

# Arkansas Department of Environmental Quality State Implementation Plan Development Status

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This chart provides information as to the status of state implementation plans and state plans under development in the Office of Air Quality Planning Branch at the Arkansas Department of Environmental Quality. The chart is a living document which is subject to change and frequent updates. The chart was last updated on June 8, 2016.

## Acronyms and Abbreviations:

ADEQ	Arkansas Department of Environmental Quality	GHG	Greenhouse Gas
APC&EC	Arkansas Pollution Control & Ecology Commission	i-SIP	Infrastructure State Implementation Plan
APSC or PSC	Arkansas Public Service Commission	NAAQS	National Ambient Air Quality Standard
CAA	Clean Air Act	NO <sub>2</sub>	Nitrogen Dioxide
CAIR	Clean Air Interstate Rule	NOI	Notice of Intent
CenSARA	Central States Air Resource Agencies	NSR	New Source Review
CFR	Code of Federal Regulations	PM <sub>2.5</sub>	Particulate Matter with an Aerodynamic Diameter Less Than 2.5 µm
CSAPR	Cross-State Air Pollution Rule	PSD	Prevention of Significant Deterioration
DO	Arkansas Department of Environmental Quality Director's Office	RH	Regional Haze
ERG	Eastern Research Group	RTC	Response to Comment
EI	Emission Inventory	SIP	State Implementation Plan
EPA	Environmental Protection Agency	SO <sub>2</sub>	Sulfur Dioxide
FFS	Finding of Failure to Submit	SSM	Startup, Shutdown, and Malfunction
FIP	Federal Implementation Plan		

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SIP	Description	Completed Actions	Current Status	Next Steps	FIP Clock (Y/N)
Infrastructure SIPs / "NAAQS SIP"	<p>Submit to EPA the following NAAQS infrastructure SIPs (some past due date):</p> <p><b>2006 PM<sub>2.5</sub> NAAQS</b> Resubmission of CAA §110(a)(2)(C), (D)(i-ii), and (J) elements deadline 9/21/2009</p> <p><b>2008 Ozone NAAQS</b> deadline: 03/12/11</p> <p><b>2008 Lead NAAQS</b> Resubmission Deadline: 10/15/2011</p> <p><b>2010 NO<sub>2</sub> NAAQS</b> deadline: 01/22/13</p> <p><b>2010 SO<sub>2</sub> NAAQS</b> deadline: 06/02/13</p> <p><b>2012 PM<sub>2.5</sub> NAAQS</b> deadline: 12/14/15</p> <p>"NAAQS SIP" elements outlined in Act 1302 of 2013 must be submitted concurrently with</p>	<p>8/22/14 – APC&amp;EC adoption of updated NAAQS through 2010 standards for PSD sources only</p> <p>12/05/2014 – APC&amp;EC initiated proposed rulemaking to incorporate updated NAAQS through 2012</p> <p>1/12/16 – Public Hearing held and public comment period extended to 2/17/15</p> <p>RTCs for proposed rulemaking completed. Proposed rules submitted for Governor approval.</p> <p>Rules adopted by APCE&amp;EC February 26, 2016 Commission meeting review. Effective date for this rulemaking is March 14, 2016</p>	I-SIP/NAAQS SIP routing	Infrastructure SIP/NAAQS SIP proposal and public comment	<p>FIP Clock status: <b>2006 PM<sub>2.5</sub> – Y</b> 8/20/2012 – Partial Disapproval (77 FR 50033) – 24-month deadline for EPA to issue a FIP – from effective date. <b>FIP clock expired 8/19/2014, but no FIP has been promulgated.</b></p> <p><b>2008 Ozone – Y</b> 01/15/13 - EPA Final Rule finding of failure published (78 FR 2882) – <b>24-month deadline for EPA to issue a FIP – from effective date: 02/14/15</b></p> <p><b>2008 Lead – N</b></p> <p><b>2010 SO<sub>2</sub> – (Not yet)</b> 02/10/14 – Sierra Club NOI – AR included – EPA to publish finding of failure to submit. (FIP Clock expires 24</p>

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	<p>infrastructure SIP per Arkansas statute.</p> <p>Information and materials related to NAAQS SIP Development can be found on the ADEQ website:  <a href="https://www.adeq.state.ar.us/air/planning/naaqs_sip/">https://www.adeq.state.ar.us/air/planning/naaqs_sip/</a></p>				<p>months after effective date of final rule.)</p> <p><b>2010 NO<sub>2</sub> – Y</b>                      11/24/14 – EPA Final Rule FFS published (79 FR 69769). (FIP Clock expires: <b>11/24/16</b>)</p> <p><b>2012 PM<sub>2.5</sub> - N</b></p>
<b>Regional Haze SIP</b>	<p>03/12/12 - EPA Final Rule - partially approving and partially disapproving AR 2008 RH SIP:  <a href="http://www.gpo.gov/fdsys/pkg/FR-2012-03-12/pdf/2012-4493.pdf">http://www.gpo.gov/fdsys/pkg/FR-2012-03-12/pdf/2012-4493.pdf</a></p> <p>Rulemaking needed at Reg. 19, Ch. 15 – to address portions EPA disapproved.</p>	<p>ADEQ submitted comments on EPA’s proposed FIP.</p>	<p>ADEQ working on updating RH rulemaking to address the disapproved portions of the RH SIP.</p> <p>ADEQ is in the process of developing a consent agreement order with Domtar with respect to BART limits and will submit a partial SIP revision.</p>	<p>ADEQ anticipates developing a revision to the RH SIP, after Reg. 19 is adopted with revisions to the RH chapter, and submitting to EPA along with the request to withdraw the proposed RH FIP.</p> <p>ADEQ anticipates proposal of partial SIP based on Domtar consent agreement during Summer of 2016.</p>	<p>Y</p> <p>04/11/14 - FIP clock expired.</p> <p>8/8/14 – Sierra Club files a complaint to compel EPA to issue a FIP</p> <p>4/8/15 – EPA Proposed Rule to promulgate a FIP in AR – 80 FR 18944  <a href="http://www.gpo.gov/fdsys/pkg/FR-2015-04-08/pdf/2015-06726.pdf">http://www.gpo.gov/fdsys/pkg/FR-2015-04-08/pdf/2015-06726.pdf</a></p> <p>6/11/15 Arkansas</p>

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					<p>files to intervene in Sierra Club v. EPA case which was granted on 10/24/15.</p> <p>4/4/16 – EPA Proposed Rule to Promulgate FIP – Reopening of Comment Period – strictly to comment on a spreadsheet inadvertently omitted by EPA from the docket containing the actual calculations of their revised RPGs. (81 FR 19097, April 4, 2016).</p> <p>8/31/16 – Court-ordered deadline for finalization of FIP</p>
<b>SSM SIP-Call</b>	Addresses affirmative defense for emissions during startup, shutdown, and malfunction events. Rulemaking find Reg. 19.602 substantially inadequate to meet CAA requirements	4/29/2016 – APC&EC initiated proposed rulemaking to revise 19.602 and 19.1004(H)	The public hearing on the proposed rule was conducted on June 6, 2016. The public comment period will close on June 20, 2016.	<p>Response to comments on proposed rulemaking</p> <p>Legislative review of proposed rulemaking</p> <p>After APC&amp;EC approves rulemaking,</p>	<p>N(ot yet)</p> <p>Final Rule June 12, 2015 - SIP-call established an 18 month (from promulgation of the final rule) SIP revision timeframe.</p>

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	and the EPA is thus proposing to issue a SIP call with respect to this provision. Reg. 19.1004(H) also requires revision.			ADEQ will prepare SIP.	80 FR 33840 Published 06/12/15 <a href="http://www.gpo.gov/fdsys/pkg/FR-2015-06-12/pdf/2015-12905.pdf">http://www.gpo.gov/fdsys/pkg/FR-2015-06-12/pdf/2015-12905.pdf</a>  Corrective SIP revision due <b>11/22/16</b> .
<b>CAIR Repeal</b>	Repeal CAIR provisions in Reg. 19 Ch. 14.	<b>October 23, 2014</b> - The U.S. Court of Appeals for the D.C. Circuit <u>ordered</u> that EPA's motion to <u>lift the stay</u> of the CSAPR be granted.  4/29/2016 – APC&EC initiated proposed rulemaking to repeal Reg. 19 Chapter 14	Public hearing was conducted on June 6, 2016. The public comment period will close on June 20, 2016.	Response to comments on proposed rulemaking  Legislative review of proposed rulemaking  After APC&EC approves rulemaking, ADEQ will prepare the SIP.	FIP in effect under CSAPR <a href="http://www.gpo.gov/fdsys/pkg/FR-2011-08-08/pdf/2011-17600.pdf">http://www.gpo.gov/fdsys/pkg/FR-2011-08-08/pdf/2011-17600.pdf</a>
<b>MegaReg</b>	Combine Regs 18, 19, 26 and 31. Working with ERG and CenSARA to develop draft rulemaking and SIP.	ERG Tasks 1, 2, and 3 complete	Feedback developed for Strawman draft of the streamlined regulation. Feedback is undergoing internal review-	Work in progress – ERG to send ADEQ additional chapters of the Strawman Draft based on ADEQ	N

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				<p>feedback.</p> <p>MegaRule rulemaking anticipated early 2017.</p> <p>SIPs will be developed once rulemaking adopted by APC&amp;EC.</p>	
<b>111(d) Plan – Clean Power Plan</b>	<p>Technically not a SIP, but very similar.</p> <p>06/02/14 - EPA proposed under CAA section 111(d) - Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.</p> <p>August 3, 2015 Final Rule Signed and model rules proposed</p> <p>09/6/16 – States Plans due (or initial submittal with extension request)</p> <p>06/30/18 – State Plans due if received extension</p> <p>Feb 9, 2016: The U.S.</p>	<p>11/26/14 - ADEQ jointly with APSC submitted Comments through Regulations website and a hardcopy submitted as well.</p> <p>EPA finalized the rulemaking. ADEQ met with stakeholders to discuss the final rule on Oct.9, 2015.</p> <p>10/09/15 - ADEQ and PSC hosted a Stakeholder (SH) meeting after the Rule was published in the F.R.</p>	<p>Rule is stayed pending resolution of litigation</p> <p>ADEQ and APSC continuing to follow modeling efforts by the private sector of potential future energy and environmental policy scenarios.</p> <p>Past meetings' agenda and any relevant information will be posted on the ADEQ website (<a href="https://www.adeg.state.ar.us/air/planning/cpp/">https://www.adeg.state.ar.us/air/planning/cpp/</a>)</p>	<p>ADEQ and APSC to have a technical session on energy sector modeling later in 2016</p>	N

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	<p>Supreme Court has issued an order staying EPA's Clean Power Plan (CPP). Therefore the 9/6/16 deadline for initial submittal is not in effect.</p> <p>For more information, please visit <a href="https://www.adeg.state.ar.us/air/planning/cpp/">https://www.adeg.state.ar.us/air/planning/cpp/</a> or subscribe to the Clean Power Plan Workgroup Email list: <a href="https://www.adeg.state.ar.us/poa/pi/emaillist_subscribe.aspx?ml=111d_emaillist&amp;title=Clean+Power+Plan+Workgroup">https://www.adeg.state.ar.us/poa/pi/emaillist_subscribe.aspx?ml=111d_emaillist&amp;title=Clean+Power+Plan+Workgroup</a></p>	<p>November – December 2015– ADEQ hosted a series of conference calls with SHs to discuss EPA's proposed Federal Plan and Model Rules.</p> <p>1/5/2016 – ADEQ and APSC hosted a stakeholder meeting to discuss the proposed Federal Plan and Model Rules</p> <p>ADEQ and APSC submitted comments on proposed model rules and federal plan.</p> <p>ADEQ and APSC sent an email to stakeholders following the Court Order on Feb. 12, 2016 to inform about the stay and how these agencies are considering some questions to assess</p>			

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		<p>the most appropriate direction for Arkansas.</p> <p>March 2016 stakeholders' meeting cancelled due to stay.</p>			
<b>GHG Tailoring Rule</b>	<p>Reg. 19, Ch 2 4, and 9 and Reg. 26, Ch 2. 3, and 10 ADEQ to review and possibly revise the SIP in light of the UARG case. Not pressing at this time due to rescission clause that is in the Reg.</p>	<p>EPA finalized the rule to vacate portions of GHG tailoring rule step 2.</p>	<p>Initiation packet to remove GHG tailoring rule provisions from Regulations 19 and 26 currently routing.</p>	<p>ADEQ anticipates initiating rulemaking in July 2016.</p>	<p>N</p>