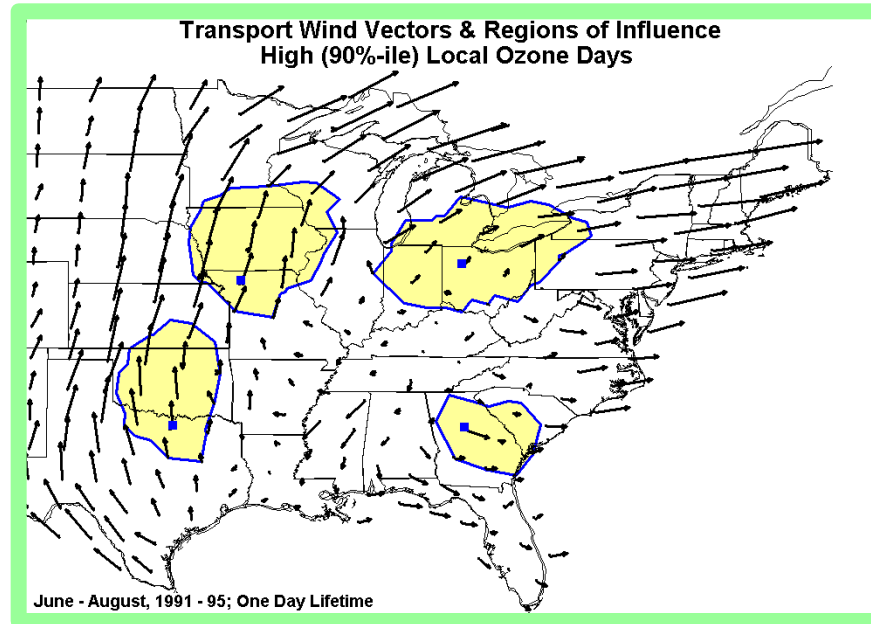


# EPA Considers AQ Transport



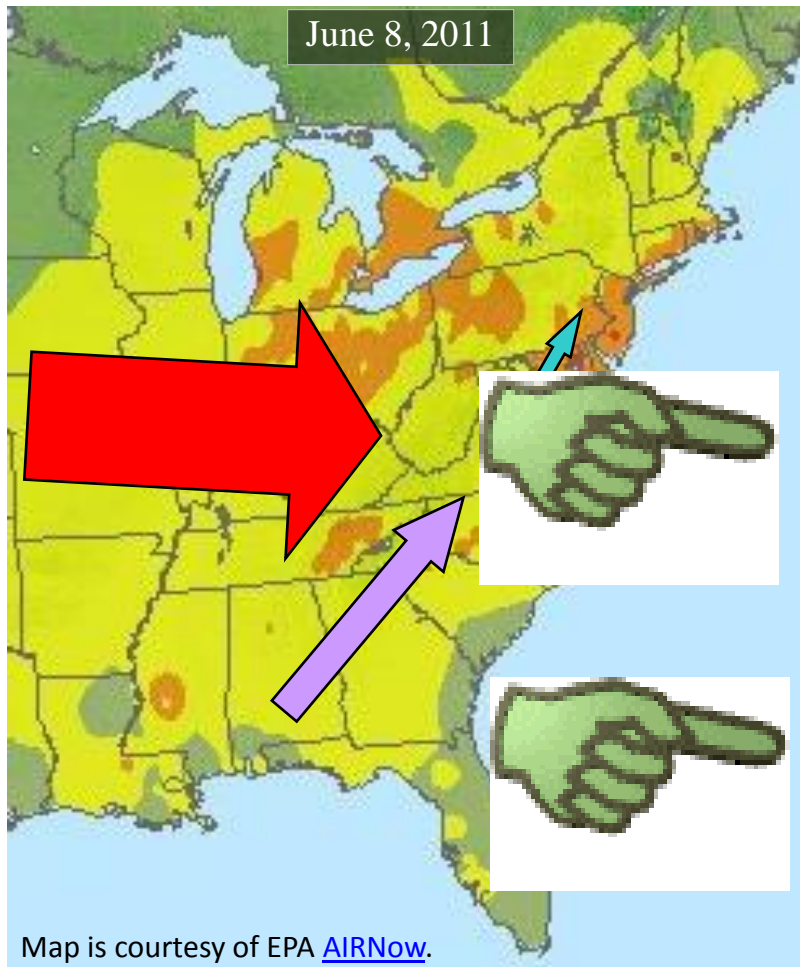
US EPA

Meeting with States, RTP

March 26, 2013

# Air Pollution “Transport”

## *Air Pollution that Travels with the Wind*



- Three distinct types of transport
  - Short range - City to City
    - “Ground level” transport
    - Washington to Baltimore, Baltimore to Philadelphia, etc.
  - Westerly, Long range transport
    - “Aloft” transport - 100s of miles
    - Generally from W or NW
  - Southerly, Nocturnal Low Level Jet (NLLJ) Transport
    - “Aloft” transport at night !!!
    - 100s of miles
    - SW to NE along the Atlantic

# How Can Transport Be Addressed?

- Federal controls (CAIR, CSAPR)  
EPA adopts federal control programs that reduce emissions across the nation or across a large region (like the East)
- The Clean Air Act's "Good Neighbor Provisions"
  - Section 110A2D – The CAA requires EPA to make sure that upwind states that contribute significantly to problems in downwind areas include measures in their SIPs to address that contribution
  - Has really not worked very well
- Last Option
  - Take legal action against EPA and other states to compel reductions



# Transport Rule

- “good neighbor” portion of the Clean Air Act regulations (Section 110A2D)
- EPA requires upwind States to reduce only their significant contributions to a downwind State’s nonattainment
- EPA drafted the Cross State Air Pollution Regulation (CSAPR) to quantify good neighbor obligations (emissions reductions)

# Homer City Decision, 8/2012

- Court decided EPA went beyond its statutory authority in drafting the CSAPR
  - Regs could result in upwind States reducing emissions by more than their won significant contributions to a downwind State's attainment
  - EPA began Federal Implementation Plans (FIPs) to implement reduction plans at the State level, instead of allowing states to develop their own plan.

# Other CAA Transport Tools

- These are legal actions provided for under the CAA that an individual state or a group of states can initiate:
  - Giant non-attainment areas
  - Section 126 Petitions against stationary sources
  - Section 110A2D “Good Neighbor” requirements
  - Section 176A (or 184) Petition to create a new, much larger “Ozone Transport Region”
  - Another “state partnership” effort
    - Daughter of OTAG
  - One, none or some combination of above?
    - All under consideration by a group of states



# Interstate Transport—complex issue

- Upwind states are often downwind of other states
- What are the respective roles and responsibilities of EPA and the states in the process?
- Should cost be considered in determining emissions reductions?
- EPA considering options,

# Next Steps

- EPA is meeting with stakeholders (states) in April
- EPA will meet with tribes on May 1
- EPA will announce next steps following the meetings with states and tribes