

# Protecting Visibility in National Parks and Scenic Areas

## AMENDMENTS TO THE REGIONAL HAZE RULE

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On April 25, 2016, the U.S. Environmental Protection Agency (EPA) proposed revisions to the Regional Haze Rule, which describes actions that states must take when submitting regional haze state implementation plans (SIPs) and progress reports. The regional haze program helps to protect clear views in national parks, such as Grand Canyon National Park, and wilderness areas, such as the Okefenokee National Wildlife Refuge. Vistas in these areas are often obscured by regional haze caused by emissions from numerous sources located over a wide geographic area. Over the past decade, the Regional Haze Rule has helped to reduce emissions of visibility-impairing pollutants and improve visibility.

### ACTION

- States are required to submit periodic plans demonstrating how they have and will continue to make progress towards achieving their visibility improvement goals. The first state plans were due in 2007 and covered the 2008-2018 first planning period. This revised rule addresses requirements for the second planning period.
  
- EPA is proposing revisions to various requirements of the Regional Haze Rule that will streamline, strengthen, and clarify aspects of the agency's regional haze program including:
  - Strengthen the federal land manager (FLM) consultation requirements to ensure that any issues that arise are raised early on in the planning process, even before SIPs or Progress Reports are submitted.
  - Extending the requirements so that now all states must address situations where a single source or small number of sources is affecting visibility in a national park or similar area (reasonably attributable visibility impairment, or RAVI).
  - Update the SIP submittal deadlines for the second planning period from July 31, 2018 to July 31, 2021 to ensure that they align with the steps states are already taking to address other Clean Air Act actions.
    - The end date for the second planning period would remain 2028. That is, the focus of state planning would be emission reduction measures that should be underway by 2028, as required by the current rule.
    - This would allow states to consider planning for other federal programs including the Mercury and Air Toxics Standards, the 2010 1-hour SO<sub>2</sub> National Ambient Air Quality Standards (NAAQS), the 2012 annual fine particle (PM<sub>2.5</sub>) NAAQS, and the Clean Power Plan while conducting their regional haze planning.
  - Adjust interim progress report submission deadlines so that second and subsequent progress reports would be due by January 31, 2025, July 31, 2033, and every 10 years

- thereafter.
- Remove the requirement for progress reports to take the form of SIP revisions. States would be required to consult with Federal Land Managers and obtain public comment on their progress reports before submission to the EPA.
    - These progress reports would be reviewed by the EPA, but the EPA would not formally approve or disapprove them.
  - Additionally, EPA is proposing clarifications to reflect the Agency's long-standing interpretations of the 1999 Regional Haze Rule including:
    - Requirements that reasonable progress goals would be set based on the long-term strategy.
    - Obligations of states with mandatory Class I areas and other states contributing to impairment at those areas.
    - Obligations on states setting reasonable progress goals that provide for a slower rate of progress than that needed to attain natural conditions by 2064.
  - EPA has consulted widely with states, tribes, federal land managers, and other stakeholders in developing this proposal, which responds to many issues that have arisen throughout the first planning period.
  - Together, these updates will ensure that haze-forming pollution continues to be reduced, while providing states and industry the time, tools, and flexibility they need to meet Clean Air Act requirements.
  - The EPA will accept comment on this proposed rule for 60 days after it is published in the *Federal Register*. The agency will hold a public hearing at 9:00 AM on May 19, 2016 at the U.S. Environmental Protection Agency, William Jefferson Clinton East Building (WJC East), Room 1153, 1201 Constitution Avenue, NW, Washington, D.C.

## **NOTICE OF PUBLIC HEARING**

- The EPA will hold a public hearing to solicit and incorporate input from stakeholders and the public. The public hearing will provide interested parties the opportunity to present data, views or arguments concerning the proposed amendments to the Regional Haze Rule.
- The public hearing will be held on Thursday, May 19, 2016, in room 1117A, William Jefferson Clinton East building (WJC East), 1201 Constitution Avenue, NW, Washington, D.C. The public hearing will convene at 9 a.m. and continue until the earlier of 5:00 p.m. or 1 hour after the last registered speaker has spoken.

## BACKGROUND

- Regional haze reduces visibility and is caused by the emission of air pollutants, primarily particle pollution, from numerous sources located over a wide geographic area. Fine particle pollution can also cause serious health problems including premature death.
- The Clean Air Act established a national visibility goal to prevent any future, and remedy any existing, visibility impairment in national parks and wilderness areas. “Impairment” specifically refers to human caused air pollution.
  - In 1980, the EPA finalized regulations to address Reasonably Attributable Visibility Impairment (RAVI). For the most part the Regional Haze program addresses the effects that a large and geographically dispersed set of sources has on visibility in downwind areas, where no single source can be identified as predominately responsible. Sometimes, however, visibility impairment can be attributed to a single source or small groups of sources, and this is what RAVI is designed to address.
  - In 1999, the EPA promulgated the Regional Haze Rule to address regional haze. The Regional Haze Rule calls for states to establish goals and emission reduction strategies for improving visibility in Federal Class I areas.
- Based on visibility data through 2014, considerable visibility improvements have been made in affected areas in the eastern United States and some western areas on the 20 percent haziest days.
  - The National Park Service estimates that emissions controls established under the first planning period led to approximately 500,000 tons/year of sulfur dioxide (SO<sub>2</sub>) and 300,000 tons/year of oxides of nitrogen (NO<sub>x</sub>) reductions.
  - In many cases, these improvements in visibility are a result of state and federal efforts to reduce particle pollution and the precursor pollutants that contribute to it, including the Regional Haze Rule.
- The EPA intends to provide additional guidance for states to use in developing their second planning period SIPs.

Figure 1. Average visibility conditions over the 2000-2004 baseline period on the 20% worst visibility days.

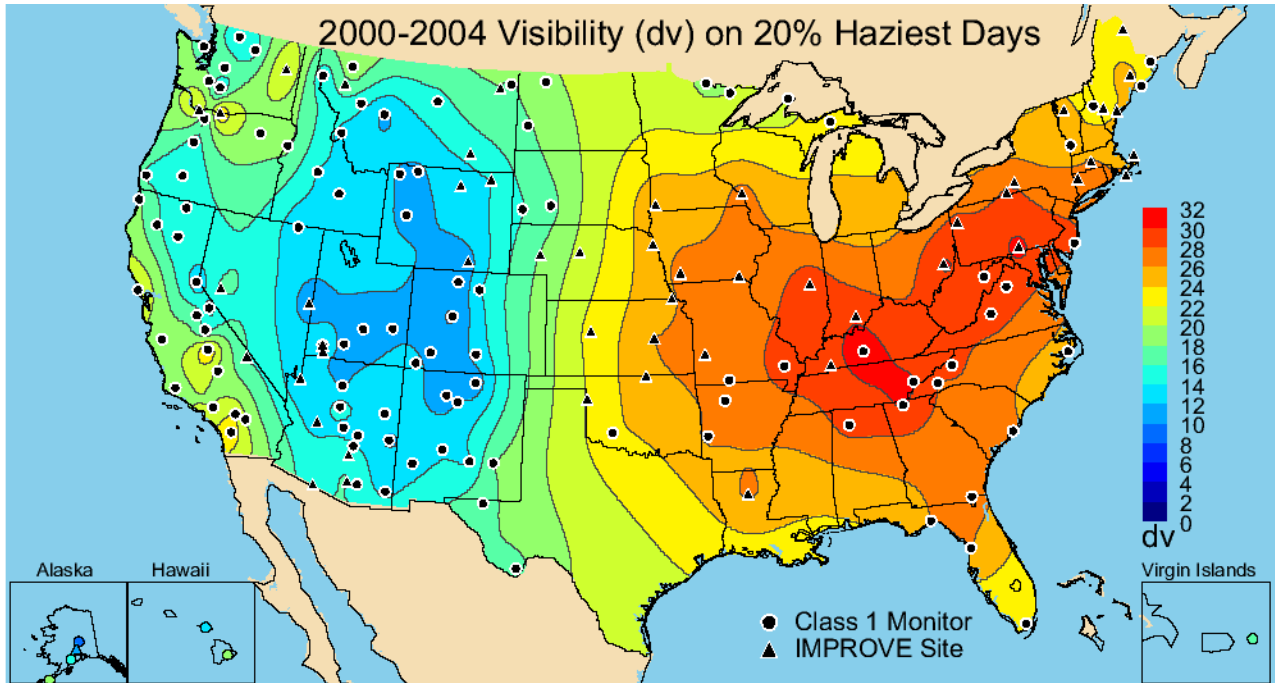
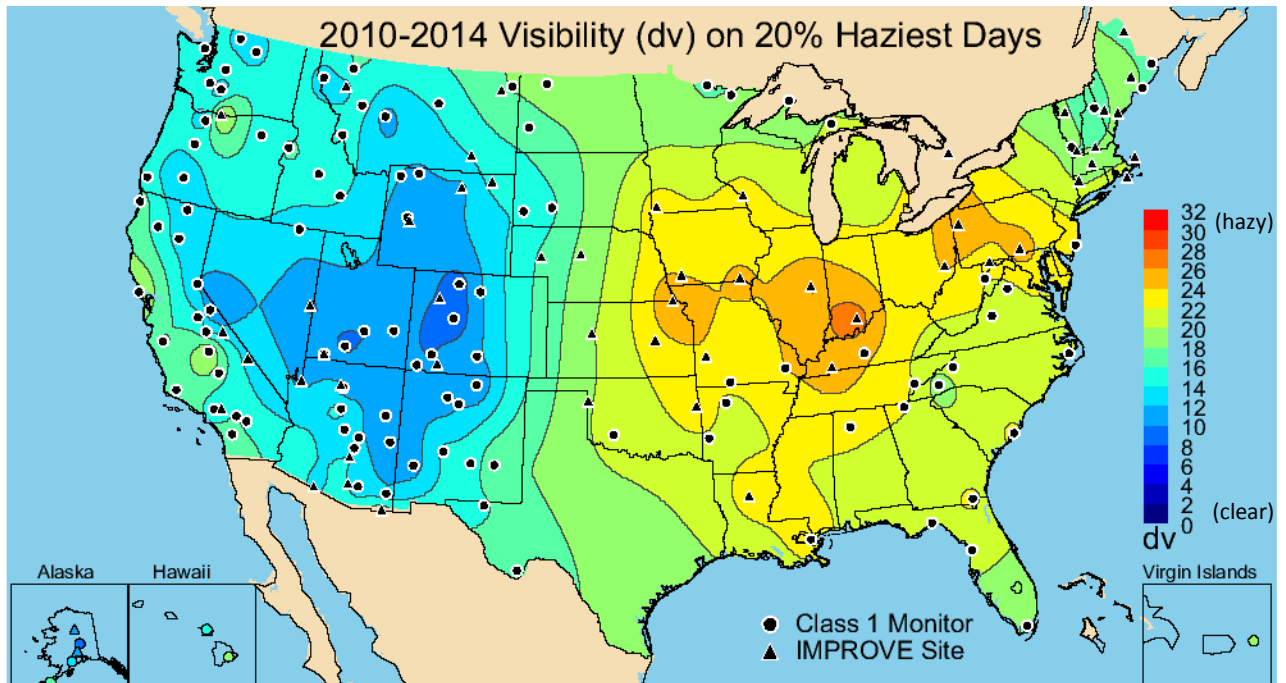


Figure 2. Average visibility conditions over the 2010-2014 period on the 20% worst visibility days.



## HOW TO COMMENT

- Comments, identified by Docket ID No. EPA-HQ-OAR-2015-0531, may be submitted by one of the following methods:
  - [www.regulations.gov](http://www.regulations.gov): follow the on-line instructions for submitting comments.
  - Email: Comments may be sent by electronic mail (email) to:
    - [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).
  - Fax: Fax your comments to: (202) 566-9744.
  - Mail: Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460.
  - Hand Delivery or Courier: Deliver your comments to: Air and Radiation Docket and Information Center, 1301 Constitution Ave., NW, Room 3334, Washington, D.C. 20004. Such deliveries are only accepted during the Docket's normal hours of operation and special arrangements should be made for deliveries of boxed information.

## FOR MORE INFORMATION

- To download a copy of the proposal from the EPA website, go to "Recent Actions" at the following address: <https://www.epa.gov/visibility/visibility-regulatory-actions>.
- This proposed rule and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located in the EPA Headquarters, Room Number 3334 in the EPA William Jefferson Clinton West Building, located at 1301 Constitution Ave., NW, Washington, D.C. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding federal holidays.
  - Visitors are required to show photographic identification, pass through a metal detector and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
  - Materials for this action can be accessed using Docket ID EPA-HQ-OAR-2015-0531.
- For further information about the proposed rule, contact Chris Werner of the EPA's Office of Air Quality Planning and Standards at (919) 541-5133 or [werner.christopher@epa.gov](mailto:werner.christopher@epa.gov).