



Our Children's Earth Foundation | 100 First Street, Suite 100-367, San Francisco, CA 94105

NEWS RELEASE

Date: January 17, 2003

US EPA AGREES TO REQUIRE THE SAN FRANCISCO AIR DISTRICT TO REMOVE EXEMPTION FROM PORTABLE POWER GENERATORS

San Francisco-The US Environmental Protection Agency has agreed to remove a clean air exemption for portable power generators, including back-up power generators in the San Francisco Bay Area. The agreement, which stemmed from a lawsuit with two environmental groups, will require the Bay Area Air Quality Management District (BAAQMD) to revise its potential to emit calculations from its Title V provisions.

"This is great victory for Californians," said Tiffany Schauer, Executive Director of Our Children's Earth Foundation. "Right now the Bay Area is in a building stage for Title V permit program, and we are trying to ensure that there is a strong program in place to protect us in the future. Exemptions like this one have to be challenged if the program is going to work."

The settlement agreement, contained in a consent decree filed with the United States Court of Appeals for the 9th Circuit, stemmed from a lawsuit filed against the US EPA on behalf community groups Our Children's Earth and Communities for a Better Environment. The groups sued the EPA for approving the BAAQMD's Clean Air Act permit program, which included an exemption for the generators. It requires the BAAQMD to adopt revisions to its permit program by April.

The suit originated after the Bay Area Air Quality Management District exempted back-up generators and other portable engines from its Title V air standards. Title V under the Clean Air Act requires major sources of air pollution to abide by compliance reporting, record-keeping and monitoring requirements, and the records are open to the public. The groups contended that without calculating emissions from back-up generators the District would be unable to determine the maximum level of emissions reported by an industrial facility.

If the BAAQMD does not adopt the revisions, the agreement requires the EPA to issue a notice of deficiency informing the District that the exemption for portable generators must be eliminated.

"We are one of the few groups in this country who are overseeing the Title V permit process," Schauer continued. "Twenty years ago groups like ours were working to strengthen the Clean Water Act and it is working"

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