

SO₂ NAAQS IMPLEMENTATION

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OVERVIEW

- 2010 SO₂ NAAQS Implementation
- SO₂ NAAQS Data Requirements Rule
- 2010 SO₂ NAAQS Designations



2010 SO₂ NAAQS Implementation

- EPA revised primary SO₂ standard on June 3, 2010 (75 ppb/1-hour)
- 1-hr SO₂ NAAQS NAA SIP elements guidance issued on April 24, 2014
 - www.epa.gov/airquality/sulfurdioxide/pdfs/20140423guidance.pdf
 - EPA regional offices are working to assist states with SO₂ NA areas in applying this guidance to develop SIPs, redesignation areas, etc.
- Attainment plans for 29 areas currently designated nonattainment were due April 4, 2015
- EPA issued findings of failure to submit (FFS) attainment plans for 16 areas in 11 states, effective April 18, 2016
 - Sanctions may apply if affected states do not submit complete SIPs within certain time periods stipulated under the Clean Air Act
 - Affected states may be subject to Federal Implementation Plans (FIPs) if they do not submit, and the EPA does not approve, SIPs for listed areas within 24 months (April 18, 2018)



SO₂ NAAQS Data Requirements Rule

- Final Data Requirements Rule, issued August 10, 2015, established requirements for air agencies to monitor or model ambient SO₂ levels in areas with largest sources of SO₂ emissions to help implement the 1-hour SO₂ NAAQS
- At a minimum, air agencies must characterize air quality around sources that emit 2,000 tons per year (tpy) or more of SO₂ or adopt enforceable emission limits that ensure that the source will not emit more than 2,000 tpy of SO₂
- Final rule established a schedule for air agencies to characterize air quality and to provide that air quality data to the EPA (does NOT establish designations schedule)
- New webpage provides information on listed sources and communication between states and EPA
 - <https://www3.epa.gov/airquality/sulfurdioxide/drr.html>



SO₂ NAAQS Data Requirements Rule: Implementation Timeline

- **January 15, 2016:** Air agency identifies sources exceeding threshold and other sources for which air quality will be characterized
 - EPA notified states in March 2016 that review of source lists was complete. In a few cases, EPA added sources to characterization list
(<https://www3.epa.gov/airquality/sulfurdioxide/implement.html>)
- **July 1, 2016:** Air agency specifies (for each applicable source) whether it will monitor air quality, model air quality, or establish an enforceable limit
 - Air agency also accordingly submits a revised monitoring plan, modeling protocols, or descriptions of planned limits on source emissions to less than 2,000 tpy
- **January 2017**
 - New monitoring sites must be operational by January 1, 2017
 - Modeling analyses must be submitted to EPA by January 13, 2017
 - Documentation of federally enforceable emission limits and compliance must be submitted to EPA by January 13, 2017
- **Early 2020:** Monitoring sites will have 3 years of quality-assured data which must be submitted to EPA



2010 SO₂ NAAQS Designations

- Consent decree entered on March 2, 2015, by U.S. District Court for Northern California “triggered” the following deadlines consistent with a settlement with original plaintiffs:
 - July 2, 2016 - The EPA must complete a round of designations for areas associated with approximately 70 EGUs in 24 states and any undesignated areas with violating monitors
 - December 31, 2017 - The EPA must complete an additional round of designations for any area a state has not elected to monitor starting January 1, 2017, per the provisions of the DRR
 - December 31, 2020 - The EPA must complete all remaining designations (primarily expected to be areas where states have elected to monitor per the provisions of the DRR)
- Plaintiff states have appealed the March 2, 2015 court order, and in a separate action, North Carolina has filed its own designations deadline suit



2010 SO₂ Designations Due in July 2, 2016 Under Consent Decree

What is covered in “Round 2”:

- Areas where 2013-2015 data indicate monitored violations – only Hawaii County, HI
- Areas where there are sources (electric power plants) that as of March 2, 2015, have not been “announced for retirement,” and meet one of the following emissions thresholds:
 - 16,000 tons of emitted in 2012 or
 - 2,600 tons of SO₂ emitted in 2012 with an average emission rate of at least 0.45 pounds of SO₂ per mmBtu
- In 2015, EPA notified 24 states that 69 sources met these criteria



The EPA's Intended Designations for SO₂ Areas Subject to the July 2, 2016 Deadline

Intended Designation	Number of Areas
Nonattainment	12
Unclassifiable	23
Unclassifiable/Attainment	31

- On or about February 16, 2016, the EPA notified representatives of 24 states of intended designations for areas subject to the July 2, 2016, court-ordered deadline
- A notice of availability and public comment period was published in the *Federal Register* on March 1, 2016 (81 FR 10563)
 - The public comment period ended on March 31, 2016
- States were asked to submit additional information to the EPA, should they wish, by April 19, 2016
 - Any new information will be considered to inform a final designation decision



Schedule for Completing 2010 SO₂ NAAQS Designations Due on July 2, 2016

Milestone	Date
Court Order	March 2, 2015
Impacted states may submit updated recommendations and supporting information for area designations to the EPA	No later than September 18, 2015
The EPA notifies impacted states concerning any intended modifications to their recommendations (120-day letters)	February 16, 2016
End of 30-day public comment period	March 31, 2016
Impacted states provide additional information to demonstrate why an EPA modification is inappropriate	April 19, 2016
The EPA promulgates final SO ₂ area designations (no later than 16 months from Court Order)	No later than July 2, 2016

