

Stationary Combustion Turbines/NESHAP: U.S. Environmental Protection Agency Denial of Petition to Delist



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The United States Environmental Protection Agency (“EPA”) issued a final denial of a petition requesting removal of the Stationary Combustion Turbines source categories from the list of categories of major sources of Clean Air Act hazardous air pollutants (“HAP”). See EPA-HQ-0AR-2020-0408.

The petition had been submitted jointly by the following organizations:

- American Fuel & Petrochemical Manufacturers
- American Petroleum Institute
- American Public Power association
- Gas Turbine Association
- Interstate Natural Gas Association of America
- National Rural electric Cooperative Association

(collectively, “Petitioners”)

Section 112 of the Clean Air Act requires that EPA publish a list of both categories and subcategories of HAP. A listed source category must meet specifically defined emission standards that:

- Depend on the HAP emitted,
- whether a source is a major source or an area source.

In 1992 EPA included the Stationary Source Turbines source category in its initial list. (Subsequently renamed the Stationary Combustion Turbines source category.)

The Stationary Combustion Turbines source category includes the following eight subcategories:

- Lean premix gas-fired turbines
- Lean premix oil-fired turbines
- Diffusion flame gas-fired turbines
- Diffusion flame oil-fired turbines
- Turbines which burn landfill or digester gas or gasified municipal solid waste
- Turbines of less than 1 megawatt rated peak power output
- Emergency Turbines
- Turbines operated on the North Slope of Alaska

Such turbines are predominately found at power plants, compressor stations, landfills, and industrial facilities. They generally operate using natural gas, distillate oil, landfill gas, jet fuel, or process gas.

By way of summary, EPA states in its denial that it determined that the Petitioners:

. . . did not present reasonable information and analyses for each the affected sources, such as HAP emission measurements from stack testing or fuel content analyses for all sources subject to the Stationary Combustion Turbines source category.

Therefore, EPA states that:

. . . In the absence of such requisite information, the EPA did not make a completeness determination for the petition. And, in conducting the technical review of the information provided, the EPA cannot make the substantive determination contemplated under CAA section 112(c)(9)(B).

The Petitioners had argued that the cancer risk from the source category were below 1-in-million and therefore met the statutory delisting threshold.

EPA argued that the absence of adequate data to determine the delisting thresholds was due to:

- Uncertainty in the HAP emissions from affected sources
- Missing emissions data from a large number of affected sources in the Petitioners' risk analysis
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A copy of the delisting decision can be downloaded [here](#).