

Fact Sheet

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

Action

- On May 30, 2012, the Environmental Protection Agency (EPA) issued a final action revising rules that pertain to how certain states can meet specific requirements of the agency's 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 types of sources that emit pollutants that impair visibility, and long term strategies to ensure that reasonable progress is being made.
- EPA's final action allows states participating in the CSAPR trading programs to use those programs in place of source-specific BART for sulfur dioxide and/or nitrogen oxide emissions from power plants that are subject to the regional haze rule.
- EPA is also finalizing a limited disapproval of the regional haze state implementation plans (SIPs) that have been submitted by the following 14 states:

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

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, the EPA is also finalizing Federal Implementation Plans (FIPs) to replace reliance on CAIR with reliance on CSAPR in the regional haze SIPs of

Georgia
Indiana
Iowa
Kentucky
Michigan
Missouri
Ohio

Pennsylvania
South Carolina
Tennessee
Virginia
West Virginia

- The FIPs will 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 (including 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, 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 the EPA to replace CAIR. EPA 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.
- The EPA is now finalizing our determination of 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. [The determination that participation in the CSAPR trading programs may substitute for BART applies only to EGUs in the states in the CSAPR region and only to SO₂ and/or NO_x emissions as specified by CSAPR.]
- The D.C. Circuit, on December 30, 2011, stayed CSAPR and instructed EPA to continue to administer CAIR pending the outcome of the court's decision on the petitions for review challenging CSAPR. We do not view the stay imposed by the D.C. Circuit as undermining our conclusion that CSAPR will have a greater overall positive impact on visibility than BART.

Background

- Visibility impairment caused by air pollution occurs virtually all the time at most national park and wilderness areas.
- Regional haze causes visibility impairment and is produced by a multitude of sources and activities located across a broad geographic area. Regional haze is made up of 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 harmful 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.

For Further Information

- Interested parties can download the final rule from the EPA's website under regulatory actions at: <http://www.epa.gov/visibility/program.html>.
- Today's final rule amendments and other background information are also available either electronically at <http://www.regulations.gov>, the 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.