




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 11, 2018

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Regional Haze Reform Roadmap

FROM: Andrew R. Wheeler
Acting Administrator 

TO: Assistant Administrator for Air and Radiation
General Counsel
Regional Administrators

The *Clean Air Act* establishes a national visibility goal to prevent any future, and remedy any existing, anthropogenic visibility impairment in America's national parks, wilderness areas and wildlife refuges. The CAA's visibility protection provisions are set forth in sections 169A and 169B of the CAA, and the implementing regulations include the U.S. Environmental Protection Agency's Regional Haze Rule, as adopted in 1999 and revised most recently on January 10, 2017. Current data shows that we have achieved considerable visibility improvements in affected areas throughout the country due to states' efforts during the first planning period of the regional haze program, as well as emission reductions achieved under other CAA programs.

The roadmap described in this memorandum builds on lessons learned from past implementation of the regional haze program to improve the program moving forward. In addition, it reflects issues raised by states and various stakeholders, including the EPA's federal partners, regarding implementation of the requirements of the regional haze program. This roadmap is consistent with President Trump's April 2018 memorandum on *Promoting Domestic Manufacturing and Job Creation – Policies and Procedures Relating to Implementation of Air Quality Standards* (83 FR 16761).

Through this memorandum, I am laying out a path for the EPA, led by the Office of Air and Radiation, to take certain actions to ensure that the agency provides adequate support to states to enable timely and effective implementation of the regional haze program today and in the future. These actions are anchored in the regional haze program's core statutory foundation and certain key principles, including:

- implementing the program with states in the lead, as it was designed by Congress to provide greater certainty to states, local governments and tribes;

- reducing state planning burdens and supporting states in complying with the CAA for future planning periods, and
- leveraging emission reductions achieved through other CAA programs that further improve visibility in protected areas.

The roadmap for reform described herein will help carry out direction provided by the President in the April 2018 memorandum for the agency regarding the implementation of the regional haze program. One of the specific directives provided in that Presidential Memorandum is already underway, as the EPA is already working collaboratively with states to replace federal implementation plans from the first planning period with approvable state implementation plans (SIPs). As appropriate, the agency will rely on the key principles for revisiting of first planning period decisions, as well as resolving any outstanding actions from the first planning period.

The actions contained in this roadmap will ensure efficient and effective implementation of the regional haze program going forward. In the upcoming months, the EPA will provide technical tools and guidance to support states as they develop their SIPs for the second planning period. In addition, the agency will initiate a notice-and-comment rulemaking to address certain aspects of the EPA's Regional Haze Rule. Information concerning the EPA's efforts is provided in more detail below.

Near-term Support for the Second Regional Haze Planning Period

SIPs covering the second planning period are due to the EPA by the revised deadline of July 2021, with many states already working on these SIPs. During the next year, OAR will release a series of implementation tools and guidance documents that will help focus states' efforts and reduce and streamline the time and resources needed to meet the statutory and regulatory requirements for regional haze. This information will support states in their SIP development processes and provide key improvements for the upcoming second planning period. These tools and guidance products are listed below in order of expected release.

Implementation Tools

- Fall 2018 – Final recommendations on methods for selecting the 20 percent most impaired days to track visibility and determining natural visibility conditions and methods for accounting for total international impacts to adjust the uniform rate of progress (URP/Glidepath).
- Spring 2019 – Updated, as necessary, natural visibility conditions estimates.
- Spring/Summer 2019 – Updated 2028 visibility modeling platform, documentation and results, including United States and international source contributions for Class I areas. These results can be used to inform the second planning period SIPs, in particular to adjust the URP/Glidepath to fully account for international impacts. This information will help states and the EPA in implementing the President's direction to assess sources of pollution outside of the control of state and local air agencies that may affect the regional haze program.

We are aware that some states are well into their planning process and may be submitting SIPs later this year. The EPA intends to work closely with those states to ensure that their plans for the second planning period satisfy the appropriate statutory and regulatory requirements.

Guidance Document on Regional Haze SIP Development

In July 2016, the EPA released a draft guidance document on which the agency sought public comment. The agency received a broad range of comments on many important topics. The EPA understands that a key priority is timely guidance, particularly when second planning period work is already underway. Therefore, OAR will issue a new, updated version of this guidance by Spring 2019.

This guidance will focus on issues raised by states as needed for work on second planning period SIPs and will be consistent with the Administration's key principles for implementing the regional haze program moving forward. Areas of focus will include providing states with additional information and context regarding screening sources before in-depth analysis, including with regard to the relevance of previous decisions to adopt emission control measures to meet other CAA requirements and the consideration of visibility benefits along with the four statutory factors for reasonable progress determinations.

Anticipated Regulatory Revisions to the Regional Haze Program

The agency announced earlier this year that it would be revisiting certain aspects of the EPA's January 2017 Regional Haze Rule.¹ In that announcement, we specified that the EPA intended to address the Reasonably Attributable Visibility Impairment provisions, the provisions regarding Federal Land Manager consultation and possibly other elements of the rule. The EPA is currently exploring further regulatory changes intended to focus and streamline planning efforts. Further communication on the issues to be addressed in that rulemaking will be shared as information becomes available.

In summary, over the next year, the EPA will deliver key technical tools and guidance to states. I expect these regional haze efforts to support states as they continue the development of their second planning period SIPs. Additionally, the agency will continue to explore regulatory changes to impact future regional haze planning periods. The EPA looks forward to continued collaboration with states and interested stakeholders in the coming months and years.

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The EPA regional offices should send this memorandum to air agencies within their jurisdiction. For any questions concerning this memorandum, please contact Panagiotis E. Tsirigotis, Director of the Office of Air Quality Planning and Standards.

¹ <https://www.epa.gov/visibility/epas-decision-revisit-aspects-2017-regional-haze-rule-revisions>