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Title V Petition to Object/U.S. Environmental Protection Agency Regulatory Revisions: July 9th Mitchell Williams Environmental Insights Webinar

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Mitchell Williams Law Firm will be holding a one-hour Environmental Insights Webinar addressing the United States Environmental Protection Agency's ("EPA") recent revisions to its Title V Petition to Object Rule ("Revisions").

The speakers will include:

- Stuart Spencer – Mitchell Williams Law Firm, Little Rock, Arkansas
- William K. Montgomery – Associate Director for the Office of Air Quality, Arkansas Department of Energy and Environment – Division of Environmental Quality
- Benjamin Holden, P.E. – Air Services Manager at GBMc & Associates

The 1990 amendments to the Clean Air Act provided a process by which the EPA could object to a Title V permit issued by a delegated state. Arkansas has been delegated the Title V permitting program for many years.

Title V requires certain stationary sources of air pollution to obtain Operating Permits. The Clean Air Act requires that states administer Title V through adopted state implementation plans. These plans are submitted to and approved by EPA. The intent of a Title V permit is to organize in a single document all the air requirements which apply to the permit holder.

Components of a Title V permit include:

- Lists of permitted activities
- Description of emission units and pollution control devices
- Listing of applicable emission limits and standards
- Description of methods and monitoring
- Description of recordkeeping
- Identification of methods to be used for reporting certified in compliance

42 U.S.C. § 7661 requires that states submit each proposed Title V permit to EPA for review. Section 505(v)(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 receipt of the proposed permit (and all necessary supporting information) if the

federal 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(v)(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.

Stuart, Will and Ben will discuss the rule revisions and the potential impact on air permitting practices and timeframes, including the following:

- How does this rule revise the Petition to Object procedure and process?
- When does the clock start on EPA's 45-day review period?
- What is a "significant comment" and why is that term important in the context of the rule?
- What is the difference between sequential and concurrent review?
- Did the Division of Environmental Quality (DEQ) support or oppose the rule?
- Does the rule create new permitting requirements?
- Are there strategies to mitigate potential negative ramifications of the rule?

Registration is required. Click [here](#) to register. This webinar is free and approved for one (1) Continuing Legal Education (CLE) credit by the Arkansas Continuing Legal Education Board. Attendees who are licensed in other states are responsible for applying for credit in those states.