



- Connecticut
- Delaware
- District of Columbia
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- Pennsylvania
- Penobscot Nation
- Rhode Island
- St. Regis Mohawk Tribe
- Vermont

### Statement of the Mid-Atlantic/Northeast Visibility Union on the Inclusion of an Extraneous Grid Reliability Factor in Regional Haze Planning

The Mid-Atlantic/Northeast Visibility Union (MANEVU) was formed in 2001 by the Mid-Atlantic and Northeastern states, the District of Columbia, Tribes, and federal agencies to foster a coordinated approach to improve visibility at national parks and wilderness areas in the Northeast and Mid-Atlantic Region. In furtherance of this goal, and in keeping with federal law, all states, including those in MANEVU, are required to submit periodic state implementation plans (SIPs) outlining the measures they will take to ensure reasonable progress in visibility improvement at mandatory federal Class I areas such as national parks and wilderness areas.

On February 19, 2026, the U.S. Environmental Protection Agency (EPA) issued a two-page guidance memorandum outlining non-binding guidance encouraging states to consider potential impacts on electric grid reliability when determining the emission reduction measures that are necessary to make reasonable progress in regional haze SIPs.<sup>1</sup> This new guidance greatly expands the scope of the third factor under the four-factor reasonable progress determination of CAA section 169A(g)(1). It has always been MANEVU’s understanding that Congress intended the ‘energy and non-air quality factor’ (the ‘third factor’) to focus on the energy burden that would be borne by a source to operate potential emissions controls that may be incorporated into a state’s long-term strategy. The new guidance would expand the third factor into a broader consideration of the “impacts on the electrical grid and grid reliability.” The EPA has previously acknowledged that the third factor focuses solely on direct energy consumption at a facility due to operation of potential emissions controls.<sup>2</sup> The EPA has now expanded the third factor into a broader assessment of a state’s electric grid reliability and generation planning choices.

Although grid reliability and stability is important to MANEVU member organizations, the EPA’s assertions about grid reliability considerations in

#### MANEVU Class I Areas

- Acadia National Park  
Maine
- Brigantine Wilderness  
New Jersey
- Great Gulf Wilderness  
New Hampshire
- Lye Brook Wilderness  
Vermont
- Moosehorn Wilderness  
Maine
- Presidential Range  
Dry River Wilderness  
New Hampshire
- Roosevelt Campobello  
International Park  
Maine/New Brunswick,  
Canada

<sup>1</sup> U.S. EPA Memorandum from Assistant Administrator Aaron Szabo to Regional Administrators, Regions 1-10, “Update to Guidance on Regional Haze State Implementation Plans for the Second Implementation Period,” (February 19, 2026, at [https://www.epa.gov/system/files/documents/2026-02/guidance\\_signed\\_regionalhazeguidance\\_20260210.pdf](https://www.epa.gov/system/files/documents/2026-02/guidance_signed_regionalhazeguidance_20260210.pdf) (accessed February 25, 2026).

<sup>2</sup> 91 Fed. Reg. at 7218, “[T]he EPA’s 2019 Guidance provided a limited scope of considerations generally involved under the ‘energy and non-air quality factor,’ which did not include grid reliability.”

regional haze SIPs are without foundation and reach into state electricity generation resource planning where the EPA has no statutory authority. Electricity generation choices and grid reliability planning are long-standing responsibilities most typically under the purview of Federal Energy Regulatory Commission (FERC), North American Electric Reliability Corporation (NERC), independent system operators that run wholesale electricity markets and coordinate power flows, state utility commissions, and similar planning bodies outside of state air agencies. To the extent that regional haze SIPs include enforceable requirements for EGU retirements, it is important to understand that these retirements result from decisions made and outcomes of these other federal and regional grid planning and reliability processes, which are outside the purview of state air regulators, as well as conditions in wholesale power markets. States do not use regional haze SIPs to force the closure of EGUs, but states may include already planned EGU closures in their regional haze SIPs to take credit for the resulting emissions reductions.

MANEVU disagrees with the EPA's assertions that electric grid reliability should be considered in states' regional haze SIPs and that the EPA has authority to include that consideration in the third factor of a four-factor reasonable progress determination.

**Adopted by MANEVU June 3, 2026**

Note: This statement is of the MANEVU state and DC members only and does not necessarily reflect endorsement by the MANEVU Tribal and federal partners.