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EPA Orders Ky. Regulators to Revise Permit for TVA Coal-Fired Plant

By ROBIN BRAVENDER of [Greenwire](#)

U.S. EPA Administrator Lisa Jackson has sided with environmental groups on several challenges contending that permits issued to a Tennessee Valley Authority coal-fired power plant failed to properly account for air pollution.

In an [order \(pdf\)](#) issued last month, Jackson agreed with environmentalists on four of the eight challenges they brought against the operating permit issued to TVA's Paradise Fossil Fuel plant in Drakesboro, Ky., in November 2007. The notice of the final order was published yesterday in the *Federal Register*.

Environmentalists challenged the permit issued by the Kentucky Division for Air Quality, arguing that among other things the permit failed to require proper pollution controls and monitoring for nitrogen oxide (NOx) pollution, a precursor to smog.

Jackson agreed with environmentalists' arguments that the permit failed to include proper analysis for the plant's three main boilers for NOx when making upgrades to the plant, that the permit failed to require adequate monitoring systems for opacity and NOx, and that monitoring from soot emissions from the coal washing and handling plant was inadequate.

Jackson's order requires state regulators to submit a revised permit addressing those issues by Oct. 27, said EPA Region 4 spokeswoman Davina Marraccini. The Clean Air Act also allows parties to seek judicial review of the order within 60 days of publication in the *Federal Register*.

"They're going to have to go back to the drawing board on a number of issues, so that's very good," said Kassie Siegel, senior counsel and director of the Climate Law Institute at the Center for Biological Diversity. The center is one of several groups that have been challenging the plant's permits for several years. "It is a terribly polluting plant for lots of pollutants," she added.

Jackson sided with the the Kentucky Division for Air Quality and TVA on four other claims. She disputed the environmentalists' arguments that the permit should have required year-round operation of the selective catalytic reduction system (SCR), that the permit failed to include a necessary case-by-case determination of the maximum achievable pollution control technologies for several boilers, and other arguments.

TVA spokesman Jim Allen said the agency will discuss EPA's objections with state officials during the time allotted.

[Click here \(pdf\)](#) to read Jackson's order.

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