

ADMINISTRATIVE WATCH

ADDRESSING ENVIRONMENTAL, ENERGY AND NATURAL RESOURCE ISSUES



RACT Rulemaking Expected to Impact Major Sources of NO_x and VOC Emissions in Pennsylvania

Proposed regulatory amendments published on April 19, 2014 are likely to affect hundreds of facilities in Pennsylvania. The Pennsylvania Department of Environmental Protection (PADEP) has estimated that 141 sources will need to install additional pollution control equipment under the proposal. In addition, environmental advocacy groups began criticizing the rule as being too lenient even before it was published.

The Pennsylvania Environmental Quality Board published proposed amendments to PADEP regulations in 25 Pa. Code Chapters 121 and 129 (relating to general provisions; standards for sources). The proposed rule would require all major stationary sources of nitrogen oxides (NO_x) or volatile organic compound (VOC) emissions, or both, to apply “reasonably available control technology” (RACT). NO_x and VOC controls are required because the Commonwealth is located in the Northeast Ozone Transport Region.

The proposed rule would establish presumptive RACT for nine source categories: combustion units; boilers; process heaters; turbines; engines; municipal solid waste landfills; municipal waste combustors; cement kilns; and other sources that are not regulated elsewhere under Chapter 129. Facility owners and operators would be required to either meet the presumptive RACT emission limitations and requirements or negotiate alternative requirements with PADEP.

The Pennsylvania Environmental Quality Board will hold three public hearings on the RACT proposal in May 2014. Public comments will be accepted until June 30, 2014.

If you own or operate a major stationary source of NO_x or VOC emissions, or both, your facility is likely to be affected by this rulemaking. For additional information regarding compliance options, please contact Michael H. Winek at (412) 394-6538 or mwinek@babstcalland.com, or Meredith Odato Graham at (412) 773-8712 or mgraham@babstcalland.com.

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