



August 10, 2016

U.S. Environmental Protection Agency
EPA Docket Center (EPA/DC)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20760

Docket ID No. EPA-HQ-OAR-2015-0531

The Western States Air Resources (WESTAR) Council, an association of 15 western state air quality agencies, is pleased to comment on the proposal: *Protection of Visibility: Amendments to Requirements for State Plans*. We will be commenting separately on the associated *Draft Guidance on Progress Tracking Metrics, Long-term Strategies, Reasonable Progress Goals and Other Requirements for Regional Haze State Implementation Plans for the Second Implementation Period*. WESTAR has previously commented extensively to EPA and provided specific recommendations to improve the regional haze program. In our previous comments, we focused on several core issues.¹ The attachment represents WESTAR's detailed comments on the proposed rule revisions. This letter highlights some of the specific recommendations in the attachment.

The Regional Haze Rule proposal is particularly significant to western state air quality agencies because 118 of the 156 Class 1 federal areas in the United States are located in the WESTAR member states. We are proud of these national treasures and their spectacular views that are best appreciated with good visibility. They provide citizens throughout the nation the opportunity to enjoy their great beauty and recreational opportunities. They are also a source of employment and an integral component of local economies across the west.

Much of the visibility protection framework in the regional haze rule was formulated in the west by the Grand Canyon Visibility Transport Commission. A companion organization, the Western Regional Air Partnership (WRAP) was formed in 1997 to verify the causes of western haze to help states meet their Clean Air Act obligations. This multi-stakeholder organization, comprised of WESTAR member states in addition to tribes, federal land managers, EPA, and local air quality regulators, worked together to prepare the necessary regional analyses and strategies to reduce haze, as described in the initial Regional Haze State Implementation Plans (SIPS). Continued federal financial support for the WRAP will be essential for the upcoming SIP revisions, as the complex technical analyses necessary to meet the regional haze rule requirements are beyond the capability of many individual WESTAR states.

In the Clean Air Act “Congress ... declares as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I federal areas which impairment results from manmade air pollution.” This provision of the Clean Air Act should be recognized for what it is: A goal to strive toward. As we have learned from data analysis and research, the 1999 Regional Haze Rule goal of attaining “Natural Conditions” at Class 1 areas by 2064 is not universally achievable in that time frame. The concept of continuous visibility improvement within the rule framework acknowledges that considerable improvement can be achieved by that date, but also allows for adapting the framework as we learn more about the causes of visibility impairment and the means to reduce it over time.

We support EPA’s response to several important recommendations made by WESTAR based on the western experience in identifying the causes of haze, both natural and anthropogenic. Accounting for reductions in manmade visibility impairment is critical in the west, because much of the haze observed at Class 1 areas on the haziest days is from natural sources. We have learned that western states can utilize many feasible and reasonable measures over time to make significant reductions in manmade pollution under state and federal control, but we are still challenged by visibility impairment from transported international pollution and natural sources of haze such as wildfires, dust storms, and volcanic activity, which can overwhelm the benefits achieved by local, state, and federal controls that reduce anthropogenic emissions on the haziest days. Western states are concerned that our achievements in reducing controllable man-made pollution can not be recognized using the 1999 rule construct, without revisions to the rule framework.

Accounting for reductions in anthropogenic visibility impairment should be the focus of the regional haze rule, and the proposed rule revisions moves in the right direction. WESTAR cautions that applying controls to reduce anthropogenic emissions must be linked to reducing visibility impairment at the Class I areas. We believe the rule should supplement the statutory four-factor analysis of controls with a demonstration that visibility improvement will result from the controls. WESTAR also remains concerned that the proposed revisions to the metric for characterizing visibility

improvement may be flawed. We will provide further comment on these concerns in our comments on the guidance.

We support EPA's response to several important recommendations made by WESTAR regarding the planning process of the Regional Haze Program. The Clean Air Act directs federal and state governments to reduce manmade pollution, so it is essential that visibility protection planning incorporate the multifaceted elements of pollution control in the U.S. It has long been recognized that the better we integrate planning to take account of federal control measures, the more efficient our regulatory development processes will be. Allowing states additional time to prepare the next Regional Haze State Implementation Plan (RH SIP) enables a full accounting of planned reductions from federal mobile source controls; the Mercury and Air Toxics Standards; the 2010 1-hour NO₂ and SO₂ NAAQS; the 2012 PM_{2.5} NAAQS; and the 2015 Ozone NAAQS. Extending the deadline for the upcoming RH SIP does not alter the fact that the 2028 deadline for achieving measurable emission reductions to improve visibility remains in place. We also strongly support the reduction in administrative burden EPA proposes for the interim Progress Reports due in the middle of the 10-year planning period.

WESTAR also believes that the Reasonably Attributable Visibility Impairment (RAVI) provisions can be eliminated because they have been supplanted by the remaining provisions of the Regional Haze Program. WESTAR analyzed the original "reasonably attributable" visibility program² and found it to be largely unworkable. All control strategy decisions can and should be incorporated into the RH SIP through the long-term strategy development process, not a separate RAVI process. This recommendation would be bolstered by earlier consultation with the Federal Land Managers in the preparation of Regional Haze SIP revisions.

While WESTAR supports this rulemaking for the reasons noted above, we intend to provide further comment on the guidance, including the metrics for determining natural conditions, establishing reasonable progress goals, tracking progress, and establishing long-term strategies. The rule and guidance need to be understood together to fully appreciate the impact of the rule on future efforts to improve visibility in the west. Our preliminary review of the Guidance and Technical Support documents indicate that additional time will be needed in order to provide a thorough and thoughtful response from WESTAR on the comprehensive changes proposed.

Finally, one important concern that relates to the rulemaking is the means to implement the program. As you know, the western states through WESTAR and its technical arm, WRAP, constitute the western Regional Planning Organization (RPO) for the regional haze program. The WESTAR-WRAP function has been the technical support for inventory coordination, planning tasks, and regional modeling for the western states. Continued federal funding of these activities is critical to a successful national program for improving visibility.

Thank you once again for this opportunity to comment, and for listening to western state concerns and suggestions to improve visibility in the west. We look forward to providing comments on the draft guidance that will form the basis for how the goals of the regional haze program will be implemented. Please do not hesitate to contact WESTAR Executive Director Mary Uhl, if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Terry O'Clair".

Terry O'Clair
President, WESTAR Council

Attachment

¹ Core Issues, WESTAR Regional Haze Work Group, May 17, 2013.

² RA BART and RA BART-like Case Studies. WESTAR Council. June, 2001.