

Pennsylvania Coal Waste Plant's Air Permit Sufficient, EPA Says

A Pennsylvania plant that processes coal mining waste doesn't need to have a proposed renewal of its air pollution permit reviewed again, the EPA said in rejecting objections from environmental groups.

A newer version has made objections to the first draft permit moot, the Environmental Protection Agency said in [denying](#) a 2016 petition by the Sierra Club and Environmental Integrity Project. The EPA will publish its denial in the Federal Register Nov. 7.

The environmental groups had asked the agency to reject a proposed renewal of a 2007 Clean Air Act permit the Pennsylvania Department of Environmental Protection submitted for the Wheelabrator Frackville energy facility in Schuylkill County. The groups argued that emissions monitoring and testing required under the proposed renewal were not enough to ensure clean air compliance.

But the renewal permit now before the EPA is a revised version that supersedes the earlier version and takes such concerns into account, the EPA said in its order.

"The energy, attention, and resources of the agency, and all parties, at this point would be better directed towards evaluating" the revised permit, the order says.

Permit Objections

The 48-megawatt power plant, which burns waste anthracite coal to generate electricity, is currently operating under a Title V permit issued in 2007. Title V of the Clean Air Act requires major sources of air pollutants to obtain and operate in compliance with an operating permit.

A 2016 draft permit allowed inadequate monitoring of particulate matter, required monitoring that was too infrequent, permitted subpar testing methods, and failed to explain the basis for monitoring requirements, the environmentalists' petition said.

Pennsylvania regulators initially submitted drafts of the permit to the EPA in May and July 2016, according to the order. Environmental groups commented on the 2016 draft permit in June 2016 and petitioned the EPA that October to reject the permit. At the end of October 2016, the agency withdrew the listing from its webpage of Title V permits under review and began a series of technical exchanges with state regulators that continued through this August, the order said.

The Pennsylvania DEP submitted a revised version of the draft permit on Sept. 1.

The Sierra Club is reviewing the 2017 permit, Tom Schuster, a Sierra Club spokesman in Pennsylvania, told Bloomberg Environment Nov. 6. "It's possible that we might file another petition on the revised permit," he said.

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P. Bloomberg Environment is an affiliate of Bloomberg L.P.

The Environmental Integrity Project has commented on the latest proposed petition, the nonprofit watchdog group's attorney, Lisa Widawsky Hallowell, told Bloomberg Environment Nov. 6. She did not elaborate.

(This story has been updated with additional reporting.)

To contact the reporter on this story: Leslie A. Pappas in Philadelphia at LPappas@bna.com

To contact the editor responsible for this story: Rachael Daigle at rdaigle@bna.com



Leslie A. Pappas
Staff Correspondent