**Questions from NACAA Members on EPA’s Proposed Regional Haze Rule Revisions**

**For May 31, 2016 NACAA Conference Call**

**Nevada**

1. This question relates to the proposed revision to §§ 308(f)(2)(iv) and 308(g)(4), identifying which year of emissions inventory (EI) data must be used as the baseline EI year for SIP revisions or as the end year of the analysis tracking changes in emissions over a progress report period.  The proposed language says that year should be “*the most recent year for which the state has submitted emission inventory information to the Administrator in compliance with the triennial reporting requirements of subpart A of this part* . . .”  Can EPA please clarify what is meant by “*most recent year for which the state has submitted information.*”
   1. Does this mean that states must use EI data that they have submitted even if that triennial NEI has not been released?
   2. If a state must submit a SIP revision on July 1, 2021, must it use the EI data it submitted for the 2017 NEI as the baseline year for modeling and for tracking changes in emissions since the previous progress report?

**Wisconsin**

1. EPA seems to be requiring in the proposed revisions that states are required to do the 4-factor analysis for additional controls before considering existing and on-the-books controls, even if the visibility impact at a Class I area(s) due to those existing and on-the-books controls result in an RPG on/below the URP line.  This is not our understanding of how the process works and how we applied the 4-factor analysis for our first-period Haze SIP which EPA approved – we only applied the 4-factor analysis for the two Class I areas in Michigan where visibility impact was above the URP line.  Please clarify whether the 4-factor analysis needs to be applied at all (or perhaps in an expedited fashion) if the URP line is already met through existing and on-the-books control measures.
2. Regarding RAVI, what does visibility impairment *due to* a single source(s) mean?  Is “due to” represented by > 50% responsibility for impairment?  90%?  Also the term “reasonably attributable” is not well defined (the definition is “attributable by visual observation or any other appropriate technique”).  Are these terms explained further somewhere within or outside the rule?  States need a better sense of these terms as they relate to potential implications for sources in the state.

**WESTAR**

1. Can we comment on the ICR along with our rule comments? We’d like to be able to comment by July 5 because the cost estimates look low and it’s not likely that anything formal could be prepared by many states for a response by June 3.  Does the estimate refers to an annual average across all 50 states for one year, for 2016-1019 only, or for the cost of regional haze planning (Progress Reports and SIPS) over the 10-year cycle.  Does the estimate include outside consultants for special work, for contributions to an RPO for regional modeling and analysis, for maintenance of a regional data warehouse for IMPROVE data, for smoke management and wildfire tracking (natural emissions), for reworking the baseline (anthropogenic emissions), etc.?
2. When will the Guidance be out (how soon before the rule comment period ends) and what is in it?  Will guidance have new baselines in deciviews (light extinction and mass for all species) for all sites with the details for how they were calculated (data & algorithms included)?  Will it have new Natural Conditions estimates (data and algorithms included?)   Will Guidance include a how-to for the four factor-analysis (e.g. what sources or source categories to target, distance thresholds, TPY emissions thresholds, excludable sources or source categories, etc.?)  Will the Guidance be in implementation rule form or a policy memorandum or a report similar to the April 2013  General Principles for Progress Report?  Will there be a Q/d threshold for exempting sources from review?
3. What is the logic behind not including visibility impairment as a fifth factor added to the four factors when determining Reasonable Progress Goals?  Visibility impairment was a fifth factor for BART in the initial SIP – will the 0.5 dv threshold change for a source identified for BART controls in the upcoming planning period(s).
4. Are there criteria for an FLM Administrator in certification of a RAVI source?  Could EPA explain the timeline options for state response to a RAVI certification – several readers found the timeline options unclear.  It seems that RAVI SIPs will often fall outside the timing for inclusion in a Regional Haze SIP.  Is the RAVI SIP, or just the reporting requirements, to be combined with the Regional Haze Progress Report and SIP requirements?
5. Three western states and one municipality provided 309 SIPs.  They could have questions about what they are supposed to do with the Smoke Management Programs in their SIPs, now that they are no longer required.  Also, what should the participating western states do about the established SO2 Annex trading program?

(5/31/16)