

MANE-VU Regional Haze Consultation Plan

Adapted from the MANE-VU Class I Area States Consultation Request
5/5/2017

Introduction

One requirement of the regional haze process is what is termed “consultation.” The Clean Air Act contains specific requirements for consulting with Federal Land Managers (FLMs) concerning SIP submissions at points during the SIP development process. The regional haze regulation also requires Class I states to consult with contributing states in order to attempt agreement on what controls are needed to achieve reasonable further progress during each planning period. MANE-VU will assist and facilitate the consultation process among its members and with contributing upwind states for the current SIP planning cycle.

Consultation between States

Consultation between the states is part of the process to determine reasonable progress goals. Both upwind and receptor states must participate in consultation if the state is reasonably anticipated to contribute to visibility impairment. The requested consultation process is needed to ensure that reasonable emission reductions are pursued for sources/sectors that impact visibility in the seven Class I areas in MANE-VU. This consultation process may also consider visibility impairment contribution of MANE-VU-located emission sources to Class I areas located outside of the region (namely, Dolly Sods, Otter Creek, James River Face, and Shenandoah).

Although other states may not develop their regional haze SIPs using the same timeline as MANE-VU states, by consulting with MANE-VU early in their process, it may help them better understand MANE-VU Class I Area States’ emission reduction commitments while considering their own.

MANE-VU will facilitate the consultation process in two phases:

1. Intra-RPO Consultation among MANE-VU members (states, tribes, EPA and FLMs);
2. Inter-RPO Consultation between MANE-VU members and non-MANE-VU states (as identified below).

Intra-RPO consultation will take place through webinars and in-person meetings in conjunction with regular OTC/MANE-VU meetings. For a specific timeline of consultation webinars and meetings, please see the document *2017-18 MANE-VU Consultation Schedule*. A formal “Ask” to guide the inter-RPO consultation phase will be developed early in the intra-RPO consultation

phase and adopted at the OTC/MANE-VU Spring Meeting. The timeline is based on MANE-VU targeting a regional haze SIP submittal date of July 2018.¹

Inter-RPO consultation will be scheduled once the intra-RPO consultation is complete and will consist of webinar meetings. Inter-RPO consultation will be conducted with states identified through the screening process² as contributing significantly to visibility impairment at MANE-VU Class I areas. Contributing states outside of MANE-VU are anticipated to target a regional haze SIP submittal date of July 2021. The Regional Haze Rule states that consultation requirements apply regardless of when states plan to submit their SIP revisions.

Contributing states will be identified through the use of several screening tools including, but not limited to, CALPUFF modeling, Q/d analysis, and back-trajectory analysis. The objective of this technical work is to identify states and sources from which MANE-VU will pursue further analysis.

The MANE-VU Technical Support Committee will refine and recommend selection criteria based on the technical work developed as part of the contribution assessment in order to finalize the inter-RPO consultation state list.

MANE-VU “Ask” for the second round of Regional Haze SIPs

MANE-VU Class I area monitoring and preliminary modeling analyses indicate that all MANE-VU Class I areas are either on-track or ahead of the uniform rate of progress for visibility improvements and that justification for additional emission reduction programs for further progress by 2028 may be limited. However, the regional haze rule requires developing a reasonable progress goal based on additional emissions reduction measures that are deemed reasonable for the next planning period. Furthermore, many of the visibility improvements observed to date are attributed to market conditions favoring cleaner natural gas and that the potential remains for sources to revert back to fuels such as natural gas or oil with greater emissions of visibility-impairing pollutants. The 2018 MANE-VU Ask³ presents measures that MANE-VU considers reasonable for the 2018-2028 planning period.

Additional technical analyses for the reasonableness of controls included in the 2018 MANE-VU Ask will be performed. While the 2018 MANE-VU Ask includes measures that will have visibility benefits, the so-called four-factor analysis will identify control measures that are necessary to make reasonable progress toward natural visibility conditions at Class I areas based on, 1) cost of compliance, 2) time necessary for compliance, 3) energy and non-air quality environmental impacts of compliance, and 4) the remaining useful life of any potentially affected major or

¹ Revisions to the Regional Haze Rule extended the deadline to July 31, 2021. 82 FR 3078; January 10, 2017.

² See the MANE-VU Technical Support Committee document titled, “Selection of States for MANE-VU Regional Haze Consultation (2018)”

³ See Statement of the Mid-Atlantic/Northeast Visibility Union (MANE-VU) Concerning a Course of Action Toward Assuring Reasonable Progress for the Second Regional Haze Implementation Period (2018-2028)

minor stationary source or group of sources. Four-factor work should be completed after the intra-RPO consultation since an aspect of the draft ask involves conducting four-factor analysis on select sectors. The MANE-VU Class I Area States ask that the MANE-VU Technical Support Committee facilitate this work starting in January of 2017.

A briefing document describing sources MANE-VU considers significant and asking to demonstrate reasonable control should be provided to the states prior to the final webinar for each phase reviewing the technical and policy progress to date. Documentation of the consultation should take the form of formal minutes.

Consultation with Federal Land Managers

The regional haze rule requires consultation to occur with FLMs early enough to allow the state time for full consideration of FLM input, but no fewer than 60 days prior to a public hearing or comment period, and include discussion of their assessment of the visibility impairment and their recommendations on development of reasonable progress goals (RPGs).

MANE-VU will conduct webinars specifically for additional FLM consultation early enough in the SIP planning process, or at least 120 days before public hearings or other public comment opportunities, to address their input. A briefing document will be provided to the FLMs prior to the last webinar reviewing the technical and policy progress to date. This recommendation is in addition to consultation that includes the FLMs during intra-PRO consultation. The FLMs will be invited to attend the intra- and inter-RPO consultations among states. In addition, a consultation webinar with the FLMs will be held prior to the in-person consultation at the May 2017 OTC/MANE-VU Air Directors meeting.

MANE-VU expects that all states and tribes included in the MANE-VU consultation process will provide a technical analysis in response to the MANE-VU Ask in their SIPs.

Documentation of consultation will take the form of formal minutes.

Consultation with EPA

Consultation with EPA will take place early and often through the MANE-VU Technical Support Committee. EPA will be invited to comment on MANE-VU analyses and compliance with the Regional Haze Rule throughout intra- and inter-RPO consultation phases.