

JUN 02 2006

In The Matter of:)	
)	STATE OF ILLINOIS
Proposed New 35 Ill. Adm. Code 225)	Pollution Control Board
Control of Emissions from)	No. R06-25
Large Combustion Sources)	(Rulemaking – Air)

NOTICE OF FILING

TO: See attached Service List

PLEASE TAKE NOTICE that on June 2, 2006, I filed with the Office of the Clerk of the Pollution Control Board, Participant Kincaid Generation, L.L.C.'s QUESTIONS FOR DR. JAMES STAUDT AT THE HEARING COMMENCING JUNE 12, 2006, copies of which are herewith served upon you.

By: 
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CERTIFICATE OF SERVICE

I, Katherine M. Rahill, an attorney, hereby certify that I served a copy of the foregoing
QUESTIONS FOR DR. JAMES STAUDT AT THE HEARING COMMENCING JUNE 12,
2006, via first-class mail, postage fully prepaid, upon the parties on the attached Service List this
2nd day of June, 2006:

By: 
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JUN 02 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
STATE OF ILLINOIS
Pollution Control Board

In The Matter of:)
)
Proposed New 35 Ill. Adm. Code 225) **No. R06-25**
Control of Emissions from) **(Rulemaking -Air)**
Large Combustion Sources)

KINCAID GENERATION L.L.C.'S QUESTIONS FOR DR. JAMES STAUDT AT
THE HEARING COMMENCING JUNE 12, 2006

NOW COMES Kincaid Generation, L.L.C., by and through its attorneys, Jenner & Block LLP, and submits the following questions for Dr. James Staudt based upon the Statement of Reasons, Technical Support Document ("TSD") and its Appendices ("App."), and the testimony submitted by the Illinois Environmental Protection Agency ("Agency" or "Illinois EPA") on Dr. Staudt's behalf in this matter.

For James E. Staudt, Ph.D.

1. Explain your reasons for amending your original testimony filed on or about April 28, 2006.
2. Explain your reasons for further amending your amended testimony filed on or about May 19, 2006.
3. Did you assist in writing any of the TSD? If so, which sections?
4. Have you reviewed the ICF report attached as Appendix C to the TSD?
 - a. If so, did you rely on the ICF report in forming any opinions or testimony?
 - b. If so, on which facts contained in the ICF report did you rely? Specifically, what opinions or parts of your testimony rely on those facts?
 - c. If so, on which conclusions contained in the ICF report did you rely? Specifically what opinions or parts of your testimony rely on those conclusions?

5. What is your definition of “commercially available?”
6. What is your definition of “cost effective?”
7. What is your definition of “economically feasible?”
8. What are the costs associated with sorbent injection? What factors affect the costs of sorbent injection? How do these factors play out at each of the affected generating units in Illinois?
9. On page 3 of your amended testimony, you removed three sentences from your testimony and replaced those sentences with one sentence. Please explain this change and your understanding of its effect on your testimony.
10. On page 4 of your amended testimony, you changed previous statements. Please explain the following changes and your understanding of the effect of each of those changes:
 - a. The change from “[r]esults of measurements of co-benefit mercury removal rates taken in response to the U.S. EPA’s [ICR] as part of the development of the federal Clean Air Mercury Rule and subsequent test programs since the ICR program *showed*” to “[r]esults of measurements of co-benefit mercury removal rates taken in response to the U.S. EPA’s [ICR] as part of the development of the federal Clean Air Mercury Rule and subsequent test programs since the ICR program *provided data that indicates that the following cobenefit removal rates may be expected.*”
 - b. The addition of “expected to be” in the first bullet.
 - c. The replacement of the phrase “will usually” with “is expected to” in the second bullet.
 - d. The addition of “expected to be” in the third bullet.

- e. The change from “likely” to “expected” in the fourth and fifth bullets.
11. On page 6 of your original testimony, you stated that “all of the coal-fired units in the State of Illinois are capable of meeting the requirements of the proposed mercury control rule.” In your amended testimony, you deleted the “all” and acknowledged that some units might need a TTBS to comply. Please explain your rationale for this change.
 - a. Which units in Illinois are not “capable of meeting the requirements of the proposed mercury control rule at a cost close that described in the TSD” and why?
 - b. What will these units need to do then in order to comply?
 - c. What additional costs will each of these units incur? Please provide, to the best of your knowledge, a numeric answer.
 12. Why did you change your cost estimates on page 7 of your testimony for sorbent costs?
 13. Have you done an independent analysis of the capabilities of each of the coal-fired electric generating units in Illinois to accept the various control technologies? Which technology would be required at each plant to achieve compliance 100% of the time under all operating conditions? How much would that technology cost each plant?
 14. What is the basis for your statement on page 8 that the incremental cost of the Illinois rule over CAMR will be \$32-37 million per year spread across all of the Illinois units for the period of 2010-2018?
 15. What do you predict will be the incremental cost of the Illinois rule over CAMR prior to the 2010-2018 time period?
 16. Explain the meaning of the five sentences which you added to the end of the first full paragraph on page 9. What is your basis for these statements?

17. Did you have any input into the Agency's decision to revise the proposed regulations to include a Temporary Technology Based Standard ("TTBS")? If so, describe your role in detail.
18. Do you believe the TTBS is warranted? Why or why not?
19. At specifically which sources in the State of Illinois do you believe the TTBS as provided for in the proposed amendment to the mercury proposal would need to be implemented?
20. At specifically which sources in the State of Illinois do you believe the TTBS as provided for in the proposed amendment to the mercury proposal could be implemented?
21. What is your understanding of the eligibility requirements for use of the TTBS?
22. Will any sources in the state have difficulty meeting those eligibility requirements?
23. As discussed earlier, in your amended testimony, you stated that "[t]here is a risk that a small number of coal-fired units in Illinois may need a [TTBS] until they bring their emissions reductions in compliance with the emission reduction requirements of the rule." Of the units that "may need a [TTBS]:"
 - a. Are there any units that will have difficulty meeting the eligibility requirements?
 - b. Are there any units for which the TTBS as proposed in the rule is technologically unfeasible?

24. What is the basis for your statement on page 10 of your amended testimony that newer, improved sorbents “will likely be available in the future?”

Respectfully submitted,

KINCAID GENERATION, L.L.C.

by:



One of Its Attorneys

Dated: June 2, 2006

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