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Deadline Modification Agreed to For EPA's NESHAP Standards for Spark Ignited Engines

On 9 November 2009 in Washington D.C. District Court the Environmental Protection Agency (EPA) and the Sierra Club [agreed to modify](#) the deadline in the consent decree that required EPA to promulgate a final National Emission Standard for Hazardous Air Pollutants (NESHAP) on or before 10 February 2010 for existing stationary reciprocating internal combustion engines (RICE) that are located at area sources or are less than 500 HP and located at major sources.



The modification extended the deadline for the final NESHAP for stationary spark ignition engines until **10 August 2010**. Comments to the proposed rule were received from several industry groups including the Interstate Natural Gas Association of America (INGAA). Their summary comments can be found at: <http://www.ingaa.org/cms/30/8659.aspx>.

Pursuant to this modification the EPA intends to promulgate the final NESHAP for existing stationary compression ignition engines that are located at area sources or are less than 500 HP and located at major sources on or before 10 February 2010. The final NESHAP for existing spark ignition engines that are located at area sources or are less than 500 HP and located at major sources will be promulgated on or before 10 August 2010

The deadline for stationary compression ignition (e.g. diesel fuel) engines remains **10 February 2010**.

EPA comments on Texas Questions for Qualified Facility Changes and Flexible Permits Proposals

A 12 November 2009 [letter](#) from the Environmental Protection Agency (EPA) provides EPA comments to questions raised by the Texas Commission on Environmental Quality (TCEQ) regarding whether EPA will allow "qualified facility permits" and "flexible permits" at major sources of air pollution. EPA's response also comments on whether EPA would conditionally approve flexible permit rules that establish source emission caps based on permit allowable emissions.



In its response EPA Assistant Administrator, Gina McCarthy says these aspects of the qualified facility and flexible permits rules "raise novel approaches to permitting that EPA has not addressed in prior rulemakings." Further, McCarthy says "EPA does not view allowable emissions in regulations governing minor construction activities at minor or major stationary sources to be prohibited *per se*." Nevertheless, EPA says, "while we would like to provide assurances to TCEQ that we will approve a program based on allowable emissions for use at minor or major sources, we lack sufficient information to make this finding."

McCarthy states any program a state submits to meet Clean Air Act (CAA) requirements must regulate "the modification and construction of any stationary source as necessary to achieve national ambient air quality standards (NAAQS). TCEQ must explain how the environmental protection provided by its proposed program assures protection of the NAAQS given the unique and important air quality concerns

in Texas. TCEQ will have to submit an environmental analysis of the new programs that explains and compares the environmental benefits to existing state implementation plan approved programs.

New Marine Compression Ignition Emissions Rule Now Under OMB Review

On 23 November 2009, The Maritime Reporter and Engineering News [reported](#) the draft final rule of the Environmental Protection Agency (EPA) for control of air emissions from new marine compression-ignition engines at or above 30 liters per cylinder is under review by the Office of Management and Budget (OMB).

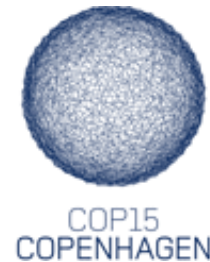


[The proposed rule](#) was published in the Federal Register on 28 August 2009. While the proposal largely followed the IMO standards for emission control areas (ECAs), it was somewhat controversial because it proposed banning the sale of high-sulphur fuel oil in the United States, even to ships with technology to scrub the emissions. The final rule is scheduled for publication on 17 December 2009.

EPA's Notice of Proposed Rulemaking and other documents related to its strategy for oceangoing vessels can be accessed electronically on the EPA's oceangoing vessels [web site](#).

EU Urges U.S. and China to Set Emission Targets at United Nations Climate Change Conference

From 7 to 18 December 2009 representatives from 192 nations will gather in Copenhagen for the United Nations Framework Convention on Climate Change – [COP15](#). World representatives will seek a consensus on an international strategy for fighting global warming. The issues facing negotiators are vast in scope, according to [The New York Times](#). "A wide gulf remains between wealthy industrialized countries, historically responsible for the bulk of heat-trapping pollutants, and poor developing nations whose emissions are likely to soar in coming decades.



On 23 November 2009 The European Union urged the United States and China to deliver greenhouse gas emissions targets at the Copenhagen conference, saying their delays were hindering global efforts to curb climate change. Two weeks before the UN-sponsored conference, the world's largest polluters had not put any firm bids on the table. "Without a bid from the US or China, only half of emissions are covered," [said](#) Sweden's environment minister Andreas Carlgren after he led talks with other EU nations. He said an agreement was "totally dependent" on both countries promising cuts.

According to the New York Times, Todd Stern, the chief climate negotiator for the United States, said that the Obama administration was trying to decide whether to release a proposal in the coming days. "What we are looking at is whether we feel that we can put down a number that would be provisional in effect, contingent on getting our legislation done," he said. "Our inclination is to try to do that, but we want to be smart about it."

California Makes GHG Facility Emissions Data Available to Public

The California Air Resources Board is making available to the public a summary of facility greenhouse gas (GHG) emissions data reported pursuant to the California mandatory GHG emissions reporting program. The data is available through the [ARB website](#).



A spreadsheet with facility-level summaries of CO₂ equivalent (CO₂e) emissions is available at the [mandatory reporting website](#). A similar summary spreadsheet is available for power entities such as electricity retail providers and marketers, showing electricity transactions report status and CO₂e SF₆ emissions when reported.

In addition to the summary spreadsheets, the public may also access individual facility-level and entity-level reports. These reports include additional detail, such as the reported CO₂, CH₄, N₂O, and other reported GHG emissions.

Posted data are subject to change according to CARB. CARB says the posted data may not have not undergone independent third-party verification or ARB staff review. Questions may be addressed to Mghgreport@arb.ca.gov.