

FRAMEWORK FOR THE STATES IN THE CAIR REGION TO DEVELOP A MULTI-POLLUTANT STRATEGY TO ACHIEVE THE PUBLIC HEALTH GOALS OF THE OZONE AND PARTICULATE MATTER (PM_{2.5}) STANDARDS

The undersigned states identified below commit to expeditiously undertake air quality modeling to support recommendations regarding a multi-pollutant strategy to obtain the public health benefits associated with the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM) by: (1) achieving levels of nitrogen oxides (NOx) and sulfur dioxide (SO₂) reductions from the EGU sector in the 28-state Clean Air Interstate Rule (CAIR) region that will satisfy the requirements of the Clean Air Act to attain the 1997 ozone and 1997 and 2006 PM 2.5 NAAQS; and (2) pursuing the development of a long-term multi-pollutant strategy (beyond 2010) to achieve additional reductions that address both the transport requirements under Section 110 (a)(2)(D) of the Clean Air Act and attainment and maintenance of the new ozone and PM NAAQS.

Short term strategies and recommendations

In the short term (approximately three months) the states will assemble data, perform modeling and develop strategies that are intended to achieve the 1997 ozone and the 1997 and 2006 PM 2.5 NAAQS and to assist EPA in designing an interstate air pollution transport program in response to the U.S. Court of Appeal's decision to remand the CAIR rule. Such efforts will include the following:

- Identification of the ozone season NOx reductions from EGUs that are needed for each state to demonstrate attainment with the 1997 ozone standard when combined with reductions from other sectors; and to satisfy each state's obligation under section 110(a)(2)(D); and
- Identification of the NOx and SO₂ reductions from EGUs that are needed for each state to demonstrate attainment with the 1997 and 2006 PM_{2.5} standards when combined with reductions from other sectors; and to satisfy each state's obligation under section 110(a)(2)(D).

The states anticipate offering recommendations regarding the use of interstate trading in the interstate air pollution transport program developed by EPA in response to the CAIR remand, subject to the following key conditions:

- Any interstate trading mechanisms that are developed must be justified through legal and air quality modeling analyses to ensure and demonstrate compliance with section 110(a)(2)(D);

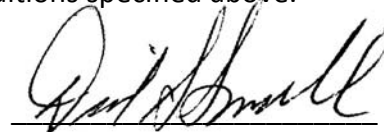
- Appropriate geographic coverage and, as necessary, any geographic limitation, will be addressed; and
- An intrastate remedy that satisfies section 110(a)(2)(D) will be specified as a back-up for each state that takes part in the interstate trading.

The states will endeavor to finalize the short term strategies and recommendations by April 30, 2009.


Long term strategy


The states will contemporaneously work together to develop a long-term multi-pollutant strategy (beyond 2010) to identify air quality impacts from various source sectors to achieve emission reductions necessary for every state to meet the 2008 ozone and 2006 PM 2.5 NAAQS (to the extent not addressed in the short term strategies and recommendations), and may incorporate emissions trading, and/or performance standards, as appropriate, in keeping with the conditions specified above.


Connecticut

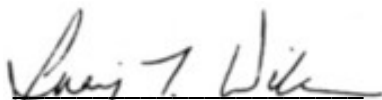

Delaware

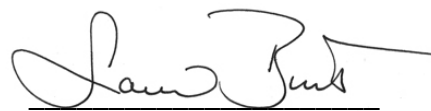

District of Columbia



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Maine


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Massachusetts


Michigan


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New Jersey

J. J. ...
New York

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Ohio

Thomas K. Fidler
Pennsylvania

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