

EPA Proposes to Approve Use of Plantwide GHG Permits in New Mexico

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On August 23, 2013, EPA proposed to approve a revision to the New Mexico SIP to allow the state to issue PSD and Title V permits with plantwide applicability limits (“PALs”) for GHGs. A PAL establishes a site-specific plantwide emission level for a pollutant, which allows a source to make changes at a permitted facility without triggering PSD requirements as long as plantwide emissions do not exceed the PAL level. Last year, EPA authorized the use of GHG PALs as part of the GHG Tailoring Rule Step 3 rulemaking, noting that the use of PALs would streamline PSD permitting programs by allowing sources and permitting authorities to address GHGs one time and avoid repeated subsequent permitting actions. New Mexico is the first state to seek approval to use GHG PALs since EPA authorized the approach.

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