

TRANSPORT OF AIR POLLUTION ACROSS STATE BOUNDARIES (INTERSTATE TRANSPORT)

Internal deliberative pre-decisional - FOR USE BY 2024 PRESIDENT-ELECT TRANSITION TEAM MEMBERS ONLY

ISSUE SUMMARY:

Interstate air pollution transport (“transport”) refers to pollution from upwind emissions sources that impact the air quality in a different state(s) downwind. Certain types of pollutants, such as sulfur dioxide (SO₂) and nitrogen oxides (NO_x), can affect air quality and public health both locally and regionally. The transport of these pollutants across state borders can make it difficult for downwind states to meet the National Ambient Air Quality Standards (NAAQS) including the fine Particulate Matter (PM_{2.5}), ozone (O₃) and SO₂ NAAQS. The Clean Air Act requires states to eliminate emissions that significantly contribute to another state’s ability to meet or maintain any NAAQS.

KEY POINTS:

- EPA has taken a number of steps to secure significant reductions in ozone-forming emissions of NO_x from power plants and industrial facilities. These actions will save thousands of lives and result in cleaner air and better health for millions of people living in downwind communities.

2015 Ozone NAAQS

- In March 2023, EPA issued the Good Neighbor Plan (GNP) to reduce emissions of NO_x from power plants and industrial facilities in 23 states found to significantly contribute to problems attaining and maintaining the 2015 O₃ NAAQS in downwind states.
 - In response to judicial orders partially staying a separate EPA action, EPA paused implementation of the GNP in the following states: Alabama, Arkansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nevada, Oklahoma, Texas, Utah, and West Virginia. More information can be found [here](#).
 - On June 27, 2024, the Supreme Court of the United States granted applications to stay enforcement of the GNP. On August 5, 2024, EPA announced its intention to administratively stay the GNP in the remaining 11 states of the original GNP pending judicial review.
- The Agency is evaluating comments on a [January 2024 proposal](#) for 5 states (Arizona, Iowa, Kansas, New Mexico, and Tennessee) that would partially approve and partially disapprove state implementation plan (SIP) submittals and include those states in the GNP’s regulatory programs beginning in 2025. This action is under Court Order for finalization by November 26, 2024, with respect to the states of Arizona, New Mexico, and Tennessee.
- In March 2024, EPA [partially denied](#) four petitions for reconsideration and associated requests for administrative stay of the GNP.

2024 Particulate Matter NAAQS

- States are required by the Clean Air Act to submit plans to address the role of interstate transport in meeting the 2024 PM_{2.5} NAAQS by February 2, 2027.
- As of October 2024, EPA has not yet provided states with guidance on meeting the good neighbor SIP obligations for the 2024 PM_{2.5} NAAQS.

2010 Sulfur Dioxide NAAQS

- States were required by the Clean Air Act to submit plans to address the role of interstate transport in meeting the 2010 1-hour SO₂ NAAQS in 2013. There are 10 states that have not submitted these SIPs. EPA has not issued a finding of failure to submit as to these states.
- For those SO₂ interstate transport SIPs that have been submitted, EPA has not yet taken actions to approve/disapprove as to 11 of those states. There is a consent decree deadline of September 30, 2025, for EPA to take final action to approve/disapprove submitted SO₂ interstate transport SIPs for Louisiana and Texas.

ONGOING/UPCOMING REVIEWS FOR FY2025:

KEY EXTERNAL STAKEHOLDERS:

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| <input checked="" type="checkbox"/> Congress | <input checked="" type="checkbox"/> Industry | <input checked="" type="checkbox"/> States | <input type="checkbox"/> Tribes | <input type="checkbox"/> Media | <input type="checkbox"/> Other Federal Agency |
| <input checked="" type="checkbox"/> NGO | <input type="checkbox"/> Local Governments | <input type="checkbox"/> Public | | | |

MOVING FORWARD: