
Clean Air Act Update

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In 15 Minutes, I will

- Review the basic structure of the Clean Air Act
 - Put the NAAQS in context
 - Describe the new Ozone NAAQS proposal
 - Consider implications of a revised Ozone standard
 - Briefly note other CAA developments – time permitting
 - Leave the heavy lifting to Frank and Bill
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CAA Basic Structure

- National Ambient Air Quality Standards (NAAQS) set by EPA
 - States develop plans to meet standards (SIPs)
 - Source specific standards
 - e.g., NSPS/MACT standards
 - Permit programs
 - Construction permitting is affected by new AAQS
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NAAQS/SIP

- For “criteria” pollutants
 - SO², NO_x, CO, PM/PM₁₀/PM_{2.5}, Ozone, and lead
 - Ambient standards
 - Attainment/Non-attainment areas
 - States must produce plans (SIPs) for EPA approval
 - Difficulties with ambient approach
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Recent Developments

- New NAAQS finalized
 - PM2.5, SO2, NOx
 - States sorting through attainment status
 - Ozone NAAQS Proposal
 - Current standard is 75 ppb on 8hr basis
 - Proposal is 65 to 70
 - Inviting comment on 60 and 75
 - Inviting comment on separate secondary standard
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Ozone NAAQS Proposal Implementation

- Implications will depend on where the standard is set
 - Attainment/Non-attainment SIP Issues
 - Infrastructure SIPS
 - Proposed Designations
 - Non-attainment SIPs
 - Means additional regulation
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Ozone NAAQS Proposal Implementation

- Permit Programs – New Source Review
 - Non-attainment NSR
 - Air quality demonstration
 - Offsets
 - Laer
 - PSD Permitting
 - Still must make air quality demonstration
 - Grandfathering/transition requirements
 - Issues in areas that will be designated non-attainment
 - Air quality demonstration issues unique to ozone
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Ozone NAAQS Proposal

■ Timing:

- Final standard: October 2015 –Effective December?
 - State non-attainment designation proposals end of 2016
 - EPA Designations end of 2017?
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Ozone NAAQS Proposal

- Timing (cont'd)

- SIP Submittals

- Infrastructure SIP – Generally within 3 years of new standard
- Attainment demonstration SIP -- 3 to 4 years after designation

- Permitting

- PSD demonstration effective on effective date of new standard (remember grandfathering)
 - Non-attainment NSR effective on designation
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Other Developments Worth Watching

- GHG Regulation
 - Permitting changes – UARG Case
 - Electric Generation Existing Source Standards
 - SSM Regulation
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