

CPP and the States: Roles and Perspectives of States, EPA, and its Regional Offices

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Clean Air Act Section 111(d) for Existing Sources

- ▶ Section 111(d) establishes a cooperative framework *similar to* section 110
- ▶ Section 111(d) directs EPA to promulgate regulations establishing section 110-*like* procedure under which states submit plan that:
 - ▶ Establish standards of performance for affected sources
 - ▶ Provide for implementation and enforcement of such standards
- ▶ Section 111(d) provides flexibility for states to design a program to achieve standards of performance

Previous Section 111(d) Regulations

- ▶ Sulfuric acid plants (acid mist)
- ▶ Phosphate fertilizer plants (fluorides)
- ▶ Primary aluminum plants (fluorides)
- ▶ Kraft pulp plants (total reduced sulfur)
- ▶ Municipal solid waste landfills (landfill gases)

Clean Power Plan Roles and Responsibilities

- ▶ EPA set emission guidelines that include:
 - ▶ Best system of emission reduction (BSER)
 - ▶ Goal for reductions based on BSER analysis
 - ▶ Timeline for implementation and other guidance
- ▶ States develop plans establishing standards of performance:
 - ▶ Include building blocks used for BSER or other measures
 - ▶ Multi-state or “trading-ready” plans
 - ▶ Stakeholder engagement and public comment
- ▶ States submit plans to EPA for review and approval
- ▶ EPA evaluates plans and takes action through notice & comment
- ▶ If state fails to do so, EPA has authority to prescribe a plan or enforce provisions

State Plan Authorities

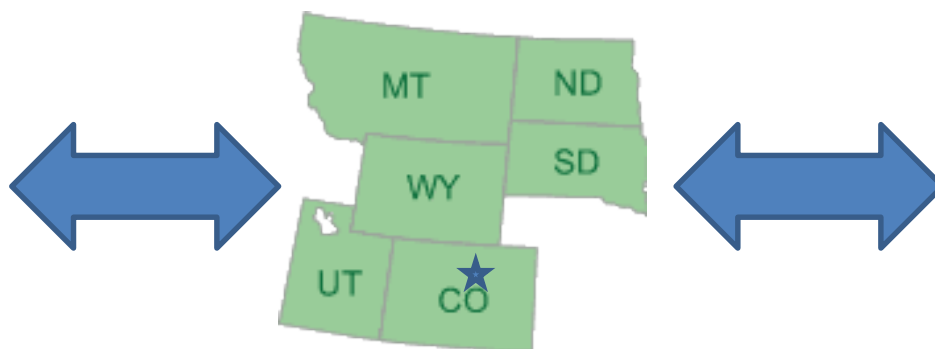
- ▶ Governor
- ▶ Department of Health / Environment
 - ▶ Air Quality Board / Commission
 - ▶ State Legislature
- ▶ Public Utilities Commission
 - ▶ Supporting agency; oversee programs, reliability, etc.
- ▶ State Energy Office
 - ▶ Supporting agency; develop and implement policies & programs
- ▶ Obligated Parties / Stakeholders
 - ▶ Utilities, local governments, industry, etc.

Roles of EPA Regional Offices and Headquarters

- ▶ EPA Regional Offices:
 - ▶ Work with states, provide guidance, conduit to EPA Headquarters
 - ▶ Receive, review, and approve 111(d) state plans
- ▶ EPA Headquarters:
 - ▶ Manage implementation process, address consistency
 - ▶ Provide guidance and interpretation
 - ▶ Manage EPA-administered tracking system



State



EPA Regional Office



EPA Headquarters

EPA Assistance to the States

- ▶ EPA is committed to working with states
- ▶ EPA is continuing to develop guidance, training, and tools
- ▶ State Plan Electronic Collection System (SPeCS)
- ▶ Clean Power Plan website: <http://www.epa.gov/cpp>
- ▶ Clean Power Plan toolbox: <http://www2.epa.gov/cleanpowerplantoolbox>

The screenshot shows the EPA website's 'Clean Power Plan Toolbox for States' page. The header includes the EPA logo and navigation tabs for 'Learn the Issues', 'Science & Technology', 'Laws & Regulations', and 'About EPA'. A search bar is located in the top right. The main heading is 'Clean Power Plan Toolbox for States', followed by the sub-heading 'Resources to help develop state plans'. A paragraph explains that as co-regulators, states will develop plans to meet the Clean Power Plan (CPP) guidelines, and federal resources provide information on state plan development. Below this, there are two main columns of resources. The left column, titled 'Clean Power Plan Documents and Resources', lists links for 'Clean Power Plan and Technical Support Documents', 'State-specific Fact Sheets', 'Clean Power Plan State Goal Visualizer (CGSM)', 'State Plan Decision Tree', 'Clean Power Plan - Technical Summary for States', 'Clean Power Plan - State and Tribal Rate and Max Goals', and 'Guidance Documents'. The right column, titled 'Technical Resources for Reducing CO₂ from Power Plants', lists 'Combined heat and power technology options', 'Combined heat and power project development resources', and 'U.S. DOE Office of Fossil Fuel - Technical Assistance'. At the bottom, there are sections for 'Policies and Programs for Reducing CO₂ from the Power Sector' and 'Estimating Potential Energy Efficiency and Renewable Energy (EE/RE) Impacts'. On the right side, there are three additional boxes: 'Subscribe to our updates', 'Draft EMMV Guidance Open for Comments' (with a note that EPA is taking comments on draft Evaluation, Measurement and Verification Guidance), and 'POWER Funding' (with a note about the Partnership for Community and Workforce and Economic Revitalization).