

EPA issues clarification to Clean Air Act

Dec. 14 -- The EPA has issued a final rule to clarify when industrial facilities making changes to equipment might need to retain records documenting their emissions even if the changes do not trigger Clean Air Act New Source Review permitting requirements.

The rule clarifies when facilities must keep records and report emissions when a 'reasonable possibility' test shows that projected emissions increases could equal or exceed 50 percent of NSR significant levels for any pollutant, said Environmental Protection Agency spokeswoman Margot Perez-Sullivan Friday.

This rule does not change permitting requirements. The 'reasonable possibility' test examines the difference between a project's baseline emissions and the sum of emissions projected to result from the project and emissions attributable to independent factors such as growth in market demand.

NSR significant levels are pollutant-specific emission rates, measured in tons per year, that are used to determine when a project is subject to NSR permitting requirements. The rule will help the EPA and state and tribal permitting authorities track projects, using information on emissions that could exceed significant levels.

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