



EPA's Proposed Transport Rule



Metropolitan Washington Air Quality Committee
September 22, 2010

Program History

- OTC Budget Trading Program (1999-2002)
- EPA NO_x SIP Call (2003-2008)
- EPA Clean Air Interstate Rule (CAIR) (2005)
 - Replaced the NO_x SIP Call
 - Was Vacated, Reconsidered, and then Remanded without Vacatur (2008)
- EPA Transport Rule (2010) (announced July 6)
 - New Rule to Replace CAIR and Respond to Court Directives



Key Elements of Transport Rule

EPA Modeling Used to Determine Emission Reduction Needed to Remedy the Requirement that States Address Contribution to Downwind Areas

EPA to Implement FIPs by 2012, States have option to develop SIPs

2-step regulatory approach reduces NO_x and SO₂ in 2012/2014

State-level Emission Budgets Established

Only Addresses 1997 Ozone/annual PM NAAQS and 2006 daily PM NAAQS. Does not Address the 2008 Ozone NAAQS currently under Reconsideration

Intra- and Inter-state Trading Limited



New Transport Rule Actions will Be Required

- Proposed Transport Rule Was Not Developed to Address New Lower Ozone or PM NAAQS
 - More stringent Ozone and PM NAAQS are expected
 - O3 in Aug 2010
 - PM in Oct 2011
 - Additional Reductions will be Required
 - Subsequent EPA Rulemakings are Planned

MWAQC Comment Letter

Key Points:

- Generally Support EPA's Proposed Remedy to CAA Section 110 and CAIR Remand
- Urge timely action to set tighter emission caps to enable new NAAQS Attainment
- Support Limited Emission Trading