



This Week in Review – August 15-19, 2005

(1) EPA Defers CAA Requirements for Early Action Compact Areas (August 16, 2005) – EPA has deferred, for the second time, the effective date for nonattainment designations for 14 of the 29 communities participating in the Early Action Compact (EAC) program. Because these 14 communities – which are in nonattainment but ahead of schedule to meet the 8-hour ozone standard – met the agreed upon milestone of submitting State Implementation Plans with adopted control measures that demonstrate attainment by December 31, 2007, EPA has deferred certain Clean Air Act requirements, such as those for controls on new sources, from September 30, 2005 until December 31, 2006. The 14 areas affected by this action are Frederick County/Winchester, Virginia; Roanoke, Virginia; Washington County/Hagerstown, Maryland; Berkeley and Jefferson Counties, West Virginia; Hickory/Greensboro area, North Carolina; Fayetteville, North Carolina; Greenville-Spartanburg-Anderson, South Carolina; Columbia area, South Carolina; Chattanooga area, Tennessee; Nashville area, Tennessee; Johnson City-Kingsport-Bristol area, Tennessee; San Antonio area, Texas; and Denver-Boulder-Greeley-Ft. Collins-Love area, Colorado. [For further information: www.epa.gov/oar/eac]

(2) EPA Reports Lower NO_x Emissions in Eastern U.S. in 2004 (August 18, 2005) – EPA released a report on the NO_x emission reductions that have occurred as a result of the “NO_x SIP Call.” In *Evaluating Ozone Control Programs in the Eastern United States: Focus on the NO_x Budget Trading Program, 2004*, EPA explains that under the NO_x SIP Call, power industry summertime NO_x emissions dropped significantly in 2004. Total ozone season NO_x emissions from power plants and other large combustion sources were 30 percent lower than in 2003, when fewer states were subject to the NO_x SIP Call; 50 percent lower than in 2000; and 70 percent lower than 1990 levels. Continued NO_x emission reductions are anticipated under the NO_x SIP call and the Clean Air Interstate Rule (CAIR), which permanently caps power plant emissions of SO₂ and NO_x in 28 eastern states and the District of Columbia. In 2015, CAIR, the NO_x SIP Call and other programs in the East are expected to reduce ozone season NO_x emissions by about 50 percent and annual NO_x emissions by about 60 percent from 2003 levels. [For further information: www.epa.gov/airtrends]

(3) EPA Registers Over 2,000 AFOs for Air Compliance Initiative (August 15, 2005) – EPA announced that as of the August 12, 2005 deadline, more than 2,000 animal feeding operations (AFOs) in over 37 states had signed agreements to

participate in EPA's air compliance initiative. In addition, the agency indicated it would continue to accept signed agreements that were postmarked prior by the deadline. Many of the companies that signed up, including ones from the pork, poultry and dairy industries, have several farms that will come under the agreement. Once EPA makes an official determination as to whether all types of animals are adequately represented, the agency will request approval from its Environmental Appeals Board. According to EPA, "The two-year monitoring study, expected to begin in early 2006, will provide EPA with the essential data needed to develop emissions estimating methods and tools, which will assist the industry and EPA in determining the air compliance status of AFOs." Under these agreements, EPA waives enforcement of Clean Air Act provisions in order to obtain emissions data from AFOs. [For further information: www.epa.gov/compliance/resources/agreements/caa/cafo-agr-0501.html]

(4) EPA Issues Guidance for Developing Annual Onroad PM Emission Inventories (August 11, 2005) – EPA issued guidance for areas that are nonattainment or maintenance for the annual PM_{2.5} standard as they develop annual PM_{2.5} onroad vehicle emission inventories for use in meeting their State Implementation Plan (SIP) and transportation conformity requirements. "For previous and existing air quality standards (e.g., 1-hour ozone, 8-hour ozone, PM₁₀ and carbon monoxide) areas typically have been required to examine a typical summer or winter day because areas were violating a standard established for a time period of 24 hours or less...However, all areas currently designated nonattainment for PM_{2.5} are violating the annual standard for this pollutant. In order to be consistent with this standard, these areas must develop annual emission inventories for the purpose of developing SIP budgets and demonstrating transportation conformity." The purpose of EPA's *Guidance for Creating Annual On-Road Mobile Source Emission Inventories for PM_{2.5} Nonattainment Areas for Use in SIPs and Conformity* is to provide information to state and local agencies about how to fulfill these requirements. [For further information: www.epa.gov/oms/transp/conform/420b05008.pdf]

(5) Delaware Releases Comprehensive Air Toxics Study (August 15, 2005) – The Delaware Department of Natural Resources and Environmental Control has released the results of Phase I of the Delaware Air Toxics Assessment Study (DATAS), which includes the results of the agency's one-year air toxics monitoring program, an expanded emissions inventory of toxic air pollutants and a prototype study of air dispersion modeling. In Phase I, air toxic concentrations were monitored in five locations during 2003. The state completed risk assessments for cancer and other adverse health effects for communities near the monitoring sites. None of the risk assessments for any of the five monitoring locations for any age group fell in the high-risk range. When completed in 2006, Phase II will include air dispersion modeling using the emissions inventory and an assessment of potential risks to human health throughout Delaware. [For further information: www.dnrec.state.de.us/air/aqm_page/DATAS.htm]

(6) Pennsylvania to Develop State Mercury Regulations for Power Plants (August 17, 2005) – Pennsylvania's Environmental Quality Board approved the

Department of Environmental Protection's (DEP's) plan to develop state-specific regulations to control mercury emissions, which are expected to be more stringent than requirements under the federal rule. The state will begin a six-month process to draft regulations that address the concern expressed by DEP Secretary Kathleen McGinty that, "The federal mercury rule does not sufficiently protect public health and is a potentially severe blow to our economy." The plan specifically calls for encouragement of repowering with advanced clean-coal technologies and the burning of cleaner coal (thus discouraging fuel switching to dirtier coal types). [For further information: www.dep.state.pa.us/newsreleases/?id=3575]

(7) ACEEE Estimates Tax Credits for Light-Duty Hybrid Vehicles Under New Energy Bill (August 12, 2005) – The American Council for an Energy-Efficient Economy (ACEEE) released its estimates of tax credits for new hybrid cars and light trucks under the new federal energy bill, signed last week by the President. To make these "best-guess" estimates, ACEEE relied on a combination of 2005 model year data, preliminary 2006 model year data and manufacturers' announcements. ACEEE has indicated that the estimates "are intended only to give a sense of the magnitude of the upcoming credits, available starting January 6, 2006." According to ACEEE's estimates, credits for hybrids would range from a low of \$250 to a high of \$3,250 (for a Toyota Prius); the maximum tax credit possible under the bill is \$3,400. Credits are determined largely by a vehicle's city fuel economy relative to the average for its weight class, with additional credit provided for fuel savings over the vehicle's lifetime. [For further information: www.aceee.org/press/0508hybridtaxcr.htm]

The Week Ahead

- 2005 EPA Air Innovations Conference, in Chicago, Illinois – August 24-26, 2005

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