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Client Alert: Upcoming EPA Compliance Deadlines and Procedures for Requesting Extensions

July 1, 2012 | *Lisa G. Dowden*

As utility operators are aware, numerous EPA deadlines for compliance with Clean Air Act requirements are either looming, or may be established in the near future. While timely compliance is obviously the best first choice, delays can arise due to availability of vendors or equipment, or do to reliability concerns if a unit is to be permanently retired, or simply shut down during a retrofit. Reliability concerns can be made worse when several units in a given area are all seeking to comply at the same time. EPA and FERC have been examining these issues, and there are procedures in place to respond if units face these issues. These are not cure-alls, and they are not easily available, but they may help improve the situation for units facing these sorts of difficulties. This memorandum describes the procedures for applying for such extensions and the showings that would have to be made.

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