CITY OF PHILADELPHIA

AIR POLLUTION CONTROL BOARD

IN RE: Public Hearing - proposed Synthetic Minor Operating Permit for Southeastern Pennsylvania Transportation Authority (SEPTA) - Roberts Complex

DATE: Thursday, July 27, 2023

LOCATION: Zoom Teleconference

REPORTED BY: John Kelly, Court Reporter

HELD BEFORE: DR. PALAK RAVAL-NELSON, Deputy Health Commissioner for Philadelphia DPH
DR. EDWARD WIENER, Chief of Source Registration for AMS
DR. CHERYL BETTIGOLE, Health Commissioner for Philadelphia DPH
DR. KASSAHUN SELLASSIE, Director of AMS
JIAZHENG LI, Board Staff

ALSO PRESENT:

TAMMY MURPHY, M.A., LL.M., Physicians for Social Responsibility - Pennsylvania
LYNN ROBINSON, Neighbors Against the Gas Plants
MARTA GUTTENBERG, Resident, City of Philadelphia
FLORA CARDONI, PennEnvironment
KARENA JACKSON LUNDY, Resident, City of Philadelphia
WALTER TSOU, MD, MPH
STATE REPRESENTATIVE DARISHA K PARKER
PETER WINSLOW, A SMART Collaboration LLC (ASC)
CHRISTINA DIGIULIO, Resident, City of Philadelphia
SHEILA TRIPATHY, Resident, City of Philadelphia
MITCH CHANIN, Resident, City of Philadelphia
HOPE FELDMAN, Resident, City of Philadelphia
PETER FURCHT, Resident, City of Philadelphia
TAYLOR BAKER, Resident, City of Philadelphia
HOPE PRIMAS, Resident, City of Philadelphia
MIKE EWALL, Energy Justice Network
RUSSELL ZERBO, Clean Air Council
MUSA WILSON, Student, Imhotep Charter School
JEREMIAH WHITE, Student, Imhotep Charter School
LISA HASTINGS, Resident, City of Philadelphia

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LIST OF SPEAKERS

P R O C E E D I N G S

MR. WIENER: My name is Edward Wiener, Chief of Source Registration for Air Management Services of the Philadelphia Department of Public Health. Please note that this public hearing is being recorded.

We are here to accept testimony on a proposed Synthetic Minor Operating Permit for Southeastern Pennsylvania Transportation Authority (SEPTA) - Roberts Complex, located at 4301 Wissahickon Avenue, Philadelphia, PA 19129.

This hearing was published in the notices section of the Pennsylvania Bulletin on Saturday, June 10, 2023. This hearing was also published in the Philadelphia Inquirer and the Philadelphia Tribune on May 31, 2023, June 1, 2023, and June 2, 2023.

The proposed Synthetic Minor Operating Permit, Number OP17-000024, is a renewal of the existing Synthetic Minor Operating Permit for the facility. All the sources in the proposed renewal Synthetic Minor Operating Permit are also in the existing Synthetic Minor Operating Permit except for the two (2) natural-gas fired 4.6 megawatt combined heat and power units.

AMS approved installation of the combined heat and power units by issuing a construction permit, AMS Plan

Approval No. IP17-000009, on November 29, 2017. The combined heat and power units are included in the proposed renewal Synthetic Minor Operating Permit.

The facility is not a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is subject to the operating permit requirements adopted in 25 Pa Code Section 127, Subchapter F but is not subject to the Title V operating permit requirements adopted in 25 Pa Code Section 127, Subchapter G.

The Department is holding this hearing to allow all interested parties to testify with comments on this Synthetic Minor Operating Permit application.

This hearing is being recorded and transcribed. Please state and spell your name and any organization you represent for the record before you begin. Each person's testimony is limited to five minutes so everyone who wishes to testify can testify. We will notify you when you have one minute remaining. Each organization should designate one witness to present testimony. Following your testimony, we may need to ask for additional information.

This hearing will not be a question-and-answer session. However, I can assure you that we will address all comments and questions concerning this Synthetic Minor Operating Permit before any determination is made to issue

it. All oral or written comments received will become part of the public record. We will prepare a response document prior to final action on this operating permit. It will be sent to attendees and commenters who we have an address for.

If anyone has written comments to submit, please e-mail them to the AMS Service Requests e-mail address, which you can find in the chat. That's the DPHAMS_Service_Requests@Phila.Gov address. Please put SEPTA Roberts Complex SMOP in the subject line.

We will start the oral comments now.

DR. RAVAL-NELSON: Excellent. Thank you very much, Ed. All right. Good evening. Our first commenter will be Tammy Murphy. Please un-mute Ms. Murphy's mic, and Ms. Murphy, please share yourself on the screen if you would like, and when you start speaking, I will start the timer. Thank you in advance for testifying.

MS. MURPHY: Okay. I can't, I don't have access to showing myself on the screen.

DR. RAVAL-NELSON: That's fine.

MS. MURPHY: I do have a slide deck, if you would let me share it.

DR. RAVAL-NELSON: We're going to keep it to verbal testimony.

MS. MURPHY: Okay. All right.

DR. RAVAL-NELSON: But Ms. Murphy, if I could, I apologize for interrupting you, we will keep it to verbal testimony but if you want to email the slide deck, we will make sure it becomes a matter of public record and will review and provide any feedback associated.

MS. MURPHY: Okay. That would be great. Thank you so much.

DR. RAVAL-NELSON: Thank you. Please begin and I will start the timer.

MS. MURPHY: Sure. Okay. So my name is Tammy Murphy, and do I have to spell that? It's up on the screen. T-A-M-M-Y, M-U-R-P-H-Y. I am a resident of East Falls. I live in walking distance of the facility and I am also a parent living here with a child who has asthma.

Learning that my child has asthma, I have two kids, and the first one was not born here and didn't live here the first couple years of his life, but the second child who was raised here just recently last year started having issues with asthma.

So this area that we live in in Philadelphia is pretty complicated, and I want to talk a little bit about that before I talk about those things that I'd like to see happen here.

I think that the situation of putting this gas plant

in here despite the other gas plants that do exist in the city, I think that the placement of this here was done to appease policy makers that wanted the natural gas industry to use power plants as they have in other places to allow themselves to take eminent domain for their for-profit industry, which is mostly exports, but they have to have a couple locations where the residents are technically using them, whether we want them here or not.

They have to have that in order for them to get eminent domain to pipe their product through the state and out to, you know, to the ports for export, which is the majority of the fossil fuel business.

They went through this iteration in the past with trying to get the bus lines, and when SEPTA didn't it to them, they were punished and the bus lines were reduced in Philadelphia because our financial support was reduced by policy makers that wanted to appease the industry.

I want to point out that one out of three children in this area already have asthma. That's an extremely high rate for the city, and actually an extremely high rate of asthma anywhere in the world, so it's standing out.

This particular area stands out on a global scale. It's a massive number, to have one out of three children in the area already having asthma.

Now, combine it with the next couple of facts that I'm going to talk out. You're going to see why it's environmental racism and I will share the slides with you as I have done with City Council and others.

The majority of the people in this community are black. If you look just adjacent, when you see the slides, you're going to see that the majority in East Falls is white. There's a stark difference in the border lines between the neighborhood, but it's black in the area smack dab where the actual power plant is, and then on the other side of that, it's majority Latino. So we're talking about people of color and having these kinds of facilities put into their community.

The other major thing about Nicetown that stands out strong is the fact that the wealth in the community is decreasing. It's decreasing at a rate that is far faster than any other community in the city, and the wealth has gone down to, in most of the area, it's gone down to the bottom level, which is public assistance and up to like $28,000 per household per year.

So a community like this is not the kind of community where we should be adding extra burdens. Obviously they have existing burdens.

A couple of things, four things I'd like to demand in

general, and I'll more specific stuff in written testimony. We need and demand that the health consequences of emissions violations need to be put on public record in real time from the current time dating back to when the plant was started operating.

We need and demand transparent, real time, accessible, continuous air quality monitoring of the site and surrounding community in at least a one-mile radius.

We need and demand remediation of air quality by reducing the amount of fossil fuels burned on site to reduce emissions.

DR. RAVAL-NELSON: You have one minute left.

MS. MURPHY: Okay. They should add solar and plant thousands of trees in the area to protect the residents' health, and we demand a just transition immediately away from gas to protect the community, union workers' livelihood, and environment.

I'm going to ask before I end if, for myself and for others, if you can please share in the chat where we can send written testimony and when the deadline is for that.

DR. RAVAL-NELSON: Absolutely. Thank you very much. The written comments, that period has been extended to August 31st, so folks will have to August 31st to provide additional written comments including, if you want to submit

slides.

And the email address that they can be sent to was shared in the chat, but I will ask the team to re-share it so that it's written in the chat for everybody.

It is DPHAMS_Service_Requests@Phila.Gov. That's a little bit complicated, but it's being re-shared, thank you, Ed, with everybody.

MS. MURPHY: Do they need to have a specific headline or something like that? Can you put all the information in the chat, please?

DR. RAVAL-NELSON: Yes. Ed Wiener will go ahead and enter that in the chat. Okay? So thank you very much, Ms. Murphy.

Our next speaker for the evening will be Ms. Lynn Robinson. Again, Ms. Robinson, when you're ready, I will start the timer, and you may feel free to un-mute your camera and Jason will un-mute you.

(Pause.)

DR. RAVAL-NELSON: Ms. Robinson?

MS. ROBINSON: Yes. Can you hear me?

DR. RAVAL-NELSON: Yes. Now we can. Thank you very much. Might I ask if you could speak up just a little bit louder?

MS. ROBINSON: Okay.

DR. RAVAL-NELSON: Thank you. That's perfect. And I will start your timer now.

MS. ROBINSON: Great. Good evening. My name is Lynn Robinson. I'm representing Neighbors Against the Gas Plants. I live in southwest Germantown, 9/10ths of a mile from SEPTA's power plant at Roberts Yard.

Thank you for holding a public hearing in response to our request during the written comment period back in January. These remarks are addressed to AMS and Health Commissioner Bettigole and Deputy Commissioner Raval-Nelson within the context that your stated mission is to protect local public health within the City of Philadelphia.

I'm shocked that AMS and SEPTA are still repeating the misguided refrain that the CHP reduces greenhouse gases regionally by 41 percent.

The claim is based on an EPA CHP calculator with SEPTA's inputs for grid energy from before two coal plants were closed. The calculation is not certified by the EPA, and we have never accepted the claim. Even Mayor Kenny stopped saying it.

The other refrain is that toxic emissions would be undetectable at the fenceline. We're here today with a lived experience of being outside of SEPTA's fenceline for over two and a half years during the operation of SEPTA's

gas plant and we collectively refute the nonsense about being undetectable.

What you can't see can still hurt you, and your body doesn't lie. I've noticed a decline in air quality in Nicetown and southwest Germantown where I live since 2021. Bad air days used to be a problem in hot weather, but now air quality on my block is detectably polluted on some winter days, and generally the air is simply not as fresh.

My neighbors with allergies and asthma have reported worse symptoms, and I get headaches. My job here today is to make realistic, practical recommendations.

Here's the big kicker. Total potential NOx emissions for the facility is 24.7 tons per year, just 0.29 tons below the 25 ton limit for Synthetic Minor permit.

An equipment malfunction or a worker making a mistake, both of which have happened, could again put the facility in violation. It could take AMS up to three years to detect the violation because a performance stack test only runs every three years.

We are sitting ducks, knowing we are unprotected for almost three years at a time. Even if no violations ever occur again, our health is affected by the stress of the threat.

Here is what we want: install continuous emission

monitors in the two CHP stacks. SEPTA's mentions CEM monitors for NOx as an option during ozone season. We say use them year-round and add VOCs and carbon dioxide and HAPS monitoring.

Stack tests should occur quarterly. Portable analyzer tests should be conducted at least monthly and include additional pollutants.

AMS should install at least one EPA quality ambient air monitoring station in the residential community that measures ozone, ozone precursors and other toxics. North Philadelphia is an air monitoring desert.

SEPTA should report emissions data to the public as it is collected on the Health Department web site. To protect health, AMS should require SEPTA to turn the CHP down to minimal operation during Code Orange and worse air quality days.

Disallow the new de minimis emissions increases in SEPTA's 2023 permit. These forgive extra emissions within a five-year period, altogether 21 tons. Unpredictable high spikes of pollution could kill more of the neighbors prematurely.

If the reality is that it's not about short-term dumping but that daily operations would allow more gas burning, this permit could be a plan to encourage violations

and move towards a major permit. The EPA calls that type of plan a sham permit, and it's not allowed.

Address Philadelphia's lack of compliance with the national ambient air quality standard for ozone and the fact that the facility releases an excess of waste heat in a heat island neighborhood. Very little of the waste heat is actually used by the bus depot, and in the summer absolutely none of it.

We ask that during ozone season, SEPTA measures NOx hourly as stated in the permit as an option, instead of looking at one-year averages. Decrease levels of NOx, carbon monoxide and VOCs by reducing gas burning --

DR. RAVAL-NELSON: You have one minute, Ms. Robinson.

MS. ROBINSON: Great -- and cancel the need for the facility to ever purchase allowances from other facilities to compensate for emission overages.

Be prohibited from buying allowances. The allowance system perpetuates dangerous levels of ozone production in our region.

Reduce the risk of emissions violations by reducing annual gas usage by the CHP. Electric power from gas can be replaced by the grid or installing solar panels without negatively impacting train service at Wayne Junction. SEPTA knows this.

The Health Department should strongly encourage SEPTA to apply for federal infrastructure act and other grants for the installation of solar on rooftops including the Midvale Bus Barn, Wayne Junction, Wayne Junction Maintenance Facility.

DR. RAVAL-NELSON: Ms. Robinson, your time is up. May I ask that you submit the rest of your testimony, I don't mean to be rude, if you could submit the rest of it in writing.

MS. ROBINSON: Great. Thank you.

DR. RAVAL-NELSON: Thank you very much, Ms. Robinson.

Our next speaker will be Marta Guttenberg, and if I mispronounce anybody's name, I apologize in advance. Ms. Guttenberg, when you are ready, Jason will un-mute you. You can feel free to be on camera. When you get started, I will start the timer.

(Pause.)

DR. RAVAL-NELSON: Please feel free to start.

MS. GUTTENBERG: Am I audible?

DR. RAVAL-NELSON: We can hear you.

MS. GUTTENBERG: Thank you.

We're in a very special moment right now, as everyone is aware, the hottest day of the hottest month of the hottest year all over the world, and here in Philadelphia.

We've been asking SEPTA to please not build this plant since they proposed it. We've urged them not to run it since they built it, even before it was approved. And now they're asking us to permit them to run it some more.

The plant has never been in compliance. The whole area has never been in compliance. I can't believe that with all the evidence available to all of us right now, telling us that this plant and this plan is the wrong thing to do, that people are persisting. And I'm going to persist in demanding that it be stopped. Thank you.

DR. RAVAL-NELSON: Thank you very much.

Our next speaker will be Mike Ewall. Once you get on the screen and you get started, I will start your timer.

(Pause.)

DR. RAVAL-NELSON: Mr. Ewall?

(No response.)

DR. RAVAL-NELSON: Okay. Last call for Mr. Ewall, Mr. Mike Ewall from Energy Justice Network. Are you here?

(No response.)

DR. RAVAL-NELSON: Okay. I will mark the sheet that you had registered to testify but were not available, so we will come back to you.

Our next person will be Flora Cardoni from Penn Environment. Flora, when you're ready, please come on the

screen. You will be un-muted.

MS. CARDONI: Hi. Can you hear me?

DR. RAVAL-NELSON: Yes, we can, and I will start your timer, ma'am.

MS. CARDONI: Thank you. My name is Flora Cardoni, F-L-O-R-A C-A-R-D-O-N-I, and I'm testifying on behalf of Penn Environment, the statewide citizen-based environmental advocacy non-profit.

Thank you for the opportunity to testify today on behalf of thousands of our members across the state and here in Philadelphia who are clamoring for real action to lower harmful air pollution and tackle the climate crisis.

Of course, as Marta just expressed as well, the threat posed by climate change has never been more apparent. All you had to do is walk outside today as we experienced yet another excessive heat watch here in Philly after a string of record-breaking summer temperatures, or breathe the air a few weeks ago as much of the East Coast was shrouded in smoke from the Canadian wildfires, to feel firsthand that climate change is here.

And unfortunately, the heat waves, fires, tragic floods and other impacts will only get worse without real action, and the time to act is now.

The science is clear that to stop the worst impacts of

climate change, we need to stop burning fossil fuels including so-called natural gas as quickly as possible, not extend their life any further.

Ending our reliance on dirty, dangerous fossil fuels and moving towards a future powered with 100 percent clean renewable energy will help us lower global warming emissions, clean up our air and protect our health.

SEPTA has an opportunity to meet the moment of the climate crisis and protect community health at the same time. SEPTA should prioritize electrifying its facilities and powering its operations with clean renewable energy like solar power instead of digging deeper into these dirty, dangerous fossil fuels.

At Penn Environment, we echo residents' calls to invest is solar arrays at the Nicetown plant and throughout the SEPTA service area, taking advantage of new federal funded opportunities, and this of course should be part of a larger transition away from all fossil fuels again like fracked gas towards an operation powered by 100 percent clean renewable energy.

In the meantime, if and as the facility continues to burn fossil fuels, we join the calls for increased air monitoring and testing requirements at the facility to ensure that air pollution emitted from the facility is in

compliance with its pollution permit limits at all times.

There are mountains of data that show that air pollution has a litany of negative effects on our health like respiratory and cardiovascular diseases, increased risk of dementia and even premature death, and certain residents of the neighborhood have experienced those things firsthand.

While we can't choose whether or not to breathe the air, we can choose to work to make the air cleaner, and AMS can help by lowering levels of allowable pollution at the plant, mandating more frequent air monitoring and testing and strictly enforcing air permits to make sure that facilities never exceed the legal limit, which is too high as it is.

No one should have to breathe polluted air just because of where they live, and none of us deserve to experience the devastation that the climate crisis is already causing.

So we call on AMS and SEPTA to do everything in their power to move away from fossil fuels towards a cleaner energy future, clean up our air and protect our health and our planet for generations to come. Thank you.

DR. RAVAL-NELSON: Thank you very much.

Our next presenter will be Karena Jackson Lundy. When you are ready and on the screen, I will start your timer.

(Pause.)

DR. RAVAL-NELSON: Ms. Lundy?

(No response.)

DR. RAVAL-NELSON: Are you still available to speak, Ms. Lundy?

MS. JACKSON: Can you hear me?

DR. RAVAL-NELSON: Yes, now we can. Thank you very much. I will start your timer.

MS. JACKSON: One second before you start my timer.

DR. RAVAL-NELSON: Sure.

MS. JACKSON: Just one question. Is there a way to split time with another person on the call, or are we --

DR. RAVAL-NELSON: No. Thank you.

MS. JACKSON: Okay.

DR. RAVAL-NELSON: Get started.

MS. JACKSON: Okay. My name is Karena Jackson. I live up on the hill on Fern Hill, basically, the top of the hill. I just have a few statements. I'm not going to take very long. Sorry, I'm not a public speaker, but I'm going to try.

SEPTA has talked about numbers on the low level of pollution that they, you know, release in the air over the years. They stated many ways how it's low and how much is being released, but they never really stated anything about,

you know, how they're cleaning the air at the same time. It's more of, you know, the minimum that's being released.

I recommend that trees be planted in the surrounding areas because they're natural air cleaners. SEPTA owns a lot of property around the City, so it shouldn't be an issue to plant these trees.

I recommend 15 to 20 trees in the surrounding area since pollution is going to be released and we're probably not going to be able to prevent it. That's my end.

DR. RAVAL-NELSON: Thank you very much for your testimony.

Our next speaker will be Walter Tsou. Dr. Tsou?

DR. TSOU: Hi.

DR. RAVAL-NELSON: Hi.

DR. TSOU: Can you hear me?

DR. RAVAL-NELSON: Yes, we can. I will start the timer.

DR. TSOU: It's so great to see you, Palak, and also Dr. Bettigole and my old friends from the Health Department. Anyway, I'm Dr. Walter Tsou. I want to speak today as an individual about the permit for the SEPTA gas plant.

As Marta stated earlier, that today is a bitter reminder of the price that we pay as a nation as we continue to burn fossil fuels, of which SEPTA gas plant is an

example, just one of many power plants that we have in our city.

We have a climate crisis and there's no question about that, and the more rapidly we can move toward renewable energy, the better off we will be.

Unfortunately, the new AMS air pollution rules do not envision a renewable future, which makes it a requirement that no power plant permit would be allowed unless they can demonstrate why a renewable energy source like wind, solar and battery storage, was not the first option and/or somehow integrated into the energy plan.

SEPTA states that they need the CHP because they are unable to develop enough power with solar panels at the Midvale site, but SEPTA actually reaches over 450 miles of track, hundreds of buildings, and they could all be, with time, covered with solar panels and battery storage, and once installed, it would have a permanent, low-maintenance energy source for all its trains and transportation needs.

Now, it is true that that's the future, but right now, until tonight, I could not find any data about the emissions that came from the SEPTA gas plant.

And my criticism to you, maybe I'm just not perceptive enough, is that you cannot ask people to give public testimony about the emissions for a gas plant unless you

publish the current data on how many emissions actually came out of the gas plant, because it's hard for us to comment otherwise.

It's also interesting that you now have a mobile van that can do air monitoring. That is something that we requested at the time of the original SEPTA gas plant permit. You were relying on the Lycoming site four miles away from the SEPTA gas plant rather than actually having a mobile site actually at the Nicetown plant so that we could have actually known what the true baseline was, because the baseline was an essential part of granting the original SEPTA permit.

And finally, you know, I personally think that you have to have, as Lynn Robinson said earlier, some type of monitoring system that's available, that's published on a web site, that the public can use to view what exactly is going on with the various gas plants, not just SEPTA's gas plant but all the power plants that we have in our city, so that we have an idea of how much NOx and VOCs are actually being emitted.

So in sort, I think that the lack of data and transparency is a serious problem that AMS needs to correct in future permits that they grant.

It's hard for me to know whether this is truly a

Synthetic Minor. The permit said they only operate 8,060 hours a year, but there are actually -- that means that's 29 days short of a full year of operation.

It's hard for me to believe that the SEPTA gas plant is actually closed for almost a month out of the year. And if it were actually operated 365 hours (sic), I think the number of emissions actually would go up and it would actually --

DR. RAVAL-NELSON: You have one minute, sir. Sorry. You have one minute left.

DR. TSOU: -- not be allowed as a Synthetic Minor facility. So in conclusion, let me say that we need better transparency of the data. We need better rules for AMS that favor renewable energy.

We should realize that the baseline should not be coal burning as a 41 percent reduction of greenhouse gases, but rather how much more you're emitting because we're not using renewable energy. Thank you.

DR. RAVAL-NELSON: Thank you very much.

Our next speaker will be State Representative Darisha K. Parker. I apologize if I did not pronounce the name correctly. Representative Parker?

(No response.)

DR. RAVAL-NELSON: Representative Parker?

(No response.)

REPRESENTATIVE PARKER: Hey, good afternoon. You hear me? Can you hear me?

DR. BETTIGOLE: Yes. I apologize. Deputy Raval-Nelson's computer just crashed. I can serve as your timer, though. Let me just get a timer up for you. I'm sorry.

REPRESENTATIVE PARKER: Thank you.

DR. BETTIGOLE: No problem. I'm so sorry.

REPRESENTATIVE PARKER: That's okay.

DR. BETTIGOLE: Whenever you're ready, you can begin.

REPRESENTATIVE PARKER: Okay. Thank you so kindly. Again, as you heard, for the record, my name is State Representative Darisha Parker of 198th District, and I do represent Nicetown. Actually, where I'm sitting, I am 0.9 miles away from the power plant.

As one of the over 500,000 Pennsylvanians who suffer from asthma, I believe we need to do everything we can to reduce the air pollution that poisons us daily.

I know that sometimes when I walk around my neighborhood, I feel that itch in my throat and shortness of breath that indicates an oncoming asthma attack. If we have an opportunity to reduce air pollution by any means, we should absolutely take advantage of that.

Philadelphia is already surrounded by six incinerators

which have led our city to be graded an F by the American Lung Association for our ozone quality.

Nicetown specifically has a higher air pollution level than 78 percent of the neighborhoods across the nation. There are 22,000 cases of pediatric asthma in Philadelphia. Thirty-three percent of children living in the 19140 ZIP Code have asthma. That is 22,000 children whose lives are impacted daily by their environment.

It's clear that we need continuous air quality monitoring on the SEPTA plant and the surrounding communities. There are options to help this ongoing climate crisis, little things we can all do to protect our planet, but SEPTA has a chance to do something big and prevent the thousands of Philadelphians from more health problems, and they need to act now. Thank you so kindly.

DR. BETTIGOLE: Thank you very much, Rep. Parker.

DR. RAVAL-NELSON: And I apologize. Thank you very much. My computer crashed here, but I am joining from another device. Our next speaker will be Mr. Peter Winslow, and Mr. Winslow, when you're on, I will go ahead and start your timer.

(Pause.)

DR. RAVAL-NELSON: Mr. Winslow?

MR. WINSLOW: Yes. Thank you, Deputy Commissioner.

My name is Peter Winslow. I'm a Philadelphia resident and a SEPTA rider. I'm speaking today as president of A SMART Collaboration LLC and as a member and supporter of many of the environmental justice organizations providing testimony today.

We are disappointed that the application for renewal of SEPTA's Roberts Complex operating permit does not include provisions that improve the permit's protection of our friends and neighbors.

In fact, the proposed permit would increase the amount of toxic emissions that SEPTA would be allowed. Inasmuch as SEPTA has violated the current permit, this permit is moving in the wrong direction.

Although the operating permit applies to the entire Roberts Complex, our primary concern is with the electricity generation facility located behind the Midvale bus depot that was originally permitted in 2017.

We object to this power plant because it burns fracked gas to run two Jenbacher engines, thereby increasing emissions of nitrogen oxide, carbon monoxide, volatile organic compounds and particulate matter at the site and in the adjacent neighborhoods.

Those neighborhoods, specifically Nicetown, are in census tracts designated environmental justice communities

by the Pennsylvania Department of Environmental Protection and the Environmental Protection Agency.

Permitting affected environmental justice communities should be subject to enhanced scrutiny. Because enhanced scrutiny was not applied to the satisfaction of the community, POWER -- Pennsylvanians Organized to Witness, Empower, and Rebuild -- requested an investigation by the Environmental Protection Agency's External Civil Rights Compliance Office for the violation of the Civil Rights Act of 1964, Title VI. The ECRCO opened a case in 2021 and the case is ongoing.

The current permit renewal provides a do-over opportunity for SEPTA and the City to correct the violation and avoid a similar investigation by the United Stated Department of Transportation.

The Civil Rights Act prohibits any action by a recipient of federal funds that results in an adverse and disparate impact on an environmental justice community.

The City violates the Civil Rights Act by providing the permit. SEPTA violates the Civil Rights Act by operating the power plant.

The power plant is particularly offensive because it is unnecessary. The primary function of the power plant is to provide electricity to the SEPTA substation at Wayne

Junction that delivers power for the regional rail system.

However, the Wayne Junction substation is already supplied by two transmission lines provided by PECO, either of which is capable of powering the system.

This third transmission line provides redundancy that would be useful only in the event that the entire electrical power grid fails, but SEPTA has never in its history experienced service interruptions due to lack of power at the Wayne Junction substation.

The vulnerability of the rail system is in the overhead catenary wires that deliver electricity to trains after transmission from Wayne Junction, not in supplying power to the substation.

SEPTA never demonstrated a need for the power plant because there isn't any need. Why then did SEPTA want to in-source its electricity production? Political pressure from legislators in Harrisburg acting in the interests of the fossil fuel industry insisted that SEPTA be a customer for fracked gas.

When SEPTA concluded that establishing a fleet of compressed natural gas buses was impractical, Republican legislators threatened to withhold funding for SEPTA. So to consume more gas somewhere, SEPTA --

DR. RAVAL-NELSON: Mr. Winslow, you have one minute.

MR. WINSLOW: -- the power plant instead. Now SEPTA is pressed to operate the power plant in order to pay for the investment that was made to build it, an arrangement of dubious economic justification that by shifting costs from the capital budget to the operating budget had the effect of making Philadelphians pay more for the services used primarily by residents of other counties.

As a result, poor black residents of Nicetown are breathing in more toxic air for the benefit of rich white commuters from the suburbs and the profit of the fossil fuel industry. Can anybody think this is fair?

We're experiencing increasingly frequent air quality action days, heat records being broken. The sky is darkened by smoke from forest fires in Canada. Shouldn't SEPTA curtail power plant operations when people are suffering from conditions contributed to by the power plant?

For example, Pennsylvania Department of Environmental Protection has declared tomorrow an air quality action day for the Philadelphia --

DR. RAVAL-NELSON: Sir, your time is up. Please submit the rest of your comments, Mr. Winslow, as well as the suggested slides to the email address in the chat. Thank you, Mr. Winslow.

Our next speaker will be Christina DiGiulio.

MS. DiGIULIO: Can you hear me?

DR. RAVAL-NELSON: Yes, we can. I will start your timer as soon as you start speaking.

MS. DiGIULIO: Very well. Thank you. My name is Christina DiGiulio, C-H-R-I-S-T-I-N-A, D-I-G-I-U-L-I-O, and I am here representing Physicians for Social Responsibility of Pennsylvania.

I am actually a certified thermographer in optical gas imaging, and there was a link shared in chat if people want to look at, which I did go to the facility we are speaking about and image it using my optical gas imaging camera, which is a GFX320 from Teledyne FLIR.

And so I'm also an analytical chemist, and I want to talk about something that I saw in your presentation that was actually neglecting to say anything about methane, which this is a power plant using fracked gas or methane.

And I did see you mentioned VOCs. So volatile organic compounds are organic molecules, specifically hydrocarbons, that are classified as a pollutant as they produce undesirable effects in the atmosphere, and they are defined as volatile because they evaporate quickly and easily into the air.

However, when we are having these really bad air quality days, it can be held into the air and the cumulative

aspect for people in that community is a problem. And this is what we're talking about. There is no need for this.

The primary criteria for a natural gas fired engines, which you guys have here, are oxides and nitrogen, carbon monoxide and volatile organic compounds.

The formation of nitric oxides is exponentially related to the combustion temperature in the engine cylinder, and the other pollutants, CO and VOCS are primarily the result of incomplete combustion.

Now, I know you guys had a violation that we talked about, and it should be emphasized that the actual emissions may vary considerably from the published emission factors due to variations in the engine operating conditions, the variations due to engines operating at different conditions including air to fuel ratio, ignition timing, torque speed, ambient temperature, humidity and other factors.

It is not unusual to test emissions in two identical engines in the same plant operated by the same personnel using the same fuel and have test results show significant differences. So there's a lot of variability in these tests.

Carbon dioxide, methane and nitrous oxide are referred to as greenhouse gases, and this is all according to an EPA document that I'm stating. Such gases are largely

transparent incoming solar radiation. However, they absorb infrared radiation emitted by the earth.

So there is a chart in this document and I provided the link in your chat and I will provide it to you also via email, that we're talking about -- the video that I'm showing is actually showing, this camera only can see, can see hydrocarbons which are emitting at a 3.2 micron to 3.4 microns. It's looking for hydrocarbons.

And so what we're seeing in my video is actually the emittance of hydrocarbons. I cannot specifically say what those hydrocarbons are, and necessarily doesn't matter because it's terrible.

With climate change and, you know, the climate crisis that we're having right now, it's almost irresponsible to be supporting such a project when we have so many other options as several other speakers have said.

So in regards to our health, we're looking at, you know, climate change being, you know, exacerbated by such facilities. And what my video is showing is that exact thing going out into the atmosphere.

Sure it goes up, but it can also be held down and accumulate in a community along with all the other toxins being released. So there's no need for an organization supposedly so behind in supporting the City of Philadelphia

to be actually placing these people at harm.

And my request is that you also have air monitoring, more than, you know, whatever, a mobile van. I know mobile labs, and I'm going to tell you that you need to have what's called continuous air monitoring --

DR. RAVAL-NELSON: You have one minute left.

MS. DiGIULIO: Thank you -- and as well passive air monitoring, PAMs and CAMs. And they should be spread out throughout the community as I believe Tammy Murphy said, at least a mile away so that we're seeing the cumulative aspect and where the plumes and where it's actually going, you know. It's not that simple just to do fenceline monitoring and it's not sufficient in this community.

So I thank you for your time, and that's pretty much all I have.

DR. RAVAL-NELSON: Thank you very much for your testimony. Please refer to the Q&A. There is additional information provided regarding how to submit additional questions and comments.

MS. DiGIULIO: Not a problem.

DR. RAVAL-NELSON: The next speaker will be Sue Graf. Sue?

(No response.)

DR. RAVAL-NELSON: Sue Graf, going twice?

(No response.)

DR. RAVAL-NELSON: Sue Graf?

(No response.)

DR. RAVAL-NELSON: Okay. We will, if Sue is available, we will get her at the end. In the meantime, after Sue, our next speaker is Sheila Tripathy.

DR. TRIPATHY: Hi. Can you hear me?

DR. RAVAL-NELSON: Yes, we can. Wonderful. I will start your timer as soon as you start.

DR. TRIPATHY: Thank you. I am Dr. Sheila Tripathy and I'm a member of POWER and an environmental exposure scientist, and I'm calling on Air Management Services not to renew the Synthetic Minor operating permit for the SEPTA Roberts Complex.

I'm concerned about nearby residents' cumulative exposure to both pollution from the SEPTA complex and outside pollutant sources. The total burden of exposures needs to be considered.

There are currently no permitted EPA air quality system monitors located near the SEPTA complex. We need air monitoring to be conducted both on site and in the surrounding residential areas where community members live and work.

Continuous emissions monitors should be placed on site

and EPA AQS monitors should be placed in the adjacent community to continuously monitor pollutants including NOx, VOCs, ozone, fine and ultra-fine particulate matter.

Once adequate monitoring is conducted, results need to be compared to models to ensure that they accurately reflect current conditions. In this way, modeling will be backed by monitoring.

There also needs to be a process where less gas is burned on unhealthy air quality days like we have seen recently with the impacts from the Canadian wildfires on air pollution in Philadelphia.

In addition to increasing air monitoring around the gas plant, we need an on-line platform where air monitoring data is accessible, as others previously mentioned.

This web site needs to include current, up-to-date information on all monitors across the City where data and past trends can be viewed and data can be downloaded. It should be easy to determine the current conditions in Nicetown and to be able to compare data to other locations in the City at the same time.

There is a page on Air Management's web site dedicated to Nicetown. However, this page needs to include more information other than the results from the PAQS study which was more relevant for looking at seasonal and annual data

compared to real-time pollutant concentrations, and doing more passive data as others have mentioned. Thank you for your time.

DR. RAVAL-NELSON: Thank you very much, doctor, and I apologize for mispronouncing your last name.

Our next speaker will be Mitch Chanin. Mitch? Once you are on the screen and we can hear you, I'll start your timer.

MR. CHANIN: All right. Can you hear me now?

DR. RAVAL-NELSON: Yes. And I will start your timer.

MR. CHANIN: Great. Thank you so much for the opportunity to testify today and thanks so much to everyone who has already testified. It's great to be here with all of you.

My name is Mitch Chanin. I'm not representing any group today, although I am part of a number of organizations around the City and I was involved in organizing back from 2015 for the next few years in opposition to the power plant. I do not live in the Nicetown community. I live in the northeast, but I'm a regular regional rail rider using routes that pass through Wayne Junction.

I echo most of the comments that were already made, but I do want to share a couple of other points. Before I talk about the air quality, this is more a comment for

SEPTA, but a key justification for this project was to ensure reliability for the railroad.

And as Mr. Winslow stated, there's really no evidence that it's needed for that purpose. The thing that has made regional rail really unreliable, especially over the past couple years, is just the crew shortage.

Trains are just routinely canceled without, you know, without any warning because there's no one to run them, and it's been really horrible as a regional rail rider.

So I agree that we need much more air monitoring and that AMS should require a reduction in the amount of gas that's burned at the site, at this facility for all the reasons that people have stated.

I wanted to call attention in particular to an issue that hasn't gotten as much attention today, which is ultra-fine particular matter.

This is a pollutant that appears to be emitted in very significant quantities from the combustion of natural gas. However, there are not yet any standards, no regulation for ultra-fine particular matter from the federal or state government.

Nevertheless, I think AMS has a responsibility to respond to concern from the public about this pollutant in Philadelphia and in particular from this plant.

Ultra-fine particles are the smallest kind of particulate matter. Whereas fine particulate matter which was referenced earlier in the monitoring reports is smaller than 2.5 microns, ultra-fine particular matter is smaller than 1/10th of one micron.

And there's growing concern about the health impacts of ultra-fine particular matter and growing evidence that natural gas combustion is a very significant source of ultra-fine particular matter.

I'm very aware that there are sort of lots of misinformation that circulates about, you know, health scares that aren't really, you know, in particular over the past couple years, a lot of misinformation about vaccines, saying that they're dangerous.

And so I understand the reluctance of policymakers to listen when people are calling attention to pollutants that aren't yet regulated. But this is not a case where the preponderance of evidence is that ultra-fine particular matter is safe. There's growing evidence that it is extremely dangerous and likely more dangerous than the larger particles.

I'm not sure how much time I have left. I do have some sources that I can --

DR. RAVAL-NELSON: Just to let you know, you have one

minute and 31 seconds.

MR. CHANIN: Okay. I can share some sources in writing, but what I want to say is that ultra-fine particular matter needs to be measured by the number of particles and/or the surface area, and that measuring fine particulate matter, PM 2.5, according to the mass of the particles, does not tell you what number of ultra-fine particles are present or being emitted or what the health impact is. Each pollutant needs to be addressed separately.

DR. RAVAL-NELSON: You have one minute left, sir.

MR. CHANIN: Great. I'm aware, as I said, that there's not a regulation for this, but I really would like to see AMS measure ultra-fine particular matter and respond in a serious way to this concern.

I was very disappointed in the appeal hearings in 2018, I believe, when we were challenging the permit, when Mr. Wiener was asked if they had looked at ultra-fine particular matter and his response is that he had looked at a couple of articles.

That's not a sufficient response to legitimate concerns about a pollutant that is likely emitted in significant quantities from this facility, and I hope that AMS will take it much more seriously going forward. Thank you.

DR. RAVAL-NELSON: Thank you very much. Our next speaker -- and for those folks such as Mr. Ewall, if you're still on, we will get to you when we get to the end.

Our next speaker will be Beverly Gunn. Once Ms. Gunn is on camera or on the cube, I will go ahead and start the timer.

(Pause.)

DR. RAVAL-NELSON: Ms. Beverly --

(Pause.)

DR. RAVAL-NELSON: Okay, last call for Beverly Gunn.

(No response.)

DR. RAVAL-NELSON: All right. We will move to Charles Best. Charles Best?

(No response.)

DR. RAVAL-NELSON: Okay. Charles Best?

(No response.)

DR. RAVAL-NELSON: All right. We will move to the next person, Hope Feldman. Hope?

MS. FELDMAN: Can you hear me?

DR. RAVAL-NELSON: Yes, we can.

MS. FELDMAN: Wonderful.

DR. RAVAL-NELSON: Hi. Once you get started, I'll start your timer. Thank you.

MS. FELDMAN: Thank you. Thank you for having me. My

name is Hope Feldman. I both live in the neighborhood at 4700 block of Pulaski and I work close to the gas plant at 4700 Wissahickon.

And I work as a family nurse practitioner, and my job is very supportive about, sort of, and has been engaged in this for several years about trying to reduce the burden on our community from a health standpoint, but I am not speaking in an official capacity from them. I'm speaking on my own behalf.

I am asking AMS not to renew the SMO permit for the SEPTA Roberts Complex. And what I'm seeing is, in the past few years, it's a higher burden on our community.

As some of you may know, I work in a federally qualified health center which are located in places of high health burden and low resources.

So pre-COVID, I had a patient with asthma that came in and she felt like she fine inside her house, she was fine at work, that it was only a problem when she went outside.

And what she told me in the office is that it feels like the air is trying to kill me. She took a trip to Tennessee. Everything was better. She was great. She didn't need her rescue inhaler. She felt like a lot more energy, and then returned back to our community and felt like the symptoms returned.

And I say that because locality matters. What we do in our environment matters. So I am asking for local neighborhood monitoring. If we don't monitor in the area where the emissions are being produced, we're not really getting a sense of what risk we putting for our communities and in our neighborhoods.

We know that since we've had some qualitative poor air quality days, we have felt the burden in our environment in the ways our kids can engage outside, in the number of asthma attacks.

I have seen an increase not only in asthma but also headaches, dizziness, upper respiratory infections, sinus congestion, skin dermatitis on areas that have been exposed to, you know, to the air, like to the arms or to the legs, the face.

I do not have asthma, and I noticed that at times when the air quality is poor, wearing a mask outside to walk to and from my house to work does make a difference.

The amount of burden that we hold in our air and in our bodies are affected, you know, affect our total health. And so I'm also asking that we reduce burden, that the plant reduces their burden of emissions when there's high ozone and unhealthy air quality days.

This is not something that we can wait for the effects

of what's happening. We know that this is affecting our health. We know it's affecting the health of our kids, of our pregnant women

Most of our mamas are already at high risk for pregnancy complications, low birth weight and health outcomes, and they are coming in for care just a block away from the SEPTA plant. We are asking you not to renew the permit, that it is putting us, putting our community in risk.

DR. RAVAL-NELSON: Thank you.

Our next speaker will be Peter Furcht, F-U-R-C-H-T. Sorry for the mispronunciation.

MR. FURCHT: Not a problem. So good evening. My name is Peter Furcht, P-E-T-E-R, F-U-R-C-H-T. I am a resident of and a homeowner in Philadelphia and I am testifying as a private citizen, and I thank you for this opportunity.

While I do not live in the immediate area of the SEPTA Roberts Complex power plant, there shouldn't be any question in anybody's mind just how far pollutants in the air can travel.

How much smoke have we seen this summer in Philadelphia from fires burning a thousand miles away? I only live a handful of miles from the SEPTA power plant and the wind blows from every directions, so I know some of the

NOx's and VOCs and resulting ground level smog from these power plants make its way not just to me but to every resident of Philadelphia. We all have say in what AMS should do regarding renewing SEPTA's operating permit.

So my little car that I rarely drive as a City resident maybe will admit a few pounds of NOx's and VOCs over its entire life, yet I'm required to conduct an annual inspection to keep it on the road regardless of how many hours I actually may drive it.

The SEPTA Roberts Complex power plant that can put out 25 tons annually is required to have an emissions inspection once every one to three years. What's wrong with this picture?

If malfunctioning, the power plant could emit in minutes the amount of NOx and VOCs that my little car emits in a lifetime, and that could go unchecked for up to three years with the current permit.

Why is the power plant not required to be monitored continuously for NOx emissions just like my car? If my car emits too much NOx, the check in engine light comes on so I know it needs to be repaired.

The technology for continuous monitoring is available. Honestly, I don't care how expensive it might be. It's time for the residents of Philadelphia to stop paying for the

cost of emitting pollutants, especially those above a permitted amount, with their health and well-being.

It must be the responsibility of the polluter-emitter to bear the cost of monitoring, maintaining and controlling the pollutants they are permitted to exhaust.

The time of three-year free passes is over. Please impose strict monitoring requirements like continuous monitoring on the Roberts Complex power plant so real-time actions can be taken to minimize emissions.

And since I have five minutes, allow me to follow up on some comments made by an AMS and SEPTA presenter earlier. First, by pointing out that Nicetown doesn't have the worst air quality in the City, do you really think that makes it okay to continue the bad practice of keeping the air not quite the worst?

Second, SEPTA, you using today the same reasons you used in 2017 to tout your environmental credibility and justify burning natural gas today is, well, way out of touch. You need to update your understanding of what climate friendly power looks like today, and what you should be aiming for in powering your facilities. Dr. Tsou in his earlier testimony provided some good ideas. Thank you.

DR. RAVAL-NELSON: Thank you, sir.

Our next speaker is Taylor Baker.

MR. BAKER: Hi. Can you hear me all right?

DR. RAVAL-NELSON: Yes. I will start your timer.

MR. BAKER: Hi. My name is Taylor Baker, T-A-Y-L-O-R, B-A-K-E-R. The SEPTA gas plant which started operating in 2019 burns fracked natural gas. The plant's emissions, particularly of volatile organic compounds, VOCs and other pollutants poses significant health risks to the surrounding communities.

This risk is exacerbated by insufficient emissions testing and monitoring, resulting in potential unchecked violations of emissions standards for up to three years.

Right now, solar power is cheaper per kilowatt-hour than all other forms of energy, and the green transition is happening all over the world. And it's an inevitability, and it's necessary for our survival. The question is, will it happen now while it can still save lives, or decades from now when it's far too late?

The plant is not required to test its emissions more than once every three years, and such infrequency does not adequately safeguard our community from potential harm.

This lack of transparency and oversight is unacceptable. We demand continuous air quality monitoring at the site and the surrounding community.

The lack of data collection is a common tactic for

polluters who can then claim ignorance of the health consequences and avoid legal and fiscal responsibility, which is what happened at the Three Mile Island disaster where a lack of radiation testing in the nearby community allowed the nuclear plant to skirt true responsibility. The fact that the City allows this to go on makes it clear we're being sold out for profit's sake.

We are calling for remediation of air quality by reducing the amount of fossil fuels burned on site. This can be achieved by implementing sustainable energy solutions like solar power and undertaking greening initiatives such as planting thousands of trees in order to protect residents' health.

In light of alarming data showing that Nicetown has a higher fine particulate level than 78 percent of neighborhoods across the nature and a higher exposure to diesel exhaust than 90 to 95 percent of neighborhoods, we must take immediate action.

The health consequences are severe. We're experiencing a surge in respiratory conditions like asthma and allergies, particularly in children.

According to a 2012 report, 31 percent of children in the 19140 ZIP Code were diagnosed with asthma, significantly higher than the local and national averages.

A community also deserves full transparency about HAPs, hazardous air pollutants, emitted from this facility. The Health Department regulations must be enforced to protect residents from exposure to harmful substances like lead, formaldehyde, and benzine. The potential for these toxins to cause cancer and central nervous system diseases such as Parkinson's and Alzheimer's is a serious concern.

The consequences of our reliance on fossil fuels are far-reaching. The plant's emissions contribute to global warming with methane from gas having 86 times the global warming potential of carbon dioxide over the first 20 years of its release.

The urgency to transition away from fossil fuels is not just about climate change but also about public health, particularly for communities situated near gas infrastructure. Thank you, and I hope it does not get approved.

DR. RAVAL-NELSON: Thank you very much.

Our next speaker is Hope Primas. Hope Primas.

(Pause.)

DR. RAVAL-NELSON: Hope?

MS. PRIMAS: Can you hear me?

DR. RAVAL-NELSON: Yes.

DR. BETTIGOLE: Can you please speak a little louder?

DR. RAVAL-NELSON: All right, great. I will set the timer.

MS. PRIMAS: (Inaudible.)

DR. RAVAL-NELSON: You're not coming through clearly.

MS. PRIMAS: Can you hear me now?

DR. RAVAL-NELSON: Yes.

MS. PRIMAS: Okay. I will do the best that I can. My name is Hope Primas. I am a near neighbor -- (inaudible) --

DR. RAVAL-NELSON: We lost your volume completely. We cannot hear you.

DR. BETTIGOLE: May I suggest, Ms. Primas, sometimes when this happens, if you log out and log back in, you can solve the sound problem.

MS. PRIMAS: Okay. I will log out and log back in and let you know when I do. Thank you.

DR. RAVAL-NELSON: Perfect, and we'll add you to the end of the list, okay?

MS. PRIMAS: Okay. Thank you.

DR. RAVAL-NELSON: Thank you. Okay. So our next person will be Tiffany DiGiacomo. Tiffany?

(No response.)

DR. RAVAL-NELSON: Tiffany?

(No response.)

DR. RAVAL-NELSON: Okay. Last call for Tiffany

DiGiacomo.

(No response.)

DR. RAVAL-NELSON: All right. Our next person then is Marc Davies. Marc Davies?

(No response.)

DR. RAVAL-NELSON: Marc Davies?

(No response.)

DR. RAVAL-NELSON: Okay. Marc was our last --

DR. BETTIGOLE: I think there are a few more in the chance. I think Russell Zerbo is next.

DR. RAVAL-NELSON: Yes. I have a couple more people that we're adding, but Marc was our last pre-registered person. And before we move to Russell Zerbo, I'd like to see if Mike Ewall, who had pre-registered, is available to speak now. Mike?

MR. EWALL: Yes. Can you hear me now?

DR. RAVAL-NELSON: Yes, we can. I will start your timer. Please feel free to start.

MR. EWALL: Thank you. So my name is Mike Ewall with Energy Justice Network. I'm a Philadelphia resident, and I would like to back the calls for not renewing this permit, but with the likelihood that it will be renewed, I want to urge, as others are calling for, for continuous emissions monitors in stack at the facility to be used for all

pollutants that are being regulated.

It's inadequate to be using modeling to guess what the emissions are, and it's inadequate to be testing once a year or once every three years for certain pollutants as many other facilities do, although this is being regulated even less than those that tend to test for a handful of things about once a year.

The pollutants like carbon monoxide, carbon dioxide, hydrogen oxides, volatile organic compounds, particulate matter, even acid gases like hydrochloric acid, should be tested on a continuous basis, and the technology has existed to do this since at least when EPA tested and verified that in 2006, and yet it's rare that they're being required to be continuously monitored.

One example, though, that is encouraging that came from comments I gave at a hearing years ago with the oil refinery in Philadelphia where AMS required it to be the first oil refinery in the country to have to use continuous emissions monitors for particulate matter, at least with that one part of the plant that was being considered in that permit at the time.

And I would encourage the same thing here. The technology exists, and obviously AMS knows about it and has approved it, having looked at other examples that I provided

at the time of it being put into different permits around the state, around the country.

The need for this is exemplified by the fact that continuous monitors pick up a lot more information than you get when you test once a year or even less, or God forbid, not even test at all and just modeling it out.

When I looked at the data on the Covanta trash incinerator in Chester, Pennsylvania, for instance, they use continuous monitors for hydrochloric acid as well as doing annual stack tests.

And as it turns out, the continuous monitors found that the actual emissions are 80 percent higher than what you would normally think it would be if you just rely on an annual stack test as most facilities like that around the country do.

Similarly, studies from Europe of dioxins, the most toxic chemicals known to science, when they use continuous sampling in that case, they found in one study, the actual emissions 30 to 50 times higher than what we think they are in the U.S. when they test once a year, and in another study, about 460 or almost 1,300 times higher than we think they are when we test once a year under best behavior tests.

So I encourage that this be used in stack for all regulated pollutants, and that the data be put on a public

web site in real time for the world to see, because people have a right to know this information. That's all. Thank you very much.

DR. RAVAL-NELSON: Thank you very much for your testimony. The next speaker that has not pre-registered will be Russell Zerbo. Russell?

MR. ZERBO: Can you hear me?

(No response.)

MR. ZERBO: Yes. Thank you, Chris. People can hear me.

DR. RAVAL-NELSON: Okay.

MR. ZERBO: My name is Russell Zerbo, R-U-S-S-E-L-L, Z-E-R-B-O. I am an advocate at the non-profit Clean Air Council. Please increase the frequency of stack testing requirements for combined heat and power, CHP units G-1 and G-2 at the Southeastern Pennsylvania Transportation Authority's Roberts Complex in the Nicetown neighborhood of Philadelphia.

Over 35,000 Philadelphians live within a mile of the Roberts Complex, 51 percent of which live under the federal poverty line and 83 percent of which are people of color. This is an environmental justice community that has a right to increased environmental protection.

In January 2022, during a required test of emissions

from the facility's largest pollution source, CHP Unit G-1, it was determined that one of the heat and power generation units was emitting pollution above the levels allowed under the facility's permit.

The malfunction was repaired and the facility paid a fine. It is unknown how long this equipment was malfunctioning for, and how much unpermitted air pollution was released over time.

This malfunction could have easily caused the facility to surpass the 25 tons per year pollution limits for nitrogen oxides and volatile organic compound emissions.

And I just want to note that both AMS and SEPTA have presented about the actual emissions from this facility in 2022, and those numbers are inaccurate because this pollution incident that was discovered in January 2022 was not monitored, so you truly don't know how much air pollution was released from this facility in 2022, because of the lax stack testing requirements.

The City of Philadelphia currently does not meet federal ground level ozone standards, and in its 2021 air quality report, the City's Air Management Services concluded that smog is increasing in the City -- smog and ground level ozone are the same thing -- raising the risk of respiratory damage and other health effects.

SEPTA is now seeking to renew this air pollution permit and the current stack testing requirements are not adequate to ensure that the facility's nitrogen oxides and volatile organic compound emissions are kept below permitted limits.

The current air permit and proposed renewal only requires that the two combined heat and power generation units at the site be tested every 8,760 hours of operation, or every three years, whichever comes first.

This is not an adequate frequency to ensure that the facility complies with its emissions limitations at all times. Please increase air pollution monitoring and testing at SEPTA's Nicetown plant to at least quarterly. Thank you.

DR. RAVAL-NELSON: Thank you very much. Our next speaker will be Musa Wilson. Musa?

MR. WILSON: Hello?

DR. RAVAL-NELSON: Yes. We can hear you, and I'll start your timer when you start speaking.

MR. WILSON: Before I start, is there any way I can turn my camera on, or -- I don't see the option.

DR. RAVAL-NELSON: I believe you're looking for -- (inaudible) --

MR. WILSON: Okay. Well, I'll just start then.

DR. RAVAL-NELSON: One of the other -- go ahead.

MR. WILSON: My name is Musa Wilson. I'm a student at Imhotep Institute Charter High School, and I'm one of the STEM ambassadors for our new STEM program.

And I'm here to speak on behalf of the student body that we have, largely across Philadelphia, Pennsylvania, and especially why these plants, these factories, or SEPTA itself needs to be held accountable for some of the things that they are doing.

I want to start off by saying, I do have a close friend of mine who was recently hospitalized because he had an asthma attack while going to work on a SEPTA bus, and this should go to show that like we need to take initiative.

Air quality itself is inextricably linked to a whole bunch of different other illnesses such as vitamin deficiency because parents don't even want their kids going outside to see the light of day, so they're not even getting vitamins, like they are scared that if their children go outside, that it will cause irreversible damages to their lungs and stuff, especially the residents of Nicetown.

But that would be going to the factual things. I just wanted to point out a couple of things that bothered me during the presentation or some, I guess you could say solutions or suggestions that I recommend.

CHP factories, I know that a lot of other

organizations utilize them, but that does not mean that everybody else should do it. Because somebody's doing one thing bad, that does not give you a free pass and it doesn't make it okay. You shouldn't do something that's bad to me because everybody else is doing it.

And the facility itself is already in a bad neighborhood that's struggling over air quality, and it should have an even lower amount of a lot of emissions than it does currently because even though they claim that they emit natural gas which is healthy, it's actually not, nor is it sustainable.

So even if they are, even if the numbers are lower than what they have been, that doesn't mean it's still a healthy practice that we should keep practicing or upholding.

I think data needs to be easily and publicly accessible to ensure that those who wish to stay informed about SEPTA's policies and/or rebuttal upcoming policies or advancements, they should have access to that data because they're the main ones who are at cause when it comes to these policies, like the decision that SEPTA makes is affecting them directly.

A lot of people in Philadelphia use SEPTA. They rely on their transit lines to go to and from work, to and from

school, and it's just overall not okay for them to feel as though they don't have a say in the choices that SEPTA is making.

I also should say that SEPTA itself should take charge in finding healthier, sustainable, renewable energy sources to apply to their franchise, especially because, like I said previously, a large portion of citizens in Philadelphia use their transportation systems.

But I just really want to highlight that. It's very important because kid, young kids, they go outside for a majority of their lifetime to either play or go to and from school, to and from work, and they are the ones who are directly in harm's way when it comes to this air pollution and air quality.

They're young. They're not as developed as adults. Their immune systems are not as strong as they could be, so they can potentially be very sick. They could get very weak from this air pollution, air quality.

I know that SEPTA definitely does or would be able to have the technology to monitor air quality around the City daily, because we do it at our school. We're a charter school. We make sure that our air quality is good in our schools, especially through the hallways --

DR. RAVAL-NELSON: Mr. Wilson, you have one minute.

MR. WILSON: Okay. Thank you. But I know that if we can do it, then SEPTA can do it too. And I just really feel like we need to protect the youth, especially with these policies that they're making. SEPTA should have more consideration when making these bills and things of that nature. Thank you for your time.

DR. RAVAL-NELSON: Thank you very much. Our next speaker is Mr. Jeremiah White. Jeremiah?

MR. WHITE: Yes. Can you hear me?

DR. RAVAL-NELSON: Yes, we can. I will start your timer.

MR. WHITE: How are you doing? My name is Jeremiah White. I am also a STEM ambassador at Imhotep Institute Charter High School. I am going into twelfth grade, and I am also a student athlete.

Me and my STEM ambassador team, we have been working on air quality issues for a while now, so we have a lot of background information, and we've been working with U. Penn in reference to the matter of our major causes of pollution such as airports, trucks, cars, and factories.

And adding this factory to the mix is just going to cause the same hurt and pain to the earth that has been going on for generations and generations.

And as an athlete, I can say that athletes inhale much

more air and use much more energy than a regular person as we are being active, and we're outside more, and we work out. It's deteriorating our health. And I'm sorry, yeah.

(Pause.)

DR. RAVAL-NELSON: Thank you very much --

MR. WHITE: Hello?

DR. RAVAL-NELSON: -- for your testimony.

MR. WHITE: Can you hear me? Can you hear me? I'm sorry.

DR. RAVAL-NELSON: Yes --

MR. WHITE: My phone cut off for a second.

DR. RAVAL-NELSON: -- we can. No worries. You have three minutes and 25 seconds.

MR. WHITE: Okay. So yes, I am here advocating for the black community and for the youth of the black community as well, because us as a community, we get the low, like the bottom of the barrel.

So we go through a lot of health crises that not a lot of people, or not a lot of other races go through. And I really just want to see that change. It starts here. Like, this one meeting can start a whole movement and change much more than we can know.

Also, to add another fact to the matter, I found out that around airports where residents live, there is more

likely to -- you're more likely to have a heart attack or to experience lung cancer or any type of cancer, like Taylor Baker was saying earlier in the meeting, and I really just want to see a change. That's all. Thanks for having me.

THE REPORTER: Excuse me. This is the court reporter. Mr. White, could you please state the school that you attend? I did not catch it. Thank you.

MR. WHITE: I attend Imhotep Institute Charter High School. We are an African culture based high school in the City of Philadelphia.

THE REPORTER: Thank you very much.

MR. WHITE: Thank you.

DR. RAVAL-NELSON: Thank you. Excellent.

Our next speaker will be Lisa Hastings, and then we will be on the lookout for Hope Prima. So Lisa Hastings?

MS. HASTINGS: Yes. Hi. My name is Lisa Hastings and I'm speaking as a concerned resident of Philadelphia. If this permit goes through, it needs to at least be seriously revised to reflect that ozone is increasing in Philadelphia, not decreasing --

DR. RAVAL-NELSON: Okay. Ms. Hastings is not available. We've hit everybody we had --

MR. WIENER: She's --

DR. BETTIGOLE: She's speaking.

MS. HASTINGS: I was speaking.

DR. RAVAL-NELSON: Oh.

MS. HASTINGS: Can I start over?

(No response.)

MS. HASTINGS: Hello?

DR. BETTIGOLE: I think there's something wrong with Dr. Raval-Nelson's connection. I can restart the timer for you if you want to go ahead and speak. I apologize.

MS. HASTINGS: Okay. I'll start over.

DR. RAVAL-NELSON: Sorry about that.

MS. HASTINGS: Okay. This permits needs to be seriously revised to reflect that ozone is increasing in Philadelphia, not decreasing as it was acclaimed in 2019, to reduce unnecessary pollutants including waste heat that this facility emits directly into a federally recognized environmental justice area, and to radically increase and improve monitoring and public transparency.

The fact that there are other CHPs polluting Philadelphia does not lessen the harm done. The only way to reduce the harm to public health and the environment in Nicetown is to reduce the amount of fossil fuel burned at this facility.

If natural gas is burned, continuous emission monitoring on the CHPs must be required. Also, AMS must

install comprehensive permanent air quality monitoring near the site. Mobile temporary monitoring is helpful but not sufficient.

It is good in this version of the permit that SEPTA included other stationary sources of air pollution from this facility, but the permit still has serious limitations.

Given the air quality problems in Philadelphia and SEPTA's violation of the previous permit, AMS should have reduced the amount of natural gas that can be burned on site to compensate for acknowledging other emissions and to reduce potential problems in the future.

Instead, AMS increased the amount of pollution SEPTA is allowed to emit, increasing the amount of NOx by almost 15 percent and the amount of VOCs allowed by over 50 percent from the first permit, leaving SEPTA with no wiggle room before crossing over to major source levels. This is unfair and should be reversed.

The total amount of natural gas allowed to be burned should be reduced, and these reductions should be taken during the ozone season or at least during the high heat ozone summer months.

They could alter the amount of natural gas and electricity burned and change this radically to radically reduce or eliminate what is burned during ozone season.

This will reduce the greenhouse gases and the ozone precursors emitted during the ozone season, which should be routinely expected in an ozone nonattainment area.

It will also decrease the amount of waste heat these CHPs flood into already overheated environmental justice neighborhoods. These are both serious problems that AMS and SEPTA need to address.

Burning less fossil fuel on site does not require a reduction in SEPTA service, but rather an adjustment in how much electricity and how much natural gas are used during this month.

Ideally, state and federal funds will be pursued to help install solar at this facility and on other SEPTA properties and used to offset burning natural gas. This is an economic as well as an environmental necessity.

Increasing the energy resilience of SEPTA's regional rail was a reason that SEPTA used the first time this facility was approved --

DR. BETTIGOLE: Excuse me, Ms. Hastings. You have one minute.

DR. RAVAL-NELSON: You have one minute left.

MS. HASTINGS: Okay, yes. Energy resiliency supposedly of the CHPs was used as an argument to build this plant. However, it is really a reason to install solar to

augment grid electricity and replace some natural gas.

PJM Interconnect found that individual natural gas generators were less reliable during polar vortexes in Pennsylvania than grid electricity was. Additionally, since then, the U.S. Department of Energy now maintains that solar energy with battery storage increases the resiliency of power sources, partially because a breakdown in fuel delivery will not impact it. So for energy resiliency, for environmental quality, climate change, public health --

DR. RAVAL-NELSON: Ms. Hastings, your time is up.

MS. HASTINGS: Thank you.

DR. RAVAL-NELSON: Thank you very much. I am not sure if Hope Primas has joined us back.

(Pause.)

DR. RAVAL-NELSON: Great. Hope is back, and Hope, do you want to go ahead and come on and provide your testimony?

(No response.)

DR. RAVAL-NELSON: Hope?

(No response.)

DR. RAVAL-NELSON: Hope, are you on?

(No response.)

DR. RAVAL-NELSON: It seems as though Hope is not on, so at this point we've gone through all of the testimony. We will reach out to Hope and ask her to provide her

testimony in a written form so that she can be included as a part of the public record.

Again, the written testimony comment has been extended to August 31st of this year, and the information of where to submit the written testimony as well as the subject information was provided in both the chat and the Q&A.

At this point, I am going to turn it over to our health commissioner for a few closing words.

DR. BETTIGOLE: I just wanted to take a moment to thank everyone who has joined this call, who has given comments, who has listened, for a really thoughtful and solutions-focused process.

I know there's a lot of strong feelings about this permit and this facility. Really, in a time in which there's so much screaming at people, I just have truly appreciated this approach of thoughtful, science-based, important comments.

So we are listening. It's going to take us a while to work through what I imagine will be copious public comments, so we will do that, and we do take that process very seriously.

I also just want to say how impressed I was, I think everybody on this call was, with our two young people who called in, and grateful that they are engaged in this kind

of thoughtful debate, and thinking deeply about how we can make our environment safer and better for all of us to breathe.

So thank you all for being here. It will probably take us several months to work through all of this, but we will issue a written document.

I'm going to turn things back over to Dr. Raval-Nelson to wrap up. Thank you.

DR. RAVAL-NELSON: Thank you -- (inaudible) --

DR. BETTIGOLE: Palak, I think there's something wrong with your sound, I'm afraid.

(Pause.)

DR. BETTIGOLE: All right. I just want to make sure everybody sees the email Ed put in the chat in terms of where to send public comments, again, open till August 31st, to DPHAMS_Service_Requests@Phila.Gov. And please put "SEPTA Roberts Complex SMOP" in the subject line. And all that is in the chat.

So with that, unless there's anything else that I'm missing processwise, folks, I think we're going to give you your evening back, and thank you so much for being part of this process.

(Whereupon, the public hearing was concluded.)

C E R T I F I C A T I O N

I hereby certify that the foregoing proceedings, the Public Hearing - proposed Synthetic Minor Operating Permit for Southeastern Pennsylvania Transportation Authority (SEPTA) - Roberts Complex, were reported by me on July 27, 2023, and that I, John A. Kelly, read this transcript and attest that this transcript is a true and accurate record of the proceedings.

By:

John A. Kelly

Court Reporter

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