CAA Section 184(c) Petition Process

August 8, 2019
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Background

- On May 30, 2019, Maryland petitioned the OTC under CAA Section 184(c).

- The petition asks the OTC to consider developing additional control measures within part of the OTR, specifically the potential need for daily limits at coal-fired EGUs in Pennsylvania, as necessary to bring areas in the OTR into attainment by the dates mandated by the CAA.

- The Maryland petition may be viewed at https://mde.maryland.gov/programs/Air/Pages/index.aspx
CAA Section 184(c) Summary

• Upon petition of any State within the OTR, and with a majority vote of the Governors, OTC will develop recommendations for additional control measures to be applied in all/part of the OTR if needed to bring region into attainment. Recommendations submitted to EPA Administrator.

• Notice and hearing requirements on recommendations by OTC and EPA.

• EPA shall:
  – Immediately initiate review and approve/disapprove within 9 months.
  – Disapproval requires EPA to recommend equal or more effective actions.
  – Administrator then issues finding that all approved measures be included in the applicable SIPs within 1 year.
On June 26th the OTC voted to proceed with the initial steps associated with CAA Section 184(c) petition process including:

- Analyzing recent EGU operations in Pennsylvania.
- Soliciting public comment on:
  1. whether the OTC should develop additional control measures for Pennsylvania, and if so,
  2. how those specific control measures should be structured.
How Does CAA Section 184C Work?

**Step 1** - A State Petitions OTC to Develop a Recommendation

**Step 2** - OTC Votes on State Petition

- Process ends
  - No Majority
  - Majority Approves ... Move to Step 3

**Step 3** - OTC Provides Notice and Opportunity for Public Comment

**Step 4** - Needed by One or More OTC States?

- No
  - Process ends
- Yes
  - Move to Step 5

**Step 5** - OTC Develops Draft Recommendation

**Step 6** - OTC Provides Notice and Opportunity for Public Comment

**Step 7** - OTC Votes to Forward Recommendation to EPA for Action

- Majority Approves ... Move to Step 8
- No Majority
  - Process ends

**Step 8** - Forward to EPA for Their Consideration and Potential Action

STEPS through June 26

Notice July 17, 2019
Public Hearing August 16, 2019
Steps for later
Public Notice and Comment Period

Comments: Submit by 5:00 p.m. on August 16, 2019
Email comments to ozone@otcair.org.

Public hearing: The OTC will hold a public hearing on:
August 16, 2019
9:00 a.m. to 5:00 p.m.
EPA Region III, Public Information Center,
1650 Arch Street, Philadelphia, Pennsylvania
Questions?