

Proposed Supplemental Action on the Cross-State Air Pollution Rule: Fact Sheet

Action

- In this supplemental action, entitled "Federal Implementation Plans for Iowa, Kansas, Michigan, Missouri, Oklahoma, and Wisconsin to Reduce Interstate Transport of Ozone," the US Environmental Protection Agency (EPA) is proposing to expand the ozone season NO_x program in the final rule entitled "Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone" (Cross-State Air Pollution Rule), which is being finalized in a separate action today.
- EPA is proposing to include Iowa, Kansas, Michigan, Missouri, Oklahoma, and Wisconsin in the Cross-State Air Pollution Rule's ozone season NO_x program. Five of these states – Iowa, Kansas, Michigan, Missouri, and Wisconsin – are also included in the fine particle control program of the Cross-State Air Pollution Rule being finalized today, requiring year-round (as opposed to just summertime) NO_x reductions in these states.
- The Cross-State Air Pollution Rule together with this supplemental action will protect the health of millions of Americans by helping states reduce air pollution and attain clean air standards. The Cross-State Air Pollution Rule requires 27 states to significantly improve air quality by reducing power plant emissions that contribute to ozone and fine particle pollution in other states; this proposal would bring the total number of states covered to 28.
- In this supplemental notice of proposed rulemaking, EPA is providing an opportunity for public comment on the Agency's conclusion that Iowa, Kansas, Michigan, Missouri, Oklahoma and Wisconsin significantly contribute to nonattainment or interfere with maintenance of the 1997 ozone National Ambient Air Quality Standard (NAAQS) in other states.
- Air quality modeling conducted for the final Cross-State Air Pollution Rule demonstrates that these six states significantly contribute to nonattainment or interfere with maintenance of the 1997 ozone NAAQS in one or more downwind states.
 - The air quality modeling for the final Cross-State Air Pollution Rule identified two counties that were not included in the proposed rule - Allegan County, MI and Harford County, MD - as having trouble maintaining the 1997 ozone standards.
 - EPA's modeling shows that Iowa, Kansas, Missouri, Oklahoma, and Wisconsin contribute to maintenance problems in Allegan County, MI and that Michigan contributes to the problem in Harford County, MD.
- The supplemental proposal would require these six states to reduce summertime NO_x emissions as part of the Cross-State Air Pollution Rule ozone-season control program. This supplemental proposal would assure that, based on the modeling supporting the final Cross-State Air Pollution Rule, downwind contributions of air pollutants that form ozone and fine particle pollution are controlled for all areas having problems attaining and maintaining the 1997 and 2006 standards.
- The EPA is also proposing ozone season NO_x emissions budgets for covered units (generally large electric generating units) in the six states.

- The proposal is open for public review and comment for 45 days after publication in the Federal Register. A public hearing, if requested, will be held in Washington, D.C. on July 21, 2011. EPA expects to finalize this rulemaking on or before November 1, 2011.

Background

- On July 6, 2010, EPA proposed the Cross-State Air Pollution Rule. In that proposal, Iowa, Missouri and Wisconsin were not included in the proposed ozone season NO_x program.
- This supplemental proposed rule is projected to limit ozone season NO_x emissions (May - September) in Iowa, Kansas, Michigan, Missouri, Oklahoma and Kansas beginning in 2012.

How to Comment

- Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2009-0491, by one of the following methods:
 - <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
 - E-mail: a-and-r-docket@epa.gov.
 - Fax: 202-566-9744.
 - Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket and Information Center, Mail Code: 6102T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460. Please include two copies.
 - Hand Delivery: U. S. Environmental Protection Agency, EPA West (Air Docket), 1301 Constitution Avenue, Northwest, Room 3334, Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Additional Information

- Interested parties can download the proposal from EPA's web site on the Internet under recent actions at the following address: <http://www.epa.gov/airtransport>.
- Today's supplemental proposal and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located in the EPA Headquarters, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this action can be accessed using EPA-HQ-OAR-2009-0491.
- For additional information on this action, please contact Jeb Stenhouse at stenhouse.jeb@epa.gov, or 202-343-9781.