

STAPPA / ALAPCO

STATE AND TERRITORIAL
AIR POLLUTION PROGRAM
ADMINISTRATORS

ASSOCIATION OF
LOCAL AIR POLLUTION
CONTROL OFFICIALS

S. WILLIAM BECKER
EXECUTIVE DIRECTOR

October 8, 2003

M. Lea Anderson
Air and Radiation Law Office (2344A)
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Ms. Anderson:

On behalf of the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), we are pleased to submit the following comments regarding the proposed Consent Decree settling a lawsuit filed by Environmental Defense alleging that the U.S. Environmental Protection Agency (EPA) failed to meet its mandatory duty to promulgate guidelines and requirement for Best Available Retrofit Technology (BART) for certain major stationary sources. Notice of the Consent Decree was published in the *Federal Register* on September 8, 2003. As the state and local regulators who will hold primary responsibility for achieving the visibility goals under the Clean Air Act, the members of STAPPA and ALAPCO are keenly interested in regulations EPA issues to promote visibility and deadlines for these regulations.

STAPPA and ALAPCO support the deadlines set forth in the Consent Decree: that EPA will sign a notice of proposed rulemaking setting forth its proposed BART regulations and guidelines no later than April 15, 2004, and that EPA will sign a final notice of rulemaking setting forth its BART regulations and guidelines no later than April 15, 2005. Expeditious issuance of the BART regulations and guidelines will assist states and localities as they prepare State Implementation Plan revisions to meet the regional haze requirements promulgated by the Administrator under the Clean Air Act.

If you have questions or comments regarding this letter, please contact either of us or Amy Royden of STAPPA and ALAPCO at aroyden@4cleanair.org or 202-624-7864.

Sincerely,



Brock Nicholson
STAPPA Chair, Criteria Pollutants Committee



Jim Manning
ALAPCO Chair, Criteria Pollutants Committee