

SECTION 1: INTRODUCTION

1.1 Background

On March 10, 2005, EPA announced CAIR, a rule that will achieve reduction in air pollution by regulating SO₂ and NO_x emissions from 28 states and the District of Columbia (70 FR 25162). Studies have shown that the transport of fine particulate matter (PM_{2.5}) in downwind states contribute to PM_{2.5} levels in other localities. Additionally, these same studies have shown that area NO_x emissions in 25 eastern states and the District of Columbia contribute to levels of ozone in other downwind states with 8-hour ozone nonattainment areas.

On April 28, 2006, EPA promulgated a FIP for CAIR (71 FR 25328), which was implemented to achieve attainment of air quality standards when a state is unable to develop a sufficient plan by the CAIR SIPs deadline. The CAIR FIP trading programs are integrated with the EPA-administered state CAIR trading programs so that sources in states governed by the federal or state programs can trade with one another under the emission caps. 40 CFR Sections 51.123(p) for the Annual NO_x program and 51.123(ee) for the Ozone Season NO_x program provides states with an option to submit abbreviated SIPs to meet CAIR requirements. Under this option, states can save time and resources needed to develop a complete trading program SIP, while still being able to make key decisions, such as the methodology for allocating annual and/or ozone season NO_x allowances.

Although Louisiana is in attainment with the current National Ambient Air Quality Standard (NAAQS) for PM_{2.5}, EPA CAIR program modeling results indicate that Louisiana contributes to fine particle pollution in Alabama and to ground-level ozone pollution in Texas. Based on these modeling results, Louisiana is required to comply with the CAIR Annual SO₂, Annual NO_x and Ozone Season NO_x provisions. Modeling for the year 2015 indicates that controls implemented by Louisiana sources under CAIR will reduce emissions of SO₂ by 41%, and reduce emissions of NO_x by 57%.

To determine the impact of CAIR implementation on Louisiana electricity ratepayers, LDEQ requested assistance from the Louisiana Public Service Commission (LPSC). Pursuant to this request, the LPSC contracted the service of the Louisiana State University Center for Energy Studies (LSUCES). Recommendations concerning the implementation of CAIR in Louisiana were provided to LDEQ from the LPSC in a staff paper and supplement.

On May 20, 2007, LDEQ proposed the CAIR NO_x Trading Programs rule AQ285, to define the state's method for allocating NO_x allowances to EGUs subject to CAIR under the Annual NO_x and Ozone Season NO_x Trading Programs. Following the public notice and comment period, the final rule was published in the Louisiana Register on August 20, 2007, and was effective upon publication (See Appendix B).

AQ261, the previously proposed CAIR NOx allocation rule, was withdrawn due to extensive rewrite of terms used in the rule and was replaced by the current rule, AQ285. The abbreviated SIP revision associated with AQ261, which was proposed in February 2007 and transmitted to EPA by letter dated February 19, 2007, was replaced by the abbreviated SIP revision associated with AQ285 proposed on May 20, 2007 and which is final with this submittal.

1.2 CAAA Section 110(a)(2)(D)(i) Requirements

The “good neighbor” provisions in section 110(a)(2)(D)(i) of the CAAA contain requirements related to the impacts of interstate transport. *States must prohibit...any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will –*

- (1) *contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any...national primary or secondary air quality standard, or*
- (2) *interfere with measures required to be included in the applicable implementation plan for any other State...to prevent significant deterioration of air quality or to protect visibility.*

According to EPA’s “Guidance for State Implementation Plan Submission to Meet Current Outstanding Obligations Under Section 110(a)(2)(D)(i) for the 8-Hour Ozone and PM_{2.5} National Ambient Air Quality Standards,” dated August 15, 2006, Louisiana satisfies its obligation to address “significant contribution to nonattainment” and “interference with maintenance” through its implementation of CAIR.

To fulfill the obligation to “prevent significant deterioration of air quality” for ozone, Louisiana confirms that major sources are subject to the approved Prevention of Significant Deterioration (PSD) and New Source Review (NSR) programs that implement the ozone standard. LDEQ promulgated a revision to the Louisiana Administrative Code (LR 32: 871) on May 20, 2006 to address requirements of the Phase II Ozone Rule. The rule is included in the 2006 General SIP revision proposed April 20, 2007. For PM_{2.5}, Louisiana confirms that major sources are subject to the approved PSD and NSR programs implemented in accordance with EPA’s interim guidance which allows the use of PM₁₀ as a surrogate for PM_{2.5} in the PSD and NSR programs.

Finally, Louisiana will submit a regional haze SIP by December 17, 2007 to satisfy its obligation to “protect visibility” under section 110(a)(2)(D)(i) of the CAAA..

1.3 Public Notice

In accordance with La. R.S. 49:950 et seq., and to comply with 40 CFR 51.285 Public Notification, the LDEQ published in the *Louisiana Register* on May 20, 2007, a notice seeking comment on this SIP revision. A public hearing concerning this proposed SIP revision was held at 1:30 p.m. on June 26, 2007, in the Galvez Building, Oliver

Pollock Room C111, at 602 N. Fifth Street, Baton Rouge, Louisiana. Interested parties were invited to submit written or oral comments on the proposal at that time. The comment period closed at 4:30 p.m. on July 3, 2007. A copy of the notices, hearing transcript, comments, and comment summary and responses to comments are included in Appendix A.