

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**APPLICATION OF KENTUCKY UTILITIES)
COMPANY FOR APPROVAL OF ITS 2020)
COMPLIANCE PLAN FOR RECOVERY BY) CASE NO. 2020-00060
ENVIRONMENTAL SURCHARGE)**

**APPLICATION OF LOUISVILLE GAS AND)
ELECTRIC COMPANY FOR APPROVAL OF)
ITS 2020 COMPLIANCE PLAN FOR) CASE NO. 2020-00061
RECOVERY BY ENVIRONMENTAL)
SURCHARGE)**

**SUPPLEMENTAL DIRECT TESTIMONY OF
GARY H. REVLETT
DIRECTOR, ENVIRONMENTAL AFFAIRS
KENTUCKY UTILITIES COMPANY
LOUISVILLE GAS AND ELECTRIC COMPANY**

Filed: September 4, 2020

1 **Q. Please state your name, position, and business address.**

2 A. My name is Gary H. Revlett. I am Director of Environmental Affairs for Kentucky Utilities
3 Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) and an employee
4 of LG&E and KU Services Company, which provides services to KU and LG&E
5 (collectively “Companies”). My business address is 220 West Main Street, Louisville,
6 Kentucky, 40202.

7 **Q. Have you previously testified in these cases?**

8 A. Yes. My direct testimony was filed in these cases on March 31, 2020.

9 **Q. What is the purpose of this supplemental testimony?**

10 A. The purpose of my supplemental testimony is to update the Commission on recent
11 developments related to the United States Environmental Protection Agency’s (“EPA”)
12 2015 Effluent Limitations Guidelines Rule (“2015 ELG Rule”)¹ and the 2019 proposed
13 revisions to the 2015 ELG Rule that existed at the time of my March 31, 2020 direct
14 testimony and that I explained in that testimony.

15 **Q. What are those recent developments?**

16 A. On August 31, 2020, the EPA took the next step towards finalizing the 2019 proposed
17 revisions to the 2015 ELG Rule. It issued what it calls a “pre-publication notice” which
18 signifies that the EPA has submitted for publication what is expected to become the final
19 rule. It will be published in the Federal Register in the near future.²

20 **Q. Does the pre-publication notice alter the limitations for various pollutants set forth in**
21 **the 2019 proposed revisions to the 2015 ELG Rule?**

¹ 40 CFR 423.

² The pre-publication notice is located at https://www.epa.gov/sites/production/files/2020-08/documents/steam_electric_reconsideration_rule_final_fm_08_31_2020.pdf

1 A. Yes. In my March 31, 2020 direct testimony at page 7, I provided a table comparing the
 2 2019 proposed revisions to the limitations for pollutants with those set forth in the 2015
 3 ELG Rule. I have now updated that table (see “2020 Final Rule” columns below) to show
 4 the pollutant levels described in the August 31, 2020 pre-publication notice which are
 5 expected to be in the 2020 ELG Final Rule:

Parameter	2015 Rule Daily Maximum	2019 Proposed Rule Daily Maximum	2020 Final Rule Daily Maximum	2015 Rule Monthly Avg	2019 Proposed Rule Monthly Avg	2020 Final Rule Monthly Avg
Arsenic (ug/L)	11	18	18	8	9	8
Mercury (ng/L)	788	85	103	356	31	34
Selenium (ug/L)	23	76	70	12	31	29
Nitrate/Nitrite (mg/L)	17.0	4.6	4.0	4.4	3.2	3.0

6
 7 **Q. Does the pre-publication notice affect compliance dates that were set forth in the 2019**
 8 **proposed revisions to the 2015 ELG Rule?**

9 A. Yes. Compliance is required as soon as possible on or after one year from the date the
 10 2020 ELG Final Rule is published in the Federal Register, but no later than December 31,
 11 2025 for both bottom ash transport water wastewater and flue gas desulfurization
 12 wastewater.

13 **Q. Do the changes to the pollutant levels and compliance dates affect the need for the**
 14 **projects proposed in this case or the cost of those projects?**

15 A. Absolutely not. For all the reasons set forth in March 31, 2020 Applications, Mr. Straight’s
 16 direct testimony, Mr. Wilson’s direct testimony, and my direct testimony, the proposed
 17 projects are both necessary and the most economical method of complying with what is
 18 expected to be the 2020 ELG Final Rule. Additionally, the changes to pollutant levels and

1 compliance dates are not expected to alter the projected cost of the projects in any material
2 way.

3 **Q. Has your recommendation to this Commission changed?**

4 A. No. I continue to recommend approval of all projects the Companies propose in these
5 cases.

6 **Q. Does this conclude your supplemental testimony?**

7 A. Yes, it does.

VERIFICATION

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The undersigned, Gary H. Revlett, being duly sworn, deposes and says he is Director of Environmental Affairs for Kentucky Utilities Company and an employee of LG&E and KU Services Company, and that he has personal knowledge of the matters set forth in the foregoing testimony, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

Gary H. Revlett
GARY H. REVLETT

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 4th day of September, 2020.

(SEAL)

Judy Schoster
Notary Public
Notary/Commission Number: 603967

My Commission Expires:

7/11/2022