

**Testimony of
Robin Mills Ridgway, Ph.D., P.E.
Director of Environmental Health and Safety Regulatory Compliance
Purdue University**

**Before the
House Committee on Energy and Commerce, Subcommittee on Energy and Power
“The American Energy Initiative”
Thursday April 7, 2011**

Chairman Whitfield, Ranking Member Rush, Members of the Committee, good afternoon.

Thank you for inviting me to testify today. My name is Robin Mills Ridgway. I am the Director of Environmental Health and Safety Regulatory Compliance with Physical Facilities at Purdue University. I hold a PhD in environmental Engineering and am a licensed professional engineer in Indiana.

I serve as a resource for environmental regulatory compliance at Purdue, and in particular analyze impacts of current and upcoming regulations on Purdue operations and proposed projects. I also participate in rulemaking activities at the state and federal level to assist the University with planning.

Purdue University in West Lafayette, IN is like a small city. With 47,000 students and an expansive research infrastructure, the University has many support and research activities that are covered by Environmental Protection Agency (“EPA”) regulations:

- a 1600 acre multi species confined animal feeding operation with swine, poultry, dairy and beef operations. This operation is covered by state level animal feeding rules and EPA confined animal feeding operation (“CAFO”) regulations;
- a federally permitted hazardous waste treatment storage and disposal facility that handles 188,000 pounds of waste from campus labs annually.;
- a campus storm water permit that covers runoff from construction projects and other non-point source runoff from campus;
- a Purdue owned and operated public water supply that supplies drinking water to campus;
- a primarily coal fired combined heat and power facility that supplies nearly all of the campus heating steam, chilled water, and on average 60 percent of the campus electricity. This highly efficient facility holds a point source National Pollutant Discharge Elimination System (“NPDES”) permit for process waste water and has various Clean Air Act regulations that currently apply or will apply to it: New

Source Performance Standard (“NSPS”) Subpart D and Db, major source National Emission Standard for Industrial, Commercial, and Institutional Boilers and Process Heaters (“Boiler MACT”), National Emission Standard for Hazardous Air Pollutants for Reciprocating Internal Combustion Engine Maximum Achievable Control Technology (“RICE MACT”; covers our generators and air compressors), green house gas (“GHG”) reporting, GHG permitting, and chlorinated fluorocarbon (“CFC”) regulations. Purdue’s utility plant boilers are also regulated as a non-electric generating units (“non-EGU”) under the NOx budget trading program (now the vacated Clean Air Interstate Rule, “CAIR”) and will likely be regulated under the Clean Air Transport Rule, though the specific impact is unclear at this time. EPA has proposed the Coal Ash Waste Rule to be an electric-utility only rule, however I believe all coal ash generators will be regulated (utilities and non-utilities) by the rule because the states are unlikely to differentiate by source.

A core part of my position is monitoring regulatory developments and apprising the university administration of impacts, or, more often, projected impacts for planning purposes. Because of our long planning timelines, I am frequently asked to look out 5 and sometimes 10 years to help guide a project. I try to predict with as much certainty as possible making sure the administration understands the full spectrum of potential impact. As uncertainty increases, the impact spectrum broadens. The projected impact of layered regulations then becomes a driving factor in decision making, potentially causing the administration to delay a decision until there is more certainty.

Our recently cancelled boiler project is a good example of this potential outcome. The Boiler 6 project followed a multiple-year planning timeline typical of a large capital project at a state university. By the time the project was to be commenced, the regulatory landscape had changed and the likelihood of future regulations with respect to coal use and ash disposal had the potential to negate cost savings originally associated with the project. As a result, the Board of Trustees cancelled the project in February of 2011.

The planning challenges associated with a rapidly changing regulatory landscape is not unique to universities. However, universities cannot relocate or consolidate operations like a for-profit manufacturer might be able to nor are we able to pass the cost along to a customer. Our students are our customers, so the added cost of compliance or additional purchased utilities falls back on the taxpayers. We are committed to providing educational foundation for our students as economically as possible and the key to good fiscal stewardship is careful long term planning.

Mr. Chairman, I thank you for this opportunity to testify, and would be pleased to answer any questions the committee may have.