Title V/Clean Air Act: Environmental Integrity Project Petition to Object Filed Addressing Westmoreland County, Pennsylvania Generating Station



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The Environmental Integrity Project and Mountain Watershed Association (collectively, "EIP") filed a September 15th Title V Petition to Object ("Petition") before the United States Environmental Protection Agency ("EPA") related to a permit issued to Tenaska Pennsylvania Partners, LLC ("Tenaska").

The Petition objects to a Title V Operating Permit issued by the Pennsylvania Department of Environmental Protection ("PDEP") for the Tenaska Westmoreland Generating Station ("Plant") located in Westmoreland County, Pennsylvania.

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 into a single document all of the requirements that 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) of the Clean Air Act 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 of 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.

EIP identifies as its grounds for objection the following:

- The Permit Must Require More Frequent Monitoring of Total PM, Total PM10, Total PM2.5, Sulfuric Acid Mist, Sulfur Oxides, and Greenhouse Gas Emissions from the Combustion Turbines.
- The Permit Sets Limits on Eight Pollutants from the Auxiliary Boiler But Does Not State the Method or Frequency Required to Monitor Any of Them, So the Draft Permit Does Not Assure Compliance With Limits As Required by the Clean Air Act.
- The Permit Impermissibly Authorizes Emissions during "Run Backs" and Fails to Limit Emissions Associated with These Events.

- The Permit Does Not Include Sufficient Monitoring Requirements to Assure Compliance with Hourly PM, PM2.5, or PM10 Limits from the Cooling Tower Because It Only Requires Once Monthly TDS Monitoring.
- The Permit Fails to State How Monitoring of Circulating Water TDS Will Be Used to Determine Compliance with PM Emission Limits.
- The Permit Fails to Assure Compliance with VOC Emissions Limitations by Failing to Require Meaningful VOC:CO Correlations Based on VOC Stack Testing.

A copy of the Petition can be found here.