Alabama Regional Haze SIP Plan for the Second Planning Period: Southern Environmental Law Center and Other Environmental Organizations Submit Comments



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Six environmental organizations submitted November 7th comments to the Alabama Department of Environmental Management ("ADEM") on the State's Regional Haze State Implementation Plan ("SIP") for the Second Planning Period.

The organizations include:

- Coalition to Protect America's National Parks
- Greater-Birmingham Alliance to Stop Pollution
- Mobile Environmental Justice Action Coalition
- National Parks Conservation Association
- Sierra Club
- Southern Environmental Law Center

(Collectively, "SELC")

The Regional Haze program is driven by 169A of the Clean Air Act.

Congress sought to address visibility of mandatory Class I federal areas in which 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. The United States Environmental Protection Agency ("EPA") reviews the state SIP submissions for consistency with the relevant regulations.

The RHR requires that states submit SIPs to manage visibility impairing air pollutants affecting mandatory Class I federal areas that demonstrate progress toward the national visibility goal under the Clean Air Act.

SELC's November 7th comments state that ADEM's Regional Haze SIP relied on the Visibility Improvement State and Tribal Association of the Southeast ("VISTAS") methodology to select only two emission sources for review. The organizations state that ADEM's selection of only two sources, along with other elements of the Regional Haze SIP, fail to satisfy the requirements of the Clean Air Act and RHR. They further argue that errors in the Regional SIP include:

- Relying on the flawed VISTAS visibility modeling and methodology for source selection;
- Improperly excluding certain sources from the Four-Factor Analyses;
- Committing errors in the Four-Factor Analyses, including failure to analyze technically feasible controls, document the technical support for control costs, or adequately analyze control upgrades;
- Failing to consider impacts on the communities around the polluting facilities.

A copy of the SELC comments can be downloaded here.