

Pennsylvania Tightens Air Quality Permits

Environmental groups force accountability for coal-fired power plants

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HARRISBURG, PA —

As a result of a [lawsuit](#) brought by Earthjustice on behalf of the Sierra Club, the Clean Air Council, and PennEnvironment, the Pennsylvania Department of Environmental Protection (DEP) [updated and strengthened air quality permits](#) for coal plants across the state.

Responding to a legal appeal by the environmental groups seeking updated operating permits for nine coal plants that had languished for up to seven years, DEP proposed and issued new permits for seven plants. Two other plants, Elrama and Armstrong, have been shuttered.

DEP is also proposing the addition of a protection against “air pollution” to permits for three coal-fired power plants—Hatfield’s Ferry, Mitchell, and Homer City. These permits will provide extra protection against public health threats.

“These permit applications languished for years. Now, we finally have current permits that are enforceable by citizens,” said Charles McPhedran. “And the citizens will be watching.”

Major sources of air pollution must obtain Title V permits (under Title V of the Clean Air Act and the Pennsylvania Air Pollution Control Act) authorizing their operation. These permits serve as an invaluable tool for citizens seeking to understand plant operations and the often complex interplay of regulatory requirements that protect the public health. Air pollution requirements may be enforced by government and citizens alike, and the timely issuance of Title V permits provides an opportunity for citizens to be heard regarding ongoing pollution issues—and even to petition the United States Environmental Protection Agency to object to a permit that is inadequately protective.

“Various provisions regulating coal plants have been updated recently and these operating permit renewals will ensure coal-plant owners, DEP and citizens can identify what regulations apply to a facility and assess compliance,” said Joseph Otis Minott, Executive Director of the Clean Air Council.

“Luckily the authors of the Pennsylvania Air Pollution Control Act had the foresight to allow citizens to take legal action when state officials fail to act,” said PennEnvironment Director

David Masur. “This is a significant victory for the people of Pennsylvania, for those who suffer from asthma and other respiratory ailments, and for anyone living downwind from these facilities.”

Title V permits are generally valid for five years, at which point they must be renewed to incorporate any new regulations. Sources must apply for permit renewal from six to eighteen months in advance of their current permit expiration. By law, DEP must then act on applications within 18 months of submission of a complete application. Proposed Title V permits are also published for public comment in the Pennsylvania Bulletin, offering the public meaningful notice and an opportunity to be heard.

“Two dirty coal-fired power plants are no longer polluting and now seven more will be held accountable for their air pollution going forward,” said Zack Fabish, an attorney with Sierra Club. “This is a great example of citizens demanding clean air and getting the government to regulate for it.”

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