

## FACT SHEET

### Final Rule – Emissions Monitoring Provisions in State Implementation Plans Required Under the NO<sub>x</sub> SIP Call

#### ACTION

- On February 26, 2019, the Environmental Protection Agency (EPA) finalized a regulatory action entitled “Emissions Monitoring Provisions in State Implementation Plans Required Under the NO<sub>x</sub> SIP Call.” This final rule amends the NO<sub>x</sub> SIP Call regulations to allow states to establish alternative, potentially lower-cost monitoring and reporting requirements for certain sources. The amendments also remove obsolete regulatory provisions and clarify the remaining regulations.
- The final rule does not substantively alter any other requirements under the NO<sub>x</sub> SIP Call regulations beyond the monitoring provisions for certain sources in states that choose to allow their sources to use alternative monitoring approaches.
- The final rule is deregulatory in nature and is expected to lead to potentially lower monitoring costs for some sources in states that choose to revise their State Implementation Plans (SIPs).

#### BACKGROUND

- Under the previous NO<sub>x</sub> SIP Call regulations, all states covered by the NO<sub>x</sub> SIP call had to include provisions in their SIPs requiring certain sources to monitor their NO<sub>x</sub> mass emissions during the May to September ozone season according to 40 CFR part 75, which generally entails the use of continuous emission monitoring systems (CEMS).
- Most of the sources – primarily electricity generating units – must perform part 75 monitoring under other programs such as the Acid Rain Program and the Cross-State Air Pollution Rule trading programs. However, some of the sources – primarily industrial facilities – must perform part 75 monitoring only because of the SIP provisions required by the NO<sub>x</sub> SIP Call regulations.
- Under current circumstances, alternative forms of monitoring requirements for these remaining sources can provide adequate assurance that the NO<sub>x</sub> SIP Call’s emissions reductions will remain “permanent and enforceable” as required to support redesignations of areas to attainment with the National Ambient Air Quality Standards (NAAQS).
- Accordingly, this final rule amends the NO<sub>x</sub> SIP Call regulations to allow states to revise their SIPs to include alternate, potentially lower-cost monitoring requirements in their SIPs for NO<sub>x</sub> SIP Call purposes. The increased flexibility provided by this rule can lead to potentially lower monitoring costs for some sources in states that submit approvable SIP revisions. The amendments leave it entirely up to states to decide whether to allow alternative forms of monitoring or to make no changes to their SIPs and continue to require part 75 monitoring for these sources.

- The proposal for this action was published on September 27, 2018 (83 FR 48751), and the public comment period closed on October 29, 2018. All comments have been addressed in the preamble for the final rule.

**FOR MORE INFORMATION**

- To read or download a copy of the final rule, go to [www.epa.gov/airmarkets/final-update-nox-sip-call-regulations](http://www.epa.gov/airmarkets/final-update-nox-sip-call-regulations) or <http://www.regulations.gov> (EPA's electronic public docket and comment system). Materials for this action can be accessed using Docket ID No. EPA-HQ-OAR-2018-0595. The final rule is also available in hardcopy at the EPA Docket Center's Public Reading Room.
- For further information about this final action, contact David Lifland of EPA's Office of Atmospheric Programs, Clean Air Markets Division, at (202) 343-9151 or by e-mail at [lifland.david@epa.gov](mailto:lifland.david@epa.gov).