

## Environment - USA

### EPA finalises pending actions

Contributed by **Sidley Austin LLP**

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**Hydraulic fracturing progress report released**  
**Boiler MACT final rule issued**  
**Portland cement MACT finalised**

In December 2012 the Environmental Protection Agency (EPA) focused on finalising various priorities.

#### Hydraulic fracturing progress report released

As anticipated, the EPA released a progress report on its study regarding the environmental safety of hydraulic fracturing. At the request of Congress, the EPA initiated the study to analyse the impact of hydraulic fracturing on drinking water and ground water. The report provided an outline for the final study framework, but announced no conclusions regarding the impact of hydraulic fracturing. Stakeholders on both sides of the debate have been highly engaged on the EPA study: the oil and gas industry fears it will serve as the basis for increased EPA drilling regulation, while environmental groups remain wary of a repeat of a 2004 study that served as the basis for a broad fracturing exemption from the Safe Drinking Water Act.

#### Boiler MACT final rule issued

The EPA has also issued its long-awaited boiler maximum achievable control technology (MACT) rule, which provides emissions limits for boilers. Much debated during this Congress, according to the EPA the regulation would affect approximately 14% of the nation's 1.5 million boilers, with a specific focus on boilers that are the nation's largest emitters, including boilers at refineries and chemical plants. Importantly, the final regulation differs from the most recent proposal in its compliance deadline. In the final regulation, covered facilities have until 2016 to meet the new standard requirements.

#### Portland cement MACT finalised

In a separate action the EPA, consistent with a court-ordered deadline, also issued final amendments to the 2010 cement manufacturing clean air standards. The final rules provide the industry with two additional years in which to comply. Some in the environmental community found the rule too lenient on industry and challenged the rules' regulation of particulate matter and emissions monitoring.

*For further information on this topic please contact **Rick Boucher**, **Roger Martella**, **Sean Moran** or **Catherine Karen** at Sidley Austin LLP by telephone (+1 202 736 8000), fax (+1 202 736 8711) or email ([rboucher@sidley.com](mailto:rboucher@sidley.com), [rmartella@sidley.com](mailto:rmartella@sidley.com), [sean.moran@sidley.com](mailto:sean.moran@sidley.com) or [ckaren@sidley.com](mailto:ckaren@sidley.com))*

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### Authors

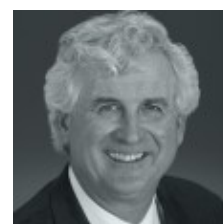
**Rick Boucher**



**Roger R Martella Jr**



**Sean M Moran**



**Catherine Karen**



