



EPA's Advanced Notice of Proposed Rulemaking for Navajo BART FIPs

Briefing for Pima County Air
Quality Subcommittee
Tucson, AZ

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Topics

- Background on Regional Haze Rule
- Purpose of Advanced Notice of Proposed Rulemaking (ANPRM)
- EPA's Technical Analyses
- Notice of Proposed Rulemaking
- Consultation with Stakeholders



Background

- The Regional Haze Rule was promulgated in July 1999 and became effective in 2005 and established a national goal for visibility in 156 Class I areas across the country
- Class I areas are national parks and wilderness areas (i.e., Mesa Verde)
- Goal is to achieve natural background levels by 2064 (i.e., no manmade visibility impairment)



Background

- The Regional Haze Rule required states, but not tribes, to submit plans by Dec. 17, 2007
- Under the Tribal Authority Rule, EPA promulgates Federal Implementation Plans (FIP) in tribal jurisdictional areas as necessary to protect air quality
- The Best Available Retrofit Technology (BART) provisions of the Regional Haze Rule require reductions in the emissions of air pollutants that impact visibility
- The only two BART-eligible sources on the Navajo Nation are NGS and Four Corners



Background

- The visibility pollutants are: sulfur dioxide, nitrogen oxides, and particulate matter
- EPA has already promulgated FIPs that required reductions of sulfur dioxide emissions from both NGS and Four Corners
- As a result, the main pollutants of concern for visibility purposes are now nitrogen oxides and particulate matter



The Navajo Power Plants

- Two of the largest pollution sources in the U.S.
- Four Corners is the largest source of NO_x in the U.S and NGS is the 4th largest
- Visibility impairing pollution from Four Corners impacts 16 Class I areas
- Navajo Generating Station impacts 11 Class I areas, including the Grand Canyon



Ancillary Benefits

- Beyond improving visibility, additional controls of nitrogen oxides and particulate may have ancillary environmental and health benefits



Purpose of ANPRM

- The BART analysis determines the appropriate level of emissions controls for BART-eligible sources
- A BART analysis requires consideration of the following five factors:
 - Costs of compliance (i.e. cost effectiveness)
 - The energy and non-air quality environmental impacts of compliance
 - Any pollution control equipment in use at the source
 - The remaining useful life of the source
 - The degree of improvement in visibility (i.e. visibility benefits)



Purpose of ANPRM

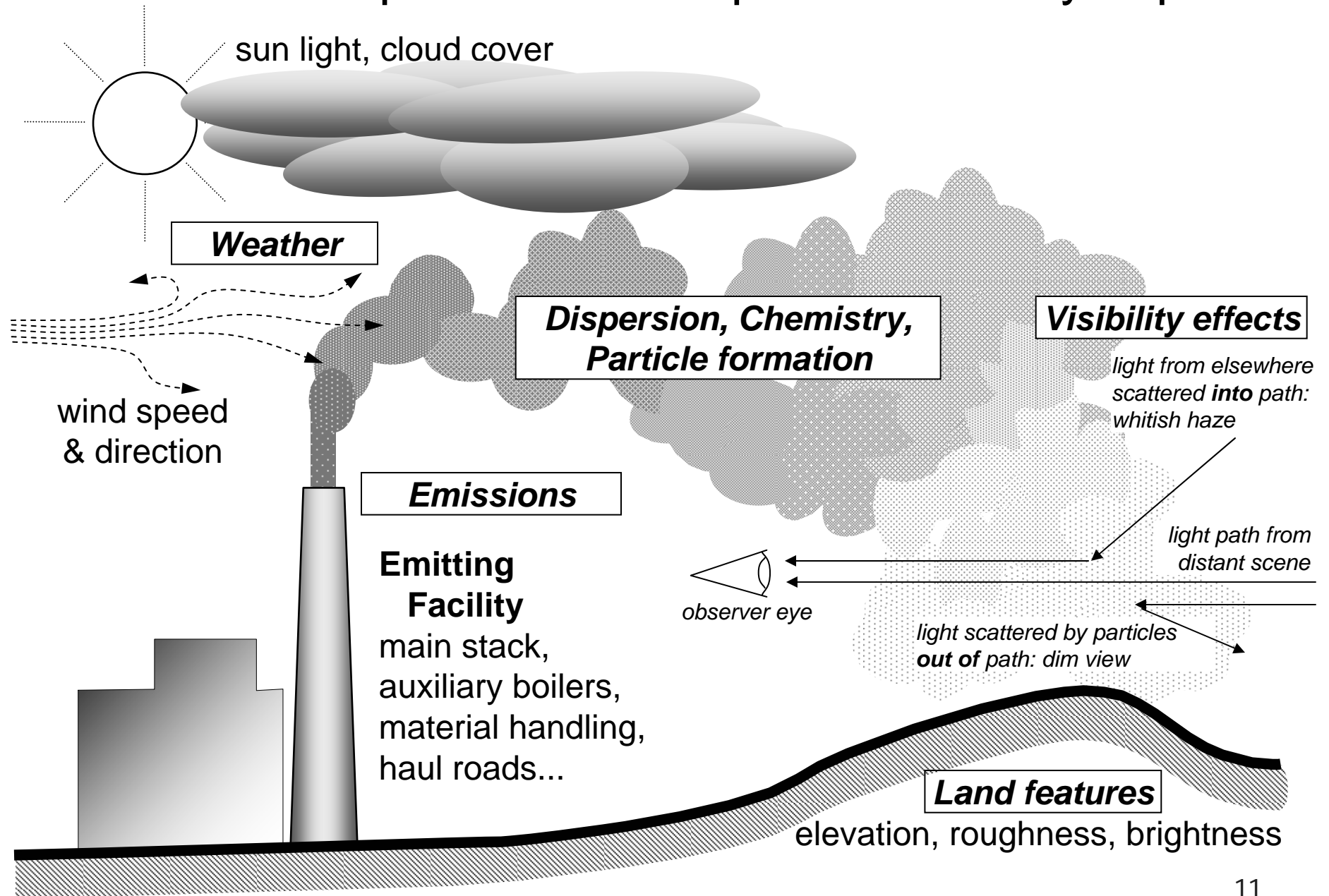
- EPA issued the Advanced Notice of Proposed Rulemaking (ANPRM) to seek public input on the two most potentially variable factors - cost effectiveness and visibility benefits
- These two factors rely on factual considerations
- The other factors, many of which include more policy-based considerations, will be considered in the rulemaking



Purpose of ANPRM

- The ANPRM also serves the purpose of consulting with the Federal Land Managers in advance of proposed BART determination
- EPA has consultation obligation with all tribes who are impacted by our final rulemaking
- Letters from Acting RA to Tribes inviting consultation

factors in computer model to predict visibility impact





Notice of Proposed Rulemaking

- First step is to consider all the comments that we receive on the ANPRM
- Second step is to see how those comments affect our analysis
- Third step is to decide on our BART determinations and propose those determinations in the Federal Register
- Fourth step is to finalize the proposal after considering and responding to all comments.



Notice of Proposed Rulemaking

- Our proposed BART determinations will allow for a lengthy public comment period and multiple public hearings
- We will issue final rules after consideration of all comments received
- We would like to get comments from stakeholders at all stages of the process



Contact Information and Website links

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Proposed Ozone Standards

- Primary standard - 9 of 15 Arizona counties would be nonattainment for the proposed range of 60-70 parts per billion (2006 – 2008 monitored data)
- Maricopa, Pinal, Pima, Yuma, Gila, Navajo, La Paz Counties would violate 70 ppb
- In addition to above counties, Coconino and Cochise would violate 65 ppb



Proposed Ozone Standards

- Nonattainment designations no earlier than August 2011
- Secondary standard – same 9 counties would violate 15 ppm-hours
- No additional counties would violate 7 ppm-hours



Proposed PM Designations

- EPA has notified Gov. Brewer that Pinal County is violating the PM 2.5 and PM-10 standards
- Next step – Gov. and Tribes submit boundary recommendations to EPA by early Feb.