

# **OAR Priorities & Outlook**

## **Clean Air Act Advisory Committee Meeting**

**Robert J. Meyers**

**Principal Deputy Assistant Administrator**

**U.S. EPA, Office of Air and Radiation**

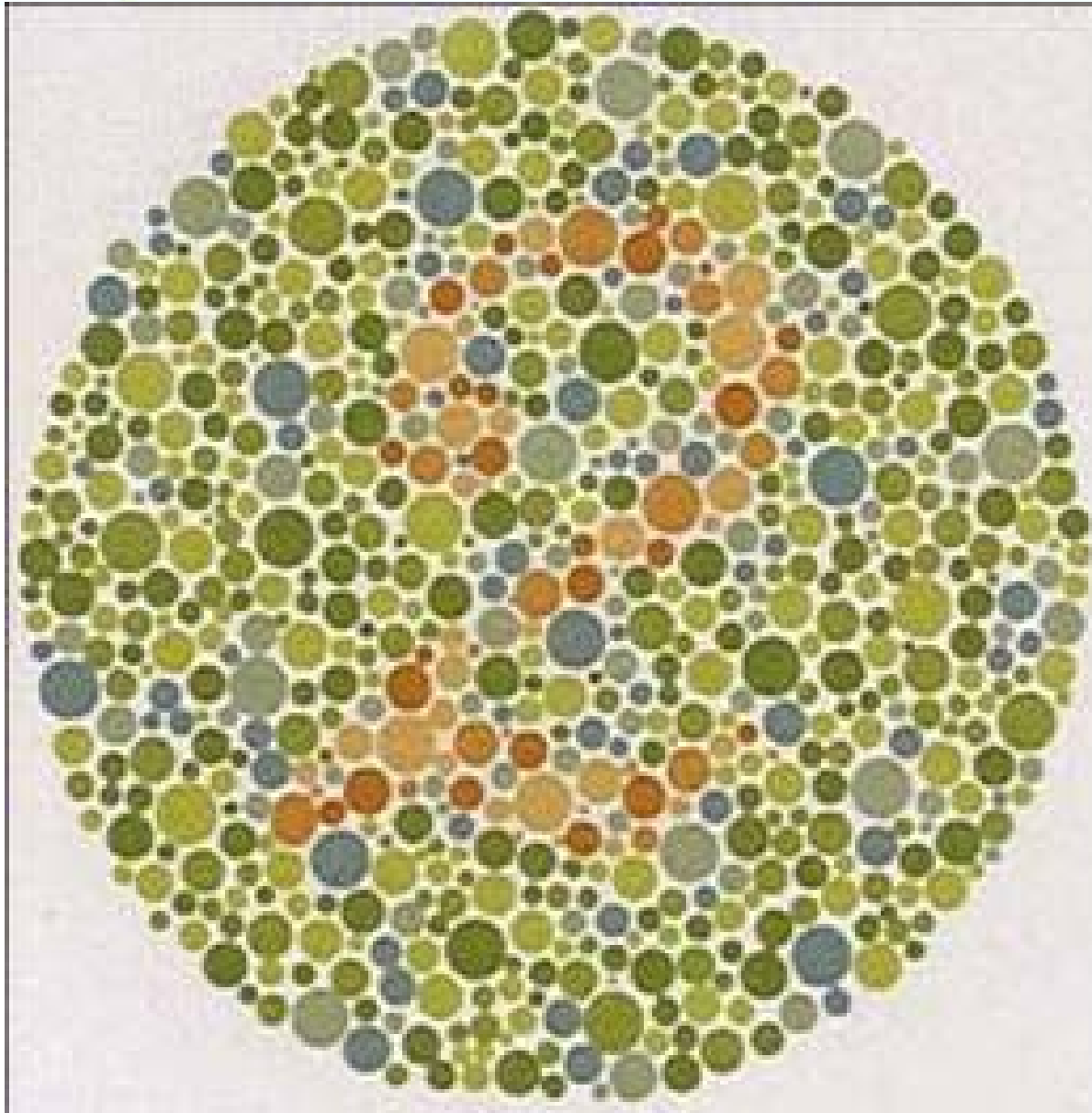
**September 18, 2008**

# Clean Air Interstate Rule 2005

- Mandatory Power Plant Emissions Cuts
  - Cuts SO<sub>2</sub> by 73% and NO<sub>x</sub> by 61%
- Main Tool for Eastern States to Comply with New Deferral Air Quality Standards
  - Also Satisfies Other Major Requirements
- Adopted by 28 Affected Eastern States
- Most Significant Action to Protect Public Health Since 1990 Clean Air Act Amendments

## DC Circuit Court Decision: July 11, 2008

- Although the U.S. Court of Appeals upheld parts of EPA's rulemaking effort, the court vacated the rule
- Next Steps:
  - Appeal to Court – deadline is September 24 to seek rehearing en banc
  - Legislative fix
  - Future regulatory action by EPA

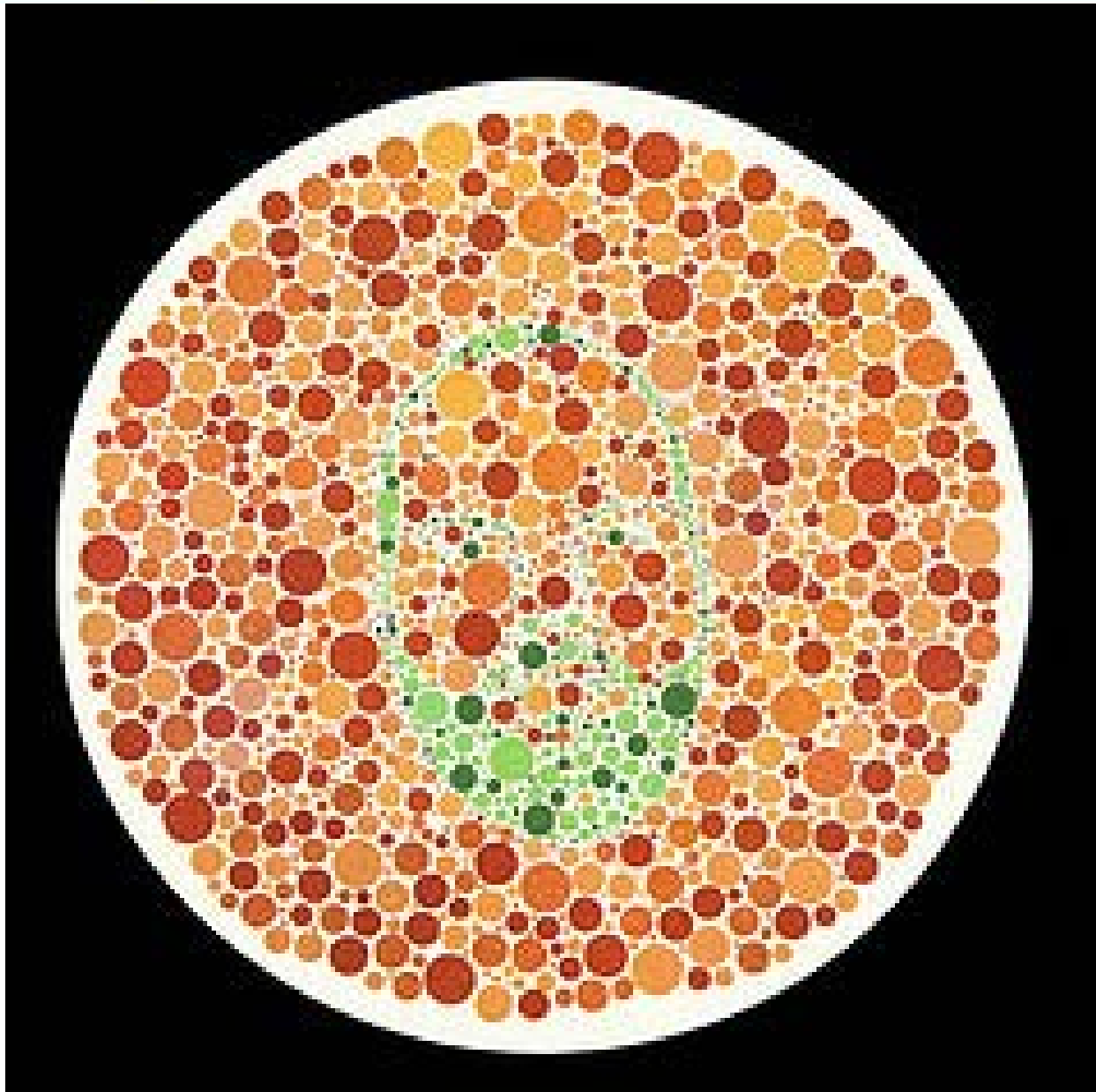


# Clean Air Mercury Rule (CAMR)

- CAMR was intended to enhance the benefits of CAIR by significantly reducing mercury emissions from coal-fired power plants.
- 2005 mercury emissions from power plants were approximately 48 tons; the 2018 CAMR cap was 15 tons.
- CAIR and CAMR would have reduced mercury deposition by about 80 percent across the northeastern United States when fully implemented.
- These reductions would have occurred in areas where mercury deposition is currently the highest.

## Possible Next Steps on CAMR

- DOJ requested rehearing by the full D.C. Circuit Court of Appeals
- Court rejected this request for rehearing
- U.S. considering whether to petition the Supreme Court for certiorari – deadline is October 17



# Regulation of Greenhouse Gases Under the Clean Air Act

- March 27, 2008 - EPA Administrator's letter to Congress announces EPA's first step in responding to the April 2007 Supreme Court ruling
- July 11, 2008 – ANPR Signed by Administrator
  - Published in the Federal Register on July 29
  - Goes beyond Supreme Court's mandate
  - Allows for broader perspective
  - Explores many relevant sections of the CAA and implications of possible regulations of stationary and mobile sources
  - Information to Congress as it develops climate change legislation
  - Will solicit public input and relevant information regarding interconnections and
    - Best available science relevant to making an endangerment finding
    - EPA's first responses to mobile source petitions and various stationary source rulemakings



## Proposed Mandatory GHG Reporting Rule

- In response to the FY2008 Consolidated Appropriations Act, EPA is drafting a proposed rule that requires mandatory reporting of greenhouse gases (GHGs) from the largest emission sources in the U.S.
- This rule will propose options for collecting accurate and comprehensive emissions data to inform future policy decisions.
- EPA has held more than 100 meetings with different groups since January including trade associations, states and regional groups, tribes and NGOs.

# Proposed Mandatory GHG Reporting Rule

- Issues to be considered in the context of proposed rule :
  - Who will submit reports?
  - How will the data be reported?
  - What will the thresholds for reporting be?
  - What reporting methodologies will be used?
  - How frequently will reports be submitted?
  - Who will verify the data?
- Timeline on Appropriations Act
  - September 2008 - Proposed rule published
  - June 2009 - Final rule published



# Upcoming Actions

- Lead NAAQS
- RFS 2
- Yucca Mountain
- Ozone Designations
- NSR Rules
- Area Source Rules

