

MEMORANDUM

From: Colin Boswell
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency

To: Melanie King

Date: October 27, 2014

Subject: Amended Regulatory Text for Supplemental Proposal: Carbon Pollution Emission Guidelines for Existing Power Plants in Indian Country and U.S. Territories

Amended Regulatory Text

On June 18, 2014, the EPA proposed adding a Subpart UUUU (79 FR 34950) to 40 CFR Part 60. This new subpart is the Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units. The EPA intends to finalize the proposed amendments with the inclusion of a supplemental proposal which includes carbon pollution guidelines for existing power plants in Indian country and U.S. territories. To facilitate understanding the amendments to the regulation being proposed in the supplemental proposal and allow interested persons to see the proposed amendments for Indian country and U.S. territories, the following document uses track changes to demonstrate the proposed additional emission guidelines for Indian country and U.S. territories. The only changes to the proposed regulation text are in Section 60.5710 and Table 1. In Section 60.570 the EPA is adding text to clarify the applicability of the regulation to include U.S. territories and areas of Indian country. In Table 1 the EPA adds CO₂ Emission Performance Goals for the applicable U.S. territories and areas of Indian country. Note that Section 302 of the CAA defines the term “State” to include U.S. territories in the remainder of the original proposed regulation text not shown in this memo.

Subpart UUUU: Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units

§ 60.5710 Am I affected by this subpart?

If you are the Administrator of an air quality program of a state, the Commonwealth of Puerto Rico, Guam and any other United States’ territory, or an Indian tribe that has been approved by EPA pursuant to 40 CFR 49.9 as eligible to administer this subsection (hereinafter a state)-in-state with one or more affected EGUs that commenced construction on or before January 8, 2014, you must submit a state plan to the U.S. Environmental Protection Agency (EPA) that implements the emission guidelines contained in this subpart. You must submit a negative declaration letter in place of the state plan if there are no affected EGUs for which construction commenced on or before January 8, 2014 in your state.

Table 1 to Subpart UUUU of Part 60—State Rate-based CO₂ Emission Performance Goals (Pounds of CO₂ Per Net MWh)

State	Interim Goal	Final Goal
Alabama	1,147	1,059
Alaska	1,097	1,003

Arizona	735	702
Arkansas	968	910
California	556	537
Colorado	1,159	1,108
Connecticut	597	540
Delaware	913	841
Florida	794	740
Georgia	891	834
Hawaii	1,378	1,306
Idaho	244	228
Illinois	1,366	1,271
Indiana	1,607	1,531
Iowa	1,341	1,301
Kansas	1,578	1,499
Kentucky	1,844	1,763
Louisiana	948	883
Maine	393	378
Maryland	1,347	1,187
Massachusetts	655	576
Michigan	1,227	1,161
Minnesota	911	873
Mississippi	732	692
Missouri	1,621	1,544
Montana	1,882	1,771
Nebraska	1,596	1,479
Nevada	697	647
New Hampshire	546	486
New Jersey	647	531
New Mexico	1,107	1,048
New York	635	549
North Carolina	1,077	992
North Dakota	1,817	1,783
Ohio	1,452	1,338
Oklahoma	931	895
Oregon	407	372
Pennsylvania	1,179	1,052
Rhode Island	822	782
South Carolina	840	772
South Dakota	800	741
Tennessee	1,254	1,163
Texas	853	791
Utah	1,378	1,322
Virginia	884	810
Washington	264	215
West Virginia	1,748	1,620
Wisconsin	1,281	1,203
Wyoming	1,808	1,714

<u>Puerto Rico</u>	<u>1,470</u>	<u>1,413</u>
<u>Guam</u>	<u>1,733</u>	<u>1,586</u>
<u>Lands of the Navajo Nation</u>	<u>1,991</u>	<u>1,989</u>
<u>Lands of the Ute Tribe of the Uintah and Ouray Reservation</u>	<u>2,000</u>	<u>1,988</u>
<u>Lands of the Fort Mojave Tribe</u>	<u>856</u>	<u>855</u>