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Interstate Transport/Ozone: Arkansas Petitions Eighth Circuit Court of Appeals Challenging U.S. Environmental Protection Agency State Implementation Plan Disapproval

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As noted in a February 14th [post](#), the United States Environmental Protection Agency (“EPA”) issued a final rule disapproving State Implementation Plan (“SIP”) submissions for 19 states regarding interstate transport for the 2015 8-hour National Ambient Air Quality Standards.

Arkansas’s SIP is one of the states included in the disapproval.

Yesterday, Governor Sanders and Attorney General Griffin held a joint press conference stating that Arkansas had filed a Petition before the Eighth Circuit Court of Appeals challenging EPA’s disapproval of Arkansas’s SIP.

Attorney Griffin is quoted in the news release as stating:

The Biden administration rejected our thoughtful SIP without giving us the opportunity to revise it. Further, their decision to disapprove was based on the impact of Arkansas emissions on the metropolitan areas of Dallas-Fort Worth and Houston, a standard different than what we were originally told. The bottom line is this: the Biden administration wants to impose a one-size-fits-all federal implementation plan (“FIP”) instead of allowing the states the opportunity to tailor their own plans to their specific needs, balancing environmental regulation with economic growth. The one-size-fits-all approach will cost Arkansas jobs and significantly impact many of our industries, including energy, construction, steel production and manufacturing.

A copy of the news release can be downloaded [here](#).