

# Regional Haze Program Update

Region 4 Regulatory Modelers  
Workshop

March 28-29, 2007

# Overview

- Status updates since 2006 re:
  - Rulemakings
  - Guidance
  - Policy
  - Lawsuits & Settlement Agreements
- Federal and State Coordination

# Rulemakings Update

- ***Alternatives to Source-Specific BART Final Rule – October 13, 2006***
- BART Final Rule – July 6, 2005
- Regional Haze Final Rule – July 1, 1999

# Guidance Update

- ***Reasonable Progress Guidance (INSERT DATE)***
- ***SIP Guidance on Section 110(a)(2)(D)(i) for Ozone, PM2.5, RH, PSD re: interstate transport SIP obligations (8-15-06 Memo)***
- BART Guidelines – promulgated 7-6-05 as part of final BART Rule
- Guidance for Estimating Natural Visibility Conditions Under the Regional Haze Rule (9-03)
- Guidance for Tracking Progress Under the Regional Haze Rule (9-03)

# Other Policy Updates

- ***Q/A Document, “Additional Regional Haze Questions,” (9-27-06 revision)***
- ***BART Exemption Q/A (9-27-06 revision)***
- “Q & A’s for Source by Source BART rule of July 6, 2005” (10-19-05 Staff Draft)

# Lawsuit re: Final BART Rule

- Challenges against EPA's final BART rule:
  - *Industry* - Claim rule requires States to apply BART to too many sources
  - *Environmental* – Claim rule improperly allows States to exempt too many sources from BART
- Court decision issued 12-12-06: affirmed BART rule against both sets of challenges
- Additional guidance also issued as part of a settlement agreement with one petitioner –see *next slide*

# Utilities Air Regulatory Group (UARG) Settlement

- Settlement agreement re: final BART Guidelines
- Outstanding issues addressed by letter and memorandum (both dated July 19, 2006)

## Letter to Hunton & Williams Attorney :

1. International emissions:
  - Do not add to natural background or subtract from current conditions
  - States not expected to offset international emissions
  - Explain and assess if implementation strategies are achieving reasonable progress goals
2. Non-air quality impacts of compliance – no requirement to include collateral benefits of emission reductions in BART determinations

# UARG Settlement – (ctd.)

## Memorandum from EPA HQ to Regional Offices (R4):

1. Pollutant-specific use of CALPUFF to estimate visibility impacts:
  - *Generally* EPA does not recommend this approach
  - Acceptable to do so in certain situations, e.g.:
    - PM emissions from EGUs in CAIR States, where CAIR satisfies BART requirements for SO<sub>2</sub> and NO<sub>x</sub>
2. States may use 20% best visibility days or annual average to calculate natural background for purposes of BART.

# Federal and State Coordination

- National Workgroups (EPA, EPA/FLM)
- National RPO Workgroups
- BART determination reviews – State/EPA/FLMs
- Consultation discussions underway

# EPA Region 4 Contacts

## Regional Haze

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