

# Regional Haze: Arkansas Department of Environmental Quality Proposed State Implementation Plan Revision



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11/02/2017

The Arkansas Department of Environmental Quality (“ADEQ”) announced on October 31st proposed revisions to the State’s Regional Haze State Implementation Plan (“SIP”).

ADEQ states that the proposed revisions address elements of the regional haze program which include:

- Best Available Retrofit Technology (BART) Eligible Sources and Subject-to-BART Sources
- PM and SO2 BART Requirements for Arkansas Power Plants
- BART Compliance Dates
- Reasonable Progress Goals
- Long-Term Strategy

Regional Haze regulations are driven by Section 169A of the Clean Air Act. Congress sought to address visibility issues in mandatory Class I (“Class I”) federal areas in which impairment results from manmade air pollution. Class I federal areas include certain national wilderness areas and national parks.

Section 169A requires that certain sources contributing to the visibility impairment install best available retrofit technology. States must review all major stationary sources built between 1962 and 1967 to determine whether the source “emits any air pollutant which may be reasonably anticipated to cause to contribute any impairment or visibility in” any Class 1 area. The states are then responsible for determining the appropriate BART controls for each source.

EPA reviews the states’ State Implementation Plan (“SIP”) submissions for consistency in both the statute and regulations. If EPA determines that an SIP does not meet the Clean Air Act’s requirements, the federal agency may itself determine BART and impose an SIP. While Section 169A gives states substantial responsibility to determine appropriate BART controls, the federal agency may not disapprove reasonable state determinations that comply with the relevant statutory and regulatory requirements.

ADEQ will hold a public hearing on January 2, 2018 and accept written and electronic comments until 4:30 p.m. (central time) on January 2nd.

[A link to the ADEQ announcement can be found here.](#)