

# WESTERN STATES AIR RESOURCES COUNCIL



January 27, 2020

Docket ID No. EPA-HQ-OAR-2019-0631

<http://www.regulations.gov>

To whom it may concern:

The Western States Air Resources (WESTAR) Council, an association of 15 western state air quality managers, appreciates the opportunity to provide information on western U.S. Regional Haze program implementation (as codified at 40 CFR parts 308 and 309, as authorized by §169A and §169B of the Clean Air Act), describe our workload to meet obligations for the program, and to comment on the disposition of the program at this juncture, given the importance of this program in the West. This letter responds to the request for comments and information on the proposed extension of the current Information Collection Request (ICR) (EPA ICR No. 2540.03, OMB Control No. 2060-0704) approved through August 31, 2020. (<https://www.govinfo.gov/content/pkg/FR-2019-11-27/html/2019-25810.htm>). We request the ICR be extended and request additional information to fully evaluate the resources needed for the Regional Haze program.

## Background

Over the past several years WESTAR has commented extensively to the U.S. Environmental Protection Agency (EPA) on Regional Haze program design and objectives in the context of EPA's activities to revise the Regional Haze Rule (RHR)<sup>1</sup>. Our interest stems from the extensive efforts of western states, since the 1980s, to protect and improve visibility in the 118 Class I Federal areas in the West. We are considering how to sustain progress in improving visibility as the national goal in the Clean Air Act directs, to be implemented in the long-term (60-year) Regional Haze program. The efforts by our agencies over the first 20 years of the program have led to notable emissions reductions of state-controlled sources, with significantly more on-the-way by 2030. These reductions already achieved and on-the-way mean that it is not likely that state air quality programs will be able to further reduce emissions at the same rate or magnitude after this planning cycle. The effective national mobile source emissions standards from EPA to date also continue to reduce emissions; at this point in time, mobile engines remain the largest source of nitrogen oxides in the West. Along with the declining amounts of controllable emissions available for Western states to analyze for further reductions, we anticipate and the data show that natural, uncontrollable, and international sources will also continue to cause Regional Haze to an increasing degree.

This information about the shared time and effort for our regional analysis and individual state planning work is of collective concern to WESTAR members. All states must reduce visibility impairment in the nation's Class I Federal areas, but as noted above, there is a disproportionate share of that national responsibility for the states in the WESTAR region, each of which contains Class I Federal areas impacted by Regional Haze.

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<sup>1</sup> Regional Haze Rule (<https://www.govinfo.gov/content/pkg/FR-1999-07-01/pdf/99-13941.pdf>) - Federal Register, July 1, 1999

## Implementation and Analysis Effort

The period of August 31, 2020 through August 31, 2023 mentioned in the ICR is the peak level of effort for individual states to complete their second round of State Implementation Plans (SIPs) for the Regional Haze planning cycle prescribed in the RHR. The SIPs are due to EPA no later than July 31, 2021 after a very substantial regional analysis effort from 2017 through the present, as well as public review and inter-agency consultation processes as specified in the RHR and guidance. These SIPs will set Reasonable Progress Goals for improved visibility at each of the 118 WESTAR region Class I Federal areas, to achieve by 2028, and specify additional control measure programs to be implemented by each state. Then, in the remainder of 2021, and throughout 2022 and 2023, every state will be responding to EPA and other parties, and conducting additional analyses as needed to advance findings of SIP completeness and ultimately SIP approval by EPA. Activity at the state level for the regional haze planning process occurs throughout each 10-year planning period, including preparation of publicly-reviewed interim progress reports. Thus the collection of information about costs between 2020 and 2023 is only a partial snapshot of the time and effort required for the Regional Haze ongoing implementation and next round planning processes. The information collected under the ICR represents only the tasks that must be accomplished during a time frame that isolates the culmination of one ten-year planning cycle and the preparation of the subsequent interim Progress Report. The information specific to the ICR time frame is not representative of the continuous process of ongoing implementation and cyclical planning to reach long-term national goals, and may or may not have practical utility due to this limitation.

We suggest the following elements be added specifically to an amended ICR to enhance the quality, utility, and clarity of the information to be collected in regard to the decadal planning and implementation cycle of the 50-state Regional Haze program described in the RHR. Information to be collected about these suggested, additional elements would span the full 10-year planning cycle as specified in the RHR, and account for ongoing implementation over the past 20 years:

- Solicitation of analysis costs and staffing data to continue to implement the Regional Haze program in each state;
- Regional analysis support needs for Regional Haze decadal SIP planning work in terms of timing and detail necessary for EPA-approvable SIPs compliant with RHR outreach and consultation requirements;
- Identification of all the sources of data necessary for Regional Haze SIP planning and how collection, analysis, and long-term storage, of those data are paid for; and
- Detailed reporting of the staff time to support SIP work performed by EPA National and Regional Offices and federal land management agencies with visibility protection responsibilities for Class I Federal areas (National Park Service, U.S. Forest Service, and U.S. Fish & Wildlife Service).

We anticipate using the additional data collected through an ICR amended as described above, in further discussions about the Regional Haze program with EPA and others for application to program requirements for future RHR decadal planning cycles. WESTAR appreciates the opportunity to share information about the Regional Haze program in the West and our efforts to continue to improve and protect visibility in our Class I Federal areas.

Sincerely,



Alice Edwards, President

Western States Air Resources Council (WESTAR)