

Stationary Engines: August 2022 U.S. Environmental Protection Agency Issues Enforcement Alert



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The United States Environmental Protection Agency (“EPA”) issued an August 2022 Enforcement Alert (“EA”) titled:

Stationary Engines Cause Excess Emissions in Communities Across the Country

See Publication No. EPA 310-F-22-001.

EPA typically issues these alerts to:

- Indicate that the agency has identified a high and/or unacceptable instances of noncompliance with an environmental statutory or regulatory provision
- Serve notice that the agency will focus enforcement resources on this particular environmental statutory or regulatory provision

The EA notes that it is focusing on stationary engines that:

... are used in applications such as generating electricity, providing primary power, and powering various equipment such as pumps and compressors. They are also used to supply power in the event of emergencies such as fire or flood. Stationary engines combust fuel oil or natural gas and have the potential to emit pollutants that negatively impact air quality.

The key Clean Air Act standards applicable to stationary engines include:

- National Emissions Standards for Hazardous Air Pollutants Reciprocating Internal Combustion Engines

40 C.F.R. Part 63 ZZZZ

- New Source Performance Standard Stationary Compression Ignition Internal Combustion Engines

40 C.F.R. Part 60 III

- New Source Performance Standard Stationary Spark Ignition Internal Combustion Engines

40 C.F.R. Part 60 JJJJ

Serious violations identified by EPA in the EA include:

- Failure to retrofit existing engines with necessary pollution controls
- Failure to conduct testing in accordance with regulatory requirements on the installed pollution controls

The EA provides what it describes as recent examples of the types of facilities that have been the subject of enforcement:

- Electric utility operating two diesel engines (violation of Subpart ZZZZ)
- Sand and gravel plant using two diesel engines (violation of Subpart ZZZZ)
- Concrete and stone producer using three diesel engines (violation of Subpart ZZZZ)
- Metal shredder utilizing a diesel engine (violation of Subpart ZZZZ)
- Compressor station using a 760 horsepower engine (violation of Subpart JJJ)

The remainder of the EA includes recommended actions and cites to the relevant regulations.

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