provide a better understanding of these stack tests and the emissions being measured during them:

- (i) Provide the complete stack test reports associated with the tests;
- (ii) Provide details of operating parameters of the thermal convertor (including temperature in the combustion zone, rate of use of additional fuel, etc., to maintain appropriate temperatures, etc.) and the scrubber (liquid composition, flow rate, pressure drop, etc.) during the test;
- (iii) Discussion of the representativeness of the tests, i.e., how well do these results represent other, non-stack test hours. This clarification is important since each of the stack tests only represents around three hours of operation of this thermal convertor/scrubber. Specifically, Chemours should provide details on what process parameters of the thermal convertor and the scrubber are tracked on a routine basis and how these parameters ensure that the high destruction efficiencies observed during the stack tests are maintained during all other time periods;
- (iv) Measurements of other pollutants that are produced in the thermal convertor as a result of “destruction” of the trifluoromethane, some fraction of which are then presumably removed in the scrubber. This includes acid gases, such as HF, and other potential compounds, including other acid gases and dioxins/furans (especially if any impurities containing chlorine are present or can be present in the waste gases), and the usual products of incomplete combustion that are invariably produced in any combustion system (including combustion of natural gas) such as volatile organic compounds, semi-volatile organic compounds, and the like. The summaries of the 2019 and 2021 tests do not indicate any information on these additional pollutants; and
- (v) How the results presented from the 2019 and 2021 tests would be affected if the additional quantities of HFC-23 that will be sent to this thermal convertor/scrubber from the proposed project in Louisville, KY are also combusted in that same control device.

In any case, it is clear that the new or additional shipments of materials from the Louisville plant would not have occurred, but for the project. As a result, these potential impacts are part of the project even though the impacts may not occur just in Louisville.

2. The Draft Permit accommodates Chemours’ request to be designated as a minor source of HAP emissions by including two Specific Conditions:³

“(a)(i)HAP

The owner or operator shall not allow or cause the plantwide emissions of any single HAP to equal or exceed 10 tons during any consecutive 12-month period.
[Regulation 2.16, section 4.1.1]

(a)(ii) The owner or operator shall not allow or cause the plantwide total HAP emissions to equal or exceed 25 tons during any consecutive 12-month period.
[Regulation 2.16, section 4.1.1]”

³ U3 Specific Conditions, S1. Standards (per Regulation 2.03, Section 6.1), at p. 10 of 19.

However, these conditions simply regurgitate the definition of minor source of HAPs.

There is no further detail on how the “shall not allow or cause” directives in these two conditions will be implemented and verified. Simply asserting that the respective annual limits noted above be met is not sufficient to ensure that they will be verifiably met.

The Draft Permit needs to include significant additional details to ensure that these two conditions can be verifiably met.

3. Related to the comment above, the vast majority of the Draft Permit is simply a recitation of the applicable provisions of Federal regulations.

The Draft Permit is missing any requirements for verification and testing of numerous representations that are made by Chemours in its permit application for the project, especially in its emissions calculations. The request to be designated as an area source of HAPs and thereby escape the applicability of numerous currently applicable Federal regulations is not a trivial change. And the entire basis of this request is a set of emissions calculations provided in Appendix A to the permit application.

It is inappropriate and insufficient for APCD to simply accept each representation made in the emission calculations showing that the plantwide HAP emissions will be below the 10 tpy and 25 tpy levels, with no verification whatsoever.⁴ The Draft Permit contains no testing requirements for any of the emissions sources or activities. It contains no emissions monitoring for any of the sources or activities. Thus, there is no way to determine if, in actuality, the various representations made in each of the emissions calculations in Appendix A to the permit application are accurate or not. Without such verification it is simply unknowable as to which representation is accurate and which is not. That Chemours requests the benefit of an area source designation yet proposes no verification is simply not acceptable.

Chemours conclusionary assertions that the project will not cause any increase in PTE or that the PTE for the new and modified equipment will be less than or equal to the PTE of its current permitted sources, which may well be true, needs to be supported with sufficient verification and such verification conditions need to be made enforceable in the Draft Permit.

F. Examples of Specific Representations Made by Chemours and the Need for Verification in the Draft Permit

In this section, I will provide several examples of representations that are made by Chemours in its emissions calculations. These include assuming and using numerous emission factors and control efficiencies for air pollution control equipment and the like. Since these are crucial inputs which result in the estimated emissions – and which, in turn support Chemours’ claim of area

⁴ Per Chemours presentations, the post-project PTE for all plant-wide HAPs is 6.8 tpy.

source status, the basis and support for these inputs and representations needs to be (i) clear and (ii) verifiable. None of these inputs are so universal that they do not need to be verified. In each instance, as I will show in the examples below, the assumptions will depend on process and site conditions at the plant – thus, they cannot be left unverified as though they are universal.

F1. Use of AP-42 HAP Emission Factors for U1 Powerhouse

The table below, excerpted from the permit application⁵ shows that Chemours relied on and used AP-42 Emission Factors to estimate pollutants from the natural gas fired boilers in U1. AP-42 is a long-standing EPA compilation of emission factors, with many limitations.⁶

Natural Gas Emissions Factors
AP-42 Chapter 1.4 Emission Factor Benzene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Formaldehyde (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Arsenic (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Cadmium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Chromium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Nickel (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Hexane (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Napthalene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Toluene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Benzo(a)pyrene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Benzo(b)fluoranthene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Chrysene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Dichlorobenzene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Indeno(1,2,3-cd)pyrene (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Barium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Beryllium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Cobalt (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Copper (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Manganese (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Mercury (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Molybdenum (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Selenium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor Vanadium (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor CO ₂ (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor CO (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor NO _x (lb/MMBtu)
AP-42 Chapter 1.4 Emission Factor PM (lb/MMBtu)
AP-42 Chapter 1.4 Emission Factor PM (Condensable) (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor PM (Filterable) (lb/MMscf)
AP-42 Chapter 1.4 Emission Factor SO ₂ (lb/MMBtu)
AP-42 Chapter 1.4 Emission Factor VOC (lb/MMscf)

As APCD is undoubtedly aware, EPA has admonished the air pollution community, including agencies, regulated sources, and consultants, that using AP-42 is not appropriate in lieu of site-specific representative emissions data. EPA reissued its warning in a November 2020 Enforcement Alert.⁷ I include below certain relevant excerpts from this Enforcement Alert.

⁵ Application Appendix A, pdf p. 3.

⁶ <https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors>

⁷ <https://www.epa.gov/sites/default/files/2021-01/documents/ap42-enforcementalert.pdf>

Enforcement Alert

Publication no. EPA 325-N-20-001

November 2020

EPA Reminder About Inappropriate Use of AP-42 Emission Factors

Purpose

This purpose of this Enforcement Alert is to remind permitting agencies, consultants, and regulated entities that improperly using AP-42 emission factors can be costly to their businesses, inefficient, and in some circumstances, can subject regulated entities to enforcement and penalties. The Environmental Protection Agency (EPA) is concerned that some permitting agencies, consultants, and regulated entities may incorrectly be using AP-42 emission factors in place of more representative source-specific emission values for Clean Air Act permitting and compliance demonstration purposes.

Consequences of Using AP-42 Factors

Permitting agencies, consultants, and regulated entities should be aware that even emission factors with more highly rated AP-42 grades of "A" or "B" are only based on averages of data from multiple, albeit similar, sources (See the Attachment for an overview of the history of AP-42 emission factors and the AP-42 emission factor rating system). Accordingly, these factors are not likely to be accurate predictors of emissions from any one specific source, except in very limited scenarios. While emission factors are helpful in making emission estimates for area-wide inventories for specific source types, AP-42 provides the following warning:

"Use of these factors as source-specific permit limits and/or as emission regulation compliance determinations is not recommended by EPA. Because emission factors essentially represent an average of a range of emission rates, approximately half of the subject sources will have emission rates greater than the emission factor and the other half will have emission rates less than the factor. As such, a permit limit using an AP-42 emission factor would result in half of the sources being in noncompliance."¹

It is also important to understand that there is a great deal of variability in the emissions data that are used to generate the emission factors. This variability is not necessarily reflected in the emission factor. AP-42 describes this as follows:

"The extent of between-source variability that exists, even among similar individual sources, can be large depending on process, control system, and pollutant. Although the causes of this variability are considered in emission factor development, this type of information is seldom included in emission test reports used to develop AP-42 factors. As a result, some emission factors are derived from tests that may vary by an order of magnitude or more. Even when the major process variables are accounted for, the emission factors developed may be the result of averaging source tests that differ by factors of five or more."²

What Can Be Done?

Consultants and facility owners/operators should obtain and use the **most representative emissions data**, which in many cases may be source-specific emissions data, when determining applicability, applying for a permit, or demonstrating compliance with permit limits.

Various EPA publications (e.g., <https://www.epa.gov/emc>) describe the benefits and limitations of different ways to quantify source-specific emissions. **These techniques in order of accuracy are:**

- **Continuous Emissions Monitoring System (CEMS)** – CEMS offers a highly accurate source-specific method that continuously monitors the emissions coming out of a particular stack; however, although the accuracy of this method is high, the cost is also the highest at \$20,000-\$50,000 per year.
- **Stack Testing** – Like a CEMS, source-specific data are generated at a particular stack but emissions are only measured for a specific time, typically for a few hours during normal operations. Costs for stack testing typically run \$20,000, but testing may only be necessary every 2 to 5 years.
- **Vendor Guarantees and Stack Test Data from Similar Facilities** – If representative source-specific data cannot be obtained, emissions information from equipment vendors, particularly emission performance guarantees or actual test data from similar equipment, is a better source of information for permitting decisions than an AP-42 emission factor.
- **Material Balance Calculations** – While the material balance calculations are not generally considered as accurate as direct measurements, they may provide more reliable average emission estimates for certain sources where a high percentage of material is lost to the atmosphere (e.g., solvent VOC emissions). The costs for recordkeeping are approximately \$2,000-\$10,000 per year. This method works well for materials and processes that are well understood.
- **Optical Remote Sensing** – Measurement techniques involving differential absorption light detection and ranging (known as DIAL) and solar occultation flux or SOF can be used to measure emissions from sources such as coke ovens, storage tanks, wastewater treatment plants, and process units that are otherwise difficult to measure by other means. Measurement bias on the order of ± 30 percent is expected but the data can be more accurate than engineering estimates or emission factors.
- **Emission Factors** – When source-specific emissions or other more reliable approaches are unavailable, AP-42 emission factors may be the only way to estimate emissions. Again, the limitations of the factor in accurately representing the facility's emissions and the environmental/financial risk of using the emission factor for a particular situation should be carefully considered. **Remember, AP-42 emission factors should only be used as a last resort. Even then the facility assumes all risk associated with their use!**

As we work to improve our ability to estimate emissions nationally, the grading in AP-42 helps us better understand the quality of the data. But even factors that are rated "A" or "B" are not designed to be used by a single source where other, more reliable, site-specific, data are available.

Table 1: Explanation of AP-42 Emission Factor Quality Ratings

Rating	Explanation
"A" – Excellent	Emission factor is developed from tests conducted with sound, or generally sound, methodology. Test data are from many randomly chosen facilities and the source category population is sufficiently specific to minimize variability. Data may, or may not, be reported in enough detail for adequate validation.
"B" – Above Average	Same as "A," but test data are from a "reasonable number" of facilities. Although no specific bias is evident, it's not clear if the facilities represent a random sample of the industry. The source category population is sufficiently specific to minimize variability.
"C" – Average	Same as "B," but the factor can be developed from an unproven or new methodology. Test data may be lacking a significant amount of background information. Although no specific bias is evident, it's not clear if the facilities tested represent a random sample of the industry. The source category population is specific enough to minimize variability.
"D" – Below Average	Same as "C," but test data are from a small number of facilities, and there may be reason to suspect the facilities do not represent a random sample of the industry. There may also be evidence of variability within the source population.
"E" – Poor	Factor is developed from: (1) tests based on an unproven or new methodology, or tests that may be lacking a significant amount of background information, or (2) tests based on a generally unacceptable method, but the method may provide an "order of magnitude" value for the source. Facilities tested may not represent a random sample of the industry and there is evidence of variability within the source category population.

Clearly, the technical issue is accuracy of the emission factors from AP-42. Without representativeness and accuracy using emission factors is simply meaningless and an exercise in self-serving arithmetic. In AP-42, as EPA notes above, the accuracy (or lack thereof) is designated by the Ratings, noted in the last table excerpted above. The Enforcement Alert cautions against using even A and B rated factors at individual sources, since variability between sources can result in widely divergent emissions from the same type of process at different sources.

The ratings for the AP-42 Section 1.4 emission factors used by Chemours to estimate HAP emissions are especially poor. I have excerpted the relevant tables from Section 1.4 of AP-42 below, which show the ratings of each emission factor in the last column.

TABLE 1.4-3. EMISSION FACTORS FOR SPECIATED ORGANIC COMPOUNDS FROM
NATURAL GAS COMBUSTION^a

CAS No.	Pollutant	Emission Factor (lb/10 ⁶ scf)	Emission Factor Rating
91-57-6	2-Methylnaphthalene ^{b, c}	2.4E-05	D
56-49-5	3-Methylcholanthrene ^{b, c}	<1.8E-06	E
	7,12-Dimethylbenz(a)anthracene ^{b, c}	<1.6E-05	E
83-32-9	Acenaphthene ^{b, c}	<1.8E-06	E
203-96-8	Acenaphthylene ^{b, c}	<1.8E-06	E
120-12-7	Anthracene ^{b, c}	<2.4E-06	E
56-55-3	Benz(a)anthracene ^{b, c}	<1.8E-06	E
71-43-2	Benzene ^b	2.1E-03	B
50-32-8	Benzo(a)pyrene ^{b, c}	<1.2E-06	E
205-99-2	Benzo(b)fluoranthene ^{b, c}	<1.8E-06	E
191-24-2	Benzo(g,h,i)perylene ^{b, c}	<1.2E-06	E
207-08-9	Benzo(k)fluoranthene ^{b, c}	<1.8E-06	E
106-97-8	Butane	2.1E+00	E
218-01-9	Chrysene ^{b, c}	<1.8E-06	E
53-70-3	Dibenzo(a,h)anthracene ^{b, c}	<1.2E-06	E
25321-22-6	Dichlorobenzene ^b	1.2E-03	E
74-84-0	Ethane	3.1E+00	E
206-44-0	Fluoranthene ^{b, c}	3.0E-06	E
86-73-7	Fluorene ^{b, c}	2.8E-06	E
50-00-0	Formaldehyde ^b	7.5E-02	B
110-54-3	Hexane ^b	1.8E+00	E
193-39-5	Indeno(1,2,3-cd)pyrene ^{b, c}	<1.8E-06	E
91-20-3	Naphthalene ^b	6.1E-04	E
109-66-0	Pentane	2.6E+00	E
85-01-8	Phenanthrene ^{b, c}	1.7E-05	D
74-98-6	Propane	1.6E+00	E

CAS No.	Pollutant	Emission Factor (lb/10 ⁶ scf)	Emission Factor Rating
129-00-0	Pyrene ^{b, c}	5.0E-06	E
108-88-3	Toluene ^b	3.4E-03	C

TABLE 1.4-4. EMISSION FACTORS FOR METALS FROM NATURAL GAS COMBUSTION^a

CAS No.	Pollutant	Emission Factor (lb/10 ⁶ scf)	Emission Factor Rating
7440-38-2	Arsenic ^b	2.0E-04	E
7440-39-3	Barium	4.4E-03	D
7440-41-7	Beryllium ^b	<1.2E-05	E
7440-43-9	Cadmium ^b	1.1E-03	D
7440-47-3	Chromium ^b	1.4E-03	D
7440-48-4	Cobalt ^b	8.4E-05	D
7440-50-8	Copper	8.5E-04	C
7439-96-5	Manganese ^b	3.8E-04	D
7439-97-6	Mercury ^b	2.6E-04	D
7439-98-7	Molybdenum	1.1E-03	D
7440-02-0	Nickel ^b	2.1E-03	C
7782-49-2	Selenium ^b	<2.4E-05	E
7440-62-2	Vanadium	2.3E-03	D
7440-66-6	Zinc	2.9E-02	E

These are all universally C-, D-, and E-rated with few exceptions. Even the exceptions, i.e., the A- and B-rated factors are not to be relied upon at individual sources, as the Enforcement Alert makes clear. That limitation is because, even though natural gas is widely used in many boilers as a fuel, the resulting HAP emissions, which are so-called products of incomplete combustion, depend on combustion conditions and equipment (such as the burners) that vary widely from plant to plant and even as a function of time at a given plant. So simply relying on a few tests from a few boilers (which is the basis of the emission factors above in AP-42), as Chemours has done, is not sufficient.

It is critical that these boiler HAP emissions from U1 be properly estimated at the Chemours boilers, since they are directly relevant to the area-source designation request.

Therefore, the Draft Permit should require periodic testing for all HAPs that can be emitted from these boilers, including but not limited to those that are listed in the permit application as shown in the prior excerpt.

F2. Unsupported Scrubber Efficiency and Process Representations for U3 Emission Point 3001

I excerpt the relevant portion of the emission calculation for Emission Point 3001 from the permit application⁸ below, with red box highlights.

Efficiency of Scrubber

According to Dave Short (DuET Consultant) who designed the scrubber, the efficient of the scrubber is 100%

For the purpose of emissions calculations, it will be assumed that the efficiency is 99%.

Chlorine gas enters the bottom of the scrubber and rises through the caustic solution as it reacts with the caustic. Any gas that does not react will enter the vapor space of the scrubber and be swept out with the nitrogen purge.

Maximum Potential to Emit

The maximum potential to emit is determined by assuming a worst-case scenario of one complete vent-down of a vaporizer seven times per year. Based on a maximum of 2,500 pounds of chlorine, 7 events would result in 17,500 lbs of chlorine vented to the scrubber in a year. Given the assumed conservative efficiency of 99%, one venting event will result in the release to atmosphere of 25 pounds of chlorine. At a maximum of 7 events per year, this is an annual amount of 175 pounds of chlorine.

(i) The scrubber efficiency is an important parameter since the resulting emissions are very sensitive to the assumed efficiency.⁹ As noted above, with no basis at all, Chemours assumes that the efficiency is 99%, relying on an unspecified statement from a consultant, with no supporting documentation.¹⁰ While 99% is lower than 100% (which would have mathematically made the calculation of emissions moot, i.e., zero), there is no basis for the 99% assumption. Why not 98% or 97% or even 99.5% (which would make the emissions lower than estimated). The point is the lack of support.

The Draft Permit can fix this unsupported assumption by requiring testing of the inlet and outlet of the scrubber under representative conditions to prove whether the representation of the efficiency is indeed 99% (or greater).

(ii) In addition, as the excerpt above notes, the PTE calculated by Chemours relies on limiting venting to seven times per year and each time to 2,500 pounds of chlorine. These are also important representations that should be made enforceable in the Draft Permit, echoing these limits.

⁸ Application, Appendix A, pdf p. 19.

⁹ For example, if the efficiency was 98% and not 99%, the resulting emissions to be atmosphere would be doubled. If the efficiency dropped to 95% as opposed to 99%, the emissions to the atmosphere would increase 5 times.

¹⁰ Of course, the 100% claimed efficiency is not a guarantee by any means. Equipment performance guarantees by vendors are never broad and are always conditioned on proper equipment operation and maintenance and are limited to a short period of time after installation. Maintaining high levels of equipment efficiency over time is not trivial.

F3. Unsupported Process Representations for Emission Point 3002

I show below an excerpt for a representation made in estimating the PTE for Emission Point 3002.¹¹

Maximum Potential to Emit

- **Maximum reactor vent down emissions are based off of the most vent downs (4) for each reactor in one year**

For the same reasons as stated in the previous comment, the Draft Permit should limit the number of vent downs to no more than four, since that is the assumption made by Chemours.

F4. Unsupported Process Assumptions for Emission Point 3003.

I show excerpts of the emissions calculations for Emission Point 3003.¹²

Emissions Calculation Methodology

Emissions from the Vent Condenser were modeled using Aspen Process modelling technology.

The stream entering the vent condenser has the following characteristics:

Pressure 35.0 psia
Temperature 30.0 degC

	MW	Mass Flow lb/hr	Molar Flow	Molar Conc	Mass Flow kg/hr	Volume Flow ft ³ /hr
CHCl ₃	119.377	2.26E+00	1.89E-02	1.38E-01	1.03E+00	
F23	70.0141	5.35E-02	7.64E-04	5.57E-03	2.43E-02	
N ₂	28.0135	3.29	1.17E-01	8.56E-01	1.49E+00	
TOTAL		5.60E+00	1.37E-01	1.00E+00	2.54E+00	2.28E+01

The stream exiting the vent condenser to the atmosphere has the following characteristics:

Pressure 35.0 psia
Temperature -40.0 degC

	MW	Mass Flow lb/hr	Molar Flow	Molar Conc	Mass Flow kg/hr	Volume Flow ft ³ /hr
CHCl ₃	119.377	4.31E-02	3.61E-04	3.05E-03	1.96E-02	
F23	70.0141	5.31E-02	7.58E-04	6.40E-03	2.41E-02	
N ₂	28.0135	3.29	1.17E-01	9.91E-01	1.49E+00	
TOTAL		3.39E+00	1.19E-01	1.00E+00	1.54E+00	1.52E+01

Maximum Potential to Emit

The maximum potential to emit is determined by assuming a worst-case scenario of operating every hour of the year. The hourly mass flow of the chloroform exiting the vent condenser is multiplied by the maximum hours in a year.
= 0.0196 kg/hr x 8760 hr/yr x 2.2046 lb/kg

= 377.56 lb/yr

Actual emissions will be calculated by multiplying the hourly mass flow by the actual operating hours of the Freon 22 process in a given time period.

As Chemours noted above, the crucial input to the quantity of chloroform that will be emitted by this new vent, i.e., 377.56 pounds per year, as estimated above, depends entirely on the hourly mass flow of chloroform 0.0196 kg/hr, obtained from its “Aspen Process modeling technology.” While Aspen is a widely used process design software (one of many such in the market), conversation with Chemours staff confirmed that Chemours uses a customized version of this software for its various designs. There is nothing inappropriate about that. However, it is a black

¹¹ Application, Appendix A, pdf p. 20.

¹² Application, Appendix A, pdf 21.

box as far as the public is concerned. The application provides no clear basis for what went into the Aspen software that resulted in the stated chloroform mass flow from this vent, which is used in the emissions calculations.

Based on this lack of transparency, there are two options: (i) Chemours can explain the basis for this critical value of 0.0196 kg/hr; or (ii) the Draft Permit can accept this as a representation but require testing of the vent with sufficient frequency that will confirm that the chloroform emissions from the vent will, in fact, always be equal to or less than the assumed 0.0196 kg/hr. The second option is more practical and the one that I recommend. Of course, all tests should be done under representative and/or worst-case conditions; testing frequency should be high enough to capture process variability.

F5. Unsupported Assumptions for Emission Point 3009

I show excerpts below for the calculation of fugitive emissions from Emission Point 3009.¹³

Emissions Calculation Methodology

Fugitive emissions = component count * 8760 hr/year * Chemours factor

8760 hr/year must be assumed

For Chloroform, Default zero emission rate is used for normal operation of equipment

Chloroform system is subject to LDAR, therefore, assumed the following leak detections:

Pumps: 10 leaking pumps detected in a year. Monitoring is monthly so max time is 1104 hours leaking (31 days to monitor, 15 days to repair)

Connectors: 15 leaking connectors detected in a year. Monitoring is > 1 year, assume detection and repair no longer than 8760 hours

Valves: 15 leaking connectors detected in a year. Monitoring is w/in 1 year, assume detection and repair no longer than 8760 hours

CHCl₃ VOC & HAP

Component Count	Chemours Factors (lb/hr)	Default Zero Emission Rate (lb/hr)
2 pumps	0.00750	0.00001650
337 connectors (L)	0.00031	0.00000134
107 valves (L)	0.00036	0.00000108

(i) As the red-box highlights show, many assumptions have been used in estimating fugitive emissions from the pumps, connectors, and valves in Emission Point 3009. None of these are

¹³ Application, Appendix A, pdf p. 22.

constrained in the permit. These omissions include the assumptions regarding the anticipated numbers of leakers of each type per year. The yellow highlight appears to be typographical error.

The Draft Permit should echo each of these assumptions and constrain them similarly and make them enforceable.

(ii) In addition, and more concerning is the use of the “Chemours factors” which are the specific emission factors for each type of component as shown in the table above. There is simply no discussion, citation, or reference to support these factors, which drive the calculated emissions. Their origin is unknown to the public. How they were arrived at, i.e., using what underlying data and under what conditions are all unknown. These factors need significant additional support.

Collectively, fugitive emissions are a significant portion of HAP emissions from the plant and as noted above, poorly supported.

F6. Unsupported Assumptions for U4, Emission Point 4000

I show below excerpts below for the calculation of emissions from Emission Point 4000.¹⁴

Emissions Calculation Methodology

HCl Stripping Storage and Loading - To HCl Fume Scrubber SB-17

Storages, trailers and tankers are at ambient temperature and atmospheric pressure

According to Dave Short, who designed and did calculations around the scrubber, the efficiency is 99.99%

All vapor venting from HCl tankcars, tank trailers, storages and the HCl stripper go to SB-17 where it meets with a counter-current water stream. HCl vapor is highly soluble in water, resulting in high efficiency of the scrubber.

Like my earlier comment in Section F2 on the lack of support for a scrubber efficiency of 99%, there is zero technical support for the 99.99% efficiency assumed in this case. Obviously, this is a very critical parameter than serves to drastically reduce the calculated emissions. If, instead of 99.99%, the efficiency was merely 99%, the revised emissions would be 100 times greater – likely materially and adversely affecting Chemours’ claim that it will become an area source of HAPs. Because of this criticality and based on the lack of support for this assumption, it is imperative that the Draft Permit require verification of this high scrubber efficiency with frequent stack tests, conducted under worst-case conditions.

F7. Unsupported Assumptions for U4, Emission Point 4001

I show excerpts below for the calculation of fugitive emissions from Emission Point 4001.¹⁵

¹⁴ Application, Appendix A, pdf p. 28.

¹⁵ Application, Appendix A, pdf p. 31.

Emissions Calculation Methodology

Fugitive emissions = component count * 8760 hr/year * Chemours factor
8760 hr/year must be assumed

Streams with wt% > 25 are the only streams considered
Assume all aqueous lines are 35% HCl

<u>HCl</u>	<u>HAP</u>		
Component Count	Chemours Factors (lb/hr)	Actual Emissions (lb/yr)	Maximum Potential Emissions (lb/year)
13 Pumps @ 35%	0.00115	45.96	68.94
146 Connectors @ 35%	0.00018	80.80	121.19
409 Liquid Valves @ 35%	0.00036	452.67	679.01
140 Vapor Valves at 100%	0.00039	479.61	719.41
2352 Liquid Flanges @ 35%	0.00018	1,301.58	1,952.37
174 Vapor Flanges @ 100%	0.00018	275.11	412.67
TOTAL (lbs)		2,635.73	3,953.60

My comments in this instance are analogous to those for the fugitive calculations for Emission Point 3009. Here, too, Chemours uses emission factors with no definition or support. The basis for each of these “Chemours Factors” should be provided.

In addition, it is not clear why only streams that have greater than 25% HCl are included in these calculations. There is no technical basis to assume that fugitive emissions from lines and components on lines that have less than 25% HCl have no emissions as was assumed. If there is such a technical basis, Chemours should include that support in the record.

In summary, I have provided multiple examples of unsupported assumptions made in the emissions calculations for HAPs, which are foundational to the claim that the plant would become an area source of HAPs. And, I have shown that the Draft Permit does not have any conditions to verify any of these representations. I ask that Chemours provide the requisite support for its assumptions and that APCD revise its Draft Permit to include appropriate verification conditions to ensure that all such representations are valid as a matter of fact, based on test data, as needed.

G. Improper Assumption in STAR Modeling

As part of its STAR analysis, Chemours conducted dispersion modeling. In doing so, it makes the following statement under “Property Boundary” [emphasis added]:

¹⁶

¹⁶ Application, Appendix D, pdf p. 60.

“It should be noted that a small portion of the site is being leased to DuPont, although that land is still owned by Chemours. Because all of the property is owned and controlled by Chemours, this demonstration of environmental acceptability for the Chemours operations does not exclude the portion of the property that is leased to DuPont. This is consistent with U.S. EPA guidance on how to deal with leased property for purposes of air dispersion modeling.”

The underlined statement is not supported with any references to the stated “EPA guidance.” Such citations should be provided. It is unlikely, however, that that can be done because the assumption made here is not consistent with EPA modeling guidance. Even though the property is leased, Chemours’ property boundary cannot extend to DuPont property – which is “ambient air” as far as Chemours is concerned. I ask APCD and Chemours to provide the basis for allowing this assumption. If this assumption is incorrect, as is my experience, then the results and conclusions of the STAR modeling presented in Appendix D of the permit application are incorrect and this analysis needs to be redone.

Attachment A – Resume

RANAJIT (RON) SAHU, Ph.D., QEP, CEM (Nevada)

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EXPERIENCE SUMMARY

Dr. Sahu has over thirty one years of experience in the fields of environmental, mechanical, and chemical engineering including: program and project management services; design and specification of pollution control equipment for a wide range of emissions sources including stationary and mobile sources; soils and groundwater remediation including landfills as remedy; combustion engineering evaluations; energy studies; multimedia environmental regulatory compliance (involving statutes and regulations such as the Federal CAA and its Amendments, Clean Water Act, TSCA, RCRA, CERCLA, SARA, OSHA, NEPA as well as various related state statutes); transportation air quality impact analysis; multimedia compliance audits; multimedia permitting (including air quality NSR/PSD permitting, Title V permitting, NPDES permitting for industrial and storm water discharges, RCRA permitting, etc.), multimedia/multi-pathway human health risk assessments for toxics; air dispersion modeling; and regulatory strategy development and support including negotiation of consent agreements and orders.

He has over twenty eight years of project management experience and has successfully managed and executed numerous projects in this time period. This includes basic and applied research projects, design projects, regulatory compliance projects, permitting projects, energy studies, risk assessment projects, and projects involving the communication of environmental data and information to the public.

He has provided consulting services to numerous private sector, public sector and public interest group clients. His major clients over the past twenty six years include various trade associations as well as individual companies such as steel mills, petroleum refineries, chemical plants, cement manufacturers, aerospace companies, power generation facilities, lawn and garden equipment manufacturers, spa manufacturers, chemical distribution facilities, land development companies, and various entities in the public sector including EPA, the US Dept. of Justice, several states (including Oregon, New Mexico, Pennsylvania, and others), various agencies such as the California DTSC, and various municipalities. Dr. Sahu has performed projects in all 50 states, numerous local jurisdictions and internationally.

In addition to consulting, for approximately twenty years, Dr. Sahu taught numerous courses in several Southern California universities including UCLA (air pollution), UC Riverside (air pollution, process hazard analysis), and Loyola Marymount University (air pollution, risk assessment, hazardous waste management). He also taught at Caltech, his alma mater (various engineering courses), at the University of Southern California (air pollution controls) and at California State University, Fullerton (transportation and air quality).

Dr. Sahu has and continues to provide expert witness services in a number of environmental areas discussed above in both state and Federal courts as well as before administrative bodies (please see Annex A).

EXPERIENCE RECORD

2000-present **Independent Consultant.** Providing a variety of private sector (industrial companies, land development companies, law firms, etc.), public sector (such as the US Department of Justice), and

public interest group clients with project management, environmental consulting, project management, as well as regulatory and engineering support consulting services.

- 1995-2000 Parsons ES, **Associate, Senior Project Manager and Department Manager for Air Quality/Geosciences/Hazardous Waste Groups**, Pasadena. Responsible for the management of a group of approximately 24 air quality and environmental professionals, 15 geoscience, and 10 hazardous waste professionals providing full-service consulting, project management, regulatory compliance and A/E design assistance in all areas.
- Parsons ES, **Manager for Air Source Testing Services**. Responsible for the management of 8 individuals in the area of air source testing and air regulatory permitting projects located in Bakersfield, California.
- 1992-1995 Engineering-Science, Inc. **Principal Engineer and Senior Project Manager** in the air quality department. Responsibilities included multimedia regulatory compliance and permitting (including hazardous and nuclear materials), air pollution engineering (emissions from stationary and mobile sources, control of criteria and air toxics, dispersion modeling, risk assessment, visibility analysis, odor analysis), supervisory functions and project management.
- 1990-1992 Engineering-Science, Inc. **Principal Engineer and Project Manager** in the air quality department. Responsibilities included permitting, tracking regulatory issues, technical analysis, and supervisory functions on numerous air, water, and hazardous waste projects. Responsibilities also include client and agency interfacing, project cost and schedule control, and reporting to internal and external upper management regarding project status.
- 1989-1990 Kinetics Technology International, Corp. **Development Engineer**. Involved in thermal engineering R&D and project work related to low-NO_x ceramic radiant burners, fired heater NO_x reduction, SCR design, and fired heater retrofitting.
- 1988-1989 Heat Transfer Research, Inc. **Research Engineer**. Involved in the design of fired heaters, heat exchangers, air coolers, and other non-fired equipment. Also did research in the area of heat exchanger tube vibrations.

EDUCATION

- 1984-1988 Ph.D., Mechanical Engineering, California Institute of Technology (Caltech), Pasadena, CA.
- 1984 M. S., Mechanical Engineering, California Institute of Technology (Caltech), Pasadena, CA.
- 1978-1983 B. Tech (Honors), Mechanical Engineering, Indian Institute of Technology (IIT) Kharagpur, India

TEACHING EXPERIENCE

Caltech

"Thermodynamics," Teaching Assistant, California Institute of Technology, 1983, 1987.

"Air Pollution Control," Teaching Assistant, California Institute of Technology, 1985.

"Caltech Secondary and High School Saturday Program," - taught various mathematics (algebra through calculus) and science (physics and chemistry) courses to high school students, 1983-1989.

"Heat Transfer," - taught this course in the Fall and Winter terms of 1994-1995 in the Division of Engineering and Applied Science.

"Thermodynamics and Heat Transfer," Fall and Winter Terms of 1996-1997.

U.C. Riverside, Extension

"Toxic and Hazardous Air Contaminants," University of California Extension Program, Riverside, California. Various years since 1992.

"Prevention and Management of Accidental Air Emissions," University of California Extension Program, Riverside, California. Various years since 1992.

"Air Pollution Control Systems and Strategies," University of California Extension Program, Riverside, California, Summer 1992-93, Summer 1993-1994.

"Air Pollution Calculations," University of California Extension Program, Riverside, California, Fall 1993-94, Winter 1993-94, Fall 1994-95.

"Process Safety Management," University of California Extension Program, Riverside, California. Various years since 1992-2010.

"Process Safety Management," University of California Extension Program, Riverside, California, at SCAQMD, Spring 1993-94.

"Advanced Hazard Analysis - A Special Course for LEPCs," University of California Extension Program, Riverside, California, taught at San Diego, California, Spring 1993-1994.

"Advanced Hazardous Waste Management" University of California Extension Program, Riverside, California. 2005.

Loyola Marymount University

"Fundamentals of Air Pollution - Regulations, Controls and Engineering," Loyola Marymount University, Dept. of Civil Engineering. Various years since 1993.

"Air Pollution Control," Loyola Marymount University, Dept. of Civil Engineering, Fall 1994.

"Environmental Risk Assessment," Loyola Marymount University, Dept. of Civil Engineering. Various years since 1998.

"Hazardous Waste Remediation" Loyola Marymount University, Dept. of Civil Engineering. Various years since 2006.

University of Southern California

"Air Pollution Controls," University of Southern California, Dept. of Civil Engineering, Fall 1993, Fall 1994.

"Air Pollution Fundamentals," University of Southern California, Dept. of Civil Engineering, Winter 1994.

University of California, Los Angeles

"Air Pollution Fundamentals," University of California, Los Angeles, Dept. of Civil and Environmental Engineering, Spring 1994, Spring 1999, Spring 2000, Spring 2003, Spring 2006, Spring 2007, Spring 2008, Spring 2009.

International Programs

"Environmental Planning and Management," 5 week program for visiting Chinese delegation, 1994.

"Environmental Planning and Management," 1 day program for visiting Russian delegation, 1995.

"Air Pollution Planning and Management," IEP, UCR, Spring 1996.

"Environmental Issues and Air Pollution," IEP, UCR, October 1996.

PROFESSIONAL AFFILIATIONS AND HONORS

President of India Gold Medal, IIT Kharagpur, India, 1983.

Member of the Alternatives Assessment Committee of the Grand Canyon Visibility Transport Commission, established by the Clean Air Act Amendments of 1990, 1992.

American Society of Mechanical Engineers: Los Angeles Section Executive Committee, Heat Transfer Division, and Fuels and Combustion Technology Division, 1987-mid-1990s.

Air and Waste Management Association, West Coast Section, 1989-mid-2000s.

PROFESSIONAL CERTIFICATIONS

EIT, California (#XE088305), 1993.

REA I, California (#07438), 2000.

Certified Permitting Professional, South Coast AQMD (#C8320), since 1993.

QEP, Institute of Professional Environmental Practice, since 2000.

CEM, State of Nevada (#EM-1699). Expiration 10/07/2021.

PUBLICATIONS (PARTIAL LIST)

"Physical Properties and Oxidation Rates of Chars from Bituminous Coals," with Y.A. Levendis, R.C. Flagan and G.R. Gavalas, *Fuel*, **67**, 275-283 (1988).

"Char Combustion: Measurement and Analysis of Particle Temperature Histories," with R.C. Flagan, G.R. Gavalas and P.S. Northrop, *Comb. Sci. Tech.* **60**, 215-230 (1988).

"On the Combustion of Bituminous Coal Chars," PhD Thesis, California Institute of Technology (1988).

"Optical Pyrometry: A Powerful Tool for Coal Combustion Diagnostics," *J. Coal Quality*, **8**, 17-22 (1989).

"Post-Ignition Transients in the Combustion of Single Char Particles," with Y.A. Levendis, R.C. Flagan and G.R. Gavalas, *Fuel*, **68**, 849-855 (1989).

"A Model for Single Particle Combustion of Bituminous Coal Char." Proc. ASME National Heat Transfer Conference, Philadelphia, **HTD-Vol. 106**, 505-513 (1989).

"Discrete Simulation of Cenospheric Coal-Char Combustion," with R.C. Flagan and G.R. Gavalas, *Combust. Flame*, **77**, 337-346 (1989).

"Particle Measurements in Coal Combustion," with R.C. Flagan, in "**Combustion Measurements**" (ed. N. Chigier), Hemisphere Publishing Corp. (1991).

"Cross Linking in Pore Structures and Its Effect on Reactivity," with G.R. Gavalas in preparation.

"Natural Frequencies and Mode Shapes of Straight Tubes," Proprietary Report for Heat Transfer Research Institute, Alhambra, CA (1990).

"Optimal Tube Layouts for Kamui SL-Series Exchangers," with K. Ishihara, Proprietary Report for Kamui Company Limited, Tokyo, Japan (1990).

"HTRI Process Heater Conceptual Design," Proprietary Report for Heat Transfer Research Institute, Alhambra, CA (1990).

"Asymptotic Theory of Transonic Wind Tunnel Wall Interference," with N.D. Malmuth and others, Arnold Engineering Development Center, Air Force Systems Command, USAF (1990).

"Gas Radiation in a Fired Heater Convection Section," Proprietary Report for Heat Transfer Research Institute, College Station, TX (1990).

"Heat Transfer and Pressure Drop in NTIW Heat Exchangers," Proprietary Report for Heat Transfer Research Institute, College Station, TX (1991).

"NO_x Control and Thermal Design," Thermal Engineering Tech Briefs, (1994).

"From Purchase of Landmark Environmental Insurance to Remediation: Case Study in Henderson, Nevada," with Robin E. Bain and Jill Quillin, presented at the AQMA Annual Meeting, Florida, 2001.

"The Jones Act Contribution to Global Warming, Acid Rain and Toxic Air Contaminants," with Charles W. Botsford, presented at the AQMA Annual Meeting, Florida, 2001.

PRESENTATIONS (PARTIAL LIST)

"Pore Structure and Combustion Kinetics - Interpretation of Single Particle Temperature-Time Histories," with P.S. Northrop, R.C. Flagan and G.R. Gavalas, presented at the AIChE Annual Meeting, New York (1987).

"Measurement of Temperature-Time Histories of Burning Single Coal Char Particles," with R.C. Flagan, presented at the American Flame Research Committee Fall International Symposium, Pittsburgh, (1988).

"Physical Characterization of a Cenospheric Coal Char Burned at High Temperatures," with R.C. Flagan and G.R. Gavalas, presented at the Fall Meeting of the Western States Section of the Combustion Institute, Laguna Beach, California (1988).

"Control of Nitrogen Oxide Emissions in Gas Fired Heaters - The Retrofit Experience," with G. P. Croce and R. Patel, presented at the International Conference on Environmental Control of Combustion Processes (Jointly sponsored by the American Flame Research Committee and the Japan Flame Research Committee), Honolulu, Hawaii (1991).

"Air Toxics - Past, Present and the Future," presented at the Joint AIChE/AAEE Breakfast Meeting at the AIChE 1991 Annual Meeting, Los Angeles, California, November 17-22 (1991).

"Air Toxics Emissions and Risk Impacts from Automobiles Using Reformulated Gasolines," presented at the Third Annual Current Issues in Air Toxics Conference, Sacramento, California, November 9-10 (1992).

"Air Toxics from Mobile Sources," presented at the Environmental Health Sciences (ESE) Seminar Series, UCLA, Los Angeles, California, November 12, (1992).

"Kilns, Ovens, and Dryers - Present and Future," presented at the Gas Company Air Quality Permit Assistance Seminar, Industry Hills Sheraton, California, November 20, (1992).

"The Design and Implementation of Vehicle Scrapping Programs," presented at the 86th Annual Meeting of the Air and Waste Management Association, Denver, Colorado, June 12, 1993.

"Air Quality Planning and Control in Beijing, China," presented at the 87th Annual Meeting of the Air and Waste Management Association, Cincinnati, Ohio, June 19-24, 1994.

Annex A

Expert Litigation Support

A. Occasions where Dr. Sahu has provided Written or Oral testimony before Congress:

1. In July 2012, provided expert written and oral testimony to the House Subcommittee on Energy and the Environment, Committee on Science, Space, and Technology at a Hearing entitled “Hitting the Ethanol Blend Wall – Examining the Science on E15.”

B. Matters for which Dr. Sahu has provided affidavits and expert reports include:

2. Affidavit for Rocky Mountain Steel Mills, Inc. located in Pueblo Colorado – dealing with the technical uncertainties associated with night-time opacity measurements in general and at this steel mini-mill.
3. Expert reports and depositions (2/28/2002 and 3/1/2002; 12/2/2003 and 12/3/2003; 5/24/2004) on behalf of the United States in connection with the Ohio Edison NSR Cases. *United States, et al. v. Ohio Edison Co., et al.*, C2-99-1181 (Southern District of Ohio).
4. Expert reports and depositions (5/23/2002 and 5/24/2002) on behalf of the United States in connection with the Illinois Power NSR Case. *United States v. Illinois Power Co., et al.*, 99-833-MJR (Southern District of Illinois).
5. Expert reports and depositions (11/25/2002 and 11/26/2002) on behalf of the United States in connection with the Duke Power NSR Case. *United States, et al. v. Duke Energy Corp.*, 1:00-CV-1262 (Middle District of North Carolina).
6. Expert reports and depositions (10/6/2004 and 10/7/2004; 7/10/2006) on behalf of the United States in connection with the American Electric Power NSR Cases. *United States, et al. v. American Electric Power Service Corp., et al.*, C2-99-1182, C2-99-1250 (Southern District of Ohio).
7. Affidavit (March 2005) on behalf of the Minnesota Center for Environmental Advocacy and others in the matter of the Application of Heron Lake BioEnergy LLC to construct and operate an ethanol production facility – submitted to the Minnesota Pollution Control Agency.
8. Expert Report and Deposition (10/31/2005 and 11/1/2005) on behalf of the United States in connection with the East Kentucky Power Cooperative NSR Case. *United States v. East Kentucky Power Cooperative, Inc.*, 5:04-cv-00034-KSF (Eastern District of Kentucky).
9. Affidavits and deposition on behalf of Basic Management Inc. (BMI) Companies in connection with the BMI vs. USA remediation cost recovery Case.
10. Expert Report on behalf of Penn Future and others in the Cambria Coke plant permit challenge in Pennsylvania.
11. Expert Report on behalf of the Appalachian Center for the Economy and the Environment and others in the Western Greenbrier permit challenge in West Virginia.
12. Expert Report, deposition (via telephone on January 26, 2007) on behalf of various Montana petitioners (Citizens Awareness Network (CAN), Women’s Voices for the Earth (WVE) and the Clark Fork Coalition (CFC)) in the Thompson River Cogeneration LLC Permit No. 3175-04 challenge.
13. Expert Report and deposition (2/2/07) on behalf of the Texas Clean Air Cities Coalition at the Texas State Office of Administrative Hearings (SOAH) in the matter of the permit challenges to TXU Project Apollo’s eight new proposed PRB-fired PC boilers located at seven TX sites.
14. Expert Testimony (July 2007) on behalf of the Izaak Walton League of America and others in connection with the acquisition of power by Xcel Energy from the proposed Gascoyne Power Plant – at the State of Minnesota, Office of Administrative Hearings for the Minnesota PUC (MPUC No. E002/CN-06-1518; OAH No. 12-2500-17857-2).

15. Affidavit (July 2007) Comments on the Big Cajun I Draft Permit on behalf of the Sierra Club – submitted to the Louisiana DEQ.
16. Expert Report and Deposition (12/13/2007) on behalf of Commonwealth of Pennsylvania – Dept. of Environmental Protection, State of Connecticut, State of New York, and State of New Jersey (Plaintiffs) in connection with the Allegheny Energy NSR Case. *Plaintiffs v. Allegheny Energy Inc., et al.*, 2:05cv0885 (Western District of Pennsylvania).
17. Expert Reports and Pre-filed Testimony before the Utah Air Quality Board on behalf of Sierra Club in the Sevier Power Plant permit challenge.
18. Expert Report and Deposition (October 2007) on behalf of MTD Products Inc., in connection with *General Power Products, LLC v MTD Products Inc.*, 1:06 CVA 0143 (Southern District of Ohio, Western Division) .
19. Expert Report and Deposition (June 2008) on behalf of Sierra Club and others in the matter of permit challenges (Title V: 28.0801-29 and PSD: 28.0803-PSD) for the Big Stone II unit, proposed to be located near Milbank, South Dakota.
20. Expert Reports, Affidavit, and Deposition (August 15, 2008) on behalf of Earthjustice in the matter of air permit challenge (CT-4631) for the Basin Electric Dry Fork station, under construction near Gillette, Wyoming before the Environmental Quality Council of the State of Wyoming.
21. Affidavits (May 2010/June 2010 in the Office of Administrative Hearings))/Declaration and Expert Report (November 2009 in the Office of Administrative Hearings) on behalf of NRDC and the Southern Environmental Law Center in the matter of the air permit challenge for Duke Cliffside Unit 6. Office of Administrative Hearing Matters 08 EHR 0771, 0835 and 0836 and 09 HER 3102, 3174, and 3176 (consolidated).
22. Declaration (August 2008), Expert Report (January 2009), and Declaration (May 2009) on behalf of Southern Alliance for Clean Energy in the matter of the air permit challenge for Duke Cliffside Unit 6. *Southern Alliance for Clean Energy et al., v. Duke Energy Carolinas, LLC*, Case No. 1:08-cv-00318-LHT-DLH (Western District of North Carolina, Asheville Division).
23. Declaration (August 2008) on behalf of the Sierra Club in the matter of Dominion Wise County plant MACT.us
24. Expert Report (June 2008) on behalf of Sierra Club for the Green Energy Resource Recovery Project, MACT Analysis.
25. Expert Report (February 2009) on behalf of Sierra Club and the Environmental Integrity Project in the matter of the air permit challenge for NRG Limestone’s proposed Unit 3 in Texas.
26. Expert Report (June 2009) on behalf of MTD Products, Inc., in the matter of *Alice Holmes and Vernon Holmes v. Home Depot USA, Inc., et al.*
27. Expert Report (August 2009) on behalf of Sierra Club and the Southern Environmental Law Center in the matter of the air permit challenge for Santee Cooper’s proposed Pee Dee plant in South Carolina).
28. Statements (May 2008 and September 2009) on behalf of the Minnesota Center for Environmental Advocacy to the Minnesota Pollution Control Agency in the matter of the Minnesota Haze State Implementation Plans.
29. Expert Report (August 2009) on behalf of Environmental Defense, in the matter of permit challenges to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).
30. Expert Report and Rebuttal Report (September 2009) on behalf of the Sierra Club, in the matter of challenges to the proposed Medicine Bow Fuel and Power IGL plant in Cheyenne, Wyoming.
31. Expert Report (December 2009) and Rebuttal reports (May 2010 and June 2010) on behalf of the United States in connection with the Alabama Power Company NSR Case. *United States v. Alabama Power Company*, CV-01-HS-152-S (Northern District of Alabama, Southern Division).
32. Pre-filed Testimony (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed White Stallion Energy Center coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

33. Pre-filed Testimony (July 2010) and Written Rebuttal Testimony (August 2010) on behalf of the State of New Mexico Environment Department in the matter of Proposed Regulation 20.2.350 NMAC – *Greenhouse Gas Cap and Trade Provisions*, No. EIB 10-04 (R), to the State of New Mexico, Environmental Improvement Board.
34. Expert Report (August 2010) and Rebuttal Expert Report (October 2010) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana) – Liability Phase.
35. Declaration (August 2010), Reply Declaration (November 2010), Expert Report (April 2011), Supplemental and Rebuttal Expert Report (July 2011) on behalf of the United States in the matter of DTE Energy Company and Detroit Edison Company (Monroe Unit 2). *United States of America v. DTE Energy Company and Detroit Edison Company*, Civil Action No. 2:10-cv-13101-BAF-RSW (Eastern District of Michigan).
36. Expert Report and Deposition (August 2010) as well as Affidavit (September 2010) on behalf of Kentucky Waterways Alliance, Sierra Club, and Valley Watch in the matter of challenges to the NPDES permit issued for the Trimble County power plant by the Kentucky Energy and Environment Cabinet to Louisville Gas and Electric, File No. DOW-41106-047.
37. Expert Report (August 2010), Rebuttal Expert Report (September 2010), Supplemental Expert Report (September 2011), and Declaration (November 2011) on behalf of Wild Earth Guardians in the matter of opacity exceedances and monitor downtime at the Public Service Company of Colorado (Xcel)’s Cherokee power plant. No. 09-cv-1862 (District of Colorado).
38. Written Direct Expert Testimony (August 2010) and Affidavit (February 2012) on behalf of Fall-Line Alliance for a Clean Environment and others in the matter of the PSD Air Permit for Plant Washington issued by Georgia DNR at the Office of State Administrative Hearing, State of Georgia (OSAH-BNR-AQ-1031707-98-WALKER).
39. Deposition (August 2010) on behalf of Environmental Defense, in the matter of the remanded permit challenge to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).
40. Expert Report, Supplemental/Rebuttal Expert Report, and Declarations (October 2010, November 2010, September 2012) on behalf of New Mexico Environment Department (Plaintiff-Intervenor), Grand Canyon Trust and Sierra Club (Plaintiffs) in the matter of *Plaintiffs v. Public Service Company of New Mexico* (PNM), Civil No. 1:02-CV-0552 BB/ATC (ACE) (District of New Mexico).
41. Expert Report (October 2010) and Rebuttal Expert Report (November 2010) (BART Determinations for PSCo Hayden and CSU Martin Drake units) to the Colorado Air Quality Commission on behalf of Coalition of Environmental Organizations.
42. Expert Report (November 2010) (BART Determinations for TriState Craig Units, CSU Nixon Unit, and PRPA Rawhide Unit) to the Colorado Air Quality Commission on behalf of Coalition of Environmental Organizations.
43. Declaration (November 2010) on behalf of the Sierra Club in connection with the Martin Lake Station Units 1, 2, and 3. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Case No. 5:10-cv-00156-DF-CMC (Eastern District of Texas, Texarkana Division).
44. Pre-Filed Testimony (January 2011) and Declaration (February 2011) to the Georgia Office of State Administrative Hearings (OSAH) in the matter of Minor Source HAPs status for the proposed Longleaf Energy Associates power plant (OSAH-BNR-AQ-1115157-60-HOWELLS) on behalf of the Friends of the Chattahoochee and the Sierra Club).
45. Declaration (February 2011) in the matter of the Draft Title V Permit for RRI Energy MidAtlantic Power Holdings LLC Shawville Generating Station (Pennsylvania), ID No. 17-00001 on behalf of the Sierra Club.
46. Expert Report (March 2011), Rebuttal Expert Report (June 2011) on behalf of the United States in *United States of America v. Cemex, Inc.*, Civil Action No. 09-cv-00019-MSK-MEH (District of Colorado).
47. Declaration (April 2011) and Expert Report (July 16, 2012) in the matter of the Lower Colorado River Authority (LCRA)’s Fayette (Sam Seymour) Power Plant on behalf of the Texas Campaign for the Environment. *Texas Campaign for the Environment v. Lower Colorado River Authority*, Civil Action No. 4:11-cv-00791 (Southern District of Texas, Houston Division).

48. Declaration (June 2011) on behalf of the Plaintiffs MYTAPN in the matter of Microsoft-Yes, Toxic Air Pollution-No (MYTAPN) v. State of Washington, Department of Ecology and Microsoft Corporation Columbia Data Center to the Pollution Control Hearings Board, State of Washington, Matter No. PCHB No. 10-162.
49. Expert Report (June 2011) on behalf of the New Hampshire Sierra Club at the State of New Hampshire Public Utilities Commission, Docket No. 10-261 – the 2010 Least Cost Integrated Resource Plan (LCIRP) submitted by the Public Service Company of New Hampshire (re. Merrimack Station Units 1 and 2).
50. Declaration (August 2011) in the matter of the Sandy Creek Energy Associates L.P. Sandy Creek Power Plant on behalf of Sierra Club and Public Citizen. *Sierra Club, Inc. and Public Citizen, Inc. v. Sandy Creek Energy Associates, L.P.*, Civil Action No. A-08-CA-648-LY (Western District of Texas, Austin Division).
51. Expert Report (October 2011) on behalf of the Defendants in the matter of *John Quiles and Jeanette Quiles et al. v. Bradford-White Corporation, MTD Products, Inc., Kohler Co., et al.*, Case No. 3:10-cv-747 (TJM/DEP) (Northern District of New York).
52. Declaration (October 2011) on behalf of the Plaintiffs in the matter of *American Nurses Association et. al. (Plaintiffs), v. US EPA (Defendant)*, Case No. 1:08-cv-02198-RMC (US District Court for the District of Columbia).
53. Declaration (February 2012) and Second Declaration (February 2012) in the matter of *Washington Environmental Council and Sierra Club Washington State Chapter v. Washington State Department of Ecology and Western States Petroleum Association*, Case No. 11-417-MJP (Western District of Washington).
54. Expert Report (March 2012) and Supplemental Expert Report (November 2013) in the matter of *Environment Texas Citizen Lobby, Inc and Sierra Club v. ExxonMobil Corporation et al.*, Civil Action No. 4:10-cv-4969 (Southern District of Texas, Houston Division).
55. Declaration (March 2012) in the matter of *Center for Biological Diversity, et al. v. United States Environmental Protection Agency*, Case No. 11-1101 (consolidated with 11-1285, 11-1328 and 11-1336) (US Court of Appeals for the District of Columbia Circuit).
56. Declaration (March 2012) in the matter of *Sierra Club v. The Kansas Department of Health and Environment*, Case No. 11-105,493-AS (Holcomb power plant) (Supreme Court of the State of Kansas).
57. Declaration (March 2012) in the matter of the Las Brisas Energy Center *Environmental Defense Fund et al., v. Texas Commission on Environmental Quality*, Cause No. D-1-GN-11-001364 (District Court of Travis County, Texas, 261st Judicial District).
58. Expert Report (April 2012), Supplemental and Rebuttal Expert Report (July 2012), and Supplemental Rebuttal Expert Report (August 2012) on behalf of the states of New Jersey and Connecticut in the matter of the Portland Power plant *State of New Jersey and State of Connecticut (Intervenor-Plaintiff) v. RRI Energy Mid-Atlantic Power Holdings et al.*, Civil Action No. 07-CV-5298 (JKG) (Eastern District of Pennsylvania).
59. Declaration (April 2012) in the matter of the EPA’s EGU MATS Rule, on behalf of the Environmental Integrity Project.
60. Expert Report (August 2012) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana) – Harm Phase.
61. Declaration (September 2012) in the Matter of the Application of *Energy Answers Incinerator, Inc.* for a Certificate of Public Convenience and Necessity to Construct a 120 MW Generating Facility in Baltimore City, Maryland, before the Public Service Commission of Maryland, Case No. 9199.
62. Expert Report (October 2012) on behalf of the Appellants (Robert Concilus and Leah Humes) in the matter of Robert Concilus and Leah Humes v. Commonwealth of Pennsylvania Department of Environmental Protection and Crawford Renewable Energy, before the Commonwealth of Pennsylvania Environmental Hearing Board, Docket No. 2011-167-R.
63. Expert Report (October 2012), Supplemental Expert Report (January 2013), and Affidavit (June 2013) in the matter of various Environmental Petitioners v. North Carolina DENR/DAQ and Carolinas Cement Company, before the Office of Administrative Hearings, State of North Carolina.

64. Pre-filed Testimony (October 2012) on behalf of No-Sag in the matter of the North Springfield Sustainable Energy Project before the State of Vermont, Public Service Board.
65. Pre-filed Testimony (November 2012) on behalf of Clean Wisconsin in the matter of Application of Wisconsin Public Service Corporation for Authority to Construct and Place in Operation a New Multi-Pollutant Control Technology System (ReACT) for Unit 3 of the Weston Generating Station, before the Public Service Commission of Wisconsin, Docket No. 6690-CE-197.
66. Expert Report (February 2013) on behalf of Petitioners in the matter of Credence Crematory, Cause No. 12-A-J-4538 before the Indiana Office of Environmental Adjudication.
67. Expert Report (April 2013), Rebuttal report (July 2013), and Declarations (October 2013, November 2013) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).
68. Declaration (April 2013) on behalf of Petitioners in the matter of *Sierra Club, et al., (Petitioners) v Environmental Protection Agency et al. (Respondents)*, Case No., 13-1112, (Court of Appeals, District of Columbia Circuit).
69. Expert Report (May 2013) and Rebuttal Expert Report (July 2013) on behalf of the Sierra Club in connection with the Luminant Martin Lake Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 5:10-cv-0156-MHS-CMC (Eastern District of Texas, Texarkana Division).
70. Declaration (August 2013) on behalf of A. J. Acosta Company, Inc., in the matter of *A. J. Acosta Company, Inc., v. County of San Bernardino*, Case No. CIVSS803651.
71. Comments (October 2013) on behalf of the Washington Environmental Council and the Sierra Club in the matter of the Washington State Oil Refinery RACT (for Greenhouse Gases), submitted to the Washington State Department of Ecology, the Northwest Clean Air Agency, and the Puget Sound Clean Air Agency.
72. Statement (November 2013) on behalf of various Environmental Organizations in the matter of the Boswell Energy Center (BEC) Unit 4 Environmental Retrofit Project, to the Minnesota Public Utilities Commission, Docket No. E-015/M-12-920.
73. Expert Report (December 2013) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).
74. Expert Testimony (December 2013) on behalf of the Sierra Club in the matter of Public Service Company of New Hampshire Merrimack Station Scrubber Project and Cost Recovery, Docket No. DE 11-250, to the State of New Hampshire Public Utilities Commission.
75. Expert Report (January 2014) on behalf of Baja, Inc., in *Baja, Inc., v. Automotive Testing and Development Services, Inc. et al.*, Civil Action No. 8:13-CV-02057-GRA (District of South Carolina, Anderson/Greenwood Division).
76. Declaration (March 2014) on behalf of the Center for International Environmental Law, Chesapeake Climate Action Network, Friends of the Earth, Pacific Environment, and the Sierra Club (Plaintiffs) in the matter of *Plaintiffs v. the Export-Import Bank (Ex-Im Bank) of the United States*, Civil Action No. 13-1820 RC (District Court for the District of Columbia).
77. Declaration (April 2014) on behalf of Respondent-Intervenors in the matter of *Mexichem Specialty Resins Inc., et al., (Petitioners) v Environmental Protection Agency et al.*, Case No., 12-1260 (and Consolidated Case Nos. 12-1263, 12-1265, 12-1266, and 12-1267), (Court of Appeals, District of Columbia Circuit).
78. Direct Prefiled Testimony (June 2014) on behalf of the Michigan Environmental Council and the Sierra Club in the matter of the Application of DTE Electric Company for Authority to Implement a Power Supply Cost Recovery (PSCR) Plan in its Rate Schedules for 2014 Metered Jurisdictional Sales of Electricity, Case No. U-17319 (Michigan Public Service Commission).
79. Expert Report (June 2014) on behalf of ECM Biofilms in the matter of the US Federal Trade Commission (FTC) v. ECM Biofilms (FTC Docket #9358).

80. Direct Prefiled Testimony (August 2014) on behalf of the Michigan Environmental Council and the Sierra Club in the matter of the Application of Consumers Energy Company for Authority to Implement a Power Supply Cost Recovery (PSCR) Plan in its Rate Schedules for 2014 Metered Jurisdictional Sales of Electricity, Case No. U-17317 (Michigan Public Service Commission).
81. Declaration (July 2014) on behalf of Public Health Intervenors in the matter of *EME Homer City Generation v. US EPA* (Case No. 11-1302 and consolidated cases) relating to the lifting of the stay entered by the Court on December 30, 2011 (US Court of Appeals for the District of Columbia).
82. Expert Report (September 2014), Rebuttal Expert Report (December 2014) and Supplemental Expert Report (March 2015) on behalf of Plaintiffs in the matter of *Sierra Club and Montana Environmental Information Center (Plaintiffs) v. PPL Montana LLC, Avista Corporation, Puget Sound Energy, Portland General Electric Company, Northwestern Corporation, and PacifiCorp (Defendants)*, Civil Action No. CV 13-32-BLG-DLC-JCL (US District Court for the District of Montana, Billings Division).
83. Expert Report (November 2014) on behalf of Niagara County, the Town of Lewiston, and the Villages of Lewiston and Youngstown in the matter of CWM Chemical Services, LLC New York State Department of Environmental Conservation (NYSDEC) Permit Application Nos.: 9-2934-00022/00225, 9-2934-00022/00231, 9-2934-00022/00232, and 9-2934-00022/00249 (pending).
84. *Declaration (January 2015) relating to Startup/Shutdown in the MATS Rule (EPA Docket ID No. EPA-HQ-OAR-2009-0234) on behalf of the Environmental Integrity Project.*
85. Pre-filed Direct Testimony (March 2015), Supplemental Testimony (May 2015), and Surrebuttal Testimony (December 2015) on behalf of Friends of the Columbia Gorge in the matter of the Application for a Site Certificate for the Troutdale Energy Center before the Oregon Energy Facility Siting Council.
86. Brief of Amici Curiae Experts in Air Pollution Control and Air Quality Regulation in Support of the Respondents, On Writs of Certiorari to the US Court of Appeals for the District of Columbia, No. 14-46, 47, 48. *Michigan et. al., (Petitioners) v. EPA et. al., Utility Air Regulatory Group (Petitioners) v. EPA et. al., National Mining Association et. al., (Petitioner) v. EPA et. al.*, (Supreme Court of the United States).
87. Expert Report (March 2015) and Rebuttal Expert Report (January 2016) on behalf of Plaintiffs in the matter of *Conservation Law Foundation v. Broadrock Gas Services LLC, Rhode Island LFG GENCO LLC, and Rhode Island Resource Recovery Corporation (Defendants)*, Civil Action No. 1:13-cv-00777-M-PAS (US District Court for the District of Rhode Island).
88. Declaration (April 2015) relating to various Technical Corrections for the MATS Rule (EPA Docket ID No. EPA-HQ-OAR-2009-0234) on behalf of the Environmental Integrity Project.
89. Direct Prefiled Testimony (May 2015) on behalf of the Michigan Environmental Council, the Natural Resources Defense Council, and the Sierra Club in the matter of the Application of DTE Electric Company for Authority to Increase its Rates, Amend its Rate Schedules and Rules Governing the Distribution and Supply of Electric Energy and for Miscellaneous Accounting Authority, Case No. U-17767 (Michigan Public Service Commission).
90. Expert Report (July 2015) and Rebuttal Expert Report (July 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).
91. Declaration (August 2015, Docket No. 1570376) in support of “Opposition of Respondent-Intervenors American Lung Association, et. al., to Tri-State Generation’s Emergency Motion;” Declaration (September 2015, Docket No. 1574820) in support of “Joint Motion of the State, Local Government, and Public Health Respondent-Intervenors for Remand Without Vacatur;” Declaration (October 2015) in support of “Joint Motion of the State, Local Government, and Public Health Respondent-Intervenors to State and Certain Industry Petitioners’ Motion to Govern, *White Stallion Energy Center, LLC v. US EPA*, Case No. 12-1100 (US Court of Appeals for the District of Columbia).
92. Declaration (September 2015) in support of the Draft Title V Permit for Dickerson Generating Station (Proposed Permit No 24-031-0019) on behalf of the Environmental Integrity Project.

93. Expert Report (Liability Phase) (December 2015) and Rebuttal Expert Report (February 2016) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., Environmental Law and Policy Center, and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).
94. Declaration (December 2015) in support of the Petition to Object to the Title V Permit for Morgantown Generating Station (Proposed Permit No 24-017-0014) on behalf of the Environmental Integrity Project.
95. Expert Report (November 2015) on behalf of Appellants in the matter of *Sierra Club, et al. v. Craig W. Butler, Director of Ohio Environmental Protection Agency et al.*, ERAC Case No. 14-256814.
96. Affidavit (January 2016) on behalf of Bridgewatch Detroit in the matter of *Bridgewatch Detroit v. Waterfront Petroleum Terminal Co., and Waterfront Terminal Holdings, LLC.*, in the Circuit Court for the County of Wayne, State of Michigan.
97. Expert Report (February 2016) and Rebuttal Expert Report (July 2016) on behalf of the challengers in the matter of the Delaware Riverkeeper Network, Clean Air Council, et. al., vs. Commonwealth of Pennsylvania Department of Environmental Protection and R. E. Gas Development LLC regarding the Geyer well site before the Pennsylvania Environmental Hearing Board.
98. Direct Testimony (May 2016) in the matter of Tesoro Savage LLC Vancouver Energy Distribution Terminal, Case No. 15-001 before the State of Washington Energy Facility Site Evaluation Council.
99. Declaration (June 2016) relating to deficiencies in air quality analysis for the proposed Millenium Bulk Terminal, Port of Longview, Washington.
100. Declaration (December 2016) relating to EPA's refusal to set limits on PM emissions from coal-fired power plants that reflect pollution reductions achievable with fabric filters on behalf of Environmental Integrity Project, Clean Air Council, Chesapeake Climate Action Network, Downwinders at Risk represented by Earthjustice in the matter of *ARIPPA v EPA, Case No. 15-1180*. (D.C. Circuit Court of Appeals).
101. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Huntley and Huntley Poseidon Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
102. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Backus Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
103. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Drakulic Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
104. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Deutsch Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
105. Affidavit (February 2017) pertaining to deficiencies water discharge compliance issues at the Wood River Refinery in the matter of *People of the State of Illinois (Plaintiff) v. Phillips 66 Company, ConocoPhillips Company, WRB Refining LP (Defendants)*, Case No. 16-CH-656, (Circuit Court for the Third Judicial Circuit, Madison County, Illinois).
106. Expert Report (March 2017) on behalf of the Plaintiff pertaining to non-degradation analysis for waste water discharges from a power plant in the matter of *Sierra Club (Plaintiff) v. Pennsylvania Department of Environmental Protection (PADEP) and Lackawanna Energy Center*, Docket No. 2016-047-L (consolidated), (Pennsylvania Environmental Hearing Board).
107. Expert Report (March 2017) on behalf of the Plaintiff pertaining to air emissions from the Heritage incinerator in East Liverpool, Ohio in the matter of *Save our County (Plaintiff) v. Heritage Thermal Services, Inc. (Defendant)*, Case No. 4:16-CV-1544-BYP, (US District Court for the Northern District of Ohio, Eastern Division).

108. Rebuttal Expert Report (June 2017) on behalf of Plaintiffs in the matter of *Casey Voight and Julie Voight (Plaintiffs) v Coyote Creek Mining Company LLC (Defendant)*, Civil Action No. 1:15-CV-00109 (US District Court for the District of North Dakota, Western Division).
109. Expert Affidavit (August 2017) and Penalty/Remedy Expert Affidavit (October 2017) on behalf of Plaintiff in the matter of *Wildearth Guardians (Plaintiff) v Colorado Springs Utility Board (Defendant)*, Civil Action No. 1:15-cv-00357-CMA-CBS (US District Court for the District of Colorado).
110. Expert Report (August 2017) on behalf of Appellant in the matter of *Patricia Ann Troiano (Appellant) v. Upper Burrell Township Zoning Hearing Board (Appellee)*, Court of Common Pleas of Westmoreland County, Pennsylvania, Civil Division.
111. Expert Report (October 2017), Supplemental Expert Report (October 2017), and Rebuttal Expert Report (November 2017) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant)*, Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).
112. Declaration (December 2017) on behalf of the Environmental Integrity Project in the matter of permit issuance for ATI Flat Rolled Products Holdings, Breckenridge, PA to the Allegheny County Health Department.
113. Expert Report (Harm Phase) (January 2018), Rebuttal Expert Report (Harm Phase) (May 2018) and Supplemental Expert Report (Harm Phase) (April 2019) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).
114. Declaration (February 2018) on behalf of the Chesapeake Bay Foundation, et. al., in the matter of the Section 126 Petition filed by the state of Maryland in *State of Maryland v. Pruitt (Defendant)*, Civil Action No. JKB-17-2939 (Consolidated with No. JKB-17-2873) (US District Court for the District of Maryland).
115. Direct Pre-filed Testimony (March 2018) on behalf of the National Parks Conservation Association (NPCA) in the matter of *NPCA v State of Washington, Department of Ecology and BP West Coast Products, LLC*, PCHB No. 17-055 (Pollution Control Hearings Board for the State of Washington).
116. Expert Affidavit (April 2018) and Second Expert Affidavit (May 2018) on behalf of Petitioners in the matter of *Coosa River Basin Initiative and Sierra Club (Petitioners) v State of Georgia Environmental Protection Division, Georgia Department of Natural Resources (Respondent) and Georgia Power Company (Intervenor/Respondent)*, Docket Nos: 1825406-BNR-WW-57-Howells and 1826761-BNR-WW-57-Howells, Office of State Administrative Hearings, State of Georgia.
117. Direct Pre-filed Testimony and Affidavit (December 2018) on behalf of Sierra Club and Texas Campaign for the Environment (Appellants) in the contested case hearing before the Texas State Office of Administrative Hearings in Docket Nos. 582-18-4846, 582-18-4847 (Application of GCGV Asset Holding, LLC for Air Quality Permit Nos. 146425/PSDTX1518 and 146459/PSDTX1520 in San Patricio County, Texas).
118. Expert Report (February 2019) on behalf of Sierra Club in the State of Florida, Division of Administrative Hearings, Case No. 18-2124EPP, Tampa Electric Company Big Bend Unit 1 Modernization Project Power Plant Siting Application No. PA79-12-A2.
119. Declaration (March 2019) on behalf of Earthjustice in the matter of comments on the renewal of the Title V Federal Operating Permit for Valero Houston refinery.
120. Expert Report (March 2019) on behalf of Plaintiffs for Class Certification in the matter of *Resendez et al v Precision Castparts Corporation* in the Circuit Court for the State of Oregon, County of Multnomah, Case No. 16cv16164.
121. Expert Report (June 2019), Affidavit (July 2019) and Rebuttal Expert Report (September 2019) on behalf of Appellants relating to the NPDES permit for the Cheswick power plant in the matter of *Three Rivers Waterkeeper and Sierra Club (Appellants) v. State of Pennsylvania Department of Environmental Protection (Appellee) and NRG Power Midwest (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-088-R.

122. Affidavit/Expert Report (August 2019) relating to the appeal of air permits issued to PTTGCA on behalf of Appellants in the matter of *Sierra Club (Appellants) v. Craig Butler, Director, et. al., Ohio EPA (Appellees)* before the State of Ohio Environmental Review Appeals Commission (ERAC), Case Nos. ERAC-19-6988 through -6991.
123. Expert Report (October 2019) relating to the appeal of air permit (Plan Approval) on behalf of Appellants in the matter of *Clean Air Council and Environmental Integrity Project (Appellants) v. Commonwealth of Pennsylvania Department of Environmental Protection and Sunoco Partners Marketing and Terminals L.P.*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-057-L.
124. Expert Report (December 2019), Affidavit (March 2020), Supplemental Expert Report (July 2020), and Declaration (February 2021) on behalf of Earthjustice in the matter of *Objection to the Issuance of PSD/NSR and Title V permits for Riverview Energy Corporation*, Dale, Indiana, before the Indiana Office of Environmental Adjudication, Cause No. 19-A-J-5073.
125. Affidavit (December 2019) on behalf of Plaintiff-Intervenor (Surfrider Foundation) in the matter of *United States and the State of Indiana (Plaintiffs), Surfrider Foundation (Plaintiff-Intervenor), and City of Chicago (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2:18-cv-00127 (US District Court for the Northern District of Indiana, Hammond Division).
126. Declarations (January 2020, February 2020, May 2020, July 2020, and August 2020) and Pre-filed Testimony (April 2021) in support of Petitioner's Motion for Stay of PSCAA NOC Order of Approval No. 11386 in the matter of the *Puyallup Tribe of Indians v. Puget Sound Clean Air Agency (PSCAA) and Puget Sound Energy (PSE)*, before the State of Washington Pollution Control Hearings Board, PCHB No. P19-088.
127. Expert Report (April 2020) on behalf of the plaintiff in the matter of Orion Engineered Carbons, GmbH (Plaintiff) vs. Evonik Operations, GmbH (formerly Evonik Degussa GmbH) (Respondent), before the German Arbitration Institute, Case No. DIS-SV-2019-00216.
128. Expert Independent Evaluation Report (June 2020) for *PacifiCorp's Decommissioning Costs Study Reports dated January 15, 2020 and March 13, 2020 relating to the closures of the Hunter, Huntington, Dave Johnston, Jim Bridger, Naughton, Wyodak, Hayden, and Colstrip (Units 3&4) plants*, prepared for the Oregon Public Utility Commission (Oregon PUC).
129. Direct Pre-filed Testimony (July 2020) on behalf of the Sierra Club in the matter of *the Application of the Ohio State University for a certificate of Environmental Compatibility and Public Need to Construct a Combined Heat and Power Facility in Franklin County, Ohio*, before the Ohio Power Siting Board, Case No. 19-1641-EL-BGN.
130. Expert Report (August 2020) and Rebuttal Expert Report (September 2020) on behalf of WildEarth Guardians (petitioners) in the matter of *the Appeals of the Air Quality Permit No. 7482-MI Issued to 3 Bear Delaware Operating – NM LLC (EIB No. 20-21(A) and Registrations Nos. 8729, 8730, and 8733 under General Construction Permit for Oil and Gas Facilities (EIB No. 20-33 (A)*, before the State of New Mexico, Environmental Improvement Board.
131. Expert Report (July 2020) on the *Initial Economic Impact Analysis (EIA) for A Proposal To Regulate NOx Emissions from Natural Gas Fired Rich-Burn Natural Gas Reciprocating Internal Combustion Engines (RICE) Greater Than 100 Horsepower* prepared on behalf of Earthjustice and the National Parks Conservation Association in the matter of Regulation Number 7, Alternate Rules before the Colorado Air Quality Control Commission.
132. Expert Report (August 2020) and Supplemental Expert Report (February 2021) on the Potential Remedies to Avoid Adverse Thermal Impacts from the Merrimack Station on behalf of Plaintiffs in the matter of *Sierra Club Inc. and the Conservation Law Foundation (Plaintiffs) v. Granite Shore Power, LLC et. al., (Defendants)*, Civil Action No. 19-cv-216-JL (US District Court for the District of New Hampshire.)
133. Expert Report (August 2020) and Supplemental Expert Report (December 2020) on behalf of Plaintiffs in the matter of *PennEnvironment Inc., and Clean Air Council (Plaintiffs) and Allegheny County Health Department (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2-19-cv-00484-MJH (US District Court for the Western District of Pennsylvania.)
134. Pre-filed Direct Testimony (October 2020) and Sur-rebuttal Testimony (November 2020) on behalf of petitioners (Ten Persons Group, including citizens, the Town of Braintree, the Town of Hingham, and the City of Quincy)

in the matter of Algonquin Gas Transmission LLC, Weymouth MA, No. X266786 Air Quality Plan Approval, before the Commonwealth of Massachusetts, Department of Environmental Protection, the Office of Appeals and Dispute Resolution, OADR Docket Nos. 2019-008, 2019-009, 2019010, 2019-011, 2019-012 and 2019-013.

135. Expert Report (November 2020) on behalf of Protect PT in the matter of *Protect PT v. Commonwealth of Pennsylvania Department of Environmental Protection and Apex Energy (PA) LLC*, before the Commonwealth of Pennsylvania Environmental Hearing Board, Docket No. 2018-080-R (consolidated with 2019-101-R)(the “Drakulic Appeal”).
136. Expert Report (December 2020) on behalf of Plaintiffs in the matter of *Sierra Club Inc. (Plaintiff) v. GenOn Power Midwest LP (Defendants)*, Civil Action No. 2-19-cv-01284-WSS (US District Court for the Western District of Pennsylvania.)
137. Pre-filed Testimony (January 2021) on behalf of the Plaintiffs (Shrimpers and Fishermen of the Rio Grande Valley represented by Texas RioGrande Legal Aid, Inc.) in the matter of the Appeal of Texas Commission on Environmental Quality (TCEQ) Permit Nos. 147681, PSDTX1522, GHGPSDTX172 for the Jupiter Brownsville Heavy Condensate Upgrader Facility, Cameron County, before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-21-0111, TCEQ Docket No. 2020-1080-AIR.
138. Expert Report (June 2021) and Declarations (May 2021 and June 2021) on behalf of Plaintiffs in the matter of *Sierra Club (Plaintiff) v. Woodville Pellets, LLC (Defendant)*, Civil Action No. 9:20-cv-00178-MJT (US District Court for the Eastern District of Texas, Lufkin Division.)
139. Declaration (July 2021) on behalf of Plaintiffs in the matter of *Stephanie Mackey and Nick Migliore, on behalf of themselves and all others similarly situated (Plaintiffs) v. Chemtool Inc. and Lubrizol Corporation (Defendants)*, Case No. 2021-L-0000165, State of Illinois, Circuit Court of the 17th Judicial Circuit, Winnebago County.
140. Expert Report (April 2021) and Sur-Rebuttal Report (June 2021) on behalf of the Plaintiffs in the matter of *Modern Holdings, LLC, et al. (Plaintiffs) v. Corning Inc., et al. (Defendants)*, Civil Action No. 5:13-cv-00405-GFVT, (US District Court for the Eastern District of Kentucky, Central Division at Lexington).
141. Expert Witness Disclosure (June 2021) on behalf of the Plaintiffs in the matter of *Jay Burdick, et. al., (Plaintiffs) v. Tanoga Inc. (d/b/a Taconic) (Defendant)*, Index No. 253835, (State of New York Supreme Court, County of Rensselaer).
142. Expert Report (June 2021) on behalf of Appellants in the matter of *PennEnvironment and Earthworks (Appellants) v. Commonwealth of Pennsylvania Department of Environmental Protection (Appellee) and MarkWest Liberty Midstream and resource, LLC (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2020-002-R.
143. Expert Reports (March 2021 and May 2021) regarding the Aries Newark LLC Sludge Processing Facility, Application No. CPB 20-74, Central Planning Board, City of Newark, New Jersey.
144. Expert Report (April 2021) for *Charles Johnson Jr. (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:20-CV-01329. (US District Court for the Eastern District of Louisiana, New Orleans Division).
145. Expert Report (April 2021) for *Floyd Ruffin (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:20-cv-00334-CJB-JCW (US District Court for the Eastern District of Louisiana, New Orleans Division).
146. Expert Report (May 2021) for *Clifford Osmer (Plaintiff) v. BP Exploration and Production Inc., et. al., (Defendants)* related to No. 2:19-CV-10331 (US District Court for the Eastern District of Louisiana, New Orleans Division).
147. Expert Report (June 2021) for *Antonia Saavedra-Vargas (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:18-CV-11461 (US District Court for the Eastern District of Louisiana, New Orleans Division).
148. Affidavit (June 2021) for Lourdes Rubi in the matter of *Lourdes Rubi (Plaintiff) v. BP Exploration and Production Inc., et. al., (Defendants)*, related to 12-968 BELO in MDL No. 2179 (US District Court for the Eastern District of Louisiana, New Orleans Division).

149. Expert Report (May 2021) for *James Noel (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:19-CV-00694 (US District Court for the Southern District of Alabama, Mobile Division).
150. Expert Report (June 2021) for *Wallace Smith (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:19-CV-12880 (US District Court for the Eastern District of Louisiana, New Orleans Division).

C. Occasions where Dr. Sahu has provided oral testimony in depositions, at trial or in similar proceedings include the following:

151. Deposition on behalf of Rocky Mountain Steel Mills, Inc. located in Pueblo, Colorado – dealing with the manufacture of steel in mini-mills including methods of air pollution control and BACT in steel mini-mills and opacity issues at this steel mini-mill.
152. Trial Testimony (February 2002) on behalf of Rocky Mountain Steel Mills, Inc. in Denver District Court.
153. Trial Testimony (February 2003) on behalf of the United States in the Ohio Edison NSR Cases, *United States, et al. v. Ohio Edison Co., et al.*, C2-99-1181 (Southern District of Ohio).
154. Trial Testimony (June 2003) on behalf of the United States in the Illinois Power NSR Case, *United States v. Illinois Power Co., et al.*, 99-833-MJR (Southern District of Illinois).
155. Deposition (10/20/2005) on behalf of the United States in connection with the Cinergy NSR Case. *United States, et al. v. Cinergy Corp., et al.*, IP 99-1693-C-M/S (Southern District of Indiana).
156. Oral Testimony (August 2006) on behalf of the Appalachian Center for the Economy and the Environment re. the Western Greenbrier plant, WV before the West Virginia DEP.
157. Oral Testimony (May 2007) on behalf of various Montana petitioners (Citizens Awareness Network (CAN), Women’s Voices for the Earth (WVE) and the Clark Fork Coalition (CFC)) re. the Thompson River Cogeneration plant before the Montana Board of Environmental Review.
158. Oral Testimony (October 2007) on behalf of the Sierra Club re. the Sevier Power Plant before the Utah Air Quality Board.
159. Oral Testimony (August 2008) on behalf of the Sierra Club and Clean Water re. Big Stone Unit II before the South Dakota Board of Minerals and the Environment.
160. Oral Testimony (February 2009) on behalf of the Sierra Club and the Southern Environmental Law Center re. Santee Cooper Pee Dee units before the South Carolina Board of Health and Environmental Control.
161. Oral Testimony (February 2009) on behalf of the Sierra Club and the Environmental Integrity Project re. NRG Limestone Unit 3 before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.
162. Deposition (July 2009) on behalf of MTD Products, Inc., in the matter of *Alice Holmes and Vernon Holmes v. Home Depot USA, Inc., et al.*
163. Deposition (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed Coletto Creek coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).
164. Deposition (October 2009) on behalf of Environmental Defense, in the matter of permit challenges to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).
165. Deposition (October 2009) on behalf of the Sierra Club, in the matter of challenges to the proposed Medicine Bow Fuel and Power IGL plant in Cheyenne, Wyoming.
166. Deposition (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed Tenaska coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH). (April 2010).
167. Oral Testimony (November 2009) on behalf of the Environmental Defense Fund re. the Las Brisas Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.

168. Deposition (December 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed White Stallion Energy Center coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).
169. Oral Testimony (February 2010) on behalf of the Environmental Defense Fund re. the White Stallion Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.
170. Deposition (June 2010) on behalf of the United States in connection with the Alabama Power Company NSR Case. *United States v. Alabama Power Company*, CV-01-HS-152-S (Northern District of Alabama, Southern Division).
171. Trial Testimony (September 2010) on behalf of Commonwealth of Pennsylvania – Dept. of Environmental Protection, State of Connecticut, State of New York, State of Maryland, and State of New Jersey (Plaintiffs) in connection with the Allegheny Energy NSR Case in US District Court in the Western District of Pennsylvania. *Plaintiffs v. Allegheny Energy Inc., et al.*, 2:05cv0885 (Western District of Pennsylvania).
172. Oral Direct and Rebuttal Testimony (September 2010) on behalf of Fall-Line Alliance for a Clean Environment and others in the matter of the PSD Air Permit for Plant Washington issued by Georgia DNR at the Office of State Administrative Hearing, State of Georgia (OSAH-BNR-AQ-1031707-98-WALKER).
173. Oral Testimony (September 2010) on behalf of the State of New Mexico Environment Department in the matter of Proposed Regulation 20.2.350 NMAC – *Greenhouse Gas Cap and Trade Provisions*, No. EIB 10-04 (R), to the State of New Mexico, Environmental Improvement Board.
174. Oral Testimony (October 2010) on behalf of the Environmental Defense Fund re. the Las Brisas Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.
175. Oral Testimony (November 2010) regarding BART for PSCo Hayden, CSU Martin Drake units before the Colorado Air Quality Commission on behalf of the Coalition of Environmental Organizations.
176. Oral Testimony (December 2010) regarding BART for TriState Craig Units, CSU Nixon Unit, and PRPA Rawhide Unit) before the Colorado Air Quality Commission on behalf of the Coalition of Environmental Organizations.
177. Deposition (December 2010) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana).
178. Deposition (February 2011 and January 2012) on behalf of Wild Earth Guardians in the matter of opacity exceedances and monitor downtime at the Public Service Company of Colorado (Xcel)’s Cherokee power plant. No. 09-cv-1862 (D. Colo.).
179. Oral Testimony (February 2011) to the Georgia Office of State Administrative Hearings (OSAH) in the matter of Minor Source HAPs status for the proposed Longleaf Energy Associates power plant (OSAH-BNR-AQ-1115157-60-HOWELLS) on behalf of the Friends of the Chattahoochee and the Sierra Club).
180. Deposition (August 2011) on behalf of the United States in *United States of America v. Cemex, Inc.*, Civil Action No. 09-cv-00019-MSK-MEH (District of Colorado).
181. Deposition (July 2011) and Oral Testimony at Hearing (February 2012) on behalf of the Plaintiffs MYTAPN in the matter of Microsoft-Yes, Toxic Air Pollution-No (MYTAPN) v. State of Washington, Department of Ecology and Microsoft Corporation Columbia Data Center to the Pollution Control Hearings Board, State of Washington, Matter No. PCHB No. 10-162.
182. Oral Testimony at Hearing (March 2012) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana).
183. Oral Testimony at Hearing (April 2012) on behalf of the New Hampshire Sierra Club at the State of New Hampshire Public Utilities Commission, Docket No. 10-261 – the 2010 Least Cost Integrated Resource Plan (LCIRP) submitted by the Public Service Company of New Hampshire (re. Merrimack Station Units 1 and 2).
184. Oral Testimony at Hearing (November 2012) on behalf of Clean Wisconsin in the matter of Application of Wisconsin Public Service Corporation for Authority to Construct and Place in Operation a New Multi-Pollutant

Control Technology System (ReACT) for Unit 3 of the Weston Generating Station, before the Public Service Commission of Wisconsin, Docket No. 6690-CE-197.

185. Deposition (March 2013) in the matter of various Environmental Petitioners v. North Carolina DENR/DAQ and Carolinas Cement Company, before the Office of Administrative Hearings, State of North Carolina.
186. Deposition (August 2013) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).
187. Deposition (August 2013) on behalf of the Sierra Club in connection with the Luminant Martin Lake Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 5:10-cv-0156-MHS-CMC (Eastern District of Texas, Texarkana Division).
188. Deposition (February 2014) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).
189. Trial Testimony (February 2014) in the matter of *Environment Texas Citizen Lobby, Inc and Sierra Club v. ExxonMobil Corporation et al.*, Civil Action No. 4:10-cv-4969 (Southern District of Texas, Houston Division).
190. Trial Testimony (February 2014) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).
191. Deposition (June 2014) and Trial (August 2014) on behalf of ECM Biofilms in the matter of the *US Federal Trade Commission (FTC) v. ECM Biofilms* (FTC Docket #9358).
192. Deposition (February 2015) on behalf of Plaintiffs in the matter of *Sierra Club and Montana Environmental Information Center (Plaintiffs) v. PPL Montana LLC, Avista Corporation, Puget Sound Energy, Portland General Electric Company, Northwestern Corporation, and PacifiCorp (Defendants)*, Civil Action No. CV 13-32-BLG-DLC-JCL (US District Court for the District of Montana, Billings Division).
193. Oral Testimony at Hearing (April 2015) on behalf of Niagara County, the Town of Lewiston, and the Villages of Lewiston and Youngstown in the matter of CWM Chemical Services, LLC New York State Department of Environmental Conservation (NYSDEC) Permit Application Nos.: 9-2934-00022/00225, 9-2934-00022/00231, 9-2934-00022/00232, and 9-2934-00022/00249 (pending).
194. Deposition (August 2015) on behalf of Plaintiff in the matter of *Conservation Law Foundation (Plaintiff) v. Broadrock Gas Services LLC, Rhode Island LFG GENCO LLC, and Rhode Island Resource Recovery Corporation (Defendants)*, Civil Action No. 1:13-cv-00777-M-PAS (US District Court for the District of Rhode Island).
195. Testimony at Hearing (August 2015) on behalf of the Sierra Club in the matter of *Amendments to 35 Illinois Administrative Code Parts 214, 217, and 225* before the Illinois Pollution Control Board, R15-21.
196. Deposition (May 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., (Plaintiffs) v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).
197. Trial Testimony (October 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., (Plaintiffs) v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).
198. Deposition (April 2016) on behalf of the Plaintiffs in *Natural Resources Defense Council, Respiratory Health Association, and Sierra Club (Plaintiffs) v. Illinois Power Resources LLC and Illinois Power Resources Generation LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (Central District of Illinois, Peoria Division).
199. Trial Testimony at Hearing (July 2016) in the matter of Tesoro Savage LLC Vancouver Energy Distribution Terminal, Case No. 15-001 before the State of Washington Energy Facility Site Evaluation Council.
200. Trial Testimony (December 2016) on behalf of the challengers in the matter of the Delaware Riverkeeper Network, Clean Air Council, et. al., vs. Commonwealth of Pennsylvania Department of Environmental Protection

and R. E. Gas Development LLC regarding the Geyer well site before the Pennsylvania Environmental Hearing Board.

201. Trial Testimony (July-August 2016) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).
202. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Huntley and Huntley Poseidon Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
203. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Backus Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
204. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Drakulic Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
205. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Deutsch Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.
206. Deposition Testimony (July 2017) on behalf of Plaintiffs in the matter of *Casey Voight and Julie Voight v Coyote Creek Mining Company LLC (Defendant)* Civil Action No. 1:15-CV-00109 (US District Court for the District of North Dakota, Western Division).
207. Deposition Testimony (November 2017) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant,)* Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).
208. Deposition Testimony (December 2017) on behalf of Plaintiff in the matter of *Wild Earth Guardians (Plaintiff) v Colorado Springs Utility Board (Defendant)* Civil Action No. 1:15-cv-00357-CMA-CBS (US District Court for the District of Colorado).
209. Deposition Testimony (January 2018) in the matter of National Parks Conservation Association (NPCA) v. State of Washington Department of Ecology and British Petroleum (BP) before the Washington Pollution Control Hearing Board, Case No. 17-055.
210. Trial Testimony (January 2018) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant,)* Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).
211. Trial Testimony (April 2018) on behalf of the National Parks Conservation Association (NPCA) in the matter of NPCA v State of Washington, Department of Ecology and BP West Coast Products, LLC, PCHB No. 17-055 (Pollution Control Hearings Board for the State of Washington).
212. Deposition (June 2018) (harm Phase) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).
213. Trial Testimony (July 2018) on behalf of Petitioners in the matter of *Coosa River Basin Initiative and Sierra Club (Petitioners) v State of Georgia Environmental Protection Division, Georgia Department of Natural Resources (Respondent) and Georgia Power Company (Intervenor/Respondent)*, Docket Nos: 1825406-BNR-WW-57-Howells and 1826761-BNR-WW-57-Howells, Office of State Administrative Hearings, State of Georgia.
214. Deposition (January 2019) and Trial Testimony (January 2019) on behalf of Sierra Club and Texas Campaign for the Environment (Appellants) in the contested case hearing before the Texas State Office of Administrative Hearings in Docket Nos. 582-18-4846, 582-18-4847 (Application of GCGV Asset Holding, LLC for Air Quality Permit Nos. 146425/PSDTX1518 and 146459/PSDTX1520 in San Patricio County, Texas).

215. Deposition (February 2019) and Trial Testimony (March 2019) on behalf of Sierra Club in the State of Florida, Division of Administrative Hearings, Case No. 18-2124EPP, Tampa Electric Company Big Bend Unit 1 Modernization Project Power Plant Siting Application No. PA79-12-A2.
216. Deposition (June 2019) relating to the appeal of air permits issued to PTTGCA on behalf of Appellants in the matter of *Sierra Club (Appellants) v. Craig Butler, Director, et. al., Ohio EPA (Appellees)* before the State of Ohio Environmental Review Appeals Commission (ERAC), Case Nos. ERAC-19-6988 through -6991.
217. Deposition (September 2019) on behalf of Appellants relating to the NPDES permit for the Cheswick power plant in the matter of *Three Rivers Waterkeeper and Sierra Club (Appellants) v. State of Pennsylvania Department of Environmental Protection (Appellee) and NRG Power Midwest (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-088-R.
218. Deposition (December 2019) on behalf of the Plaintiffs in the matter of David Kovac, individually and on behalf of wrongful death class of Irene Kovac v. BP Corporation North America Inc., Circuit Court of Jackson County, Missouri (Independence), Case No. 1816-CV12417.
219. Deposition (February 2020, virtual) and testimony at Hearing (August 2020, virtual) on behalf of Earthjustice in the matter of *Objection to the Issuance of PSD/NSR and Title V permits for Riverview Energy Corporation*, Dale, Indiana, before the Indiana Office of Environmental Adjudication, Cause No. 19-A-J-5073.
220. Hearing (July 14-15, 2020, virtual) on behalf of the Sierra Club in the matter of *the Application of the Ohio State University for a certificate of Environmental Compatibility and Public Need to Construct a Combined Heat and Power Facility in Franklin County, Ohio*, before the Ohio Power Siting Board, Case No. 19-1641-EL-BGN.
221. Hearing (September 2020, virtual) on behalf of Wild Earth Guardians (petitioners) in the matter of *the Appeals of the Air Quality Permit No. 7482-M1 Issued to 3 Bear Delaware Operating – NM LLC (EIB No. 20-21(A) and Registrations Nos. 8729, 8730, and 8733 under General Construction Permit for Oil and Gas Facilities (EIB No. 20-33 (A))*, before the State of New Mexico, Environmental Improvement Board.
222. Deposition (December 2020, March 4-5, 2021, all virtual) and Hearing (April 2021, virtual) in support of Petitioner’s Motion for Stay of PSCAA NOC Order of Approval No. 11386 in the matter of *the Puyallup Tribe of Indians v. Puget Sound Clean Air Agency (PSCAA) and Puget Sound Energy (PSE)*, before the State of Washington Pollution Control Hearings Board, PCHB No. P19-088.
223. Hearing (September 2020, virtual) on the *Initial Economic Impact Analysis (EIA) for A Proposal To Regulate NOx Emissions from Natural Gas Fired Rich-Burn Natural Gas Reciprocating Internal Combustion Engines (RICE) Greater Than 100 Horsepower* prepared on behalf of Earthjustice and the National Parks Conservation Association in the matter of Regulation Number 7, Alternate Rules before the Colorado Air Quality Control Commission.
224. Deposition (December 2020, virtual and Hearing February 2021, virtual) on behalf of the Plaintiffs (Shrimpers and Fishermen of the Rio Grande Valley represented by Texas RioGrande Legal Aid, Inc.) in the matter of the Appeal of Texas Commission on Environmental Quality (TCEQ) Permit Nos. 147681, PSDTX1522, GHGPSDTX172 for the Jupiter Brownsville Heavy Condensate Upgrader Facility, Cameron County, before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-21-0111, TCEQ Docket No. 2020-1080-AIR.
225. Deposition (January 2021, virtual) on behalf of Plaintiffs in the matter of *PennEnvironment Inc., and Clean Air Council (Plaintiffs) and Allegheny County Health Department (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2-19-cv-00484-MJH (US District Court for the Western District of Pennsylvania.)
226. Deposition (February 2021, virtual) on behalf of Plaintiffs in the matter of *Sierra Club Inc. (Plaintiff) v. GenOn Power Midwest LP (Defendants)*, Civil Action No. 2-19-cv-01284-WSS (US District Court for the Western District of Pennsylvania.)
227. Deposition (April 2021, virtual) on the Potential Remedies to Avoid Adverse Thermal Impacts from the Merrimack Station on behalf of Plaintiffs in the matter of *Sierra Club Inc. and the Conservation Law Foundation (Plaintiffs) v. Granite Shore Power, LLC et. al., (Defendants)*, Civil Action No. 19-cv-216-JL (US District Court for the District of New Hampshire.)

228. Deposition (June 2021, virtual) on behalf of Plaintiffs in the matter of *Sierra Club (Plaintiff) v. Woodville Pellets, LLC (Defendant)*, Civil Action No. 9:20-cv-00178-MJT (US District Court for the Eastern District of Texas, Lufkin Division).
229. Deposition (June 2021, virtual) on behalf of the Plaintiffs in the matter of *Modern Holdings, LLC, et al. (Plaintiffs) v. Corning Inc., et al. (Defendants)*, Civil Action No. 5:13-cv-00405-GFVT, (US District Court for the Eastern District of Kentucky, Central Division at Lexington).
230. Testimony (June 2021, virtual) regarding the Aries Newark LLC Sludge Processing Facility, Application No. CPB 20-74, Central Planning Board, City of Newark, New Jersey.