Title V/Clean Air Act: Petition to Object Filed Addressing Scotia, California Biomass Facility



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The Environmental Protection Information Center and Humboldt Coalition for Clean Energy (collectively, "EPIC") filed a January 3rd Title V Petition to Object ("Petition") before the United States Environmental Protection Agency ("EPA") Administrator related to Humboldt Sawmill Company, LLC ("HSC").

The Title V Petition objects to the North Coast Unified Air Quality Management District ("District") for granting a Title V Permit for a biomass facility owned and operated by HSC in Scotia, California.

The facility is stated to include a 28 MW steam turbine generator.

Title V of the Clean Air Act requires certain stationary sources of air pollution to obtain Operating Permits. States that administer Title V do so through adopted implementation plans. These plans are submitted to and approved by EPA. The intent of a Title V Permit is to organize in a single document all the requirements which apply to the permit holder.

42 U.S.C. § 7661 requires that states submit each proposed Title V Permit to EPA for review. Section 505(b)(1) requires that EPA object to the issuance of a proposed Title V Permit in writing within 45 days of the receipt of the proposed permit (and all necessary supporting information) if the agency determines it is not in compliance with the applicable requirements under the Clean Air Act.

If EPA does not object to a permit, Section 505(b)(2) provides that any person may petition the EPA Administrator within 60 days of the expiration of the 45-day review period, to object to the permit.

The Petition describes the HSC biomass plant as an electric co-generating unit powered by three stoker boilers burning wet sawmill waste. It is stated to have three emission units which consist of a:

- Boiler.
- Cyclone.
- Electrostatic precipitator ("ESP")

HSC is stated to have submitted an application to the District for a significant modification of the Title V Permit to exchange the cyclones in the biomass plant boiler units for multiclones.

The District is stated to have determined that a multiclone installation was not a major modification, and PSD did not apply to the project. EPA did not object. Therefore, the modification was issued.

EPIC puts forth the following grounds for objection:

- Failure to Apply BACT in Response to a Substantial Increase in Post Project PTE Violates Federally Approved District PSD Rules and Commits an Environmental Injustice.

- Reasonable Possibility Reporting of Post Project Emissions is Omitted from the Permit.
- Annual Boiler Emissions Limits Far Exceed PSD Significance Thresholds, Don't Assure Compliance with Applicable Requirements and Mislead the Source, the District, and the Public about How Much Pollution HSC is Allowed to Emit.
- 2029 Expiration Date Continues District's Long Standing Deprivation of Public Right to Comment on Title V Permit Renewals.

A copy of the Petition can be downloaded here.