

BCZ

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A PROFESSIONAL CORPORATION

Clean Air Act Compliance Issues

EPGA Power Generation Conference
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Michael Winek, Esquire
Babst, Calland, Clements & Zomnir, P.C.

Agenda

- Self-policing Requirements
- Compliance Determinations
- SEC Environmental Disclosure Requirements
- Enforcement

Self-policing Requirements

- Title V Permits
 - Annual certification by responsible official
 - Semi-annual reports of required monitoring including deviations
- Federal regulatory programs
 - NSPS
 - Trading Programs (Acid Rain/NOx Budget)
- CEMS reporting
- PA Compliance History Review Form

Title V Annual Compliance Certification

Certification of compliance shall include:

- Identification of each permit term and condition;
- The compliance status;
- The methods used for determining the compliance status, currently and over the reporting period;
- Whether compliance was continuous or intermittent.

Title V Annual Compliance Certification

- Compliance certification issues
 - Short form vs. long form
 - Continuous or intermittent compliance
 - CEMS
 - Due dates
 - “Reasonable inquiry”

Compliance Determinations

- Terms with monitoring or testing vs. terms with none
 - 200 lbs/hr CO with annual stack testing
 - 500 ppm SO₂ or 0.04 gr/dscf PM limits
- Pa fugitive emissions prohibition (25 Pa. Code 123.1(a))
- Title VI (refrigerants/ODS) & Asbestos NESHAP
- New source permitting (PSD, NSR, plan approval)
 - Assess all changes
 - Document applicability analysis
- Any credible evidence (“ACE”) rule.

