

Proposed California Combined Cycle Natural Gas Power Plant: Petition Filed Before U.S. EPA Environmental Appeals Board Challenging PSD Permit



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Four environmental groups filed a May 29th Petition for Review (“Petition”) before the United States Environmental Protection Agency (“EPA”) Environmental Appeals Board (“EAB”) challenging a proposed 704 megawatt Combined Cycle Natural Gas Power Plant that would be located in California.

The organizations filing the Petition include:

- Center for Biological Diversity
- Desert Citizens Against Pollution
- California Communities Against Toxics
- Sierra Club

(Collectively “Petitioners”)

The Petitioners are challenging a Clean Air Act Prevention of Significant Deterioration (“PSD”) permit issued by EPA Region 9 for the construction and operation of the proposed Palmdale Energy LLC power plant.

A focus of the Petitioner’s challenge is that EPA improperly rejected the technology of batteries in its Clean Air Act Prevention of Significant Determination (“PSD”) Best Available Control Technology (“BACT”) analysis. They argue that such technologies should have been utilized instead of duct burners to serve the power plant’s peaking function. Therefore, the Petitioners argue that the BACT analysis was flawed.

Additional alleged errors included:

- Exclusion of emissions from jet engines and impacts on neighboring property in the ambient analysis for the one-hour nitrogen oxides National Ambient Air Quality Standard
- Failure to conduct a cumulative impact analysis for the annual NOx National Ambient Air Quality Standard and the carbon monoxide National Ambient Air Quality Standard

A link to the [Petition](#) can be found here.