



# RECENT AND PENDING EPA REGULATIONS UNDER THE CLEAN AIR ACT

*SEPTEMBER 10, 2014*

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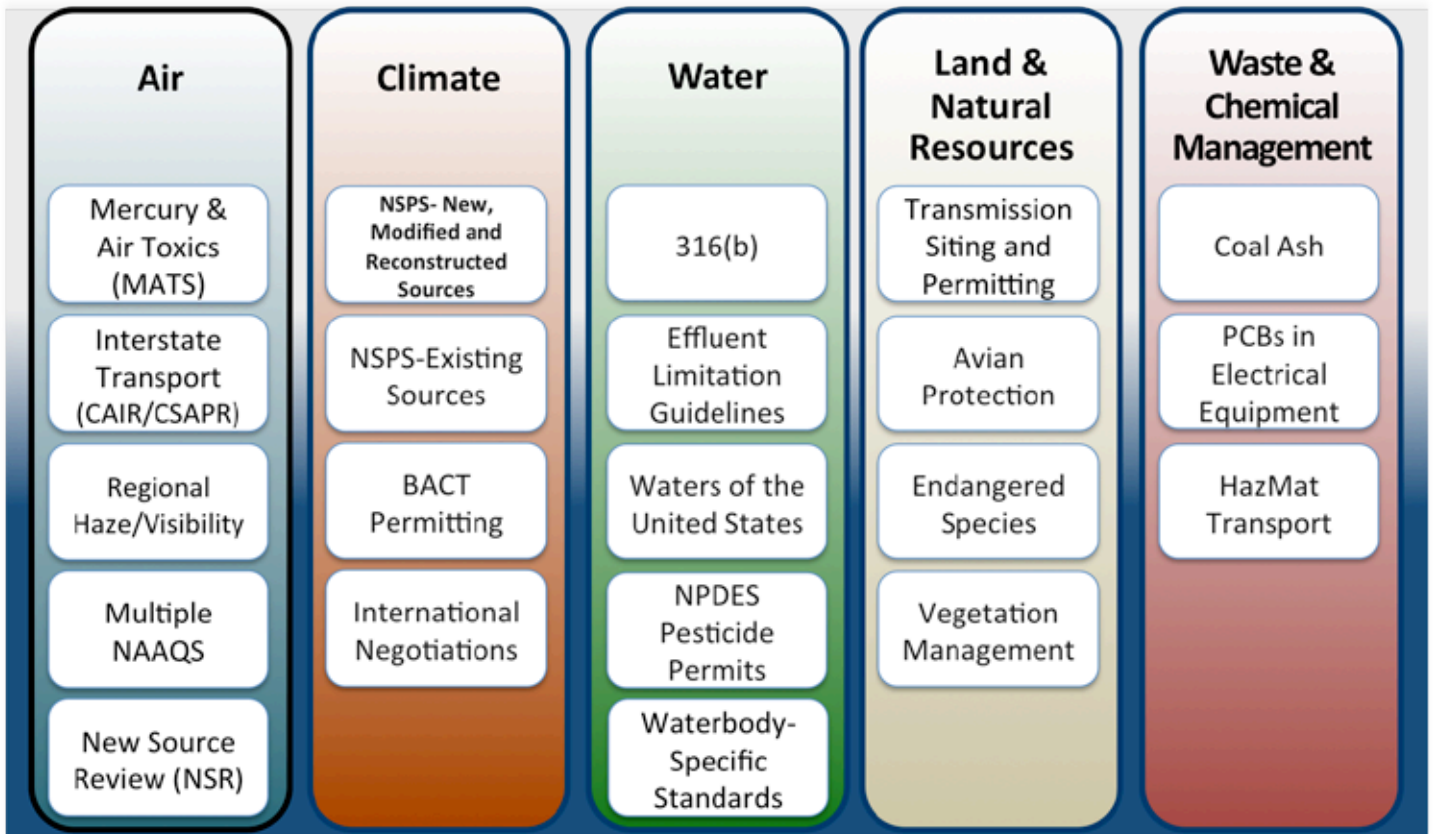
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**Our Mission**

***Through innovations in energy and environmental policies, programs, and technologies, the Southern States Energy Board enhances economic development and the quality of life in the South.***

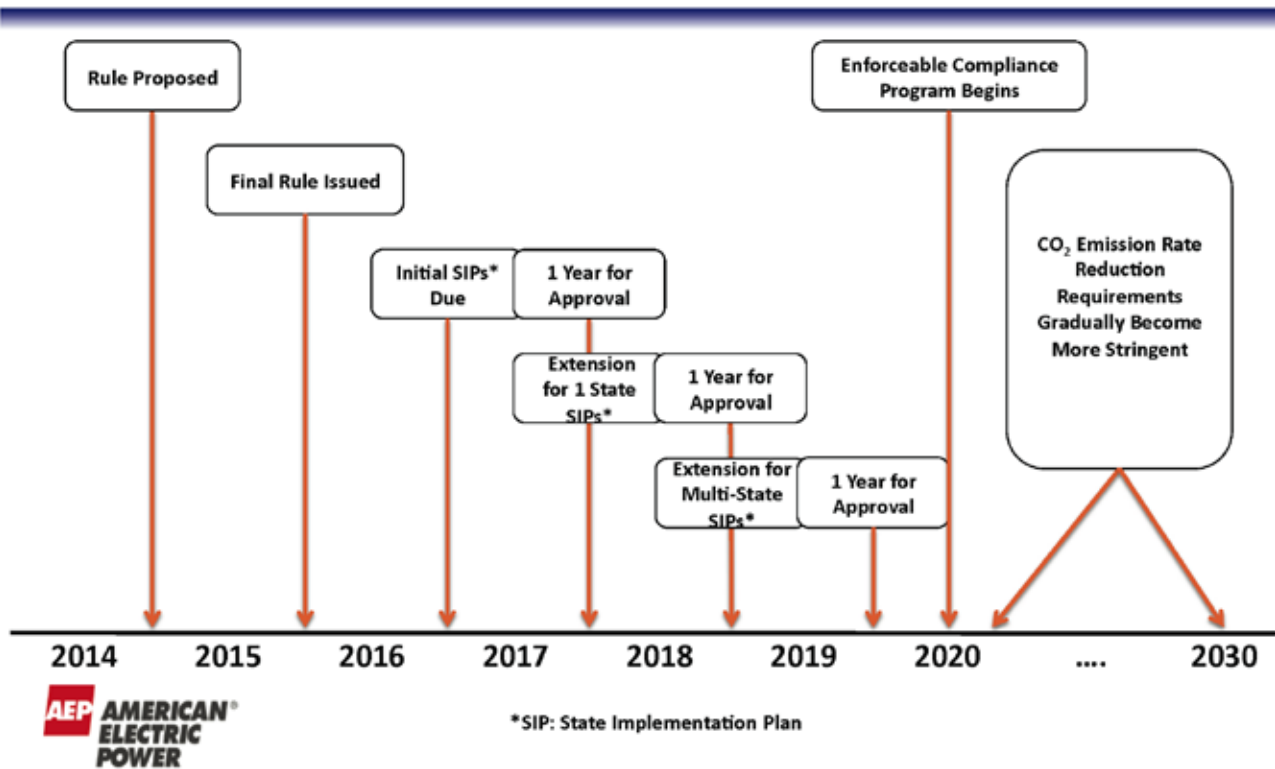
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# Environmental Regulatory Challenges: *2014 and Beyond*



Courtesy of Edison Electric Institute

# Proposed EPA 111(d) Regulatory Timeline



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*Regulations in black text are enacted and effective.*

*Regulations in blue text are proposed and pending.*

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A

<b>Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call</b>	
Status	The Final Rule was published and became effective on December 13, 2010.
EPA Cost Estimate	N/A
Description	Ensures industries planning to build new, large facilities, or making major expansions to existing plants will be able to obtain a New Source Review (NSR) Prevention of Significant Deterioration (PSD) permit to control greenhouse gases (GHG) emissions. The EPA finds that PSD permitting regulations in 13 states do not meet Clean Air Act (CAA) requirements, because their programs currently do not cover GHG emissions.
Potentially Regulated Entities	This rule affects states and local permitting authorities.

<b>Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure To Submit State Implementation Plan Revisions Required for Greenhouse Gases</b>	
Status	The Final Rule was published and became effective on December 29, 2010.
EPA Cost Estimate	N/A
Description	The EPA determined that seven states failed to submit revisions to their EPA-approved State Implementation Plans (SIPs) to satisfy requirements of the CAA to apply PSD requirements to GHG-emitting sources.
Potentially Regulated Entities	This rule affects state and local permitting authorities.

<b>Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal</b>	
Status	The Final Rule was published and effective December 30, 2010.
EPA Cost Estimate	N/A
Description	The action addresses states that do not have approved PSD programs applying to GHG emitting sources. The EPA is issued a Federal Implementation Plan (FIP) to apply in any state that is unable to submit, by its deadline, a corrective SIP revision to ensure that the state has authority to issue permits under the CAA's NSR PSD.
Potentially Regulated Entities	This rule affects state and local permitting authorities.

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<b>Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure To Submit State Implementation Plan Revision Required of Louisville Metro Air Pollution Control District for Jefferson County, KY</b>	
Status	The Final Rule was published and effective as of January 14, 2011.
EPA Cost Estimate	N/A
Description	The EPA found that the Louisville Metro Air Pollution Control District (LMAPCD) failed to submit a revision of its EPA-approved SIP for Jefferson County, Kentucky, to satisfy requirements of the CAA that apply to PSD requirements to GHG-emitting sources. The notice was given December 13, 2010.
Potentially Regulated Entities	Jefferson County, Kentucky, is the only entity affected by this rule.

<b>Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver</b>	
Status	The Proposed Rule published July 15, 2011. The Final Rule was published and became effective on May 16, 2012.
EPA Cost Estimate	The EPA estimates cost savings of about \$3,277 per year for a typical gasoline dispensing facility, and an annual nationwide savings of \$88 million if Stage II is phased out.
Description	The EPA has determined that onboard refueling vapor recovery (ORVR) technology is in widespread use throughout the motor vehicle fleet for purposes of controlling motor vehicle refueling emissions, and, by this action, the EPA is waiving the requirement for states to implement Stage II gasoline vapor recovery systems at gasoline dispensing facilities in nonattainment areas classified as serious and above for the ozone National Ambient Air Quality Standards (NAAQS). After the effective date, a state previously required to implement a Stage II program may take appropriate action to remove the program from its SIP. Phasing out the use of Stage II systems may lead to long-term cost savings for gas station owners and operators while air quality protections are maintained. CAA section 202(a)(6) provides discretionary authority to the EPA Administrator to, by rule, revise or waive the section 182(b)(3) Stage II requirement for Serious, Severe and Extreme ozone nonattainment areas after the Administrator determines that ORVR is in widespread use throughout the motor vehicle fleet. Based on criteria that the EPA previously proposed, the EPA is determining that ORVR is in widespread use. As of the effective date of the action, states that are implementing mandatory Stage II programs under section 182(b)(3) of the CAA may submit revisions to their SIPs to remove this program. The EPA will also be issuing non-binding guidance on developing and submitting approvable SIP revisions. This guidance will address SIP requirements for states in the Ozone Transport Region (OTR), which are separately required under section 184(b)(2) of the CAA to adopt and implement control measures capable of achieving emissions reductions comparable to those achievable by Stage II. The EPA is updating its guidance for estimating what Stage II comparable emissions reductions could be, in light of the ORVR widespread use determination. The EPA now expects Stage II comparable emissions reductions to be substantially less than what was estimated in the past before ORVR use became widespread. Therefore, the EPA encourages states to consult the updated guidance before submitting a SIP revision removing Stage II controls.

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Potentially Regulated Entities	States (typically state air pollution control agencies), local governments and gasoline stations.
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<b>Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing</b>	
Status	Final Rule published on June 20, 2011, and it became effective on September 19, 2011.
EPA Cost Estimate	No costs are associated.
Description	This is the final action to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the plating and polishing area source category. These final amendments clarify the emission control requirements of the plating and polishing area source NESHAP do not apply to any bench-scale activities.
Potentially Regulated Entities	<p>Area source facilities engaged in any one or more types of nonchromium electroplating; electropolishing; electroforming; electroless plating, including thermal metal spraying, chromate conversion coating, and coloring; or mechanical polishing of metals and formed products for the trade. Examples include: hardware manufacturing; commercial gravure printing; metal stamping; bolt, nut, screw, rivet, and washer manufacturing; metal heat treating, metal coating, engraving (except jewelry and silverware), and allied services to manufacturers; plumbing fixture fitting and trim manufacturing; other metal valve and pipe fitting manufacturing; all other miscellaneous fabricated metal product manufacturing, bare printed circuit board manufacturing; aircraft engine and engine parts manufacturing; and jewelry (except costume) manufacturing.</p> <p>Regulated sources do not include chromium electroplating and chromium anodizing sources, as those sources are subject to 40 CFR part 63, subpart N.</p>

<b>Area Source NESHAP for Electric Arc Furnaces - MACT Amendments for Mercury</b>	
Status	This amendment was initiated on October 24, 2011, and was expected to be proposed in July of 2012. It is in the pre-proposal stage with an expected implementation date of December 2014.
EPA Cost Estimate	SEE MACT RULES.
Description	Amends the Maximum Achievable Control Technology (MACT) standard for mercury in the Electric Arc Furnace (EAF) area source rule to develop an emission limit for mercury. This limit will replace the mercury switch program as MACT. The states and environmental groups asked the EPA to reconsider the MACT work practice standard for mercury from the 2007 promulgated rule because they believe the switch program has had a much lower success rate than expected, and is unenforceable since only self-certification is required to comply with the MACT. In addition, the basis for the work practice promulgated as MACT in 2007 is no longer valid since mercury emissions can be collected, measured, and controlled at EAF as evidenced by over 30 facilities out of the 91 area EAFs that have measured mercury emissions and one facility that is collecting and controlling mercury under a state (New Jersey) mercury limit.
Potentially Regulated Entities	SEE MACT RULES.

C

<b>Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units</b>	
<b>*Existing Source Performance Standards (ESPS)</b>	
Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for existing power plants by no later than June 1, 2014, and to issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to, in the guidelines, require states to submit to EPA the implementation plans required under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to address GHG emissions from existing fossil-fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014, as part of the President Climate Change Action Plan. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	<p>Actions taken to comply with the proposed guidelines will reduce emissions of CO<sub>2</sub> and other air pollutants, including SO<sub>2</sub>, NO<sub>x</sub>, and directly emitted PM 2.5, from the electric power industry. States will make the ultimate determination as to how the emission guidelines are implemented. Thus, all costs and benefits reported for this action are illustrative estimates. The EPA has calculated illustrative costs and benefits in two ways; one based on an assumption of individual state plans and another based on an assumption that states will opt for multi-state plans. The illustrative costs and benefits are based upon compliance approaches that reflect a range of measures consisting of improved operations at EGUs, dispatching lower-emitting EGUs and zero-emitting energy sources, and increasing levels of end-use energy efficiency.</p> <p>Assuming that states comply with the guidelines collaboratively (referred to as the regional compliance approach), the EPA estimates that, in 2020, this proposal will yield monetized climate benefits of approximately \$17 billion (2011\$) using a 3 percent discount rate (model average) relative to the 2020 base case, as shown in Table 1. The air pollution health co-benefits associated with reducing exposure to ambient PM 2.5 and ozone through emission reductions of precursor pollutants in 2020 are estimated to be \$16 billion to \$37 billion using a 3 percent discount rate and \$15 billion to \$34 billion (2011\$) using a 7 percent discount rate relative to the 2020 base case. The annual compliance costs are estimated using the Integrated Planning Model (IPM) and include demand-side energy efficiency program and participant costs as well as monitoring, reporting, and recordkeeping costs. In 2020, total compliance costs of this proposal are approximately \$5.5 billion (2011\$). The quantified net benefits (the difference between monetized benefits and compliance costs) in 2020 are estimated to be \$28 billion to \$49 billion (2011\$) using a 3 percent discount rate (model average). Climate benefits are approximately \$30 billion in 2030 using a 3</p>

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	<p>percent discount rate (model average, 2011\$) relative to the 2030 base case assuming a regional compliance approach for the proposal. Health co-benefits are estimated to be approximately \$25 to \$59 billion (3 percent discount rate) and \$23 to \$54 billion (7 percent discount rate) relative to the 2030 base case (2011\$). In 2030, total compliance costs for the proposed option regional approach are approximately \$7.3 billion (2011\$). The net benefits for this proposal increase to approximately \$48 billion to \$82 billion (3 percent discount rate model average, 2011\$) in 2030 for the proposed option regional compliance approach.</p> <p>In comparison, if states choose to comply with the guidelines on a state-specific basis (referred to as state compliance approach), the climate benefits in 2020 are expected to be approximately \$18 billion (3 percent discount rate, model average, 2011\$), as Table 1 shows. Health co-benefits are estimated to be \$17 to \$40 billion (3 percent discount rate) and \$15 to \$36 billion (7 percent discount rate). Total compliance costs are approximately \$7.5 billion annually in 2020. Net benefits in 2020 are estimated to be \$27 to \$50 billion (3 percent model average discount rate, 2011\$). In 2030, as shown on Table 2, climate benefits are approximately \$31 billion using a 3 percent discount rate (model average, 2011\$) relative to the 2030 base case assuming a state compliance approach. Health co-benefits are estimated to be approximately \$27 to \$62 billion (3 percent discount rate) and \$24 to \$56 billion (7 percent discount rate) relative to the 2030 base case (2011\$). In 2030, total compliance costs for the state approach are approximately \$8.8 billion (2011\$). In 2030, these net benefits are estimated to be approximately \$49 to \$84 billion (3 percent discount rate, 2011\$) assuming a state compliance approach.</p>
Description	<p>Proposes emission guidelines for states to follow in developing plans to address greenhouse gas emissions from existing fossil fuel-fired electric generating units.</p> <p>Nationwide, by 2030, this rule would achieve CO<sub>2</sub> emission reductions from the power sector of approximately 30 percent from CO<sub>2</sub> emission levels in 2005. The EPA recognizes that the most cost-effective system of emission reduction for GHG emissions from the power sector under CAA section 111(d) entails not only improving the efficiency of fossil fuel-fired EGUs but also addressing their utilization by taking advantage of opportunities for lower-emitting generation and reduced electricity demand across the electricity system's interconnecting network or grid.</p>
Potentially Regulated Entities	Utilities operating fossil fuel-fired electric generating units.

<b>Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units</b>	
<b>*Existing Source Performance Standards (ESPS)</b>	
Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for</p>

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	<p>existing power plants by no later than June 1, 2014, and issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to, in the guidelines, require states to submit to EPA the implementation plans required under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to address GHG emissions from existing fossil fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014, as part of the President Climate Change Action Plan. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	<p>The EPA expects few units would trigger either the modification or the reconstruction provision. Because there have been a limited number of units that have notified the EPA of NSPS modifications in the past, EPA conducted an illustrative analysis of the costs and benefits for a representative modified unit. Based on the analysis, the EPA projects that this proposed rule will result in potential CO<sub>2</sub> emission changes, quantified benefits, and costs for a unit that is subject to the modification provision. In an illustrative example, based on a hypothetical 500 MW coal-fired unit, the EPA estimates costs, net of fuel savings, of \$0.78 million to \$4.5 million (2011\$) and CO<sub>2</sub> reductions of 133,000 to 266,000 tons in 2025. The climate benefits from reductions in CO<sub>2</sub>, combined with the health co-benefits from reductions in sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and fine particulate matter (PM 2.5), total \$18 to \$33 million (2011\$) at a 3 percent discount rate for emission reductions in 2025 for the lowest emission reduction scenario and \$35 to \$65 million (\$2011) at a 3 percent discount rate for emission reductions in 2025 for the highest emission reduction scenario.</p>
Description	<p>Proposes standards of performance for: (1) modified fossil fuel-fired utility boilers and IGCC units, (2) modified natural gas-fired stationary combustion turbines, (3) reconstructed fossil fuel-fired utility boilers and IGCC units, and (4) reconstructed natural gas-fired stationary combustion turbines. Consistent with the requirements of CAA section 111(b), these proposed standards reflect the degree of emission limitation achievable through the application of the best system of emission reduction (BSER) that the EPA has determined has been adequately demonstrated for each type of unit.</p>
Potentially Regulated Entities	<p>Utilities operating fossil fuel-fired electric generating units.</p>

<p><b>Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories</b></p> <p><b>*Existing Source Performance Standards (ESPS)</b></p>	
Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for existing power plants by no later than June 1, 2014, and to issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to,</p>



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	<p>in the guidelines, require states to submit to EPA the implementation plans required under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to address GHG emissions from existing fossil-fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014 as part of the President Climate Change Action Plan. This action is a supplemental proposal and will propose emission guidelines to address GHG emissions from existing fossil fuel-fired EGU on tribal lands and in U.S. territories. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	See “ Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units”
Description	See “ Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units”
Potentially Regulated Entities	Utilities operating fossil fuel-fired electric generating units on tribal lands and in U.S. territories.

<b>Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Amendments to Special Rules Governing Certain Information Obtained Under the Clean Air Act; Final Rule</b>	
Status	The Final Rule was published May 26, 2011, and it became effective on July 25, 2011.
EPA Cost Estimate	Will not result in expenditures of \$100 million or more for state, local, or tribal governments, in the aggregate, or the private sector in any one year.
Description	Finalizes the confidentiality determinations for certain data elements required to be reported under the Mandatory Greenhouse Gas Reporting Rule. This action also finalizes amendments to the special rules governing certain information obtained under the Clean Air Act (CAA), which authorizes EPA to release or withhold as confidential reported data under the Mandatory Greenhouse Gas Reporting Rule according to the final determinations for such data without taking further procedural steps. This action does not include final confidentiality determinations for data elements that are in the “Inputs to Emission Equations” category.
Potentially Regulated Entities	General stationary fuel combustion sources, electricity generation, adipic acid production, aluminum production, ammonia manufacturing, cement production, ferroalloy production, HCFC-22 production and HFC-23 destruction, hydrogen production, lead production, lime production, magnesium production, nitric acid production, petrochemical production, petroleum refineries, phosphoric acid production, pulp and paper manufacturing, silicon carbide production, soda ash manufacturing, titanium dioxide production, underground coal mines, zinc production, industrial waste landfills, industrial wastewater treatment, suppliers of coal based liquids fuels, suppliers of petroleum products, suppliers of natural gas, suppliers of industrial GHGs, suppliers of carbon dioxide (CO <sub>2</sub> ).

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<b>Control of Air Pollution From Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards</b>	
Status	<p>The Final Rule was published on April 28, 2014, and a correction was published on June 30, 2014.</p> <p>The Final Rule went into effect on June 27, 2014.</p>
EPA Cost Estimate	The costs associated with the rule are dependent on vehicle and engine types. The final cost per vehicle is the result of not only the cost per technology but also the application rate of that technology for each vehicle type.
Description	<p>This action establishes more stringent vehicle emissions standards and will reduce the sulfur content of gasoline beginning in 2017, as part of a systems approach to addressing the impacts of motor vehicles and fuels on air quality and public health. The gasoline sulfur standard will make emission control systems more effective for both existing and new vehicles and will enable more stringent vehicle emissions standards. The vehicle standards will reduce both tailpipe and evaporative emissions from passenger cars, light-duty trucks, medium-duty passenger vehicles, and some heavy-duty vehicles. This will result in significant reductions in pollutants such as ozone, particulate matter, and air toxics across the country and help state and local agencies in their efforts to attain and maintain health-based National Ambient Air Quality Standards. Motor vehicles are an important source of exposure to air pollution both regionally and near roads. These vehicle standards are intended to harmonize with California's Low Emission Vehicle program, thus creating a federal vehicle emissions program that will allow automakers to sell the same vehicles in all 50 states. The vehicle standards will be implemented over the same timeframe as the greenhouse gas/fuel efficiency standards for light-duty vehicles (promulgated by EPA and the National Highway Safety Administration in 2012) as part of a comprehensive approach toward regulating emissions from motor vehicles.</p>
Potentially Regulated Entities	Entities potentially affected by this rule include gasoline refiners and importers, ethanol producers, ethanol denaturant producers, butane and pentane producers, gasoline additive manufacturers, transmix processors, terminals and fuel distributors, light-duty vehicle manufacturers, independent commercial importers, alternative fuel converters, and manufacturers and converters of vehicles between 8,500 and 14,000 lbs gross vehicle weight rating (GVWR).

<b>Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of SIP Approvals for 22 States</b>	
<b>*Cross-State Air Pollution Rule (CSAPR), a.k.a. the Transport Rule</b>	
Status	<p>The Final Rule was published July 11, 2011. Updated on July 18, 2011.</p> <p>Effective on January 1, 2012, for capping annual emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>), and on May 1, 2012, for ozone-season NO<sub>x</sub>.</p> <p>The D.C. Circuit of the U.S. Court of Appeals repealed the rule on August 21, 2012. The Court ordered the agency to enforce a 2005 rule known as the Clear Air Interstate Rule (CAIR), until it made a viable replacement to the CSAPR.</p> <p>The U.S. Supreme Court on June 24, 2013, indicated it would review an appeals court rejection of the EPA's CSAPR. The U.S. Supreme Court heard arguments</p>

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	<p>on December 10, 2013.</p> <p>On April 29th, 2014, the United States Supreme Court, in a 6-2 decision, reinstated the CSAPR. The majority decision, penned by Justice Ginsburg, held that EPA has authority under the federal Clean Air Act (CAA) to consider cost-effectiveness, not just strict proportional responsibility, when allocating emission reduction obligations in upwind states that are necessary to ensure that downwind states attain the relevant National Ambient Air Quality Standards (“NAAQS”). In addition, the majority held that EPA is not obligated to provide states with an opportunity to revise inadequate State Implementation Plans (“SIPs”) prior to issuing remedial Federal Implementation Plans (“FIPs”), even though the criteria for determining the amounts of interstate pollution that significantly contribute to downwind nonattainment might not be clear until EPA has acted. This opinion overturned the D.C. Circuit’s split decision in <i>EME Homer City Generation v. EPA</i>, 2 which vacated CSAPR.</p>
EPA Cost Estimate	Results in up to \$280 billion in annual benefits. \$800 million is projected to be spent annually on this rule in 2014. Roughly \$1.6 billion per year in capital investments are already underway as a result of CAIR.
Description	<p>Replaces the 2005 CAIR, which is temporarily in place.</p> <p>Plants in affected states would have begun reducing emissions as early as January 2012 under CSAPR. The rule applies to SO<sub>2</sub> and NO<sub>x</sub> emissions levels in 27 states, with the goal of reducing fine particulate matter (PM<sub>2.5</sub>).</p> <p>The rule would have gone into effect under two phases: the Phase 1 compliance date of 2012, and the Phase 2 compliance date of 2014. The rule also establishes two independent trading programs for SO<sub>2</sub>: Group 1 states and Group 2 states. EPA is adopting federal implementation plans, or FIPs, for each of the states covered by this rule. EPA encourages states to replace these FIPs with State Implementation Plans, or SIPs, starting as early as 2013.</p> <p>EPA and the states continue to implement CSAPR’s predecessor, the Clean Air Interstate Rule (“CAIR”), pursuant to the stay issued by the D.C. Circuit. A short note published on EPA’s website states, “EPA is reviewing the opinion. At this time, CAIR remains in place and no immediate action from States or affected sources is expected.”</p>
Potentially Regulated Entities	Utility industry

D

<b>Data Requirements for the 1-Hour Sulfur Dioxide (SO<sub>2</sub>) Primary National Ambient Air Quality Standard</b>	
Status	The Proposed Rule was published on May 13, 2014.  The comment period's closure date was July 14, 2014. The Final Rule is expected to be released in March of 2015.
EPA Cost Estimate	N/A
Description	Directs state and tribal air agencies (air agencies) to provide data to characterize current air quality in areas with large sources of sulfur dioxide (SO <sub>2</sub> ) emissions if such areas do not have sufficient air quality monitoring in place to identify maximum 1-hour SO <sub>2</sub> concentrations. The proposed rule describes criteria for identifying the sources around which air agencies would need to characterize SO <sub>2</sub> air quality. It also describes a process and the timetables by which air agencies would characterize the air quality around sources through ambient monitoring and/or air quality modeling techniques and submit such data to the EPA. The EPA has issued separate non-binding draft technical assistance documents on how air agencies can conduct such monitoring or modeling. The air quality data developed by the states in accordance with this rulemaking would be used by the EPA in future rounds of area designations for the 1-hour SO <sub>2</sub> National Ambient Air Quality Standards (NAAQS).
Potentially Regulated Entities	Entities potentially affected directly by this proposal include state, local, and tribal governments. Entities potentially affected indirectly by this proposal include owners and operators of sources of SO <sub>2</sub> emissions (such as coal-fired power plants, refineries, smelters, pulp and paper related facilities, chemical manufacturing, and facilities with industrial boilers for power generation) that contribute to ambient SO <sub>2</sub> concentrations and people whose air quality is affected by these facilities.

<b>Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program</b>	
Status	The Final Rule was published and became effective December 30, 2010.
EPA Cost Estimate	N/A
Description	EPA revoked the full approval of Texas's Clean Air Act (CAA) PSD program and gave a partial approval and partial disapproval. The EPA stated Texas did not address, or provide adequate legal authority for, the program's application to all pollutants that would become newly subject to regulation in the future. The EPA then established an interim PSD permitting program itself in Texas for GHG-emitting sources.
Potentially Regulated Entities	State of Texas

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<b>Deferral for Carbon Dioxide (CO<sub>2</sub>) Emissions From Bioenergy and Other Biogenic Sources Under the Prevention Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas's Prevention of Significant Deterioration Program</b>	
<b>Deferral Rule</b>	The Final Rule was published May 3, 2011 and became effective on May 1, 2011.
<b>EPA Cost Estimate</b>	N/A Proposed Rule was published March 21, 2011, and the Final Rule was published on July 20, 2011. The Final Rule defers, for a period of three years, greenhouse gas (GHG) permitting requirements for CO <sub>2</sub> emissions from biomass-fired and other biogenic sources.
Description	This rule replaces the interim final rule established on December 30, 2010. Under the Federal Implementation Plan (FIP), the EPA will be the permitting authority for GHG-emitting sources in Texas until Texas submits and the EPA approves a State Implementation Program (SIP) that includes provisions to regulate GHG. On July 13, 2013, the D.C. Circuit of the U.S. Court of Appeals repealed the rule, which was set to expire on July 20, 2014.
<b>Potentially Regulated Entities</b>	Only affects the State of Texas.
<b>EPA Cost Estimate</b>	N/A
Description	Defers for a period of three years, the application of the PSD and Title V permitting requirements to CO <sub>2</sub> emissions from bioenergy and other biogenic stationary sources (biogenic CO <sub>2</sub> ).
Potentially Regulated Entities	Possible affected entities include: electric utilities burning biomass fuels; wood products manufacturing and wood pellet fuel manufacturing; pulp and paper manufacturing; solid waste combustors and incinerators; animal production manure management operations; sewage treatment facilities; solid waste landfills; ethanol manufacturing; and food/beverage processors burning agricultural biomass residues, using fermentation processes, or producing/using biogas from anaerobic digestion of waste materials.

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<b>Emissions Factors Program Improvements</b>	
Status	The Advanced Notice of Proposed Rulemaking (ANPRM) was published on October 14, 2009.
EPA Cost Estimate	N/A
Description	The purpose of the ANPRM was to convey issues raised by stakeholders about the EPA's emissions factors program, inform the public of initial ideas on how to address these issues, and solicit comments on current thinking to resolve these issues. EPA's goal is to develop a self-sustaining emissions factors program that produces high quality, timely emissions factors, better indicates the precision and accuracy of emissions factors, encourages the appropriate use of emissions factors, and ultimately improves emissions quantification. Although initially developed for emissions inventory purposes only, use of emissions factors has been expanded to a variety of air pollution control activities including permitting, enforcement, modeling, control strategy development, and risk analysis. This ANPRM discusses the appropriateness of using emissions factors for these activities.
Potentially Regulated Entities	Rule may affect owners and operators of stationary sources who use emissions factors and, including those subject to source testing requirements under EPA air rules ( <i>i.e.</i> , New Source Performance Standards (NSPS), National Emissions Standards for Hazardous Air Pollutants (NESHAP), and Maximum Achievable Control Technology (MACT) standards), and other industry sectors.

<b>Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills</b>	
Status	On June 30, 2014, EPA Administrator Gina McCarthy provided an Advance Notice of Proposed Rulemaking (ANPRM) as part of the President's Climate Action Plan.  The EPA will be receiving comments for a period of 60 days after its publication in the Federal Register.
EPA Cost Estimate	N/A

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Description	<p>The purpose of the ANPRM is to request public input on methods to reduce emissions from existing municipal solid waste (MSW) landfills. The EPA intends to consider the information received in response to the ANPRM in evaluating whether additional changes beyond those in the proposed revisions for new sources are warranted. MSW landfill emissions are commonly referred to as “landfill gas” or “LFG” and contain methane, carbon dioxide (CO<sub>2</sub>), and nonmethane organic compounds (NMOC). Some existing landfills are currently subject to control requirements in either the landfill new source performance standards (NSPS) or the federal or state plans implementing the landfill emission guidelines; both the NSPS and emission guidelines were promulgated in 1996. The EPA believes that these guidelines merit review to determine the potential for additional reductions in emissions of LFG. Such reductions would reduce air pollution and the resulting harm to public health and welfare. Significant changes have occurred in the landfill industry over time, including changes to the size and number of existing landfills, industry practices, and gas control methods and technologies. The ANPRM recognizes changes in the population of landfills and presents preliminary analysis regarding methods for reducing emissions of LFG. In determining whether changes to the emission guidelines are appropriate, the EPA will, in addition to evaluating the effectiveness of various methods for reducing emissions of LFG, consider the total methane emission reductions that can be achieved in addition to the reductions of NMOC emissions. The EPA is also seeking input on whether it should regulate methane directly. The ANPRM also addresses other regulatory issues including the definition of other LFG treatment systems and requirements for closed areas of landfills, among other topics.</p>
Potentially Regulated Entities	Addresses existing solid waste landfills and associated solid waste management programs.

<b>Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act (a.k.a. Endangerment Finding)</b>	
Status	<p>Findings published on December 15, 2009.</p> <p>On June 26, 2012, the D.C. Circuit of the U.S. Court of Appeals held that EPA’s “Endangerment” Finding was supported by the record, and the rules based upon the finding were compelled by requirements of the Clean Air Act and the U.S. Supreme Court’s decision in <i>Massachusetts v. EPA</i> (2007).</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the Endangerment Finding. On October 15, 2013, the U.S. Supreme Court declined to grant certiorari to a challenge of the Endangerment Finding.</p>
EPA Cost Estimate	No cost estimate provided for greenhouse gas (GHG) regulations that will result from the findings.
Description	EPA Administrator Lisa Jackson found that (1) the current and projected concentrations of the six key well-mixed greenhouse gases — carbon dioxide

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	(CO <sub>2</sub> ), methane (CH <sub>4</sub> ), nitrous oxide (N <sub>2</sub> O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF <sub>6</sub> ) — in the atmosphere threaten the public health and welfare of current and future generations; and (2) the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare. This action was a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles.
Potentially Regulated Entities	The EPA states this action does not itself impose any requirements on industry or other entities.

<b>EPA/NHTSA Joint Rulemaking to Establish Light-Duty Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards (Model Years 2012-2016)</b>	
Status	<p>The Joint Rulemaking was published on April 1, 2010, and became effective on July 6, 2010. On June 26, 2012, the D.C. Circuit of the U.S. Court of Appeals upheld EPA's (GHG) regulations issued under the Clean Air Act (Clean Air Act) for passenger vehicles.</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the GHG emissions standards for passenger cars and light duty trucks. On October 15, 2013, the U.S. Supreme Court declined to grant certiorari to a challenge of EPA's GHG emissions standards for passenger cars and light duty trucks.</p>
EPA Cost Estimate	A net benefit of \$189 – 140 billion dollars saved with 41.6 billion gallons saved, .99 billion barrels saved, and 521 million metric tons of CO <sub>2</sub> .
Description	EPA finalized plans to set national emissions standards under section 202 (a) of the CAA to control GHG emissions from passenger cars and light-duty trucks, and medium-duty passenger vehicles, as part of a joint rulemaking with the National Highway Traffic Safety Administration (NHTSA). The standards will be phased in beginning with the 2012 model year through model year 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of carbon dioxide per mile, equivalent to 35.5 miles per gallon (mpg).
Potentially Regulated Entities	Affects companies that manufacture or sell new light-duty vehicles, light-duty trucks, and medium-duty passenger vehicles, as defined under EPA's CAA regulations, and passenger automobiles (passenger cars) and non-passenger automobiles (light trucks) as defined under NHTSA's Corporate Average Fuel Economy (CAFE) regulations.

<b>EPA/NHTSA Final Rulemaking to Establish 2017 and Later Model Years Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards</b>	
Status	On May 21, 2010, President Obama issued a Presidential Memorandum requesting that NHTSA and EPA develop through notice and comment rulemaking a coordinated National Program to improve fuel economy and reduce GHG emissions of light-duty vehicles for model years 2017–2025, building on the success of the first phase of the National Program for these vehicles for model years 2012–2016.



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	<p>On August 28, 2012, EPA and NHTSA issued a joint Final Rulemaking to extend the National Program of harmonized greenhouse gas and fuel economy standards to model year 2017 through 2025 passenger vehicles. The Final Rule was published on October 15, 2012.</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the GHG emissions standards for passenger cars and light duty trucks. On October 15, 2013, the U.S. Supreme Court declined to grant certiorari to a challenge of EPA's GHG emissions standards for passenger cars and light duty trucks.</p>
EPA Cost Estimate	<p>The National Program is estimated to save approximately 4 billion barrels of oil and to reduce GHG emissions by the equivalent of approximately 2 billion metric tons over the lifetimes of those light duty vehicles produced in model years (MYs) 2017–2025. The agencies project that fuel savings will far outweigh higher vehicle costs, and the net benefits to society of the MYs 2017–2025 National Program will be in the range of \$326 billion to \$451 billion (7 and 3 percent discount rates, respectively) over the lifetimes of those light duty vehicles sold in MYs 2017–2025.</p> <p>The National Program is projected to provide significant savings for consumers due to reduced fuel use. Although the agencies estimate that technologies used to meet the standards will add, on average, about \$1,800 to the cost of a new light duty vehicle in MY 2025, consumers who drive their MY 2025 vehicle for its entire lifetime will save, on average, \$5,700 to \$7,400 (7 and 3 percent discount rates, respectively) in fuel, for a net lifetime savings of \$3,400 to \$5,000. This estimate assumes gasoline prices of \$3.87 per gallon in 2025 with small increases most years throughout the vehicle's lifetime.</p>
Description	<p>The EPA and the NHTSA are issuing final rules extending the National Program to further reduce GHG emissions and improve fuel economy for model years MYs 2017 through 2025 light-duty vehicles. EPA is establishing national GHG emissions standards under the CAA, and NHTSA is establishing CAFE standards under the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act (EISA).</p> <p>EPA's standards apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, in MYs 2017 through 2025. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO<sub>2</sub> in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.</p>
Potentially Regulated Entities	<p>Affects companies that manufacture or sell new light-duty vehicles, light-duty trucks, and medium-duty passenger vehicles, as defined under EPA's CAA regulations, and passenger automobiles (passenger cars) and non-passenger automobiles (light trucks) as defined under NHTSA's CAFE regulations.</p>

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<b>Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units</b>	
<b>*Existing Source Performance Standards (ESPS)</b>	
Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for existing power plants by no later than June 1, 2014, and to issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to, in the guidelines, require states to submit to EPA the implementation plans required under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to address GHG emissions from existing fossil-fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014, as part of the President Climate Change Action Plan. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	<p>Actions taken to comply with the proposed guidelines will reduce emissions of CO<sub>2</sub> and other air pollutants, including SO<sub>2</sub>, NO<sub>x</sub>, and directly emitted PM 2.5, from the electric power industry. States will make the ultimate determination as to how the emission guidelines are implemented. Thus, all costs and benefits reported for this action are illustrative estimates. The EPA has calculated illustrative costs and benefits in two ways; one based on an assumption of individual state plans and another based on an assumption that states will opt for multi-state plans. The illustrative costs and benefits are based upon compliance approaches that reflect a range of measures consisting of improved operations at EGUs, dispatching lower-emitting EGUs and zero-emitting energy sources, and increasing levels of end-use energy efficiency.</p> <p>Assuming that states comply with the guidelines collaboratively (referred to as the regional compliance approach), the EPA estimates that, in 2020, this proposal will yield monetized climate benefits of approximately \$17 billion (2011\$) using a 3 percent discount rate (model average) relative to the 2020 base case, as shown in Table 1. The air pollution health co-benefits associated with reducing exposure to ambient PM 2.5 and ozone through emission reductions of precursor pollutants in 2020 are estimated to be \$16 billion to \$37 billion using a 3 percent discount rate and \$15 billion to \$34 billion (2011\$) using a 7 percent discount rate relative to the 2020 base case. The annual compliance costs are estimated using the Integrated Planning Model (IPM) and include demand-side energy efficiency program and participant costs as well as monitoring, reporting, and recordkeeping costs. In 2020, total compliance costs of this proposal are approximately \$5.5 billion (2011\$). The quantified net benefits (the difference between monetized benefits and compliance costs) in 2020 are estimated to be \$28 billion to \$49 billion (2011\$) using a 3 percent discount rate (model average). Climate benefits are approximately \$30 billion in 2030 using a 3 percent discount rate (model average, 2011\$) relative to the 2030 base case assuming a regional compliance approach for the proposal. Health co-benefits are estimated to be approximately \$25 to \$59 billion (3 percent discount rate)</p>

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	<p>and \$23 to \$54 billion (7 percent discount rate) relative to the 2030 base case (2011\$). In 2030, total compliance costs for the proposed option regional approach are approximately \$7.3 billion (2011\$). The net benefits for this proposal increase to approximately \$48 billion to \$82 billion (3 percent discount rate model average, 2011\$) in 2030 for the proposed option regional compliance approach.</p> <p>In comparison, if states choose to comply with the guidelines on a state-specific basis (referred to as state compliance approach), the climate benefits in 2020 are expected to be approximately \$18 billion (3 percent discount rate, model average, 2011\$), as Table 1 shows. Health co-benefits are estimated to be \$17 to \$40 billion (3 percent discount rate) and \$15 to \$36 billion (7 percent discount rate). Total compliance costs are approximately \$7.5 billion annually in 2020. Net benefits in 2020 are estimated to be \$27 to \$50 billion (3 percent model average discount rate, 2011\$). In 2030, as shown on Table 2, climate benefits are approximately \$31 billion using a 3 percent discount rate (model average, 2011\$) relative to the 2030 base case assuming a state compliance approach. Health co-benefits are estimated to be approximately \$27 to \$62 billion (3 percent discount rate) and \$24 to \$56 billion (7 percent discount rate) relative to the 2030 base case (2011\$). In 2030, total compliance costs for the state approach are approximately \$8.8 billion (2011\$). In 2030, these net benefits are estimated to be approximately \$49 to \$84 billion (3 percent discount rate, 2011\$) assuming a state compliance approach.</p>
Description	<p>Proposes emission guidelines for states to follow in developing plans to address greenhouse gas emissions from existing fossil fuel-fired electric generating units.</p> <p>Nationwide, by 2030, this rule would achieve CO<sub>2</sub> emission reductions from the power sector of approximately 30 percent from CO<sub>2</sub> emission levels in 2005. The EPA recognizes that the most cost-effective system of emission reduction for GHG emissions from the power sector under CAA section 111(d) entails not only improving the efficiency of fossil fuel-fired EGUs but also addressing their utilization by taking advantage of opportunities for lower-emitting generation and reduced electricity demand across the electricity system's interconnecting network or grid.</p>
Potentially Regulated Entities	Utilities operating fossil fuel-fired electric generating units.

<p><b>Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units</b></p>	
<p><b>*Existing Source Performance Standards (ESPS)</b></p>	
Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for existing power plants by no later than June 1, 2014, and issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to, in the guidelines, require states to submit to EPA the implementation plans required</p>

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	<p>under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to address GHG emissions from existing fossil fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014, as part of the President Climate Change Action Plan. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	<p>The EPA expects few units would trigger either the modification or the reconstruction provision. Because there have been a limited number of units that have notified the EPA of NSPS modifications in the past, EPA conducted an illustrative analysis of the costs and benefits for a representative modified unit. Based on the analysis, the EPA projects that this proposed rule will result in potential CO<sub>2</sub> emission changes, quantified benefits, and costs for a unit that is subject to the modification provision. In an illustrative example, based on a hypothetical 500 MW coal-fired unit, the EPA estimates costs, net of fuel savings, of \$0.78 million to \$4.5 million (2011\$) and CO<sub>2</sub> reductions of 133,000 to 266,000 tons in 2025. The climate benefits from reductions in CO<sub>2</sub>, combined with the health co-benefits from reductions in sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and fine particulate matter (PM 2.5), total \$18 to \$33 million (2011\$) at a 3 percent discount rate for emission reductions in 2025 for the lowest emission reduction scenario and \$35 to \$65 million (\$2011) at a 3 percent discount rate for emission reductions in 2025 for the highest emission reduction scenario.</p>
Description	<p>Proposes standards of performance for: (1) modified fossil fuel-fired utility boilers and IGCC units, (2) modified natural gas-fired stationary combustion turbines, (3) reconstructed fossil fuel-fired utility boilers and IGCC units, and (4) reconstructed natural gas-fired stationary combustion turbines. Consistent with the requirements of CAA section 111(b), these proposed standards reflect the degree of emission limitation achievable through the application of the best system of emission reduction (BSER) that the EPA has determined has been adequately demonstrated for each type of unit.</p>
Potentially Regulated Entities	<p>Utilities operating fossil fuel-fired electric generating units.</p>

**Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories**

**\*Existing Source Performance Standards (ESPS)**

Status	<p>On June 25, 2013, President Obama issued a Presidential Memorandum directing the Environmental Protection Agency (EPA) to work expeditiously to complete greenhouse gas (GHG) standards for the power sector. The agency is using its authority under section 111(d) of the Clean Air Act (CAA) to issue emission guidelines to address GHG emissions from existing power plants.</p> <p>The Presidential Memorandum directs EPA to issue proposed GHG guidelines for existing power plants by no later than June 1, 2014, and to issue final guidelines by no later than June 1, 2015. In addition, the Presidential Memorandum directs EPA to, in the guidelines, require states to submit to EPA the implementation plans required under section 111(d) of the CAA by no later than June 30, 2016. On June 18, 2014, the EPA proposed emission guidelines for states to follow in developing plans to</p>
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	<p>address GHG emissions from existing fossil-fired EGU, using its authority under CAA 111(d).</p> <p>The Proposed Guidelines were published in the Federal Register on June 18, 2014 as part of the President Climate Change Action Plan. This action is a supplemental proposal and will propose emission guidelines to address GHG emissions from existing fossil fuel-fired EGU on tribal lands and in U.S. territories. The comment period closes on October 16, 2014.</p>
EPA Cost Estimate	See “ Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units”
Description	See “ Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units”
Potentially Regulated Entities	Utilities operating fossil fuel-fired electric generating units on tribal lands and in U.S. territories.

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<b>Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of State Implementation Plan (SIP) Approvals for 22 States</b>	
<b>*Cross-State Air Pollution Rule (CSAPR)</b>	
Status	<p>The Final Rule was published July 11, 2011. Updated on July 18, 2011.</p> <p>Effective on January 1, 2012, for capping annual emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>), and on May 1, 2012, for ozone-season NO<sub>x</sub>.</p> <p>The D.C. Circuit of the U.S. Court of Appeals repealed the rule on August 21, 2012. The Court ordered the agency to enforce a 2005 rule known as the Clear Air Interstate Rule (CAIR), until it made a viable replacement to the CSAPR.</p> <p>The U.S. Supreme Court on June 24, 2013, indicated it would review an appeals court rejection of the EPA’s CSAPR. The U.S. Supreme Court heard arguments on December 10, 2013.</p> <p>On April 29th, 2014, the United States Supreme Court, in a 6-2 decision, reinstated the CSAPR. The majority decision, penned by Justice Ginsburg, held that EPA has authority under the federal Clean Air Act (CAA) to consider cost-effectiveness, not just strict proportional responsibility, when allocating emission reduction obligations in upwind states that are necessary to ensure that downwind states attain the relevant National Ambient Air Quality Standards (“NAAQS”). In addition, the majority held that EPA is not obligated to provide states with an opportunity to revise inadequate State Implementation Plans (“SIPs”) prior to issuing remedial Federal Implementation Plans (“FIPs”), even though the criteria for determining the amounts of interstate pollution that significantly contribute to downwind nonattainment might not be clear until EPA has acted. This opinion overturned the D.C. Circuit’s split decision in <i>EME Homer City Generation v. EPA</i>, 2 which vacated CSAPR.</p>
EPA Cost Estimate	<p>Results in up to \$280 billion in annual benefits. \$800 million is projected to be spent annually on this rule in 2014. Roughly \$1.6 billion per year in capital investments are already underway as a result of CAIR.</p>
Description	<p>Replaces the 2005 CAIR, which is temporarily in place.</p> <p>Plants in affected states would have begun reducing emissions as early as January 2012 under CSAPR. The rule applies to SO<sub>2</sub> and NO<sub>x</sub> emissions levels in 27 states, with the goal of reducing fine particulate matter (PM<sub>2.5</sub>).</p> <p>The rule would have gone into effect under two phases: the Phase 1 compliance date of 2012, and the Phase 2 compliance date of 2014. The rule also establishes two independent trading programs for SO<sub>2</sub>: Group 1 states and Group 2 states. EPA is adopting federal implementation plans, or FIPs, for each of the states covered by this rule. EPA encourages states to replace these FIPs with State Implementation Plans, or SIPs, starting as early as 2013.</p> <p>EPA and the states continue to implement CSAPR’s predecessor, the Clean Air Interstate Rule (“CAIR”), pursuant to the stay issued by the D.C. Circuit. A short note published on EPA’s website states, “EPA is reviewing the opinion. At this</p>

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	time, CAIR remains in place and no immediate action from States or affected sources is expected."
Potentially Regulated Entities	Utility industry

G

<b>Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles</b>	
Status	The Final Rule was published on September 15, 2011. It became effective on November 14, 2011.
EPA Cost Estimate	The total monetized benefits (excluding fuel savings) under the program are projected to be \$1.5 to \$7.9 billion in 2030, depending on the value used for the social cost of carbon. The costs of the program in 2030 are estimated to be approximately \$1.9 billion for new engine and truck technology less \$19 billion in savings realized by trucking operations through fewer fuel expenditures (calculated using pre-tax fuel prices). The present value of the total monetized benefits (excluding fuel savings) under the program are expected to range from \$23 billion to \$150 billion with a 3 percent discount rate; with a 7 percent discount rate, the total monetized benefits are expected to range from \$15 to \$140 billion.
Description	Rules to establish a comprehensive Heavy-Duty National Program that will reduce greenhouse gas (GHG) emissions and increase fuel efficiency for on-road heavy-duty vehicles. National Highway Traffic Safety Administration's (NHTSA) proposed fuel consumption standards and EPA's proposed carbon dioxide (CO <sub>2</sub> ) emissions standards would be tailored to each of three regulatory categories of heavy-duty vehicles: Combination Tractors; Heavy-Duty Pickup Trucks and Vans; and Vocational Vehicles, as well as gasoline and diesel heavy-duty engines. EPA's proposed hydrofluorocarbon emissions standards would apply to air conditioning systems in tractors, pickup trucks, and vans, and EPA's proposed nitrous oxide (N <sub>2</sub> O) and methane (CH <sub>4</sub> ) emissions standards would apply to all heavy-duty engines, pickup trucks, and vans.
Potentially Regulated Entities	Affects companies that manufacture, sell, or import into the United States new heavy-duty engines and new Class 2b-8 trucks, including combination tractors, school and transit buses, vocational vehicles such as utility service trucks, as well as 3/4-ton and 1-ton pickup trucks and vans. The heavy-duty category incorporates all motor vehicles with a gross vehicle weight rating of 8,500 pounds or greater, and the engines that power them.

<b>Greenhouse Gas Reporting Rule: Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems</b>	
Status	The Proposed Rule was published on March 10, 2014.  The comment period closed on April 24, 2014.
EPA Cost Estimate	N/A
Description	The EPA is proposing revisions and confidentiality determinations for the petroleum and natural gas systems source category and the general provisions of the Greenhouse Gas Reporting Rule. In particular, the EPA is proposing to revise certain calculation methods, amend certain monitoring and data reporting requirements, clarify certain terms and definitions, and correct certain technical and editorial errors that have been identified during the course of implementation. This action also proposes confidentiality determinations for new or substantially revised data elements contained in these proposed amendments, as well as proposes a revised confidentiality determination for one existing data



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	element.
Potentially Regulated Entities	Pipeline transportation of natural gas; Natural gas distribution; Crude petroleum and natural gas extraction; and Natural gas liquid extraction.

# H

<b>Hazardous Waste Management System: Identification and Listing of Hazardous Waste: Carbon Dioxide (CO<sub>2</sub>) Streams in Geologic Sequestration Activities</b>	
Status	<p>The Proposed Rule was published on August 8, 2011.</p> <p>The EPA sent the Final Rule to the Office of Management and Budget in April 2013.</p> <p>The Final Rule was published on January 3, 2014 and became effective on March 4, 2014.</p>
EPA Cost Estimate	N/A
Description	<p>Revises the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) to conditionally exclude CO<sub>2</sub> streams that are hazardous from the definition of hazardous waste, provided these hazardous streams are captured from emission sources, are injected into Class VI Underground Injection Control (UIC) wells for purposes of geologic sequestration, and meet certain conditions.</p> <p>EPA is taking this action because the Agency believes that the management of these CO<sub>2</sub> streams, when meeting certain conditions, does not present a substantial risk to human health or the environment, and therefore additional regulation pursuant to RCRA's hazardous waste regulations is unnecessary. EPA expects that this amendment will substantially reduce the uncertainty associated with identifying these CO<sub>2</sub> streams under RCRA subtitle C, and will also facilitate the deployment of GS by providing additional regulatory certainty.</p>
Potentially Regulated Entities	Power plants.

I

<b>Identification of Non-Hazardous Secondary Materials That Are Solid Waste</b>	
Status	The Final Rule was published March 21, 2011 and became effective on May 20, 2011.
EPA Cost Estimate	The Final Rule does not contain a federal mandate that may result in expenditures of \$100 million or more for state, local, and tribal governments, in the aggregate, or the private sector in any one year and will not result in a significant economic impact.
Description	Identifies which non-hazardous secondary materials, when used as fuels or ingredients in combustion units, are "solid wastes" under the Resource Conservation and Recovery Act (RCRA). This RCRA solid waste definition will determine whether a combustion unit is required to meet the emissions standards for solid waste incineration units issued under section 129 of the Clean Air Act (CAA) or the emissions standards for commercial, industrial, and institutional boilers issued under Section 112 of the CAA. In this action, EPA is also finalizing a definition of traditional fuels.
Potentially Regulated Entities	<p>Generators: Crop production, Cattle Ranching and Farming, Hog and Pig Farming, Poultry and Egg Production, Sheep and Goat Farming, Horses and Other Equine Production, Logging, Support Activities for Crop Production, Bituminous Coal and Lignite Surface Mining, Bituminous Coal Underground Mining, Anthracite Mining, Fossil Fuel Electric Power Generation, Sewage Treatment Facilities, Construction of Buildings, Site Preparation Contractors, Beverage and Tobacco Product Manufacturing, Sawmills and Wood Preservation, Veneer, Plywood, and Engineered Wood Product Manufacturing, Engineered Wood Member Manufacturing, Pulp, Paper, and Paperboard Mills, Solvents Made in Petroleum Refineries, Solvent Dyes Manufacturing, Plastic Manufacturers, All Other Miscellaneous Chemical Product and Preparation Manufacturing, Packaging, Other Rubber Product Manufacturing, Glass and Glass Product Manufacturing, Cement Manufacturing, Iron and Steel Mills, Electrometallurgical Ferroalloy Product Manufacturing, Metal-Casting Industry, Recyclable Material Wholesalers, Landscaping Services, Solid Waste Collection and Solid Waste Landfill, Automotive Repair and Replacement Shops.</p> <p>Boilers: Food Manufacturing, Pulp and Paper Mills, Petroleum Refining, Chemical Manufacturing, Primary Metal Manufacturing, Fabricated Metal Manufacturing, and Other Manufacturing, Retail, Warehouse, Education, Health Care Facilities, Social Assistance, Lodging, Restaurant, Office, Agriculture (crop &amp; livestock production), All Mining, Construction, Electric Utility Boilers, and Non-Hazardous Waste Burning Cement Kilns.</p>

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<b>Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5); Final Rule To Repeal Grandfather Provision</b>	
Status	The Final Rule was published on May 18, 2011, and became effective on July 18, 2011.
EPA Cost Estimate	N/A
Description	The EPA issued a Final Rule to repeal the grandfather provision for PM2.5 contained in the Federal Prevention of Significant Deterioration (PSD) permit program.
Potentially Regulated Entities	<p>Entities potentially affected by this action include those proposed new and modified major stationary sources subject to the Federal PSD program that submitted a complete application for a PSD permit before the July 15, 2008, effective date of the final PM2.5 NSR Implementation Rule, but have not yet received a final and effective permit authorizing the source to commence construction.</p> <p>Potentially affected industry groups are: Electric Services, Petroleum Refining, Industrial Inorganic Chemicals, Industrial Organic Chemicals, Miscellaneous Chemical Products, Natural Gas Liquids, Natural Gas Transport, Pulp and Paper Mills, and Automobile Manufacturing.</p>

L

<b>Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas (GHG) Emitting-Sources in State Implementation Plans; Final Rule</b>	
Status	Final Rule published and became effective December 30, 2010.
EPA Cost Estimate	N/A
Description	The EPA is not requiring GHG permitting under Prevention of Significant Deterioration (PSD) below what is designated on the final Tailoring Rule. This rule will affect State Implementation Plans (SIP). The states for whose SIPs EPA is narrowing approval are: Alabama, California, Colorado, Georgia, Indiana, Iowa, Louisiana, Maine, Maryland, Mississippi, Missouri, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, and Wisconsin.
Potentially Regulated Entities	<p>State and local permitting authorities.</p> <p>Possible industries include: Agriculture, fishing, and hunting, mining, utilities (electric, natural gas, other systems), manufacturing (food, beverages, tobacco, textiles, leather), wood product, paper manufacturing, petroleum and coal products manufacturing, chemical manufacturing, rubber product manufacturing, miscellaneous chemical products, nonmetallic mineral product manufacturing, primary and fabricated metal manufacturing, machinery manufacturing, computer and electronic products manufacturing, electrical equipment, appliance, and component manufacturing, transportation equipment manufacturing, furniture and related product manufacturing, miscellaneous manufacturing, waste management and remediation, hospitals/nursing and residential care facilities, personal and laundry services, and residential/private households.</p>

# M

<b>Mandatory Reporting of Greenhouse Gases (GHG)</b>	
Status	The EPA published the Final Rule on October 30, 2009, and it became effective on November 29, 2010.
EPA Cost Estimate	National annualized cost for first year estimated to be \$132 million, and total national annualized cost for subsequent years to be \$89 million (2006\$).
Description	Requires reporting of GHG emissions from all sectors of the economy. Sets data collection and reporting requirements. EPA estimates during the first year the rule will affect approximately 30,000 facilities that will need to determine whether they are subject to the rule, and that ultimately approximately 10,152 facilities will be required to report.
Potentially Regulated Entities	Applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, manufacturers of heavy-duty and off-road vehicles and engines. Specific categories and entities are: boilers, process heaters, incinerators, turbines, and internal combustion engine facilities; extractors of crude petroleum and natural gas; pulp and paper mills; manufacturers of lumber and wood products, chemical, rubber, and miscellaneous plastic products, motor vehicle parts, and accessories; adipic acid, anhydrous and aqueous ammonia, Portland Cement, ferroalloys, glass, chlorodifluoromethane, hydrogen, calcium oxide, calcium hydroxide, dolomitic hydrates, nitric acid, ethylene dichloride, acrylonitrile, ethylene oxide, methanol, ethylene, carbon black, silicon carbide abrasives, alkalis, chlorine, phosphoric acid, titanium dioxide; industrial gas, heavy-duty, non-road, aircraft, locomotive, marine diesel engine, heavy-duty vehicle, small non-road, marine spark-ignition engine, personal watercraft, and motorcycle; steel works and blast furnaces; electroplating, plating, polishing, anodizing, and coloring; electric, gas, sanitary, health and educational services; fossil-fuel fired electric generating units; primary aluminum production facilities; integrated iron and steel mills, steel companies, sinter plants, blast furnaces, and basic oxygen process furnace shops; lead smelting and refining facilities; petroleum refineries; pulp, paper, and paperboard mills; soda ash, natural, mining, and/or beneficiation; primary zinc refining facilities; zinc dust reclaiming facilities; solid waste landfills; sewage treatment facilities; beef cattle feedlots; dairy cattle and milk production facilities; hog and pig farms; egg production facilities; turkey broilers and other meat type chicken production; coal liquefaction at mine sites; and natural gas liquid extraction facilities.

<b>Mandatory Reporting of Greenhouse Gases: Petroleum and Natural Gas Systems; Final Rule</b>	
Status	The Final Rule was published November 30, 2010, and became effective on December 30, 2010.  EPA published the Grant of Reconsideration April 25, 2011, and it became effective on April 30, 2011.
EPA Cost Estimate	EPA estimates that the total private sector cost in the first year is about \$62 million and about \$19 million for subsequent years; the annualized cost over a 20-year time period is about \$21 million (3 percent discount rate) and \$22 million (7 percent discount rate) (2006\$). Of these costs, EPA estimates roughly \$40 million to report process emissions in the first year and about \$15 million in subsequent years. In addition, EPA estimates approximately \$3 million to report

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	incremental combustion related emissions in both the first year and in the subsequent years.
Description	Requires the monitoring and reporting of GHG emissions from petroleum and natural gas systems. The action adds this source category to the list of source categories already required to report GHG emissions. The action applies to sources with carbon dioxide (CO <sub>2</sub> ) equivalent emissions above certain threshold levels as described in this regulation, but does not require control of GHGs.
Potentially Regulated Entities	Affected categories include: Pipeline transportation of natural gas, natural gas distribution facilities, extractors of crude petroleum and natural gas, and natural gas liquid extraction facilities.  More specifically: petroleum refineries, suppliers of petroleum products, suppliers of natural gas and natural gas liquids, suppliers of CO <sub>2</sub> , injection and Geologic Sequestration of Carbon Dioxide (proposed).

<b>Mandatory Reporting of Greenhouse Gases From Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment, and Industrial Waste Landfills</b>	
Status	The Final Rule was published July 12, 2010.
EPA Cost Estimate	Total annualized costs of \$7 million in the first year and \$5.5 million in subsequent years (2006\$).
Description	Proposes to supplement GHG mandatory reporting rule published in the Federal Register on October 30, 2009, by adding GHG reporting requirements for four source categories: magnesium production, underground coal mines, industrial wastewater treatment, and industrial waste landfills.
Potentially Regulated Entities	Rule will affect magnesium production, underground coalmines, industrial wastewater treatment, and industrial waste landfills. Potentially regulated entities include: primary refiners of nonferrous metals by electrolytic methods; secondary magnesium processing plants; underground anthracite and bituminous coal mining operations; solid waste landfills; pulp, paper, newsprint, and paperboard mills; meat processing facilities; frozen fruit, juice, and vegetable manufacturing facilities; fruit and vegetable canning facilities; sewage treatment facilities; and ethanol manufacturing facilities.
EPA Cost Estimate	N/A
Description	Amended specific provisions in the 2009 Final Mandatory Greenhouse Gas Reporting rule to correct certain technical and editorial errors and to clarify and update certain provisions. The final rule amendments were effective on November 29, 2010.
Potentially Regulated Entities	Adipic acid manufacturing facilities. Portland cement manufacturing plants. Ferroalloys manufacturing facilities. Flat glass manufacturing facilities. Glass container manufacturing facilities. Other pressed and blown glass and glassware manufacturing facilities. Chlorodifluoromethane manufacturing facilities. Hydrogen manufacturing facilities. Integrated iron and steel mills, steel companies, sinter plants, blast furnaces, basic oxygen process furnace shops. Calcium oxide, calcium hydroxide, dolomitic hydrates manufacturing facilities. Nitric acid manufacturing facilities. Phosphoric acid manufacturing facilities. Alkali and chlorine manufacturing facilities. Soda ash, natural, mining and/or beneficiation. Titanium dioxide manufacturing facilities. Primary zinc refining

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	facilities. Zinc dust reclaiming facilities, recovering from scrap and/or alloying purchased metals. Solid Waste Landfills. Sewage Treatment Facilities. Coal liquifaction at mine sites. Natural gas distribution facilities. Natural gas liquid extraction facilities.
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<b>Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs: Extension of Best Available Monitoring Provisions for Electronics Manufacturing</b>	
Status	<p>The Final Rule was published June 22, 2011, and sections of it became effective on June 30, 2011.</p> <p>The deadline extended to September 30, 2011, for comments related to some provisions related to electronics manufacturing.</p> <p>On February 10, 2012, EPA issued a final action to amend the Electronics Manufacturing source category of the Greenhouse Gas Reporting Rule.</p>
EPA Cost Estimate	N/A
Description	Typically, EPA makes determinations related to business confidentiality under the Clean Air Act on a case-by-case basis. However, for the Greenhouse Gas Reporting Program (GHGRP), EPA has taken a categorical approach for addressing claims of confidential business information (CBI) that identifies the data elements that will be treated as CBI in advance of reporting. This approach was necessary due to the thousands of entities reporting under the GHGRP and the hundreds of data elements across the rule. Because of this volume, case-by-case determinations of confidentiality would inhibit timely release of the data. Furthermore, EPA followed this approach, in part, in order to provide to reporters, in advance of their required reporting, consistency and stability regarding the confidential treatment of the data that they are required to report.
Potentially Regulated Entities	Electronics manufacturers.

<b>National Emission Standards for Hazardous Air Pollutants From Coal and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units</b>	
<b>*Mercury and Air Toxics Standards for Utilities (MATS)</b>	
Status	<p>The Final Rule was published on February 16, 2012, and went into effect on April 16, 2012.</p> <p>Corrections to the rule were published on April 19, 2012.</p> <p>EPA stayed the effective date of the rule on August 2, 2012, and granted reconsideration on November 30, 2012, which reopened the public comment period. The public comment period on December 12, 2012, was extended to January 7, 2013.</p> <p>On April 24, 2013, the EPA published the Notice of Final Action on Reconsideration and finalized reconsideration of all the issues included in the Proposed Rule except those related to startup and shutdown.</p>



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	<p>On June 25, 2013, the EPA withdrew the rule and reopened the public comment period for the proposed reconsideration to solicit additional input on specific issues raised during the initial public comment period related to the proposed revisions to the requirements and definitions related to periods of startup and shutdown.</p> <p>On April 15, 2014, U.S. Court of Appeals for the D.C. Circuit’s upheld the Environmental Protection Agency’s (EPA’s) February 2012-finalized Mercury and Air Toxics Standards (MATS), ruling in a 2–1 decision that the agency is not required to take costs into account when it promulgates rules that are “appropriate and necessary” to address hazards to public health.</p> <p>April 16, 2015, is the compliance date for MATS with some utilities receiving site-specific extensions to April 16, 2016.</p>
EPA Cost Estimate	The estimated net benefits of the Proposed Rule at a 3 percent discount rate are \$27 to \$80 billion or \$24 to \$71 billion at a 7 percent discount rate.
Description	Proposes new NESHAP from coal- and oil-fired electric utility steam generating units (EGUs) under the CAA and proposes revised NSPS for fossil fuel-fired EGUs by reducing emissions of the HAP listed in CAA section 112(b), such as limiting mercury, arsenic, acid gases and other toxic pollution from power plants. It also proposes several amendments, technical clarifications, and corrections to existing NSPS provisions for fossil fuel-fired EGUs and large and small industrial-commercial-institutional steam generating units. The final rule sets standards for all hazardous air pollutants (HAPs) emitted by coal- and oil-fired electric generating units (EGUs) with a capacity of 25 megawatts or greater. All regulated EGUs are considered major under the final rule. EPA did not identify any size, design or engineering distinction between major and area sources.
Potentially Regulated Entities	Fossil fuel-fired electric utility steam generating units; fossil fuel-fired electric utility steam generating units owned by the Federal government; fossil fuel-fired electric utility steam generating units owned by municipalities; and fossil fuel-fired electric utility steam generating units in Indian country.

N

<b>National Ambient Air Quality Standards (NAAQS) for Particulate Matter</b>	
Status	The Proposed Rule was published on June 29, 2012.  The Final Rule was published on January 15, 2013, and became effective on March 18, 2013.
EPA Cost Estimate	N/A
Description	Based on its review of the air quality criteria and the NAAQS for particulate matter (PM), the EPA proposes to make revisions to the primary and secondary NAAQS for PM to provide requisite protection of public health and welfare, respectively, and to make corresponding revisions to the data handling conventions for PM and ambient air monitoring, reporting, and network design requirements. The EPA also proposes revisions to the Prevention of Significant Deterioration (PSD) permitting program with respect to the proposed NAAQS revisions. With regard to primary standards for fine particles (generally referring to particles less than or equal to 2.5 micrometers (mm) in diameter, PM <sub>2.5</sub> ), the EPA proposes to revise the annual PM <sub>2.5</sub> standard by lowering the level to within a range of 12.0 to 13.0 micrograms per cubic meter (mg/m <sup>3</sup> ), so as to provide increased protection against health effects associated with long- and short-term exposures (including premature mortality, increased hospital admissions and emergency department visits, and development of chronic respiratory disease) and to retain the 24-hour PM <sub>2.5</sub> standard. The EPA proposes changes to the Air Quality Index (AQI) for PM <sub>2.5</sub> to be consistent with the proposed primary PM <sub>2.5</sub> standards. With regard to the primary standard for particles generally less than or equal to 10 mm in diameter (PM <sub>10</sub> ), the EPA proposes to retain the current 24-hour PM <sub>10</sub> standard to continue to provide protection against effects associated with short-term exposure to thoracic coarse particles (i.e., PM <sub>10-2.5</sub> ). With regard to the secondary PM standards, the EPA proposes to revise the suite of secondary PM standards by adding a distinct standard for PM <sub>2.5</sub> to address PM-related visibility impairment and to retain the current standards generally to address non-visibility welfare effects. The proposed distinct secondary standard would be defined in terms of a PM <sub>2.5</sub> visibility index, which would use speciated PM <sub>2.5</sub> mass concentrations and relative humidity data to calculate PM <sub>2.5</sub> light extinction, translated to the deciview (dv) scale, similar to the Regional Haze Program; a 24-hour averaging time; a 90th percentile form averaged over 3 years; and a level set at one of two options—either 30 dv or 28 dv.
Potentially Regulated Entities	Power plants, industrial boilers, automobiles, construction sites, unpaved roads, and farms.

<b>National Ambient Air Quality Standard: Classification of Areas That Were Initially Classified Under Subpart 1; Revision of the Anti- Backsliding Provisions To Address 1-Hour Contingency Measure Requirements; Deletion of Obsolete 1-Hour Ozone Standard Provision (Final Rule To Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard)</b>	
Status	The Final Rule was published on May 14, 2012.  The rule became effective on June 13, 2012.
EPA Cost Estimate	N/A

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Description	<p>The EPA is revising the rules for implementing the 1997 8-hour ozone NAAQS to address certain limited portions of the rules vacated by the U.S. Court of Appeals for the District of Columbia Circuit. This final rule assigns Clean Air Act (CAA) classifications and associated state planning and control requirements to selected ozone nonattainment areas. This final rule also addresses three vacated provisions of the 1997 8-hour NAAQS—Phase 1 Implementation Rule (April 30, 2004) that provided exemptions from the anti-backsliding requirements relating to nonattainment area New Source Review (NSR), CAA section 185 penalty fees, and contingency measures, as these three requirements applied for the 1-hour standard. This rule also reinstates the 1-hour contingency measures as applicable requirements that must be retained until the area attains the 1997 8-hour ozone standard. Finally, this rule deletes an obsolete provision that stayed the EPA’s authority to revoke the 1-hour ozone standard pending the Agency’s issuance of a final rule that revises or reinstates its revocation authority and considers and addresses certain other issues.</p>
Potentially Regulated Entities	<p>State and local permitting authorities. Possible industries include: agriculture, fishing, hunting, mining, utilities (electric, natural gas, other systems), manufacturing (food, beverages, tobacco, textiles, leather), wood product, and paper manufacturing, petroleum and coal products manufacturing, chemical manufacturing, rubber product manufacturing, miscellaneous chemical products, nonmetallic mineral product manufacturing, primary and fabricated metal manufacturing, machinery manufacturing, computer and electronic products manufacturing, electrical equipment, appliance, and component manufacturing, transportation equipment manufacturing, furniture and related product manufacturing, miscellaneous manufacturing, waste management and remediation, hospitals/nursing and residential care facilities, personal and laundry services, residential/private households, and non-residential (Commercial).</p>

<p><b>National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (BOILER MACT)</b></p>	
Status	<p>Final rule published March 21, 2011, and effective on May 20, 2011.</p> <p>(DELAYED) May 18, 2011</p> <p>The EPA issued the Boiler maximum Achievable Control Technology (MACT) reconsideration proposal on December 2, 2011.</p> <p>The EPA took final action on reconsideration of certain issues related to the emission standards to control hazardous air pollutants from new and existing industrial, commercial and institutional boilers at area sources which were issued under section 112 of the CAA. As part of this action, the EPA amended certain compliance dates for the standard and making technical corrections to the final rule to clarify definitions, references, applicability and compliance issues raised by petitioners and other stakeholders affected by the rule. The EPA took final action on the proposed reconsideration. This final rule became effective on February 1, 2013.</p>
EPA Cost Estimate	Net Benefit of \$18-\$52 billion in 2014.
Description	Sets emissions standards for hazardous air pollutants (e.g., particulate matter, hydrogen chloride, mercury) for boilers and process heaters located at major

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	sources. Standards for major sources will be based on the MACT.
Potentially Regulated Entities	Affects industrial boilers, institutional boilers, commercial boilers, and process heaters. A process heater is defined as a unit in which the combustion gases do not directly come into contact with process material or gases in the combustion chamber (e.g., indirect fired). A boiler is defined as an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water.

<b>National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and the Printing and Publishing Industry; Final Rule</b>	
Status	Final rule published and effective April 21, 2011.
EPA Cost Estimate	EPA has determined that this rule will not result in expenditures of \$100 million or more for state, local, and tribal governments, in the aggregate, or the private sector in any one year.
Description	For four National Emission Standards for Hazardous Air Pollutants (NESHAP) that regulate 12 industrial source categories. The four NESHAPs include: National Emissions Standards for Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and The Printing and Publishing Industry. For some source categories, the EPA is finalizing decisions concerning the residual risk and technology reviews. For the Marine Tank Vessel Loading Operations NESHAP and the Group I Polymers and Resins NESHAP, the EPA is finalizing emission standards to address certain emission sources not previously regulated under the NESHAP. The EPA is also finalizing changes to the Pharmaceuticals Production NESHAP to correct an editorial error. For each of the four NESHAP, the EPA is finalizing revisions to the regulatory provisions related to emissions during periods of startup, shutdown, malfunction, and promulgating provisions addressing electronic submission of emission test results.
Potentially Regulated Entities	Polymers and Resins: Butyl Rubber Production, Epichlorohydrin Elastomers Production, Ethylene Propylene Rubber Production, Hypalon™ Production, Neoprene Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, Polysulfide Rubber Production, Styrene Butadiene Rubber and Latex Production.  Marine Tank Vessel Loading Operations, Pharmaceuticals Production, and The Printing and Publishing Industry.

<b>National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants; Final Rule</b>	
Status	The Final Rule published September 9, 2011, and was effective November 8, 2010.  Amended on January 18, 2011.  Reconsideration granted by the EPA on May 17, 2011.  Amended Final Rules published and effective on February 12, 2013.
EPA Cost Estimate	Net Benefits of both NESHAP and New Source Performance Standards (NSPS)

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	<p>in 2013: \$6.5 to \$17 billion (3 percent discount rate) or \$5.8 to \$15 billion (7 percent discount rate)</p> <p>Non-monetized Benefits: 4,400 tons of NO<sub>x</sub> (includes energy disbenefits); 5,200 tons of organic hazardous air pollutants (HAP); 5,900 tons of hydrogen chloride (HCl); 16,400 pounds of mercury (Hg); Health effects from HAPs, nitrogen dioxide (NO<sub>2</sub>), and sulfur dioxide (SO<sub>2</sub>) exposure; ecosystem effects; and visibility impairment.</p>
Description	<p>Finalizes amendments to the NESHAP from the Portland Cement Manufacturing Industry and to the NSPS for Portland Cement Plants. The final amendments to the NESHAP add or revise, as applicable, emission limits for Hg, total hydrocarbons (THC), and particulate matter (PM) from new and existing kilns located at major and area sources, and for HCl from new and existing kilns located at major sources. The standards for new kilns apply to facilities that commence construction, modification, or reconstruction after May 6, 2009. The final amendments to the NSPS add or revise, as applicable, emission limits for PM, opacity, nitrogen oxides (NO<sub>x</sub>), and sulfur dioxide (SO<sub>2</sub>) for facilities that commence construction, modification, or reconstruction after June 16, 2008. The final rule also includes additional testing and monitoring requirements for affected sources.</p>
Potentially Regulated Entities	Portland Cement Manufacturing Plants

<b>National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries</b>	
Status	Final Rule published and became effective on October 28, 2009.
EPA Cost Estimate	<p>These amendments result in nationwide costs of \$3.0 million per year for the private sector.</p> <p>The total capital investment cost of the final amendments is estimated at \$16 million.</p>
Description	This action amends the national emission standards for petroleum refineries to add maximum achievable control technology standards for heat exchange systems. This action also amends the general provisions cross-reference table and corrects section references.
Potentially Regulated Entities	Petroleum refineries located at major sources.

<b>National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities</b>	
Status	The Final Rules with amendments published and effective January 24, 2011.
EPA Cost Estimate	The amendments do not contain a Federal mandate that may result in expenditures of \$100 million or more for state, local, and tribal governments, in the aggregate, or the private sector in any one year. The amendments clarify certain provisions and correct typographical errors in the rule text for a rule the EPA previously determined did not include a Federal mandate that may result in an estimated cost of \$100 million or more (69 FR 5061, February 3, 2004).
Description	This action promulgates amendments to the NESHAP for the following Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities, which EPA promulgated on

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	January 10, 2008, and amended on March 7, 2008.
Potentially Regulated Entities	Operations at area sources that transfer and store gasoline, including bulk terminals, bulk plants, pipeline facilities, and gasoline dispensing facilities.

<b>National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources</b>	
Status	EPA published the Final Rule and it became effective on March 14, 2011.
EPA Cost Estimate	N/A
Description	Stays the provision requiring certain sources to obtain a permit with the Title V permit program until the final reconsideration rule is published in the Federal Register.
Potentially Regulated Entities	N/A

<b>National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and the Printing and Publishing Industry; Final Rule</b>	
Status	The Final Rule was published and it became effective on April 21, 2011.
EPA Cost Estimate	EPA has determined that this rule will not result in expenditures of \$100 million or more for state, local, and tribal governments, in the aggregate, or the private sector in any one year.
Description	For four NESHAP that regulate 12 industrial source categories. The four NESHAPs include: National Emissions Standards for Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and The Printing and Publishing Industry. For some source categories, the EPA is finalizing decisions concerning the residual risk and technology reviews. For the Marine Tank Vessel Loading Operations NESHAP and the Group I Polymers and Resins NESHAP, the EPA is finalizing emission standards to address certain emission sources not previously regulated under the NESHAP. The EPA is also finalizing changes to the Pharmaceuticals Production NESHAP to correct an editorial error. For each of the four NESHAP, the EPA is finalizing revisions to the regulatory provisions related to emissions during periods of startup, shutdown, malfunction, and promulgating provisions addressing electronic submission of emission test results.
Potentially Regulated Entities	<p>Polymers and Resins: Butyl Rubber Production, Epichlorohydrin Elastomers Production, Ethylene Propylene Rubber Production, Hypalon™ Production, Neoprene Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, Polysulfide Rubber Production, Styrene Butadiene Rubber, and Latex Production.</p> <p>Marine Tank Vessel Loading Operations, Pharmaceuticals Production, and The Printing and Publishing Industry.</p>

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<p><b>National Emission Standards for Hazardous Air Pollutants From Coal and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units</b></p> <p><b>*Mercury and Air Toxics Standards for Utilities (MATS)</b></p>	
Status	<p>The Final Rule was published on February 16, 2012, and went into effect on April 16, 2012.</p> <p>Corrections to the rule were published on April 19, 2012.</p> <p>EPA stayed the effective date of the rule on August 2, 2012, and granted reconsideration on November 30, 2012, which reopened the public comment period. The public comment period on December 12, 2012, was extended to January 7, 2013.</p> <p>On April 24, 2013, the EPA published the Notice of Final Action on Reconsideration and finalized reconsideration of all the issues included in the Proposed Rule except those related to startup and shutdown.</p> <p>On June 25, 2013, the EPA withdrew the rule and reopened the public comment period for the proposed reconsideration to solicit additional input on specific issues raised during the initial public comment period related to the proposed revisions to the requirements and definitions related to periods of startup and shutdown.</p> <p>On April 15, 2014, U.S. Court of Appeals for the D.C. Circuit’s upheld the Environmental Protection Agency’s (EPA’s) February 2012-finalized Mercury and Air Toxics Standards (MATS), ruling in a 2–1 decision that the agency is not required to take costs into account when it promulgates rules that are “appropriate and necessary” to address hazards to public health.</p> <p>April 16, 2015, is compliance date for MATS with some utilities receiving site-specific extensions to April 16, 2016.</p>
EPA Cost Estimate	<p>The estimated net benefits of the Proposed Rule at a 3 percent discount rate are \$27 to \$80 billion or \$24 to \$71 billion at a 7 percent discount rate.</p>
Description	<p>Proposes new NESHAP from coal- and oil-fired electric utility steam generating units (EGUs) under the CAA and proposes revised NSPS for fossil fuel-fired EGUs by reducing emissions of the HAP listed in CAA section 112(b), such as limiting mercury, arsenic, acid gases and other toxic pollution from power plants. It also proposes several amendments, technical clarifications, and corrections to existing NSPS provisions for fossil fuel-fired EGUs and large and small industrial-commercial-institutional steam generating units. The final rule sets standards for all hazardous air pollutants (HAPs) emitted by coal- and oil-fired electric generating units (EGUs) with a capacity of 25 megawatts or greater. All regulated EGUs are considered major under the final rule. EPA did not identify any size, design or engineering distinction between major and area sources.</p>
Potentially Regulated Entities	<p>Fossil fuel-fired electric utility steam generating units; fossil fuel-fired electric utility steam generating units owned by the Federal government; fossil fuel-fired electric utility steam generating units owned by municipalities; and fossil fuel-fired electric utility steam generating units in Indian country.</p>

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<b>National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers</b>	
Status	The Final Rule was published on March 21, 2011, and became effective on May 20, 2011.
EPA Cost Estimate	<p>Net loss: \$670–\$360 million –The national cost impact of this rule for existing units is \$487 million in total annualized costs.</p> <p>Total annualized costs (new and existing) for installing controls, conducting biennial tune-ups and an energy assessment, and implementing testing and monitoring requirements is \$535 million.</p> <p>The resulting total national cost impact of this Proposed Rule on new sources by 2013 is \$48 million in total annualized costs. When accounting for a 1 percent fuel savings from improvements to combustion efficiency, the total national cost impact on new sources is -\$3.6 million.</p> <p>Social costs are estimated to be also \$0.49 billion.</p>
Description	Sets emission limits for coal-fired, biomass-fired and oil-fired types of boilers located at area sources in order to reduce emissions of a number of toxic air pollutants including mercury, metals, and organic air toxics. The standards for area sources must be technology-based on either generally available control technology or maximum achievable control technology. Exempts natural gas-fired area source boilers. Facilities can reduce fuel/energy use by 10 to 15 percent.
Potentially Regulated Entities	<p>Applies to all existing and new industrial boilers, institutional boilers, and commercial boilers located at area sources. Boiler means an enclosed combustion device having the primary purpose of recovering thermal energy in the form of steam or hot water.</p> <p>The industrial boiler source category includes boilers used in: manufacturing, processing, mining, refining, or any other industry. The commercial boiler source category includes boilers used in commercial establishments such as stores/malls, laundries, apartments, restaurants, and hotels/motels. The institutional boiler source category includes boilers used in medical centers (e.g., hospitals, clinics, nursing homes), educational and religious facilities (e.g., schools, universities, churches), and municipal buildings (e.g., courthouses, prisons).</p>

<b>National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production</b>	
Status	The Final Rule was published in January 2012 and effective on April 17, 2012.
EPA Cost Estimate	<p>Total capital costs:                      Option 1 (MACT floor): \$16 million                      Option 2 (MACT floor and beyond): \$370 million</p> <p>Total annualized costs:                      Option 1: \$20 million                      Option 2: \$129 million</p>



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	Total HAP reduction: Option 1: 1,570 tons per year Option 2: 2,619 tons per year
Description	The rule establishes emission standards for hazardous air pollutants from polyvinyl chloride and copolymers production located at major and area sources. The rule includes requirements to demonstrate initial and continuous compliance with the proposed emission standards. The standards that apply at all times, including during periods of startup, shutdown, and malfunctions. The proposed standards also include continuous monitoring provisions and reporting requirements.
Potentially Regulated Entities	Facilities that polymerize vinyl chloride monomer to produce polyvinyl chloride and/or copolymers products.

<b>National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; Amendments (2010)</b>	
Status	The Final Rule was published and effective March 9, 2011.
EPA Cost Estimate	Will not result in expenditures of \$100 million or more in any one year or have any disproportionate impacts on local governments.
Description	Amends certain regulatory text to clarify compliance requirements related to continuous parameter monitoring systems (CPMS).
Potentially Regulated Entities	Will not have a significant economic impact on a substantial number of small entities.

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<b>National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines (RICE); Amendments</b>	
<b>*RICE</b>	
Status	<p>EPA proposed the rule on June 7, 2012. The period for public comment ended on July 23, 2012.</p> <p>The Final Rule was published on January 30, 2013, and it became effective on April 1, 2013.</p> <p>On June 28, 2013, EPA granted reconsideration of three issues raised in the petitions for reconsideration of the January 30, 2013, Final Amendments to the 2010 RICE NESHAP.</p> <p>On August 29, 2013, the EPA published a request for public comments and the comment period closed on November 4, 2013. The three issues were:</p> <ul style="list-style-type: none"> <li>• timing for compliance with the ultra low sulfur diesel fuel requirement for emergency compression ignition stationary engines that operate for emergency demand response, voltage/frequency deviations or local reliability;</li> <li>• timing of and information required for the reporting requirement for emergency stationary engines that operate for emergency demand response, voltage/frequency deviations or local reliability; and</li> <li>• conditions for operation of an engine for up to 50 hours per year in non-emergency situations as part of a financial arrangement with another entity.</li> </ul> <p>The expected implementation date is January 1, 2015.</p>
EPA Cost Estimate	<p>According to the EPA, these final amendments will reduce the capital and annual costs of the original 2010 amendments by \$287 million and \$139 million, respectively. The EPA estimates that with these final amendments, the capital cost of compliance with the 2010 amendments to the RICE NESHAP in 2013 is \$840 million and the annual cost is \$490 million (2010\$). These costs are identical to the costs estimated for the amendments to the RICE NESHAP proposed on June 7, 2012, since the changes from the proposal do not affect the costs of the rule in the year 2013.</p>
Description	<p>The EPA is proposing amendments to the national emission standards for HAPs for stationary RICE under section 112 of the CAA. The proposed amendments include alternative testing options for certain large spark ignition (generally natural gas-fueled) stationary RICE, management practices for a subset of existing spark ignition stationary RICE in sparsely populated areas, and alternative monitoring and compliance options for the same engines in populated areas. The EPA is also proposing to include a limited temporary allowance for existing stationary emergency area source engines to be used for peak shaving and non-emergency demand response. In addition, the EPA is proposing to increase the hours that stationary emergency engines may be used for emergency demand response.</p>
Potentially Regulated Entities	<p>Any industry using a stationary internal combustion engine for electric power generation, transmission, or distribution. Users could include: medical and</p>

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	surgical hospitals; and crude petroleum and natural gas producers. National security also uses stationary combustion engines for electric power generation.
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<b>Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units</b>	
<b>*New Source Performance Standards (NSPS)</b>	
Status	<p>On June 25, 2013, President Obama directed EPA to re-propose GHG emission standards for new EGUs, which the agency had proposed in April 2012, but had not yet finalized. He also directed the agency to develop standards for existing power plants by June 2015. The EPA rescinded the April 13, 2012, proposal.</p> <p>On September 20, 2013, the EPA took action regarding proposed new standards of performance for new affected fossil fuel-fired electric utility steam generating units and stationary combustion turbines. The action proposed a separate standard of performance for fossil fuel-fired electric utility steam generating units and integrated gasification combined cycle units that burn coal, petroleum coke and other fossil fuels that is based on partial implementation of carbon capture and storage as the best system of emission reduction. This action also proposes standards for natural gas-fired stationary combustion turbines based on modern, efficient natural gas combined cycle technology as the best system of emission reduction.</p> <p>On January 8, 2014, the Proposed Rule was published and the comment period closed on May 9, 2014.</p>
EPA Cost Estimate	<p>As explained in the Regulatory Impact Analysis (RIA) for this Proposed Rule, available data—including utility announcements and EIA modeling—indicate that, even in the absence of this rule, (i) existing and anticipated economic conditions mean that few, if any, solid fossil fuel-fired EGUs will be built in the foreseeable future; and (ii) electricity generators are expected to choose new generation technologies (primarily natural gas combined cycle) that would meet the proposed standards. Therefore, based on the analysis presented in Chapter 5 of the RIA, the EPA projects that this Proposed Rule will result in negligible CO<sub>2</sub> emission changes, quantified benefits, and costs by 2022. These projections are in line with utility announcements and Energy Information Administration (EIA) modeling that indicate that coal units built between now and 2020 would have CCS, even in the absence of this rule. However, for a variety of reasons, some companies may consider coal units that the modeling does not anticipate. In Chapter 5 of the RIA, EPA presents an analysis of the project-level costs of a new coal-fired unit with partial CCS alongside the project-level costs of a new coal-fired unit without CCS.</p>

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Description	<p>The EPA is proposing NSPS for emissions of CO<sub>2</sub> for new affected fossil fuel-fired electric utility EGUs. The EPA is proposing these requirements because CO<sub>2</sub> is a GHG and fossil fuel-fired power plants are the country's largest stationary source emitters of GHGs. The EPA in 2009 found that by causing or contributing to climate change, GHGs endanger both the public health and the public welfare of current and future generations. The proposed requirements, which are strictly limited to new sources, would require new fossil fuel-fired EGUs greater than 25 megawatt electric (MWe) to meet an output-based standard of 1,000 pounds of CO<sub>2</sub> per megawatt hour (lb CO<sub>2</sub>/MWh), based on the performance of widely used natural gas combined cycle (NGCC) technology. Because of the economics of the energy sector, the EPA and others project that NGCC will be the predominant choice for new fossil fuel-fired generation even absent this rule. In its base case analysis, the EPA does not project any new coal-fired EGUs without carbon capture and storage (CCS) to be built in the absence of this proposal through 2030. New coal-fired or pet coke-fired units could meet the standard either by employing CCS of approximately 50 percent of the CO<sub>2</sub> in the exhaust gas at startup or through later application of more effective CCS to meet the standard on average over a 30-year period. The 30-year averaging option could also provide flexibility for owners and operators of coal or pet coke units implementing CCS at the outset of the unit's operation that were designed and operated to emit at less than 1,000 lb CO<sub>2</sub>/MWh to address startup concerns or short-term interruptions in their ability to store captured CO<sub>2</sub>.</p>
Potentially Regulated Entities	Power plants.

<p><b>Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces, and New Residential Masonry Heaters</b></p>	
<p><b>*New Source Performance Standards (NSPS)</b></p>	
Status	EPA published the Proposed Rule on February 3, 2014. The comment period closed on May 5, 2014.
EPA Cost Estimate	<p>The EPA estimates the proposed NSPS's total annualized average nationwide costs would be \$15.7 million (2010\$) over the 2014 through 2022 period. The economic impacts for industries affected by this proposed rule over this same period range from 4.3 percent for manufacture of wood heater/stove models to 6.4 percent compliance cost-to-sales estimate for manufacture of single burn rate wood heater models. These impacts do not presume any pass-through of impacts to consumers. With pass-through to consumers, these impact estimates to manufacturers will decline proportionate to the degree of pass-through.</p>

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Description	The EPA is proposing to amend the Standards of Performance for New Residential Wood Heaters and to add two new subparts: Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces and Standards of Performance for New Residential Masonry Heaters. This proposal is aimed at achieving several objectives for new residential wood heaters and other wood-burning appliances, including applying updated emission limits that reflect the current best systems of emission reduction; eliminating exemptions over a broad suite of residential wood combustion devices; strengthening test methods as appropriate; and streamlining the certification process. This proposal does not include any requirements for heaters solely fired by gas, oil or coal. In addition, it does not include any requirements associated with appliances that are already in use. The EPA continues to encourage state, local, tribal, and consumer efforts to change out (replace) older heaters with newer, cleaner, more efficient heaters, but that is not part of this federal rulemaking.
Potentially Regulated Entities	Manufacturers, owners and operators of wood heaters, pellet heaters/stoves, hydronic heaters, and masonry heaters. Manufacturers, owners and operators of forced-air furnaces. Manufacturers, owners, operators and testers of masonry heaters. Testers of wood heaters, pellet heaters/stoves, hydronic heaters and masonry heaters.

O

<b>Oil and Natural Gas Sector: New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Reviews</b>	
Status	<p>The Final Rule was published on August 16, 2012. Compliance dates varied from October 2012 to October 2013.</p> <p>This EPA finalized and enacted amendments to new source performance standards for the oil and natural gas sector on September 23, 2013. The revised compliance date is April 15, 2015.</p>
EPA Cost Estimate	<p>A cost estimate was not published for the Final Amendments on September 23, 2013.</p> <p>Under the Final Rule on August 16, 2012, the estimated total capital cost to comply with the final amendments to 40 CFR part 63, subpart HH for major sources in the Oil and Natural Gas Production source category were approximately \$2.6 million. The total capital cost for the final amendments to 40 CFR part 63, subpart HHH for major sources in the Natural Gas Transmission and Storage source category is estimated to be approximately \$140,000. All costs are in 2008 dollars. The total estimated net annual cost to industry to comply with the final amendments to 40 CFR part 63, subpart HH for major sources in the Oil and Natural Gas Production source category is approximately \$3.3 million. The total net annual cost for final amendments to 40 CFR part 63, subpart HHH for major sources in the Natural Gas Transmission and Storage source category is estimated to be approximately \$180,000. These estimated annual costs include: (1) The cost of capital, (2) operating and maintenance costs, (3) the cost of monitoring, inspection, recordkeeping and reporting (MIRR), and (4) any associated product recovery credits. All costs are in 2008 dollars. The estimated total capital cost to comply with the final NSPS is approximately \$25 million in 2008 dollars. The total estimated net annual cost to industry to comply with the final NSPS is estimated to be approximately \$170 million in 2008 dollars. This annual cost estimate includes: (1) The cost of capital, (2) operating and maintenance costs, and (3) the cost of MIRR. This estimated annual cost does not take into account any producer revenues associated with the recovery of salable natural gas and hydrocarbon condensates. When revenues from additional product recovery are considered, the final NSPS is estimated to result in a net annual engineering cost savings overall. When including the additional natural gas recovery in the engineering cost analysis, the EPA assumed that producers are paid \$4/Mcf for the recovered gas at the wellhead. The engineering analysis cost analysis assumes the value of recovered condensate is \$70 per barrel. Based on the engineering analysis, about 43 billion cubic feet of natural gas and 160,000 barrels of condensate are estimated to be recovered by control requirements in 2015. Using the price assumptions, the estimated revenues from natural gas and condensate recovery are approximately \$180 million in 2008 dollars. Using the engineering cost estimates, estimated natural gas product recovery and natural gas product price assumptions, the net annual engineering cost savings is estimated for the final NSPS to be about \$15 million. Totals may not sum due to independent rounding. If voluntary action is not deducted from the baseline, capital costs for the NSPS are estimated at \$25 million and annualized costs without revenues from product recovery for the NSPS are estimated at \$330</p>

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	<p>million. In this scenario, given the assumptions about product prices, estimated revenues from product recovery are \$350 million, yielding an estimated cost of savings of about \$22 million. As the price assumption is very influential on estimated annualized engineering costs, the EPA performed a simple sensitivity analysis of the influence of the assumed wellhead price paid to natural gas producers on the overall engineering annualized costs estimate of the final NSPS. At \$4.22 per thousand cubic feet (Mcf), the price forecast reported in the 2011 Annual Energy Outlook in 2008 dollars, the annualized cost savings for the final NSPS are estimated at about \$24 million. As indicated by this difference, the EPA has chosen a relatively conservative assumption (leading to an estimate of few savings and higher net costs) for the engineering costs analysis. The natural gas price at which the final NSPS breaks-even from an estimated engineering costs perspective is around \$3.66/Mcf. A \$1/Mcf change in the wellhead natural gas price leads to a \$43 million change in the annualized engineering costs of the final NSPS. Consequently, annualized engineering costs estimates would increase to about \$29 million under a \$3/Mcf price or decrease to about -\$58 million under a \$5/Mcf price.</p>
Description	<p>The EPA revised the NSPS for volatile organic compounds from leaking components at onshore natural gas processing plants and NSPS for sulfur dioxide emissions from natural gas processing plants. The EPA also established standards for certain oil and gas operations not covered by the existing standards. In addition to the operations covered by the existing standards, the newly established standards will regulate volatile organic compound emissions from gas wells, centrifugal compressors, reciprocating compressors, pneumatic controllers and storage vessels. This action also finalizes the residual risk and technology review for the Oil and Natural Gas Production source category and the Natural Gas Transmission and Storage source category. This action includes revisions to the existing leak detection and repair requirements. In addition, the EPA has established in this action emission limits reflecting maximum achievable control technology for certain currently uncontrolled emission sources in these source categories. This action also includes modification and addition of testing and monitoring and related notification, recordkeeping and reporting requirements, as well as other minor technical revisions to the NESHAP. This action finalizes revisions to the regulatory provisions related to emissions during periods of startup, shutdown, and malfunction.</p>
Potentially Regulated Entities	<p>Crude petroleum and natural gas extraction; natural gas liquid extraction; natural gas distribution; pipeline distribution of crude oil; and pipeline transportation of crude oil.</p>



## P

<b>Performance Specification 16 for Predictive Emissions Monitoring Systems and Amendments to Testing and Monitoring Provisions</b>	
Status	The Final Rule was published on March 25, 2009, and became effective on April 24, 2009. EPA published corrections on April 23, 2009.
EPA Cost Estimate	N/A
Description	Final action promulgates Performance Specification (PS) 16 for predictive emissions monitoring systems (PEMS). Performance Specification 16 provides testing requirements for assessing the acceptability of PEMS when they are initially installed. Currently, there are no Federal rules requiring the use of PEMS; however, some sources have obtained Administrator approval to use PEMS as alternatives to continuous emissions monitoring systems (CEMS). Other sources may desire to use PEMS in cases where initial and operational costs are less than CEMS and process optimization for emissions control may be desirable. PS 16 will apply to any PEMS required in future rules in 40 CFR Parts 60, 61, or 63, and in cases where a source petitions the Administrator and receives approval to use a PEMS in lieu of another emissions monitoring system required under the regulation.
Potentially Regulated Entities	Business Machines, Polymeric Coating of Supporting Substrates Facilities, Surface Coating of Metal Furniture. Automobile and Light Duty Truck Surface Coating, Graphic Arts Industry, Publication Rotogravure Printing, Pressure Sensitive Tape and Label Surface, Coating Operations, Industrial Surface Coating, Large Appliances, Metal Coil Surface Coating, Beverage Can Surface Coating, Aerospace, Boat and Ship Manufacturing and Repair Surface Coating, Fabric Printing, Coating, and Dyeing, Leather Finishing, Miscellaneous Coating Manufacturing, Miscellaneous Metal Parts and Products, Paper and Other Web Surface Coating, Plastic Parts Surface Coating, Printing and Publishing Surface Coating, Wood Building Products, Wood Furniture, and Coke Ovens.

<b>Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Inclusion of Fugitive Emissions; Final Rule; Stay</b>	
Status	On June 1, 2011, a rulemaking effectuated a stay of the final rule titled, "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions" (Fugitive Emissions Rule), published on December 19, 2008. That rule required that fugitive emissions be included in determining whether a physical or operational change results in a major modification only for sources in industries that have been designated by the Clean Air Act. The rule supersedes the stay of the Fugitive Emissions Rule provisions issued on March 31, 2010, and thereby corrects inadvertent errors contained in that stay. This action also extends the stay until EPA completes its reconsideration of the Fugitive Emissions Rule.
EPA Cost Estimate	N/A
Description	EPA stayed for 18 additional months, the rule establishing how fugitive emissions should be treated for NSR permitting.
Potentially Regulated Entities	Rule will affect electric services, petroleum refining, industrial inorganic chemicals, industrial organic chemicals, miscellaneous chemical products, natural

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	gas transport, pulp and paper mills, automobile manufacturing, pharmaceuticals, mining, agriculture, fishing, and hunting.
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<b>Prevention of Significant Deterioration (PSD): Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by the Federal PSD Permit Program (a.k.a. Johnson Memo Reconsideration)</b>	
Status	Final Action on Reconsideration of Interpretation published April 2, 2010.
EPA Cost Estimate	N/A
Description	EPA determination that it will continue to apply the Agency’s determination, set forth in a December 18, 2008, Administrator memorandum, that PSD permitting requirements would not apply to a newly regulated pollutant until a regulatory requirement to control emissions of that pollutant “takes effect.”
Potentially Regulated Industries	Rule affects stationary emissions sources, including PSD permitting requirements relating to greenhouse gas (GHG) emissions.

<b>Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule</b>	
<b>*Tailoring Rule</b>	
Status	<p>The Final Rule was published and became effective on June 3, 2010.</p> <p>In 2012, a D.C. Circuit panel denied the challenges to the endangerment finding and the tailpipe rule and dismissed the challenges to the timing and tailoring rules for lack of standing.</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with the U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the tailoring rule, and various aspects of EPA’s greenhouse gas regulations, including: the agency’s scientific “endangerment” finding for greenhouse gases; the “tailpipe rule” setting greenhouse gas standards for mobile sources; and the “timing and tailoring rules” which phased in regulation of stationary sources of greenhouse gases under the “prevention of significant deterioration” program. The Supreme Court will not consider the substance of the tailoring rule, but rather EPA's authority to enact the tailoring rule based on the adoption of the tailpipe rule. The Supreme Court heard oral arguments on February 24, 2014.</p> <p>On June 23, 2014, the Supreme Court held that EPA could not require stationary sources to obtain air pollution permits and install pollution controls because they emit only a specified amount of greenhouse gases. The court also ruled that EPA unlawfully interpreted the Clean Air Act when it revised the numeric tonnage thresholds for greenhouse gases that force factories, power plants, and industrial facilities to obtain a permit. However, the ruling's impact on EPA's larger regulatory regime is likely limited because in a separate part of the decision, EPA won the votes of seven justices who held the agency could require facilities to limit greenhouse gas emissions if they already qualified for the permit program because of emissions of conventional air pollutants.</p>
EPA Cost Estimate	N/A

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Description	Sets thresholds to which the EPA seeks to phase in regulation of GHG emissions from industrial and large stationary sources under: (1) the PSD program which is a preconstruction review and permitting program that requires installation of Best Available Control Technology (BACT) pollution control equipment; and (2) the Title V program, which is an operating permit program administered by state authorities. Absent the rule, EPA’s view is that under the endangerment finding and subsequent light-duty vehicle rule, PSD permitting requirements would be triggered for almost 41,000 entities and Title V permitting requirements for approximately 6 million entities. The rule also commits to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from PSD and Title V permitting for GHG emissions until at least April 30, 2016.
Potentially Regulated Industries	Rule may affect the following potentially regulated entities and categories: agriculture, fishing, and hunting; mining utilities (electric, natural gas, other systems); manufacturing of food, beverages, tobacco, textiles, leather, wood product, paper, petroleum, coal, chemical, rubber product, chemical products, nonmetallic mineral products, primary and fabricated metal, machinery, computer, and electronic products, electrical equipment, appliances, components, transportation equipment, furniture, and related products; waste management and remediation; hospitals, nursing, and residential care facilities; personal and laundry services; residential/private households; and non-residential (commercial) buildings.

<b>Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule</b>	
<b>*Tailoring Rule</b>	
Status	<p>Final Rule published and became effective on June 3, 2010.</p> <p>In 2012, a D.C. Circuit panel denied the challenges to the endangerment finding and the tailpipe rule, and dismissed the challenges to the timing and tailoring rules for lack of standing.</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the Tailoring Rule, various aspects of EPA’s greenhouse gas regulations, including: the agency’s scientific “endangerment” finding for greenhouse gases, the “tailpipe rule” setting greenhouse gas standards for mobile sources, and the “timing and tailoring rules” which phased in regulation of stationary sources of greenhouse gases under the “prevention of significant deterioration” program. The Supreme Court will not consider the substance of the tailoring rule, but rather EPA's authority to enact the tailoring rule based on the adoption of the tailpipe rule. The Supreme Court heard oral arguments on February 24, 2014.</p> <p>On June 23, 2014, the Supreme Court held that EPA could not require stationary sources to obtain air pollution permits and install pollution controls because they emit only a specified amount of greenhouse gases. The court also ruled that EPA unlawfully interpreted the Clean Air Act when it revised the numeric tonnage thresholds for greenhouse gases that force factories, power plants and on industrial facilities to obtain a permit. However, the ruling's impact on EPA's larger regulatory regime is likely limited because in a separate part of the decision, EPA</p>

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	won the votes of seven justices who held the agency could require facilities to limit greenhouse gas emissions if they already qualified for the permit program because of emissions of conventional air pollutants.
EPA Cost Estimate	N/A
Description	Sets thresholds to which the EPA seeks to phase in regulation of GHG emissions from industrial and large stationary sources under: 1) the PSD program which is a preconstruction review and permitting program that requires installation of Best Available Control Technology (BACT) pollution control equipment; and 2) the title V program, which is an operating permit program administered by state authorities. Absent the rule, EPA’s view is that under the endangerment finding and subsequent light-duty vehicle rule, PSD permitting requirements would be triggered for almost 41,000 entities and Title V permitting requirements for approximately 6 million entities. The rule also commits to take certain actions on future steps addressing smaller sources, but excludes certain smaller sources from PSD and Title V permitting for GHG emissions until at least April 30, 2016.
Potentially Regulated Industries	Rule may affect the following potentially regulated entities and categories: agriculture, fishing, and hunting; mining utilities (electric, natural gas, other systems); manufacturing of food, beverages, tobacco, textiles, leather, wood product, paper, petroleum, coal, chemical, rubber product, chemical products, nonmetallic mineral products, primary and fabricated metal, machinery, computer and electronic products, electrical equipment, appliance, and components, transportation equipment, furniture and related products; waste management and remediation; hospitals, nursing, and residential care facilities; personal and laundry services; residential/private households; and non-residential (commercial) buildings.

<b>Prevention of Significant Deterioration for Particulate Matter Less Than 2.5 Micrometers—Significant Impact Levels and Significant Monitoring Concentration: Removal of Vacated Elements</b>	
Status	<p>On January 22, 2013, the United States Court of Appeals for the District of Columbia Circuit (the Court) granted a request from the EPA to vacate and remand to the EPA portions of two Prevention of Significant Deterioration (PSD) regulations, promulgated in 2010 under the authority of the Clean Air Act (CAA), regarding the Significant Impact Levels (SILs) for particulate matter less than 2.5 micrometers (PM2.5). The Court further vacated the portions of the PSD regulations establishing a PM2.5 Significant Monitoring Concentration (SMC). The EPA is amending its regulations to remove the vacated PM2.5 SILs and SMC provisions from the PSD regulations in the Code of Federal Regulations (CFR).</p> <p>This action is exempt from notice-and-comment rulemaking because it is ministerial in nature. The EPA will initiate a separate rulemaking in the future regarding the PM2.5 SILs that will address the Court’s remand.</p>
EPA Cost Estimate	Not available.
Description	This final action removes from the CFR the affected PM2.5 SILs and SMC provisions vacated by the Court’s decision. Because the Court specifically vacated and remanded the PM2.5 SILs in sections 51.166(k)(2) and 52.21(k)(2), the EPA is removing the text and reserving the paragraphs in sections 51.166(k)(2) and 52.21(k)(2). The Court explicitly declined to vacate the PM2.5 “significance levels” at section 51.165(b)(2), and accordingly the EPA not taking any final

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	<p>action to make any change to that section.</p> <p>Moreover, because the Court vacated the SMC provisions in 40 CFR 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c), the EPA is revising the existing concentration for the PM<sub>2.5</sub> SMC listed in sections 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) to zero micrograms per cubic meter (0 µg/m<sup>3</sup>). The EPA is not entirely removing PM<sub>2.5</sub> as a listed pollutant in the SMC provisions because to do so might lead to the issuance of permits that contradict the holding of the Court as to the statutory monitoring requirements. Both sections 51.166(i)(5)(iii) and 52.21(i)(5)(iii) permit the reviewing authority to exempt a permit applicant from the monitoring requirements if “[t]he pollutant is not listed in paragraph (i)(5)(i) of this section.” Were EPA to completely remove PM<sub>2.5</sub> from the list of pollutants in sections 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) of the PSD regulations, PM<sub>2.5</sub> would no longer be a listed pollutant and the paragraph (iii) provision could be interpreted as giving reviewing authorities the discretion to exempt permit applicants from the requirement to conduct monitoring for PM<sub>2.5</sub>, in contravention of the Court’s decision and the CAA. Instead, the EPA is revising the concentration listed in sections 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) to 0 µg/m<sup>3</sup>. This means that there is no air quality impact level below which a reviewing authority has the discretion to exempt a source from the PM<sub>2.5</sub> monitoring requirements. By continuing to include PM<sub>2.5</sub> as a pollutant in the list contained in sections 51.166(i)(5)(i) and 52.21(i)(5)(i), with the numerical value replaced with 0 µg/m<sup>3</sup>, we avoid any concern that paragraph (iii) of the two affected sections could be applied to excuse permit applicants from adequately addressing the monitoring requirement for PM<sub>2.5</sub>.</p> <p>The EPA is taking this action as a Final Rule without providing an opportunity for public comment or a public hearing because the EPA finds that the Administrative Procedure Act (APA) good cause exemption applies here.</p>
Potentially Regulated Industries	Factories, industrial boilers and power plants.

<b>Primary National Ambient Air Quality Standards for Nitrogen Dioxide</b>	
Status	Final rule published on February 9, 2011.
EPA Cost Estimate	\$3.6 billion in 2020 (2006\$). Because this analysis considers only counties that currently have nitrogen dioxide (NO <sub>2</sub> ) monitors, EPA advises that the possibility exists that, as the new monitoring network is installed, there may be more potential nonattainment areas than analyzed in the RIA.
Description	Supplements national standards for NO <sub>2</sub> by establishing a new short-term (1-hour) daily maximum standard of 100 parts per billion (ppb), and establishes new monitoring requirements.
Potentially Regulated Entities	Rule will require states with areas determined to be in non-attainment with the new standard to prepare state implementation plans to meet the new standards. States will need to identify and implement air pollution control measures to reduce ambient NO <sub>2</sub> concentrations, most likely by requiring air pollution controls on sources that emit oxides of nitrogen. While nitrogen oxides (NO <sub>x</sub> ) are emitted from a wide variety of source types, the top three categories of sources of NO <sub>x</sub> emissions are on-road mobile sources, electricity generating units, and non-road mobile sources.

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<b>Protocol Gas Verification Program (PGVP) and Minimum Competency Requirements for Air Emission Testing; Final Rule</b>	
Status	The Final Rule was published on March 28, 2011, and was effective on April 27, 2011. Corrections were made April 13, 2011.
EPA Cost Estimate	EPA estimates that the average increased cost due to the PGVP will be approximately \$2 per cylinder. The total annual respondent burden is estimated to be 2,254 hours, with total annual labor and operating and maintenance (O&M) costs estimated to be \$1,460,489.
Description	Finalizes rule revisions that modify existing requirements for sources affected by the federally administered emission trading programs including the NO <sub>x</sub> Budget Trading Program, the Acid Rain Program, and the Clean Air Interstate Rule. Amends the PGVP and the minimum competency requirements for air emission testing (formerly air emission testing body requirements) to improve the accuracy of emissions data. It also amends other sections of the Acid Rain Program continuous emission monitoring system regulations by adding and clarifying certain recordkeeping and reporting requirements, removing the provisions pertaining to mercury monitoring and reporting, removing certain requirements associated with a class-approved alternative monitoring system, disallowing the use of a particular quality assurance option in EPA Reference Method 7E, adding two incorporation by references that were inadvertently left out of the January 24, 2008, final rule, adding two new definitions, revising certain compliance dates, and clarifying the language and applicability of certain provisions.
Potentially Regulated Entities	Electric service providers.

<b>Protection of Stratospheric Ozone: New Substitute in the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy (SNAP) Program</b>	
Status	EPA published the Final Rule on March 29, 2011, and it became effective on May 31, 2011.
EPA Cost Estimate	EPA has determined that this rule will not result in expenditures of \$100 million or more for State, Local, and Tribal governments, in the aggregate, or the private sector in any one year.
Description	Expands the list of acceptable substitutes for use in the motor vehicle air conditioning end-use as a replacement for ozone-depleting substances. The substitute addressed in this final rule is for use in new passenger cars and light-duty trucks in the motor vehicle air conditioning end-use within the refrigeration and air conditioning sector. The EPA finds hydrofluoroolefin (HFO)-1234yf acceptable, subject to use conditions, as a substitute for chlorofluorocarbon (CFC)-12 in motor vehicle air conditioning for new passenger cars and light-duty trucks. The substitute is a non-ozone-depleting gas and consequently does not contribute to stratospheric ozone depletion.
Potentially Regulated Entities	Automobile Manufacturers and Motor Vehicle Air Conditioning Manufacturers.

<b>Protection of Stratospheric Ozone: New Substitute in the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy (SNAP) Program</b>	
Status	The Final Rule was published on June 6, 2012, with an effective date of August 6, 2012.  Incorporates 2011 SNAP Regulations.

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EPA Cost Estimate	EPA has determined that this rule will not result in expenditures of \$100 million or more for State, Local, and Tribal governments, in the aggregate, or the private sector in any one year.
Description	This rule lists carbon dioxide (CO <sub>2</sub> ) or R-744, as acceptable substitute, subject to use conditions, in the motor vehicle air conditioning (MVAC) end-use for motor vehicles (i.e., passenger cars, light-duty and heavy-duty vehicles) within the refrigeration and air-conditioning sector. This final rule only concerns the use of CO <sub>2</sub> in MVAC systems designed specifically for the use of CO <sub>2</sub> refrigerant. The substitute is non-ozone depleting and therefore does not contribute to stratospheric ozone depletion.
Potentially Regulated Entities	Automobile Manufacturers and Motor Vehicle Air Conditioning Manufacturers.

## R

<b>Reconsideration of the 2008 Ozone National Ambient Air Quality Standards (NAAQS)</b>	
Status	President Obama directed EPA Administrator Lisa Jackson to withdraw the Agency's Draft Final Rule, "Reconsideration of the 2008 Ozone Primary and Secondary NAAQS" on September 2, 2011.
EPA Cost Estimate	\$19-\$90 billion per year in 2020 (2006\$).
Description	Proposes to lower NAAQS for ground-level ozone, from 1997 level 0.08 parts per million (ppm)/2008 level of 0.075ppm, to between 0.070 and 0.060ppm, and to set a separate secondary standard to protect vegetation and ecosystems. Also proposes to accelerate the schedule for states to designate areas that do not meet the new standards.
Potentially Regulated Entities	EPA projects 77 percent of counties that currently have ozone monitors would violate a 0.070 ppm standard in 2020, and 96 percent of those counties would violate a 0.060 ppm standard. The rule will require states with areas determined to be in non-attainment with the new standards to prepare state implementation plans to come into compliance through emissions control programs. The majority of emissions sources of man-made nitrogen oxides (NO <sub>x</sub> ) and volatile organic compounds emissions, which contribute to ground-level ozone formation, are mobile sources, industrial processes (which include consumer and commercial products), and the electric power industry. Other emissions sources include agricultural sources.

<b>Review of New Sources and Modifications in Indian Country</b>	
Status	<p>A Final Rule was published on July 1, 2011, and became effective on August 30, 2011.</p> <p>The EPA published a Proposed Rule on Tuesday, June 4, 2013.</p> <p>The EPA submitted the Final Rule for publication in the Federal Register on May 9, 2014. The Final Rule will be in effect 30 days from its publication in the Federal Register.</p>
EPA Cost Estimate	Subject to the Executive Order 13175 (65 FR 67249, November 9, 2000), the EPA may not issue a regulation that has tribal implications, that imposes substantial direct compliance costs and that is not required by statute, unless the federal government provides the funds necessary to pay the direct compliance costs incurred by tribal governments or the EPA consults with tribal officials early in the process of developing the proposed regulation and develops a tribal summary impact statement. The EPA has concluded that this Final Rule will have tribal implications. However, it will neither impose substantial direct compliance costs on tribal governments, nor preempt tribal law. This final rule will have tribal implications since it revises the federal Indian country minor NSR program, which applies to both tribally-owned and privately owned sources in Indian country. As with the existing rule, the revised rule will be implemented by the EPA, or a delegate tribal agency assisting the EPA with administration of the rules, until replaced by an EPA-approved tribal implementation plan. The effect of this final rule will be to simplify compliance with, and administration of, the federal Indian country minor NSR program, so any impact on tribes would be in the form of reduced burden and cost.



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<p>Description</p>	<p>The purpose of the 2013 rule is to propose and seek comment on three revisions to the Tribal minor NSR rule 1 that will streamline implementation by adding more exempted units/activities, clarifying language related to construction and relocation of true minor sources. Specifically, the EPA proposes to add seven categories of units/activities that will be listed as exempt from the Tribal minor NSR rule because their emissions are deemed insignificant. Listing these categories explicitly will mean that many applicants and reviewing authorities will not need to calculate potential emissions for activities that can be deemed insignificant. In the preamble to the Tribal minor NSR rule, EPA committed to considering the addition of exempt units/activities to the list in that Final rule, as requested by commenters. The EPA states that the Proposed Rule fulfills that commitment.</p> <p>In 2011, the EPA Federal Implementation Plan (FIP) under the Clean Air Act (CAA) for Indian country. The FIP includes two New Source Review (NSR) regulations for the protection of air resources in Indian country. The first rule applies to new and modified minor stationary sources (minor sources) and to minor modifications at existing major stationary sources (major sources) throughout Indian country. The second rule (nonattainment major NSR rule) applies to new and modified major sources in areas of Indian country that are designated as not attaining the NAAQS. These rules will be implemented by EPA or a delegate Tribal agency assisting EPA with administration of the rules, until replaced by an EPA-approved implementation plan.</p>
<p>Potentially Regulated Entities</p>	<p>Owners and operators of emission sources in all industry groups located in Indian country, EPA and Tribal governments that are delegated administrative authority to assist EPA with the implementation of these federal regulations.</p> <p>Specifically: oil and gas production/operations; crude petroleum and natural gas extraction; natural gas liquid extraction; sand and gravel mining; electric power generation; natural gas distribution; sewage treatment facilities; sand and shot blasting operations; animal food manufacturing; beef cattle complex, slaughter house, and meat packing plant; sawmills; softwood veneer and plywood manufacturing; millwork (wood products mfg); printing operations (lithographic); asphalt hot mix; chemical preparation; clay and ceramics operations (kilns);concrete batching plant; fiber glass operations; casting foundry (iron);fabricated structural metal; surface coating operations; fabricated metal products; machinery manufacturing; wood kitchen cabinet manufacturing; grain elevator; gasoline bulk plant; gasoline station; professional, scientific, and technical services; solid waste landfill; and other (natural gas-fired boilers).</p>

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<b>Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide</b>	
Status	The Final Rule was effective August 23, 2010.
EPA Cost Estimate	\$2.2 million in direct benefits and a net benefit of \$13-36 billion from co-pollutants.
Description	Establishes a new 1-hour sulfur dioxide (SO <sub>2</sub> ) standard at a level of 75 parts per billion (ppb) based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA is also revoking both the existing 24-hour and annual primary SO <sub>2</sub> standards.
Potentially Regulated Entities	States who are primarily responsible for ensuring attainment and maintenance of ambient air quality standards.

<b>Revisions to Test Method for Determining Stack Gas Velocity Taking Into Account Velocity Decay Near the Stack Walls</b>	
Status	Proposed Rule published August 25, 2009.  Final action was expected in June of 2012, but has yet to be taken up by the EPA.
EPA Cost Estimate	EPA expects the proposed revised method will only be used by small entities if the use of the revised method results in overall cost savings due to the voluntary nature of the method.
Description	Proposes revising the voluntary test method for determining stack gas velocity taking into account the velocity decay near the stack or duct walls.
Potentially Regulated Entities	Rule will affect fossil fuel-fired electric utility steam generating units owned by industry, Federal, State/local and Tribal governments.

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<b>National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines (RICE); Amendments</b>	
<b>*RICE</b>	
Status	<p>EPA proposed the rule on June 7, 2012. The period for public comment ended on July 23, 2012.</p> <p>The Final Rule was published on January 30, 2013, and it became effective on April 1, 2013.</p> <p>On June 28, 2013, EPA granted reconsideration of three issues raised in the petitions for reconsideration of the January 30, 2013, Final Amendments to the 2010 RICE NESHAP.</p> <p>On August 29, 2013, the EPA published a request for public comments and the comment period closed on November 4, 2013. The three issues were:</p> <ul style="list-style-type: none"> <li>• Timing for compliance with the ultra low sulfur diesel fuel requirement for emergency compression ignition stationary engines that operate for emergency demand response, voltage/frequency deviations or local reliability;</li> <li>• Timing of and information required for the reporting requirement for emergency stationary engines that operate for emergency demand response, voltage/frequency deviations or local reliability; and</li> <li>• Conditions for operation of an engine for up to 50 hours per year in non-emergency situations as part of a financial arrangement with another entity.</li> </ul> <p>The expected implementation date is January 1, 2015.</p>
EPA Cost Estimate	<p>According to the EPA, these final amendments will reduce the capital and annual costs of the original 2010 amendments by \$287 million and \$139 million, respectively. The EPA estimates that with these final amendments, the capital cost of compliance with the 2010 amendments to the RICE NESHAP in 2013 is \$840 million and the annual cost is \$490 million (2010\$). These costs are identical to the costs estimated for the amendments to the RICE NESHAP proposed on June 7, 2012, since the changes from the proposal do not affect the costs of the rule in the year 2013.</p>
Description	<p>The EPA is proposing amendments to the national emission standards for HAPs for stationary RICE under section 112 of the CAA. The proposed amendments include alternative testing options for certain large spark ignition (generally natural gas-fueled) stationary RICE, management practices for a subset of existing spark ignition stationary RICE in sparsely populated areas, and alternative monitoring and compliance options for the same engines in populated areas. The EPA is also proposing to include a limited temporary allowance for existing stationary emergency area source engines to be used for peak shaving and non-emergency demand response. In addition, the EPA is proposing to increase the hours that stationary emergency engines may be used for emergency demand response.</p>
Potentially Regulated Entities	<p>Any industry using a stationary internal combustion engine for electric power generation, transmission, or distribution. Users could include: medical and surgical hospitals; and crude petroleum and natural gas producers. National security also uses stationary combustion engines for electric power generation.</p>

S

<b>Standards of Performance for Greenhouse Gas (GHG) Emissions for New Stationary Sources: Electric Utility Generating Units</b>	
<b>*New Source Performance Standards (NSPS)</b>	
Status	<p>On June 25, 2013, President Obama directed EPA to re-propose GHG emission standards for new EGUs, which the agency had proposed in April 2012, but had not yet finalized. He also directed the agency to develop standards for existing power plants by June 2015. The EPA rescinded the April 13, 2012, proposal.</p> <p>On September 20, 2013, the EPA proposed new standards of performance for new affected fossil fuel-fired electric utility steam generating units and stationary combustion turbines. The action proposed a separate standard of performance for fossil fuel-fired electric utility steam generating units and integrated gasification combined cycle units that burn coal, petroleum coke and other fossil fuels that is based on partial implementation of carbon capture and storage as the best system of emission reduction. This action also proposes standards for natural gas-fired stationary combustion turbines based on modern, efficient natural gas combined cycle technology as the best system of emission reduction.</p> <p>On January 8, 2014, the Proposed Rule was published and the comment period closes on May 9, 2014.</p>
EPA Cost Estimate	<p>As explained in the Regulatory Impact Analysis (RIA) for this Proposed Rule, available data—including utility announcements and EIA modeling—indicate that, even in the absence of this rule, (i) existing and anticipated economic conditions mean that few, if any, solid fossil fuel-fired EGUs will be built in the foreseeable future; and (ii) electricity generators are expected to choose new generation technologies (primarily natural gas combined cycle) that would meet the proposed standards. Therefore, based on the analysis presented in Chapter 5 of the RIA, the EPA projects that this Proposed Rule will result in negligible CO<sub>2</sub> emission changes, quantified benefits, and costs by 2022. These projections are in line with utility announcements and Energy Information Administration (EIA) modeling that indicates that coal units built between now and 2020 would have CCS, even in the absence of this rule. However, for a variety of reasons, some companies may consider coal units that the modeling does not anticipate. In Chapter 5 of the RIA, EPA presents an analysis of the project-level costs of a new coal-fired unit with partial CCS alongside the project-level costs of a new coal-fired unit without CCS.</p>
Description	<p>The EPA is proposing NSPS for emissions of carbon dioxide (CO<sub>2</sub>) for new affected fossil fuel-fired electric utility EGUs. The EPA is proposing these requirements because CO<sub>2</sub> is a GHG and fossil fuel-fired power plants are the country's largest stationary source emitters of GHGs. The EPA in 2009 found that by causing or contributing to climate change, GHGs endanger both the public health and the public welfare of current and future generations. The proposed requirements, which are strictly limited to new sources, would require new fossil fuel-fired EGUs greater than 25 megawatt electric (MWe) to meet an output-based standard of 1,000 pounds of CO<sub>2</sub> per megawatt-hour (lb CO<sub>2</sub>/MWh), based on the performance of widely used natural gas combined cycle (NGCC) technology. Because of the economics of the energy sector, the EPA and others project that NGCC will be the predominant choice for new fossil</p>

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	fuel-fired generation even absent this rule. In its base case analysis, the EPA does not project any new coal-fired EGUs without carbon capture and storage (CCS) to be built in the absence of this proposal through 2030. New coal-fired or pet coke-fired units could meet the standard either by employing CCS of approximately 50 percent of the CO <sub>2</sub> in the exhaust gas at startup, or through later application of more effective CCS to meet the standard on average over a 30-year period. The 30-year averaging option could also provide flexibility for owners and operators of coal or pet coke units implementing CCS at the outset of the unit's operation that were designed and operated to emit at less than 1,000 lb CO <sub>2</sub> /MWh to address startup concerns or short-term interruptions in their ability to store captured CO <sub>2</sub> .
Potentially Regulated Entities	Power plants.

<b>Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Hospital/Medical/Infectious Waste Incinerators (HMIWI); Final Rule</b>	
Status	The Final Rule was published on October 6, 2009, and became effective on April 6, 2010.  It was amended and became effective on April 4, 2011.
EPA Cost Estimate	The EPA estimates that for the Maximum Achievable Control Technology (MACT) compliance option, the national total costs for the 57 existing HMIWI to comply with this final action would be approximately \$15.5 million in each of the first three years of compliance.
Description	Sets NSPS and emissions guidelines (EG) for HMIWI while responding to the District of Columbia Appellate Court's remand.
Potentially Regulated Entities	Private hospitals, other health care facilities, commercial research laboratories, commercial waste disposal companies, private universities; federal hospitals, other health care facilities, public health service, armed services; state/local hospitals, other health care facilities, state/local waste disposal services, state universities.

<b>Standards of Performance for Coal Preparation and Processing Plants</b>	
Status	Final Rule published on October 8, 2009.
EPA Cost Estimate	Total \$7.9 million in each of first five years of compliance. Potential additional costs for new thermal dryers estimated to range from \$133,000 to \$1.54 million per year.
Description	Sets revised NSPS for coal preparation and processing plants.
Potentially Regulated Entities	Categories and entities potentially regulated by the revised standards include: mining of bituminous coal, lignite, and anthracite; fossil fuel electric power generation; paper (except newsprint) mills; manufacturing of petrochemicals and cement; iron and steel mills; fossil fuel-fired electric utility steam generating units.

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<b>Standards of Performance for Stationary Compression Ignition (CI) and Spark Ignition Internal Combustion Engines (ICE)</b>	
Status	The Final Rule became effective on August 29, 2011.
EPA Cost Estimate	The total costs of the Final rule are based on the cost associated with purchasing and installing controls on non-emergency stationary CI ICE with a displacement between 10 and 30 liters per cycle (l/cyl). The costs of after treatment were based on information developed for CI marine engines. Further information on how the EPA estimated the total costs of the Final rule can be found in a memorandum included in the docket (Docket ID. No. EPA-HQ-OAR-2010-0295). The total national capital cost for the Final Rule is estimated to be approximately \$236,000 in the year 2018, with a total national annual cost of \$142,000 in the year 2018. The year 2018 is the first year the emission standards would be fully implemented for stationary CI engines between 10 and 30 l/cyl. The total national capital cost for the Final Rule in the year 2030 is \$235,000, with a total national annual cost of \$711,000. All of these costs are in 2009 dollars.
Description	The Final Rule requires more stringent standards for stationary compression ignition engines with displacement greater than or equal to 10 l/cyl and less than 30 l/cyl, consistent with recent revisions to standards for similar mobile source marine engines. In addition, the action revises the requirements for engines with displacement at or above 30 l/cyl to align more closely with recent standards for similar mobile source marine engines, and for engines in remote portions of Alaska that are not accessible by the Federal Aid Highway System. The action also provides additional flexibility to owners and operators of affected engines, and corrects minor mistakes in the original standards of performance. Finally, the action makes minor revisions to the standards of performance for new stationary spark ignition internal combustion engines to correct minor errors and to mirror certain revisions finalized for compression ignition engines, which provides consistency where appropriate for the regulation of stationary internal combustion engines. The final standards will reduce NO <sub>x</sub> by an estimated 1,100 tons per year, particulate matter by an estimated 38 tons per year, and hydrocarbons by an estimated 18 tons per year in the year 2030.
Potentially Regulated Entities	Rule affects manufacturers that produce or any industry using a stationary internal combustion engine as defined in the Proposed Rule. Potentially regulated categories and entities include: electric power generation, transmission, or distribution; medical and surgical hospitals; and the manufacturing of motor and generator, pump and compressor, and welding and soldering equipment.

<b>Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units; Final Rule</b>	
Status	Final Rule published and became effective on March 21, 2011.
EPA Cost Estimate	Overall total capital investment of \$55 million with an associated total annualized of \$18 million (2008\$; 7 percent discount rate).
Description	This action promulgates EPA's new source performance standards and emission guidelines for sewage sludge incineration units located at wastewater treatment facilities designed to treat domestic sewage sludge. This Final rule sets limits for nine pollutants under section 129 of the CAA: cadmium (Cd), carbon monoxide (CO), hydrogen chloride (HCl), lead (Pb), mercury (Hg), NO <sub>x</sub> , particulate matter (PM), polychlorinated dibenzo-

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	pdioxins and polychlorinated dibenzofurans, and sulfur dioxide (SO <sub>2</sub> ).
Potentially Regulated Entities	Municipalities with sewage sludge incinerators (SSI) units.

<b>Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units</b>	
Status	<p>Published March 21, 2011, and effective on May 20, 2011.</p> <p>(DELAYED) May 18, 2011- The effective dates of the Final rules published in the Federal Register are delayed until such time as judicial review is no longer pending or until the EPA completes its reconsideration of the rules, whichever is earlier.</p>
EPA Cost Estimate	<p>Option 1 MACT floor:</p> <p>Net Benefits: \$60 to \$550 million (3 percent discount rate); and \$30 to \$470 million (7 percent discount rate).</p> <p>Non-monetized Benefits: 25,000 tons of CO, 470 tons of HCl, 260 pounds of Hg, 0.95 tons of Cd, 4.1 tons of Pb, 92 grams of dioxins/furans, health effects from NO<sub>2</sub> and SO<sub>2</sub> exposure, ecosystem effects, and visibility impairment.</p> <p>Option 2 Beyond-the-Floor:</p> <p>Net Benefits: \$130 to \$770 million (3 percent discount rate); and \$90 to \$660 million (7 percent discount rate).</p> <p>Non-monetized Benefits: 25,000 tons of CO, 470 tons of HCl, 260 pounds of Hg, 0.95 tons of Cd, 4.1 tons of Pb, 92 grams of dioxins/furans, health effects from NO<sub>2</sub> and SO<sub>2</sub> exposure, ecosystem effects, and visibility impairment.</p>
Description	<p>Responds to the 2001 voluntary remand of the December 1, 2000, NSPS and emission guidelines for commercial and industrial solid waste incineration units and the vacatur and remand of several definitions by the District of Columbia Circuit Court of Appeals in 2007. In addition, this action includes the five-year technology review of the NSPS and emission guidelines required under section 129 of the CAA. This action also promulgates other amendments that EPA believes are necessary to address air emissions from commercial and industrial solid waste incineration units.</p>
Potentially Regulated Entities	<p>Mining, oil and gas exploration operations; pipeline operators; facilities using a solid waste incinerator; utility providers; manufacturers of wood products, manufacturers of pulp; paper and paperboard; manufacturers of furniture and related products; manufacturers of chemicals and allied products; manufacturers of plastics and rubber products; manufacturers of cement; nonmetallic mineral product manufacturing; manufacturers of machinery; manufacturers of transportation equipment; merchant wholesalers; durable goods; and retail trade.</p>

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<b>Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces, and New Residential Masonry Heaters</b>	
<b>*New Source Performance Standards (NSPS)</b>	
Status	EPA published the Proposed Rule on February 3, 2014. The comment period closed on May 5, 2014.
EPA Cost Estimate	The EPA estimates the proposed NSPS's total annualized average nationwide costs would be \$15.7 million (2010\$) over the 2014 through 2022 period. The economic impacts for industries affected by this proposed rule over this same period range from 4.3 percent for manufacture of wood heater/stove models to 6.4 percent compliance cost-to-sales estimate for manufacture of single burn rate wood heater models. These impacts do not presume any pass-through of impacts to consumers. With pass-through to consumers, these impact estimates to manufacturers will decline proportionate to the degree of pass-through.
Description	The EPA is proposing to amend the Standards of Performance for New Residential Wood Heaters and to add two new subparts: Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces and Standards of Performance for New Residential Masonry Heaters. This proposal is aimed at achieving several objectives for new residential wood heaters and other wood-burning appliances, including applying updated emission limits that reflect the current best systems of emission reduction; eliminating exemptions over a broad suite of residential wood combustion devices; strengthening test methods as appropriate; and streamlining the certification process. This proposal does not include any requirements for heaters solely fired by gas, oil or coal. In addition, it does not include any requirements associated with appliances that are already in use. The EPA continues to encourage state, local, tribal, and consumer efforts to change out (replace) older heaters with newer, cleaner, more efficient heaters, but that is not part of this federal rulemaking.
Potentially Regulated Entities	Manufacturers, owners and operators of wood heaters, pellet heaters/stoves, hydronic heaters, and masonry heaters. Manufacturers, owners and operators of forced-air furnaces. Manufacturers, owners, operators and testers of masonry heaters. Testers of wood heaters, pellet heaters/stoves, hydronic heaters and masonry heaters.



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<b>Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule</b>	
<b>*Tailoring Rule</b>	
Status	<p>The Final Rule was published and became effective on June 3, 2010.</p> <p>In 2012, a D.C. Circuit panel denied the challenges to the endangerment finding and the tailpipe rule and dismissed the challenges to the timing and tailoring rules for lack of standing.</p> <p>On April 18, 2013, a coalition of industry groups filed a petition with the U.S. Supreme Court for review of the D.C. Court of Appeals decision and challenged EPA rules, including the tailoring rule, and various aspects of EPA’s greenhouse gas regulations, including: the agency’s scientific “endangerment” finding for greenhouse gases; the “tailpipe rule” setting greenhouse gas standards for mobile sources; and the “timing and tailoring rules” which phased in regulation of stationary sources of greenhouse gases under the “prevention of significant deterioration” program. The Supreme Court will not consider the substance of the tailoring rule, but rather EPA's authority to enact the tailoring rule based on the adoption of the tailpipe rule. The Supreme Court heard oral arguments on February 24, 2014.</p> <p>On June 23, 2014, the Supreme Court held that EPA could not require stationary sources to obtain air pollution permits and install pollution controls because they emit only a specified amount of greenhouse gases. The court also ruled that EPA unlawfully interpreted the Clean Air Act when it revised the numeric tonnage thresholds for greenhouse gases that force factories, power plants, and industrial facilities to obtain a permit. However, the ruling's impact on EPA's larger regulatory regime is likely limited because in a separate part of the decision, EPA won the votes of seven justices who held the agency could require facilities to limit greenhouse gas emissions if they already qualified for the permit program because of emissions of conventional air pollutants.</p>
EPA Cost Estimate	N/A
Description	<p>Sets thresholds to which the EPA seeks to phase in regulation of GHG emissions from industrial and large stationary sources under: (1) the PSD program which is a preconstruction review and permitting program that requires installation of Best Available Control Technology (BACT) pollution control equipment; and (2) the Title V program, which is an operating permit program administered by state authorities. Absent the rule, EPA’s view is that under the endangerment finding and subsequent light-duty vehicle rule, PSD permitting requirements would be triggered for almost 41,000 entities and Title V permitting requirements for approximately 6 million entities. The rule also commits to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from PSD and Title V permitting for GHG emissions until at least April 30, 2016.</p>
Potentially Regulated Industries	<p>Rule may affect the following potentially regulated entities and categories: agriculture, fishing, and hunting; mining utilities (electric, natural gas, other systems); manufacturing of food, beverages, tobacco, textiles, leather, wood product, paper, petroleum, coal, chemical, rubber product, chemical products, nonmetallic mineral products, primary and fabricated metal, machinery, computer,</p>

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	and electronic products, electrical equipment, appliances, components, transportation equipment, furniture, and related products; waste management and remediation; hospitals, nursing, and residential care facilities; personal and laundry services; residential/private households; and non-residential (commercial) buildings.
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**Transport Rule (CAIR Replacement Rule); Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone, a.k.a. Cross-State Air Pollution Rule (CSAPR)**

Status	<p>The Final Rule was published July 11, 2011 and updated on July 18, 2011.</p> <p>Effective on January 1, 2012, for capping annual emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>), and on May 1, 2012, for ozone-season NO<sub>x</sub>.</p> <p>The D.C. Circuit of the U.S. Court of Appeals repealed the rule on August 21, 2012. The Court ordered the agency to enforce a 2005 rule known as the Clear Air Interstate Rule (CAIR), until it made a viable replacement to the CSAPR.</p> <p>The U.S. Supreme Court on June 24, 2013, indicated it would review an appeals court rejection of the EPA's CSAPR. The U.S. Supreme Court heard arguments on December 10, 2013.</p> <p>On April 29th, 2014, the United States Supreme Court, in a 6-2 decision, reinstated the CSAPR. The majority decision, penned by Justice Ginsburg, held that EPA has authority under the federal Clean Air Act (CAA) to consider cost-effectiveness, not just strict proportional responsibility, when allocating emission reduction obligations in upwind states that are necessary to ensure that downwind states attain the relevant National Ambient Air Quality Standards ("NAAQS"). In addition, the majority held that EPA is not obligated to provide states with an opportunity to revise inadequate State Implementation Plans ("SIPs") prior to issuing remedial Federal Implementation Plans ("FIPs"), even though the criteria for determining the amounts of interstate pollution that significantly contribute to downwind nonattainment might not be clear until EPA has acted. This opinion overturned the D.C. Circuit's split decision in <i>EME Homer City Generation v. EPA</i>,<sup>2</sup> which vacated CSAPR.</p>
EPA Cost Estimate	Results in up to \$280 billion in annual benefits. \$800 million is projected to be spent annually on this rule in 2014. Roughly \$1.6 billion per year in capital investments are already underway as a result of CAIR.
Description	<p>Replaces the 2005 CAIR, which is temporarily in place.</p> <p>Plants in affected states would have begun reducing emissions as early as January 2012 under CSAPR. The rule applies to SO<sub>2</sub> and NO<sub>x</sub> emissions levels in 27 states, with the goal of reducing fine particulate matter (PM<sub>2.5</sub>).</p> <p>The rule would have gone into effect under two phases: the Phase 1 compliance date of 2012, and the Phase 2 compliance date of 2014. The rule also establishes two independent trading programs for SO<sub>2</sub>: Group 1 states and Group 2 states. EPA is adopting federal implementation plans, or FIPs, for each of the states covered by this rule. EPA encourages states to replace these FIPs with State Implementation Plans, or SIPs, starting as early as 2013.</p>

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	EPA and the states continue to implement CSAPR's predecessor, the Clean Air Interstate Rule ("CAIR"), pursuant to the stay issued by the D.C. Circuit. A short note published on EPA's website states, "EPA is reviewing the opinion. At this time, CAIR remains in place and no immediate action from States or affected sources is expected."
Potentially Regulated Entities	Utility industry.

## Recent and Pending EPA Regulations under the Clean Air Act

## List of Acronyms

ANPRM	Advanced Notice of Proposed Rulemaking
AQI	Air Quality Index
BACT	Best Available Control Technology
CAA	Clean Air Act
CAFE	Corporate Average Fuel Economy
CAIR	Clean Air Interstate Rule
CBI	confidential business information
CCS	carbon capture and storage
Cd	cadmium
CEMS	continuous emissions monitoring systems
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CH <sub>4</sub>	methane
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CPMS	continuous parameter monitoring systems
CSAPR	Cross-State Air Pollution Rule
dv	deciview
EAF	Electric Arc Furnace
EG	emissions guidelines
EGU	electric generating units
EISA	Energy Independence and Security Act
EPA	United States Environmental Protection Agency
FIP	Federal Implementation Plan
GHG	greenhouse gas
GHGRP	Greenhouse Gas Reporting Program
HAP	hazardous air pollutant
HCl	hydrogen chloride
HFC	hydrofluorocarbon
HFO	hydrofluoroolefin
Hg	mercury
HMIWI	hospital/medical/infectious waste incinerators
l/cyl	liters per cycle
lb	pound
LMAPCD	Louisville Metro Air Pollution Control District
m <sup>3</sup>	cubic meter
MACT	Maximum Achievable Control Technology
MassDEP	Massachusetts Department of Environmental Protection
Mcf	thousand cubic feet
mg	milligram
MIRR	monitoring, inspection, recordkeeping, and reporting
mpg	miles per gallon
MVAC	motor vehicle air conditioning
MWe	megawatt electric
MWh	megawatt hour
MY	model years
N <sub>2</sub> O	nitrous oxide

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NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NGCC	natural gas combined cycle
NHTSA	National Highway Traffic Safety Administration
NO <sub>2</sub>	nitrogen dioxide
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standards
NSR	New Source Review
O&M	operating and maintenance
OMB	Office of Management and Budget
ORVR	onboard refueling vapor recovery
OTR	Ozone Transport Region
Pb	lead
PEMS	predictive emissions monitoring systems
PFC	perfluorocarbon
PGVP	Protocol Gas Verification Program
PM	particulate matter
ppb	parts per billion
ppm	parts per million
PS	Performance Specification
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
RICE	Reciprocating Internal Combustion Engines
SF <sub>6</sub>	sulfur hexafluoride
SIP	State Implementation Plan
SNAP	Significant New Alternatives Policy
SO <sub>2</sub>	sulfur dioxide
SSI	sewage sludge incinerators
THC	total hydrocarbons
UIC	Underground Injection Control



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# RECENT AND PENDING EPA REGULATIONS UNDER THE CLEAN AIR ACT

*SEPTEMBER 10, 2014*

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