

Alternative Test Methods/Clean Air Act: U.S. Environmental Protection Agency Federal Register Notice Identifying 2020 Approvals



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The United States Environmental Protection Agency (“EPA”) published a January 21st Federal Register notice announcing applicable alternative test methods that the federal agency approved in 2020 under the Clean Air Act addressing:

- New Source Performance Standards (“NSPS”) 40 C.F.R. Part 60
- National Emission Standards for Hazardous Air Pollutants (“NESHAP”) 40 C.F.R. Part 61 and 63

Source owners and operators are allowed to use what are described as “broadly applicable alternative test methods” instead of test methods or related testing procedures required by the applicable NSPS or NESHAP.

EPA is provided the regulatory authority to approve alternative test methods if they meet certain criteria. The agency will announce approval of an alternative test method as it is issued. However, an annual notice that summarizes approvals for the prior year is published annually.

The federal agency states that in its experience it has found that the approved alternative test methods would be:

. . . equally valid and appropriate to apply to other sources within a particular class, category, or subcategory.

EPA further notes that:

. . . where a method modification or an alternative method is clearly broadly applicable to a class, category, or subcategory of sources, it is both equitable and efficient to simultaneously approve its use for all appropriate sources and situations.

Note that utilization of an alternative test method is not mandatory (i.e., it is permissive).

The January 21st Federal Register notice identifies six alternative test methods that were approved between January 1, 2021, and December 31, 2021. The Federal Register notice provides a chart identifying each of the six alternative methods referencing:

- Alternative method decision letter/memo number
- As an alternative or modification to . . .
- NSPS or NESHAP to which is it applicable

- Permissible uses

A copy of the Federal notice can be downloaded [here](#).