

**Discussion Questions for NACAA Spring Membership Meeting Session
An Open Discussion with EPA on Interstate Transport – Beyond CSAPR**

**1:30 – 2:30 PM
Tuesday, May 7, 2013**

TRANSPORT – DEFINING OBLIGATION

- 1) How should EPA weigh pros and cons states expressed on ppb target vs. emissions target?
Examples of issues to weigh which were raised by states:
 - a. Resources required to translate obligation into control strategy (e.g., modeling)
 - b. Flexibility for states in translating air quality to emissions (including addressing precursors for PM), applying cost criteria, and addressing over control
 - i. With flexibility also comes risk of “dueling approaches”
 - c. Finding the “sweet spot” of how much to take on
 - i. The more issues addressed in the rule defining the obligation, the greater potential for one of those issues being challenged/overturned (as opposed to having the individual SIPs challenged)
 - ii. BUT, if too few issues are addressed, there is the potential for the court to say the rule left too much to the states and did not “quantify the obligation”
 - iii. Which one offers the best chance of getting needed reductions in place?
 - d. Are individual states in a position to effectively deal with the over-control issue? Could an EPA rule define for them how to do that?

Technical Questions

- 2) How many states are considering updates to the 2011 NEI by the May 8th deadline? How comfortable are states with their 2011 Oil & Gas emissions numbers and are they planning to update those data before June 2013?
- 3) What future air quality year would be appropriate to use for the EPA base case if the agency takes that approach? Do states have any source or sector-specific projection information for that future base year that they could provide to EPA in the May-June 2013 timeframe?

TRANSPORT – STATE AND LOCAL ROLE

- 4) From EPA’s discussion on transport, it is clear that the EPA process will result in the agency assigning emission-reduction (or ppb-reduction) responsibilities to the states and it will then be left to the states to identify which control programs to implement and include in SIPs to meet those responsibilities.
 - a. If a group of states works out a plan on its own to provide for attainment in a region, is it possible for EPA to allow that “state-driven” plan to substitute for the EPA-assigned responsibilities?
 - b. Would such an approach be of interest to states?

- 5) As part of the preliminary state discussions on how to reduce ozone transport in the East, three common-sense concepts have emerged as a starting point for regional discussions: 1) capture the benefits from EPA's Tier 3 Motor Vehicle and Fuel Sulfur Standards, 2) look at emission reductions expected to occur from EGUs between now and 2018 as a result of MATs, natural gas and other drivers and 3) look at emission reductions expected to occur from ICI boilers between now and 2018 as a result of B-MACT, natural gas and other drivers.
 - a. Are there other common sense control concepts that should be discussed as part of an initial dialogue on potential solutions for ozone transport in the East?

- 6) As we engage in discussions of transport, it's important to understand the differences and similarities between challenges in East and those in the West.
 - a. What transport challenges does the West face?
 - b. What common-sense control concepts would help address these challenges?
 - c. Are there opportunities in the West for states to work together to identify common-sense control options to address transport?

- 7) If a group of states identifies a common-sense solution, but the most effective and low-cost option for implementing that solution involves working with EPA and developing a regional rule,
 - a. How does this fit into the current EPA process, under which EPA will establish responsibilities and then the states will adopt the control programs into SIPs?
 - b. Do states see value in a state-EPA partnership that would allow for such regional rules and, if so, how would this contribute to a more effective outcome?