CleanAir

CASE STUDY

Industry Group Support (Regulatory Comments)

Background

On June 30, 2014, the US EPA issued a proposed Risk and Technology Review (RTR) rule affecting petroleum refineries. This proposal included new rules for flare operation and performance. Due to our extensive experience with flare performance issues, the American Petroleum Institute (API) reached out to CleanAir for technical assistance on drafting comments related to flares in the proposed rule. API members were concerned that some of the provisions in the proposed rule were not based on sound science and questioned some of EPA's data analysis techniques.

CleanAir's Approach

CleanAir made use of our extensive flare database to re-analyze the data the EPA used to justify their flaring rules. One of the presumptions the EPA made in the proposal was that a "hydrogen-olefin" effect existed that required more stringent control when both were present in the vent gas. CleanAir conclusively demonstrated based on the EPA's own data that this effect did not exist.

CleanAir also prepared an extensive critique on the EPA's data analysis techniques employed for justifying various portions of the proposed rule. We found that the "filtering" criteria used by EPA to exclude certain data were incorrect and that the EPA had improperly filtered out valid data in their analysis.

Results

EPA removed the provisions relating to the presumed hydrogen-olefin effect from the final rule. They also greatly simplified other provisions of the rule partly as a result of our data analysis critique.

Summary

CleanAir provides technical support for an industry group preparing comments on a US EPA proposed rule.