



**Department of the Environment**

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**Repeal COMAR 26.11.28 - Clean Air Interstate Rule**  
**Amend COMAR 26.11.01.01 – definition revision**  
**Amend COMAR 26.11.14.07 – text**

Air Quality Control Advisory Council

September 21, 2015



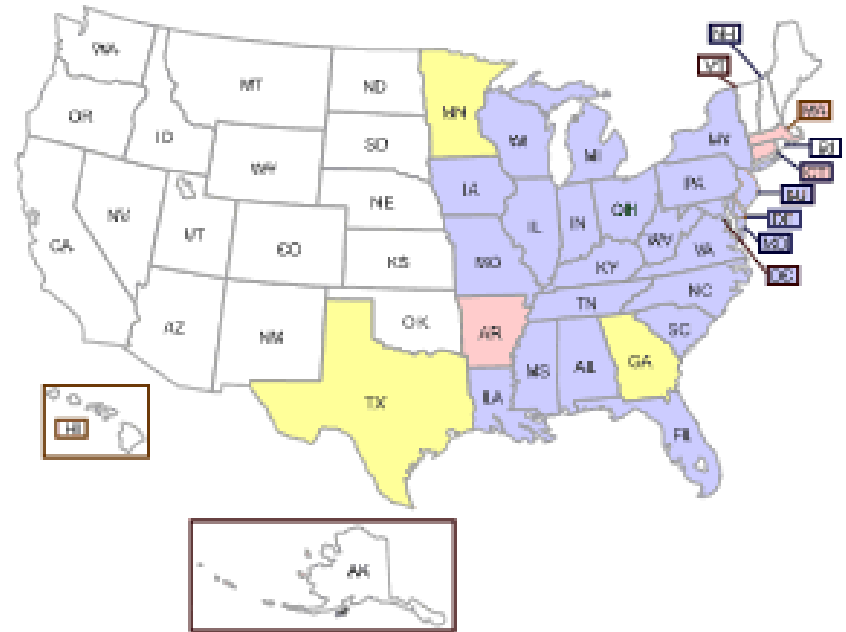
# Interstate Pollution Abatement

- Clean Air Act Section 126 prohibits states from transporting pollution that significantly affects the ability of another state to achieve compliance with federal clean air standard.
- EPA has developed several regulations to reduce interstate transport of pollutants especially NO<sub>x</sub> and SO<sub>2</sub>.
  - NO<sub>x</sub> SIP Call
  - CAIR
  - CSAPR
- Developed as cap and trade programs



# Interstate Pollution Abatement

- CAIR was important because addressed both NO<sub>x</sub> and SO<sub>2</sub>
- Provide reductions to lower concentrations of both ozone and PM<sub>2.5</sub>
- Unrestricted trading in CAIR did not provide reductions with geographic certainty
- Litigation
  - CAIR remanded to EPA
  - Superseded by CSAPR



# Interstate Transport Rules

## Clean Air Interstate Rule - CAIR

- Federal Program – Fossil fuel fired EGUs
- Present in COMAR 26.11.28
- Annual NO<sub>x</sub>, Ozone Season NO<sub>x</sub>, Annual SO<sub>2</sub>
- Expired December 31, 2014

## Healthy Air Act - HAA

- Maryland Program COMAR 26.11.27
- Coal fired EGUs
- Annual NO<sub>x</sub>, Ozone Season NO<sub>x</sub>, Annual SO<sub>2</sub>, Annual Mercury

## Cross State Air Pollution Rule - CSAPR

- Effective January 1, 2015
- Federal Program – Fossil fuel fired EGUs
- Annual NO<sub>x</sub>, Ozone Season NO<sub>x</sub>, Annual SO<sub>2</sub>



# Clean Air Interstate Rule

- Proposed as federal regulation 2004 and final in 2007

## COMAR 26.11 28 Clean Air Interstate Rule

- Finalized by MDE in 2007.
- Included NO<sub>x</sub> Annual, SO<sub>2</sub> Annual and NO<sub>x</sub> Ozone Season Trading Programs.



# Transport Rule - TR

- Commonly referred to as Cross State Air Pollution Rule, or CSAPR.
- CSAPR is the court ordered replacement for CAIR.
- CSAPR developed to reduce interstate transport of PM<sub>2.5</sub> and Ozone through the reduction of SO<sub>2</sub> and NO<sub>x</sub>.
- Originally scheduled to be implemented on January 1, 2012 to replace CAIR.
- In fact became effective on January 1, 2015 through a Federal Implementation Program.



# MDE Regulation Amendments



- Repeal COMAR 26.11.28
  - Replaced by CSAPR, 40 CFR 97, Subparts AAAAA, BBBBB and CCCCC
- Amend COMAR 26.11.01.01B(24-1) “NO<sub>x</sub> Ozone Season Allowance”
  - Remove reference to CAIR
- Amend COMAR 26.11.14.07C(1)
  - Remove reference to COMAR 26.11.28
- Amend COMAR 26.11.14.07D(1)(a)
  - Remove ‘certified’, per the request of the EPA, to make clear that CEMs must meet all the requirements of 40 CFR 75, Subpart H