



**American Bar Association
Section of Environment, Energy, and Resources**



Air Quality Committee

Presents a "Quick Teleconference" program

EPA's IGCC Decision: Redefining the Project or the Clean Air Act?

Tuesday, February 21, 2006

1:00 p.m. – 2:30 p.m. Eastern Time / 12:00 p.m. – 1:30 p.m. Central Time
11:00 a.m. – 12:30 p.m. Mountain Time / 10:00 a.m. – 11:30 p.m. Pacific Time

Program Overview:

In a December 13, 2005 letter, the U.S. EPA announced that integrated gasification combined cycle ("IGCC") technology need not be considered under a Clean Air Act best available control technology ("BACT") analysis for proposed pulverized coal electricity generating facilities. EPA reasoned that IGCC technology would redefine the proposed project, which Congress did not intend to require in a BACT analysis under the Prevention of Significant Deterioration ("PSD") permitting program. This EPA interpretation diverges from determinations in certain states that, either under federal or state clean air provisions, ICGG must be considered in a BACT analysis for proposed pulverized coal power plants. Other states and environmental groups are continuing to consider the issue. Panelists will discuss the EPA position and those of certain states and discuss the potential impact of the EPA policy.

Educational Objective:

- To understand the EPA BACT analysis process.
- To understand the implications of EPA's recent decision that IGCC technology need not be considered in a BACT analysis for proposed pulverized coal power plants.

Faculty:

Moderator:

Jonathan Martel, Arnold & Porter LLP, Washington, DC

Panelists:

Sandra Ely, New Mexico Environment Department, Santa Fe, NM

Lynn Hutchinson, Environmental Protection Agency, Research Triangle Park, NC

Denise Kennedy, Holland & Hart LLP, Denver, CO

Vickie Patton, Environmental Defense, Boulder, CO

Questions?

Do you have a question that you would like the panel to address? Please email your question to Jonathan Martel at Jonathan.Martel@aporter.com by February 20, 2006 at noon Eastern Time and the panel will make every effort to address your inquiry.

