

Fact Sheet

Regional Haze: Proposed Alternative to Source-Specific Best Available Retrofit Technology Determinations, Limited State Implementation Plan Disapprovals, and Federal Implementation Plans

Action

- On December 23, 2011, the Environmental Protection Agency (EPA) issued a proposal to revise rules pertaining to the regional haze program.
- In 1999, EPA issued regulations to improve visibility particularly in national parks and recreation areas. Those regulations required states to develop plans, known as State Implementation Plans, to address emissions that contribute to regional haze. Among the required elements of these plans, states must include determinations of Best Available Retrofit Technology (BART) for certain sources that emit pollutants that impair visibility and long term strategies to ensure that reasonable progress is being made.
- This proposal would approve the trading program in the Cross-State Air Pollution Rule (CSAPR) as an alternative to determining BART. As a result, states in the CSAPR region may substitute participation in CSAPR for source-specific BART for SO₂ and/or NO_x emissions (as specified by CSAPR) from power plants, also called electric generating units (EGUs), in those states.
- EPA is also proposing a limited disapproval of the regional haze state implementation plans (SIPs) that have been submitted by the following 14 states:

Alabama	Louisiana	Ohio
Florida	Michigan	Pennsylvania
Georgia	Mississippi	South Carolina
Indiana	Missouri	Texas.
Iowa	North Carolina	

These states relied on the Clean Air Interstate Rule (CAIR) to satisfy the BART requirement and other elements of their long-term strategies, and are now covered by CSAPR requirements.

- In this action EPA is also proposing Federal Implementation Plans (FIPs) for these 14 states. In addition we are proposing FIPs for the 4 states for which we have previously proposed limited disapproval of their SIPs. The 4 states are:
 1. Kentucky
 2. Tennessee
 3. Virginia
 4. West Virginia.
- The proposed FIPs, when finalized, would immediately substitute the CSAPR program for CAIR in these SIPs. As a result of this action these states would not

have to take further action on their regional haze SIPs until 2018 (unless they choose to revise their SIPs accordingly and resubmit them to replace the FIP.)

Regional Haze State Implementation Plans Timeline

- In 1999, EPA finalized the Regional Haze Rule which established a comprehensive visibility protection program for mandatory Class I federal areas (which include many national parks and wilderness areas).
- All 50 states, the Virgin Islands and the District of Columbia were required to submit a regional haze state implementation plan by December 2007.
- In 2005, the EPA published the Clean Air Interstate Rule (CAIR) which required 28 states and the District of Columbia to reduce emissions of NO_x and SO₂. CAIR established a cap and trade emissions trading program for EGUs.
- Following the promulgation of CAIR, in July 2005 we revised the regional haze program to allow emissions reductions achieved by CAIR to substitute for source-specific BART for EGUs in the CAIR states.
- After a legal challenge the court instructed EPA to replace CAIR. We replaced CAIR with CSAPR in August 2011. Because many states based a number of required elements of their regional haze programs on CAIR, which has now been replaced by CSAPR, we cannot fully approve regional haze SIP revisions that have relied on CAIR for emission reduction measures.
- EPA is now proposing CSAPR as an alternative to BART since we have conducted the appropriate analyses to determine that CSAPR results in greater visibility improvement than source-specific BART in the CSAPR states.

Background

- Visibility impairment caused by air pollution occurs virtually all the time at most national park and wilderness areas.
- Regional haze is visibility impairment that is produced by a multitude of sources and activities which are located across a broad geographic area and emit fine particles (PM_{2.5}) (e.g., sulfates, nitrates, organic carbon, elemental carbon, and soil dust), and their precursors (e.g., SO₂, NO_x, and in some cases, ammonia (NH₃) and volatile organic compounds (VOC)). Fine particle precursors react in the atmosphere to form PM_{2.5} which impairs visibility by scattering and absorbing light.
- PM_{2.5} can also cause serious health effects and premature death and contributes to environmental effects such as acid deposition and eutrophication.
- State regional haze implementation plans must outline a state's long-term strategy for making reasonable progress towards the national goal of achieving natural visibility conditions in Class I areas.

- Implementation plans must also give specific attention to certain major stationary sources, including EGUs, built between 1962 and 1977. These sources are required to install and operate BART to reduce visibility-impairing pollutants.
- Rather than requiring source-specific BART controls, states also have the flexibility to adopt an emissions trading program or other alternative program as long as the alternative provides greater reasonable progress towards improving visibility than BART.

How to Comment

- EPA will accept comment on this proposed rule for 45 days after it is published in the *Federal Register*.
- Comments should be identified by Docket ID No. EPA-HQ-OAR-2011-0729 and submitted by one of the following methods:
 - Federal eRulemaking Portal (<http://www.regulations.gov>)
 - E-mail (a-and-r-docket@epa.gov)
 - Mail (EPA Docket Center, Environmental Protection Agency, Mailcode 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
 - Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).

For Further Information

- Interested parties can download the proposed rule from EPA's web site under regulatory actions at: <http://www.epa.gov/visibility/program.html>
- Today's proposed rule amendments and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located in the EPA Headquarters, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this action can be accessed using Docket ID EPA-HQ-OAR-2011-0729.
- For further information concerning this action, contact Ms. Martha Keating of EPA's Office of Air Quality Planning and Standards at (919) 541-9407 or keating.martha@epa.gov.