Regional Haze State Implementation Plan (SIP) Talking Points

- NPPD's Gerald Gentleman Station (GGS) is subject to the Regional Haze requirements of the Clean Air Act due to its impact on visibility to the Wind Caves National Park in South Dakota.
- The impacts to visibility are a result of the emissions of nitrogen oxides (NOx) and sulfur dioxides (SO2) from GGS.
- The Regional Haze rule required the State of Nebraska to develop a plan to reduce the impact to visibility from NOx and SO2 emissions from GGS.
- The rule required the plan to evaluate numerous options to determine the best options for reducing the visibility impacts from GGS on Wind Cave National Park.
- The Nebraska Department of Environmental Quality (NDEQ) submitted Nebraska's Regional Haze State Implementation Plan (SIP) to the Environmental Protection Agency (EPA) on July 13, 2011.
- The NDEQ determined that the Best Available Retrofit Technology (BART) for NOx control at GGS is low-NOx burners.
- The NDEQ determined that BART for SO2 at GGS is burning low sulfur coal.
- The NDEQ determined that requiring scrubbers for SO2 control were not BART for various reasons, including being cost prohibitive and the water requirements.
- On March 2, 2012 the EPA published in the Federal Register their determination on Nebraska's Regional Haze SIP.
- The EPA approved low-NOx burners as BART for NOx control at GGS. GGS Unit 1 already has low-NOx burners and low-NOx burners on GGS Unit 2 are scheduled to be installed in May/June 2012.
- The EPA disapproved requiring only low sulfur coal as BART for SO2 control at GGS.
- The EPA stated that only burning low sulfur coal was not sufficient to meet the requirements of the Regional Haze rule.
- On March 2, 2012 the EPA issued a proposed partial Federal Implementation Plan (FIP) adopting the Cross State Air Pollution Rule (CSAPR) as an alternative to BART to address the SO2 emissions from the GGS units.

- The FIP would require GGS to comply with CSAPR in order to meet the Regional Haze rule requirements.
- EPA provided several technical reasons in making the determination that the costs of scrubbers at GGS were overestimated.
- EPA determined that the cost for SO2 removal using scrubbers was justified to meet the Regional Haze requirements.
- However, due to a proposed rule that those states that are part of the CSAPR can substitute compliance with CSAPR as an alternative to Regional Haze BART requirements the EPA did not require scrubbers to be installed at GGS.
- In the event that the CSAPR were to be vacated by the courts it is likely that the EPA would then require scrubbers at GGS.
- The NDEQ and NPPD are in the process of providing comments to the EPA disagreeing with the EPA's determination that burning low sulfur coal at GGS for SO2 control is insufficient to meet the Regional Haze BART requirements.
- The comments will argue that NDEQ's determination was correct and GGS should not be required to comply with the CSAPR for Regional Haze BART requirements.
- The NDEQ has requested a public hearing to be held in North Platte on the EPA's Regional Haze FIP requirements.
- No date has been set at this time for the hearing.