



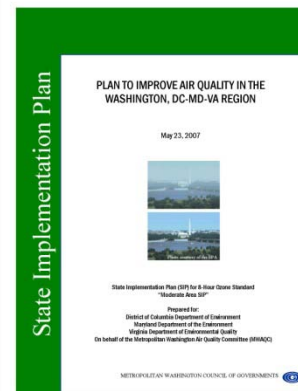
EPA's Proposed Transport Rule



Metropolitan Washington Air Quality Committee
July 28, 2010

Outline

- Need for Multipollutant Controls
- Program History
- Key Elements of the Rule
- Emission Reductions
- Areas Covered
- Comment Period



Need for Federal Multipollutant Controls



- Large portions of the eastern US designated non-attainment for 8-hour ozone and fine particulate standards
- For many regions, transport of NO_x and sulfur dioxide (SO₂) plays a large role in non-attainment
- Under CAA Section 110, States must include plans to address their contribution to downwind states
- EPA has role in providing states with a remedy to their Section 110 requirements

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

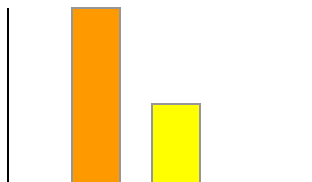
State-level Emission Budgets Established

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



Emission Benefits



Size of
Reductions



Timing of
Reductions



Geographic Scope
and Facilities
Covered

By 2014:

- NO_x 52% below 2005 levels
- SO₂ 71% below 2005 levels

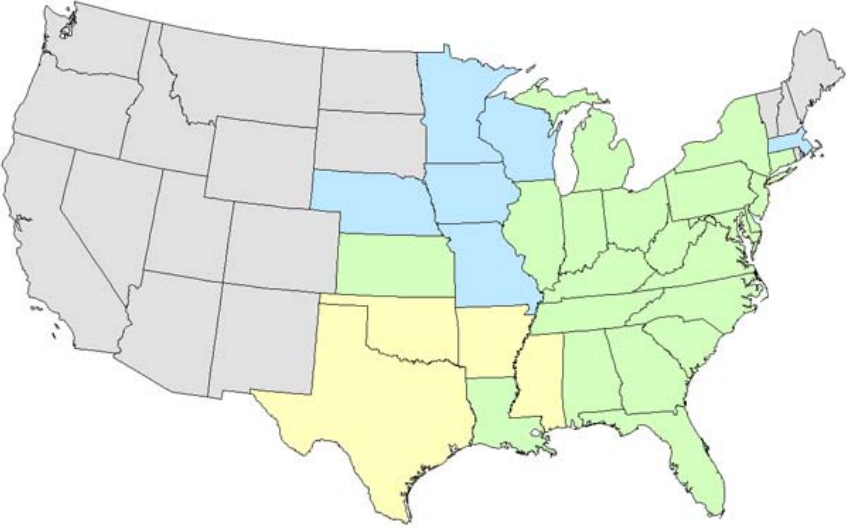
31 States and the District of Columbia
Only Covers Electric Power Plants

States Covered by the Transport Rule

Attainment and Nonattainment Areas in the U.S.
8-hour Ozone Standard

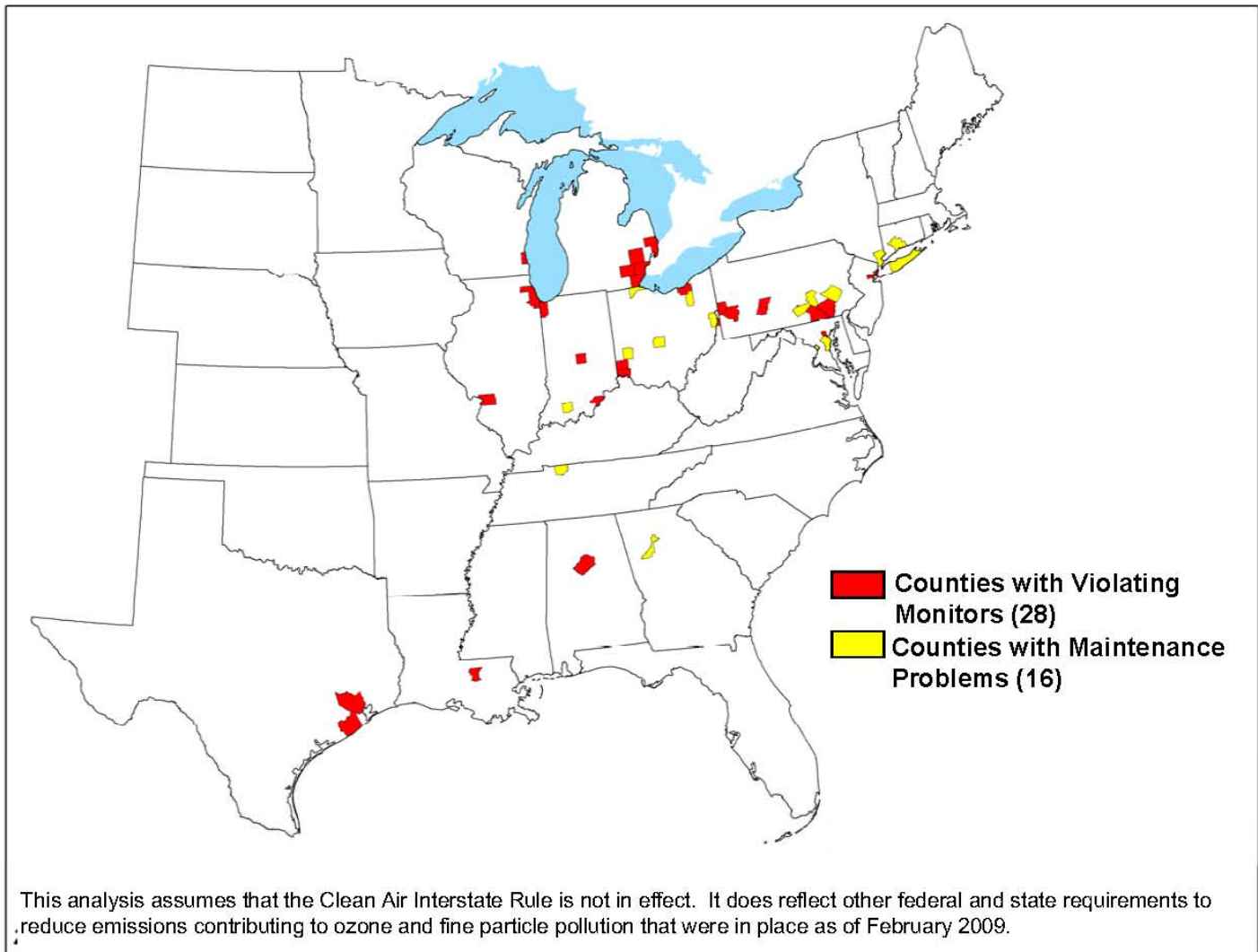


- Attainment (or Unclassifiable) Areas (2668 counties)
- Nonattainment Areas (432 entire counties)
- Nonattainment Areas (42 partial counties)

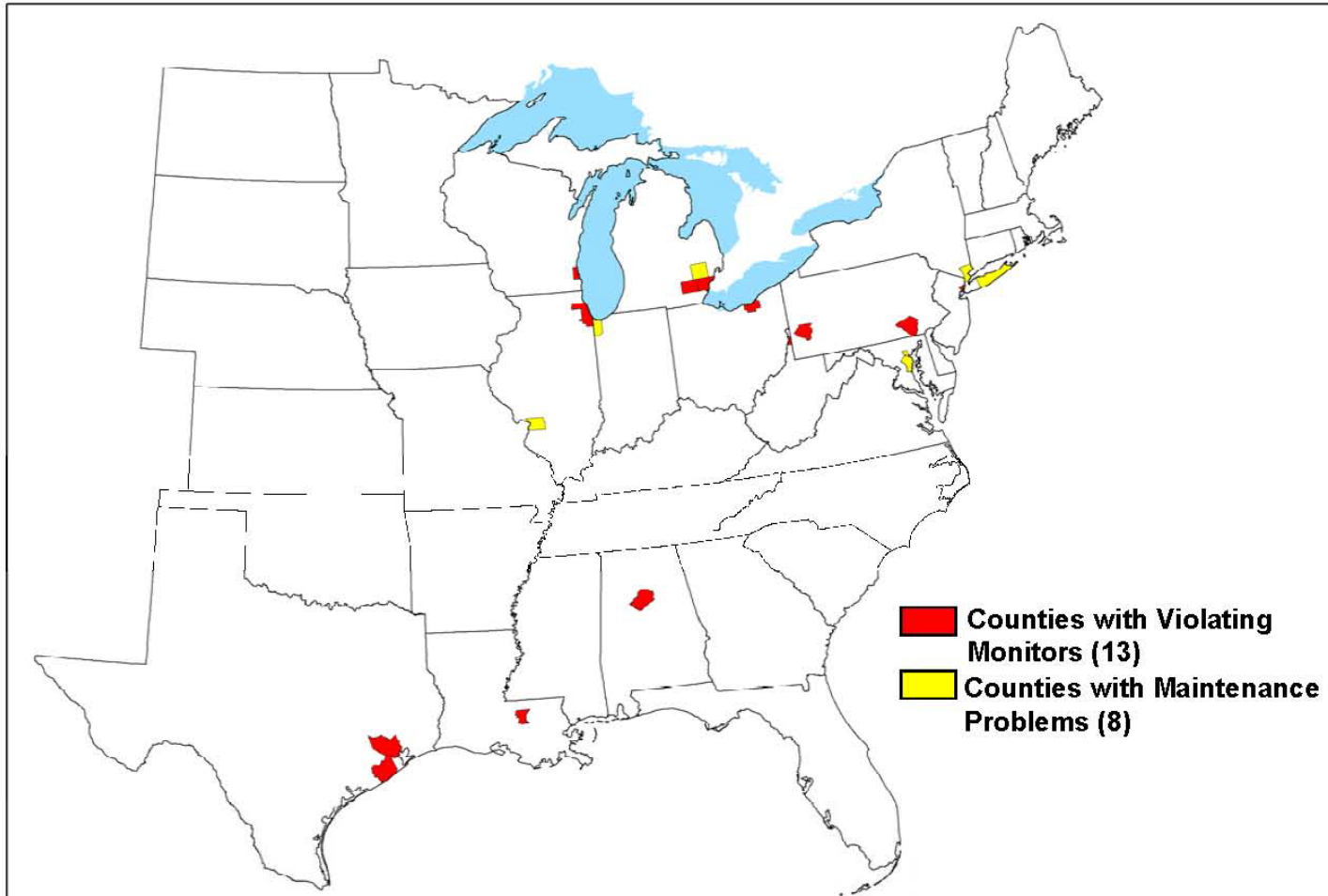


- States controlled for both fine particles (annual SO₂ and NO_x) and ozone (ozone season NO_x) (21 States + DC)
- States controlled for fine particles only (annual SO₂ and NO_x) (6 States)
- States controlled for ozone only (ozone season NO_x) (4 States)
- States not covered by the Transport Rule

Counties with Monitors Projected to Have Ozone and/or PM2.5 Air Quality Problems in 2014 Without the Proposed Transport Rule



Counties with Monitors Projected to Have Ozone and/or PM_{2.5} Air Quality Problems in 2014 With the Proposed Transport Rule



This analysis assumes that the Clean Air Interstate Rule is not in effect. It does reflect other federal and state requirements to reduce emissions contributing to ozone and fine particle pollution that were in place as of February 2009.

Will the Transport Rule Help the Region Meet Existing NAAQS?

- The District is the only jurisdiction in the region which is expected to have problems maintaining the 2006 PM_{2.5} (35 ug/m³) standard in 2014 without the Transport rule
- The District is not projected to have problems maintaining the 1997 ozone and PM_{2.5} standards
- Other than the District, none of the other jurisdictions in the region are projected to have problems maintaining either the 1997 ozone or 1997/2006 PM_{2.5} standards in 2014 without the Transport rule.

New Transport Rule Actions will Be Required

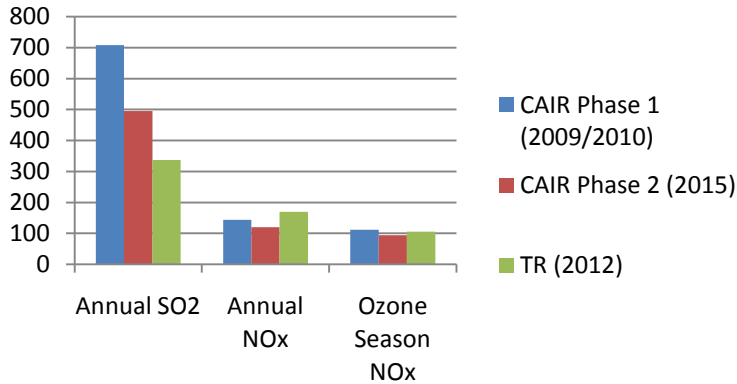
- Proposed Transport Rule Was Not Developed to Address New Lower Ozone or PM NAAQS
 - More stringent Ozone and PM NAAQS are expected
 - O3 in Aug 2010
 - PM in Oct 2011
 - Additional Reductions will be Required
 - Subsequent EPA Rulemakings are Planned

Legislative Initiatives?

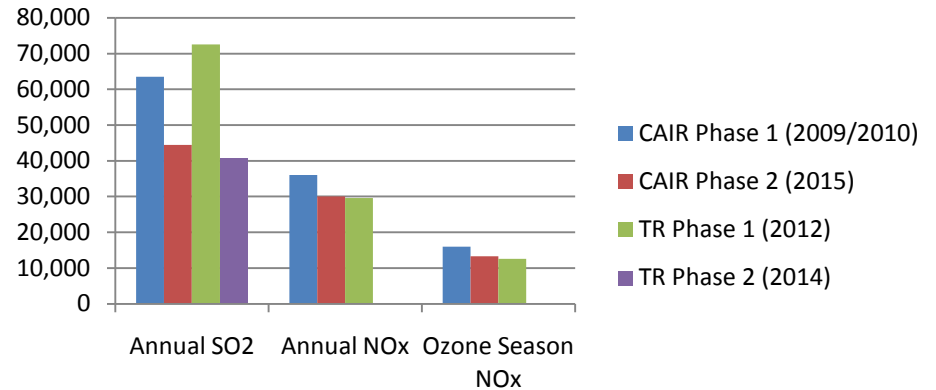
- EPA Assistant Administrator for Air and Radiation, Gina McCarthy, has testified that EPA anticipates that the Rule will be Litigated.
- Senate is considering possible legislative action to provide EPA with additional targeted authority.
- Key areas of focus would be on emissions caps and authorization of a trading program.

What is the Impact on State Emission Budgets?*

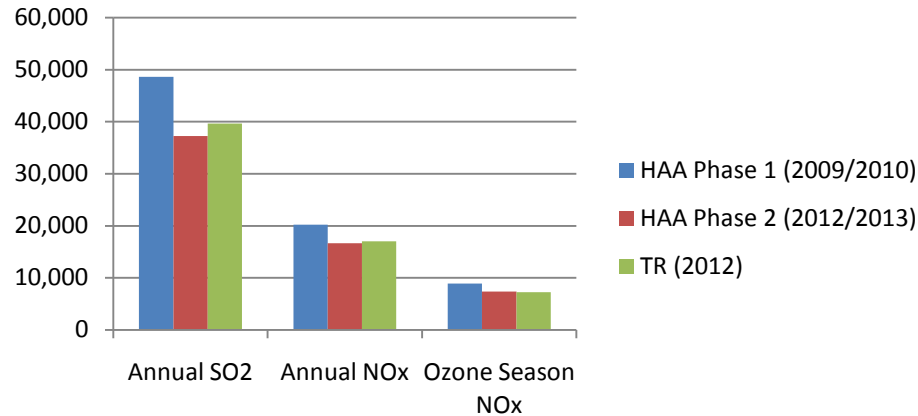
Washington DC SO₂ and NO_x Budgets CAIR vs Transport Rule (tons)



Virginia SO₂ and NO_x Budgets CAIR vs Transport Rule (tons)



Maryland SO₂ and NO_x Budgets CAIR vs Transport Rule (tons)



MWAQC Comments

Public Comment Period for 60
Days after published in Federal
Register

3 Public Hearings Planned

Potential MWAQC Comment
Letter in September

For more information

Transport Rule:

<http://epa.gov/airquality/transport/actions.html>

Clean Air Interstate Rule:

<http://www.epa.gov/cair/>

NOx SIP Call:

<http://www.epa.gov/airmarkets/progsregs/nox/sip.html>

OTC NOx Budget Program:

<http://www.epa.gov/airmarkt/progsregs/nox/otc.html>