

## **TESTIMONY OF BRUCE S. CARHART REPRESENTING THE MID-ATLANTIC/NORTHEAST VISIBILITY UNION (MANE-VU)**

### **U.S. Environmental Protection Agency Public Hearing on Proposed Best Available Retrofit Technology (BART) Guidelines Rule to Support the Federal Regional Haze Program**

**August 21, 2001  
Arlington, Virginia**

Good morning. My name is Bruce Carhart, and today I am representing the Mid-Atlantic/Northeast Visibility Union, also known as MANE-VU. Thank you for the opportunity to come before you today.

MANE-VU was created on July 24 of this year by States and Tribes in the Mid-Atlantic/Northeast region of the United States, in cooperation with the Federal government. Eleven States, the District of Columbia, and two Tribes participate in MANE-VU. The purpose of MANE-VU is to analyze the nature of regional haze in our region, assess possible approaches to the problem, and to facilitate regional solutions so that States and Tribes can meet the requirements of the Federal regional haze rule.

MANE-VU commends EPA for releasing the proposed Best Available Retrofit Technology (BART) guidelines for comment. We believe that a strong set of national BART guidelines is necessary to support States and Tribes in their regional haze efforts, and releasing the proposal starts the process for getting the emission reductions we need. Having said that, we are concerned that the proposed guidelines are incomplete in terms of what is needed to take this first major step for meeting our regional haze goals. A more comprehensive approach would also maximize the additional environmental benefits associated with emission reductions from BART sources. I'd like to address three main points in this regard.

First, we need to look at what is possible for implementation of technology roughly ten years or more from now. Recent studies have shown that current control technology is already available that can produce a 95% reduction in emissions of sulfur dioxide (SO<sub>2</sub>). EPA's original draft proposal in January endorsed a "top-down" approach for technology assessment, and we strongly concur with this approach. We believe that the highest limit that EPA has proposed, 95%, is most appropriate given the availability of technology and the substantial amount of time available for implementation. We do not support the alternative approach in the proposal. EPA should also ensure that the top-down approach accounts for the potential future development of new control technology.

Second, we also believe that there should be a presumptive emissions reduction requirement for nitrogen oxides (NO<sub>x</sub>) emissions. There is substantial evidence that both NO<sub>x</sub> and SO<sub>2</sub> contribute to our visibility problems. EPA's proposal addresses only SO<sub>2</sub>. We believe that both pollutants should be addressed in this guideline, and that assessment of available technology for NO<sub>x</sub> control supports a 90% requirement, at a minimum. It should be noted that our comments on a "top-down" approach for SO<sub>2</sub> apply for NO<sub>x</sub> as well.

Third, we believe that EPA should do a more complete job of defining terms and providing guidelines for BART source assessments. A number of important concepts are left ambiguous in the proposal, and it is important that loopholes not be inadvertently introduced into this guideline. For example, though the proposal indicates that cost of compliance, energy impacts, and non-air quality environmental impacts should be assessed, no criteria are provided for such questions as:

- What costs are unreasonable?
- What energy impact is unreasonable?
- What non-air quality environmental impacts are to be considered a problem, and at what level?

We believe that there should be a high threshold for considering such impacts. We also believe that the broad range of beneficial environmental impacts of emissions reductions should be considered, such as reductions in acid and nutrient deposition, ground-level ozone, and fine particles.

In summary, we are pleased that EPA has initiated this proposed rulemaking, but we believe some improvements need to be made. Thank you again for the opportunity to come before you today. MANE-VU will be submitting detailed comments for the record by the September 18 deadline. I would be glad to take any questions.