

Committee on Energy and Commerce
U.S. House of Representatives
 Witness Disclosure Requirement - "Truth in Testimony"
 Required by House Rule XI, Clause 2(g)

1. Your Name: <u>KENNETH WEISS</u>		
2. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes	No <input checked="" type="checkbox"/>
3. Are you testifying on behalf of an entity that is not a government entity?	Yes	No <input checked="" type="checkbox"/>
4. Other than yourself, please list which entity or entities you are representing:		
5. Please list any Federal grants or contracts (including subgrants or subcontracts) that you or the entity you represent have received on or after October 1, 2011:		
6. If your answer to the question in item 3 in this form is "yes," please describe your position or representational capacity with the entity or entities you are representing:		
7. If your answer to the question in item 3 is "yes," do any of the entities disclosed in item 4 have parent organizations, subsidiaries, or partnerships that you are not representing in your testimony?	Yes	No
8. If the answer to the question in item 3 is "yes," please list any Federal grants or contracts (including subgrants or subcontracts) that were received by the entities listed under the question in item 4 on or after October 1, 2011, that exceed 10 percent of the revenue of the entities in the year received, including the source and amount of each grant or contract to be listed:		
9. Please attach your curriculum vitae to your completed disclosure form.		

Signature: _____



Date: 19 May 2014

CURRICULUM VITAE
Kenneth N. Weiss, P.E., BCEE
May 2014

ADDRESS: ERM
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Malvern, PA 19355
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Date of Birth: 1 September 1950

Education

Bachelors of Chemical Engineering, Georgia Institute of Technology, 1972

Master of Business Administration, Georgia State University, 1975

Air Pollution Training Institute, Research Triangle Park, NC (1973 to 1978)

- Control of Gaseous Emissions
- Control of Particulate Emissions
- Combustion Evaluation
- Continuous Emissions Monitoring
- Atmospheric Dispersion Modeling

Narrative Description of Qualifications

Mr. Weiss has been a practicing permit engineer for more than 40 years. He began his career as a permit engineer for the State of Georgia's Air Pollution Abatement Program immediately upon graduation from the Georgia Institute of Technology at the start of 1973. Georgia operated a centralized enforcement and permit program and Mr. Weiss both inspected and reviewed permit applications for a range of industrial sources during his government career. During his time at the Air Pollution Abatement Program, Mr. Weiss was responsible for permitting and inspecting combustion sources and complex chemical plants.

In late 1977, Mr. Weiss accepted a position with Reynolds Metals Company as a Staff Environmental Engineer in the Company's Central Engineering Department. For the next

eight years he was responsible for obtaining nearly every air pollution preconstruction permit for capital projects undertaken by Reynolds Metals Company in the United States. In some years the capital budget for these projects exceeded \$500 million dollars, so this was a substantial amount of permitting. The nature of the Company's operations, including its 65 major production facilities in the United States, resulted in his being frequently exposed to air pollution related permitting issues for his entire time at Reynolds. During his time at Reynolds, Mr. Weiss conducted numerous permitting assignments in Arkansas for a bauxite mine, an alumina refinery, two primary aluminum plants and a continuous casting plant and rolling mill.

In 1985 Mr. Weiss became Manager of Regulatory Affairs for Reynolds' Flexible Packaging Division. There, he had environmental responsibility for seven operating facilities including obtaining preconstruction permits from air agencies in Virginia, Arkansas, Pennsylvania, and Kentucky.

In 1990, Mr. Weiss accepted a position with Environmental Resources Management, Inc. as Director of Air Services. He has been the senior air quality professional at ERM since that time. At ERM, Mr. Weiss regularly assist clients in obtaining air quality-related preconstruction permits and is consulted on air quality issues from ERM's offices throughout the United States. He has assisted clients in a vast majority of the states with air quality issues in this regard. His clients include facilities in the chemical, pharmaceutical, petroleum refining, and electric utility industries, among others. Some of his clients in this regard include Pfizer, Sunoco, State of Maryland and the Ohio Electric Utilities Council.

Mr. Weiss' career has developed almost in parallel with the New Source Review (NSR) program which has resulted in his working in the Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) area as the rules developed over the last three decades. He accepted his first position with the State of Georgia just prior to adoption of the first PSD rules. Mr. Weiss moved to Reynolds Metals Company in 1977 to assist that Company for the next thirteen years with its obligations resulting primarily from the 1977 Clean Air Act Amendments. Reynolds was keenly interested in the 1977 Clean Air Act Amendments and the PSD/NNSR programs as the company projected significant impact on its operations from these rules. In fact, Mr. Weiss assisted in drafting substantial comments on the rules. There is a discussion in the August 7, 1980 preamble of an aluminum complex, based upon his work, addressing issues related to common control, adjacent location and the Major Stationary Source definition. Finally, Mr. Weiss' move to ERM was in direct response to the enactment of the 1990 Clean Air Act Amendments where ERM's air services are aimed at assisting major stationary sources in the United States.

In 1995, the Air and Waste Management Association selected Mr. Weiss as one of three professionals to be part of the core faculty for its Fundamentals of New Source Review Workshop. He has taught that Workshop approximately 57 times since that time and has trained over 5,000 air quality professionals on the PSD and NNSR programs as part of this

effort and others. The AWMA training is considered by many in the profession to be one of the best introductions to NSR available. Many state agencies have sent their employees to the course including Ohio, West Virginia, Virginia, Pennsylvania, and Kentucky. Additionally, it is not uncommon for federal agency staff to attend the training course. Mr. Weiss additionally have taught many permitting classes over the years, including both Title V and NSR courses often in tandem with EPA staff. All together, he has trained more than 9,000 individuals on these subjects.

Work Experience

Staff Engineer - State of Georgia, Department of Natural Resources Air Pollution Abatement Program, 1973 to 1977

As a Staff Engineer, Mr. Weiss worked in the Air Pollution Abatement Program for the State of Georgia implementing the emission registration and permit program requirements of the 1970 Clean Air Act. Initially, he focused on combustion related sources such as incinerators and industrial boilers. Later in his career he became responsible first for the fertilizer industry and later the complex chemical industry in Georgia which included nitric acid plants, sulfuric acid plants, pharmaceutical operations, and other similarly complex industrial sources. In this regard, he was the initial permit reviewer for every preconstruction permit issued in these sectors while he worked in Georgia. Additionally, he assisted in completing emissions inventories for the National Emissions Data System, worked on elements of the SIP, and inspected numerous sources.

Staff Environmental Engineer - Reynolds Metals Company, Central Engineering Department, Richmond Virginia, 1977 to 1985

During this period Mr. Weiss was responsible for obtaining preconstruction NSR permits (minor and major NSR) for essentially all projects undertaken by the Central Engineering Division at Reynolds. The Reynolds manufacturing system at that time included approximately 65 operating many of which were Major Stationary Sources under the PSD program. Reynolds was a completely vertically integrated aluminum producer and Mr. Weiss was involved in virtually every air quality related aspect of Reynolds' operations. He prepared permit applications for a wide range of facilities including primary aluminum plants, alumina refineries, coating operations, aluminum foil manufacturing and printing plants.

Environmental Manager and Permit Engineer - Reynolds Metals Company, Flexible Packaging Division, 1985 - 1990

From 1985 to October 1990, Mr. Weiss was the Environmental and Regulatory Affairs Manager for Reynolds Metals Company's Flexible Packaging Division. This was a \$1 billion dollar business and included seven plants, two foil mills, the three printing plants, a continuous

casting and rolling plant and a PVC film plant. The foil and printing plants were large sources of VOC emissions and subject to constant scrutiny by the state and local permitting authorities and EPA Headquarters, and EPA Regions 3 and 4. Many of these operations were located in ozone nonattainment areas and Mr. Weiss often had to satisfy NANSR requirements as part this assignment.

Global Air Quality Leader - ERM, 1990 to Present

Since October 1990, Mr. Weiss has been the senior air quality expert at ERM and has led the firm's North American Practice from 1990 until 2011. In 2011, Mr. Weiss became responsible for the firm's Global Air Quality Practice as ERM expanded its view of air quality. In this regard he is ultimately responsible for the conduct of hundreds of air permitting projects per year. The breadth of ERM's consulting practice can be appreciated by the fact that in July 2008, the US-based *Engineering News Record*¹ cited ERM as one of the largest all-environmental consulting firms in the world to the private sector. Mr. Weiss' clients include refineries, manufacturing facilities, chemical plants, utilities and pharmaceutical plants.

Professional Licenses

Professional Engineer (Registered in Virginia)

Board Certified Environmental Engineer, American Academy of Environmental Engineers, Specialization in Air Pollution (Includes Who's Who in Environmental Engineering)

Memberships and Related Positions

Fellow (and past Vice President) of the Air and Waste Management Association

Editorial Review Board - "The Air Pollution Consultant"

Former Invited Peer Reviewer - The Air Pollution Training Institute
AFPM Environmental Committee

¹ Engineering News Record, July 2008

Selected Presentations and Presentations

"Shale Gas & the Environment: Methane Emissions" presented during CERA Week March 2014.

"NSR Update 2014 - Continuing Challenges for Electric Utilities" presented at EUEC conference on February 4, 2014.

"Recent Issues in the Chemical and Refining Industries" presented at AWMA ACE 2013 conference on June 25, 2013.

"NSR Reform: Recent Developments and Issues" presented at AWMA ACE 2013 conference on June 25, 2013.

"NSR 2013 Update - No Relaxation in Challenges for Fuel and Petrochemical Manufacturers", Kenneth N. Weiss and William L. Wehrum, Presented at the 2013 AFPM Environmental Conference, October 21, 2013. Peer reviewed paper published at www.afpm.org.

"Practical Implications of the New SSM Rules - Permitting and NAAQS Challenges for the energy and power sectors", presented during Law Standard International national webinar on May 9, 2013.

"SILs and SMCs - Practical Implications, Sierra Club vs. EPA", presented during PLI national webinar on May 7, 2013.

"NSR Update 2012 - New Challenges for Refiners", Kenneth N. Weiss and William L. Wehrum, Presented at the 2012 AFPM Environmental Conference, October 15, 2012. Peer reviewed paper published at www.afpm.org.

"Understanding Today's Clean Air Act Permit Programs Workshop". One of four professionals selected by the Air and Waste Management Association to serve as the core faculty for a two-day workshop presented numerous times over the past few years, as follows:

Location		Date
Houston	TX	April - 2011
Denver	CO	May - 2011
Seattle	WA	August - 2011
Indianapolis	IN	October - 2011
Atlanta	GA	May - 2012

“NSR GHG Permits - What is Being Required”, Presented at the Electric Utility Energy & Environmental Conference, January 31, 2012.

“NSR Update - New Challenges for Refiners”, Kenneth N. Weiss and William L. Wehrum, Presented at the 2011 NPRA Environmental Conference, October 24, 2011. Peer reviewed paper published at www.afpm.org.

“Fundamentals of New Source Review” (renamed “Reform School - The Changing World of NSR” in September 2004, renamed “Clearing the Air on NSR in September 2007), One of three professionals selected by the Air and Waste Management Association (and initially the EPA) to serve as core faculty for a two-day workshop presented numerous times in the past thirteen years, as follows.

Location		Date
Columbia	MD	September-95
Reno	NV	October-95
Albany	NY	November-95
New Orleans	LA	January-96
Chicago	IL	March-96
Destin	FL	September-96
Minneapolis	MN	October-96
Salt Lake City	UT	February-97
Pittsburgh	PA	March-97
Albuquerque	NM	November-98
Greenville	SC	March-99
Las Vegas	NV	October-99
New Orleans	LA	December-99
Denver	CO	February-00
Myrtle Beach	SC	October-00
Scottsdale	AZ	December-00
Seattle	WA	April-01
New Orleans	LA	September-01
Lake Buena Vista (Orlando)	FL	October-01
Denver	CO	February-02
Las Vegas	NV	April-02
Albuquerque	NM	September-02
Hartford	CT	October-02
Las Vegas	NV	March-03
Scottsdale	AZ	September-03
Minneapolis	MN	September-03
New Orleans	LA	December-03
Las Vegas	NV	March-04

Albuquerque	NM	September-04
Orlando	FL	October-04
Las Vegas	NV	April-05
Las Vegas	NV	April-06
Orlando	FL	September-06
Las Vegas	NV	April-07
Albuquerque	NM	September-07
Las Vegas	NV	April-08
Orlando	FL	September-08

“SEC Climate Change Disclosure Guidance - Impacts on the Petrochemical and Refining Industry”, Kenneth N. Weiss and William L. Wehrum, Presented at the 2010 NPRA Environmental Conference, September 20-21, 2010.

“NSR and the CAA - Time for a Change”, Kenneth N. Weiss, Presented at the Electric Utility Energy & Environmental Conference, February 1, 2010.

“PM2.5 - Challenges for Utilities”, Kenneth N. Weiss and James Smith, Presented at the Electric Utility Energy & Environmental Conference, February 2, 2010.

“Get Ready - Mandatory Reporting of GHG Emissions; Petroleum Refineries”, Kenneth N. Weiss, Presented at AWMA 2009 Annual Meeting, June 18, 2009.

Environmental Science Deskbook, Chapter 8 “Air”. Julia B. Ross and Kenneth N. Weiss, edited by James W. Conrad and published by the West Group, June 2000, and updated in 2009.

“PM2.5 - Challenges for Refiners”, Kenneth N. Weiss and Jeffery Twaddle, Presented at the National Petroleum Refiners Annual Environmental Conference, September 21, 2009.

“The Changing World of NSR”, Kenneth N. Weiss, Presented at the Electric Utility Environmental Conference, February 3, 2009.

Perry’s Chemical Engineers’ Handbook, 8th Edition, contributing author, Section 22 “Waste Management”, edited by Don W. Green and Robert H Perry, published 2008 by McGraw-Hill.

“The Changing World of NSR - Refinery Impacts 2008”, Kenneth N. Weiss and Louis E. Tosi, esq., Presented at the National Petroleum Refiners Association 2008 Environmental Conference, September 2008 and published on NPRA website.

“Driving Emissions Controls in The Petrochemical and Refining Industry”, Kenneth N. Weiss, presented at AWMA 2008 Annual Meeting, June 25, 2008.

"NSR Update - Rulemaking, Enforcement Issues and Settlement Thoughts", Kenneth N. Weiss and Gary McCutchen, presented at AWMA 2008 Annual Meeting, June 25, 2008.

"PM2.5 and Major NSR", Kenneth N. Weiss and Gary McCutchen, AWMA National Webinar, July 2008.

"Overview of PM2.5 Implementation Rule", Kenneth N. Weiss, presented at ERM Workshop, July 2008.

"Defense of a Refinery Clean Air Act Action Case: An Integrated Technical, Legal, and Public Outreach Approach", Louis E. Tosi, esq., James L. Davies esq. and Kenneth N. Weiss. Presented at the National Petroleum Refiners Association 2007 Environmental Conference, September 2007.

"Clearing the Air on NSR", web publication, Powergen 2007, Kenneth N. Weiss and Gary McCutchen, September 2007.

"Clearing the Air on NSR", NSR Reform Update, presented at Air and Waste Management Association, presented during September 6, 2007 Webcast.

"Clean Air Act Requirements; Monitoring, Recordkeeping, and Reporting Requirements: Title V, CAM and MACT", Kenneth N. Weiss and Jennifer Flannery. Presented at the PA Chamber 2006 Spring Environmental Conference, April 19, 2006.

"Coal Comeback! Challenges for Coal-Fired Generation", Kenneth N. Weiss. Presented at the Ballard Spahr Andrews & Ingersoll, LLP Coal Comeback! Challenges for Coal-Fired Generation Seminar, New York City, March 22, 2005.

"Title V Certification Issues - A Self-Diagnostic Tool", Kenneth N. Weiss and Henry Goyette. Presented at the National Petroleum Refiners Association Annual Environmental Conference, September 2005.

"NSR Reform - Implementation Challenges", Kenneth N. Weiss. Presented at Clean Air Information Network Conference - Washington, DC, May 17, 2005.

"New Source Review Reform - One Year Later: Refinery Industry Impacts", Louis E Tosi, Esq., and Kenneth N. Weiss. Presented at the National Petroleum Refiners Association Annual Environmental Conference, September 2004.

"New Source Review Reform Adds Complexity for US Refiners", Louis E. Tosi esq. and Kenneth N. Weiss, *Oil and Gas Journal*, July 19th 2004.

"New Source Review Reform – Petroleum Industry Impacts", Louis E Tosi, esq, and Kenneth N. Weiss. Presented at the National Petroleum Refiners Annual National and Environmental and Safety Conference, April 2003.

"New Source Review – The Major Modification", Chair of AWMA National Conference, April 2003.

"Federal New Source Review Reform – What Lies Ahead", Kenneth N. Weiss, Presented at the Industrial Environmental Association and California Manufacturers & Technology Association 2nd Annual Environmental and Regulatory Issues Conference, November 2003.

"New Source Review Reform – Flexible Packaging Industry Impacts", Kenneth N. Weiss, Presented at the Flexible Packaging Association, 2004 Environmental Summit, January 2004.

"Prepare for the Miscellaneous Organic NESHAP", William Hanna and Kenneth N. Weiss, *Chemical Engineering Progress*, August 2002.

"New Air and Wastewater Compliance Challenges for the Pharmaceutical Industry", Deborah M. Watkins and Kenneth N. Weiss, *Pharmaceutical Engineering*, November/December 1999.

"Get Ready – The Pharmaceutical MACT Standard is Here," Kenneth N. Weiss, *Pharmaceutical Processing*, January 1999.

"EPA" Develops a Plan for Facilitating Changes Under the Pharmaceutical MACT Standard", William Wehrum, James Wilson and Kenneth N. Weiss, *The Air Pollution Consultant*, January/February 1999.

"Pharmaceutical ELG and MACT Regulations: Where to Start?" Kenneth N. Weiss, and Deborah Watson, *Pharmaceutical Formulation Quality*, March/ April 1999.

Clean Air Operating Permits: A Practical Guide (Contributing Author), Published by the Air & Waste Management Association, 1995.

"Gearing Up for Title V Operating Permits", Kenneth N. Weiss, *Chemical Engineering*, June 1994.

"Charting a Compliance Course Through the Clean Air Act Amendments", Kenneth N. Weiss, *The National Environmental Journal*, December 1993.

"Companies Must Plan Now for Radical Changes in Air Quality Permitting", Kenneth N. Weiss, *ENR - Environmental Engineering*, June 1993.

Honors & Awards

- Who's Who in Environmental Engineering (2013)
- Distinguished Service Award, South Atlantic Section of the Air and Waste Management Association, October 1986
- Edgar B. Boynton Award, Old Dominion Chapter of the Air and Waste Management Association, April 1985
- Charles W. Gruber Leadership Award, Air and Waste Management Association, 2012