

# Arkansas Regional Haze/Visibility Transport State Implementation Plan: U.S. Environmental Protection Agency Federal Notice Proposing Approval of Revisions



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The United States Environmental Protection Agency (“EPA”) published a March 16th Federal Register Notice proposing to approve a revision to the Arkansas State Implementation Plan (“SIP”) submitted by the State of Arkansas through the Arkansas Department of Energy and Environment – Division of Environmental Quality (“DEQ”) on August 13, 2019. See 85 Fed. Reg. 14847.

The Arkansas Clean Air Act submittal addressed:

- The Regional Haze Rule for visibility protection in mandatory Class I Federal areas for the first implementation period
- Proposed approval of an alternative measure to best available retrofit technology (BART) for sulfur dioxide, particulate matter, and nitrogen oxide at the Domtar Ashdown Mill (including elements of the SIP submittal that relate to the facility’s BART requirements)
- Proposal to approve the withdrawal from the SIP the previously approved PM10 BART limit and the federal implementation plan provisions for the previously referenced mill.
- Proposal to approval Arkansas’ interstate visibility transport provisions from the August 10, 2018, regional haze SIP submittal as supplemented by the visibility transport provisions in the October 4, 2019, interstate transport SIP submittal, which covers the following National Ambient Air Quality Standards:
  - 2006 24-hour fine particulate matter (PM2.5)
  - 2012 annual PM2.5
  - 2008 and 2015 eight-hour ozone
  - 2010 one-hour nitrogen dioxide
  - 2010 one-hour SO2

The Federal Regional Haze Program is driven by 169A of the Clean Air Act. Congress sought to address visibility in mandatory Class I areas in which an impairment results from manmade air pollution.

Section 169A requires that certain sources contributing to visibility impairment install BART. The states are responsible for determining the appropriate BART controls for certain stationary sources. EPA reviews the states’ SIP submissions for consistency with the relevant regulations.

In the event EPA determines that an SIP does not meet the Clean Air Act's requirements, the federal agency may itself make certain choices and impose a Federal Implementation Plan. Section 169A gives states substantial responsibility to determine appropriate BART controls and EPA may not disapprove reasonable state determinations that comply with the relevant statutory and regulatory requirements. A copy of the Federal Register Notice can be downloaded [here](#).