

BOLD Nebraska Center for Rural Affairs
Earthjustice Environmental Law & Policy Center
League of Women Voters of Nebraska
National Parks Conservation Association Nebraska Wildlife Federation
Sierra Club

November 7, 2016

Gina McCarthy
Administrator
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Ave, NW
Mail Code: 1101A
Washington, DC 20460

Re: Nebraska Regional Haze

Dear Administrator McCarthy,

The eight undersigned state, regional and national organizations strongly urge U.S. EPA to expeditiously issue a proposed new reasonable progress plan to address the ongoing regional haze problem caused by Nebraska Public Power District's (NPPD) Gerald Gentleman Station (GGS) coal plant. As you know, in early 2015, the EPA sought and received a voluntary remand to reconsider its decision regarding reasonable progress requirements under the Regional Haze rule at GGS. Sulfur dioxide (SO₂) pollution from GGS travels hundreds of miles and negatively impacts visibility at six national parks and wilderness areas in Colorado, South Dakota, Missouri, and Oklahoma.

The GGS coal plant causes unhealthy haze pollution because it lacks modern pollution controls - or scrubbers - for SO₂ pollution. Installing scrubbers would reduce SO₂ pollution dramatically - by up to 99%. Scrubbers are in operation or being required across the country at similar coal plants. EPA should now move ahead and require scrubbers at GGS.

Two different legal provisions compel EPA to require controls at GGS in order to make reasonable progress at affected Class I areas. First, where Nebraska sources impact the region's Class I areas and controls pass the four-factor reasonable progress analysis required by 40 C.F.R. § 51.308(d)(1)(i)(A), EPA should require such controls as part of Nebraska's long-term strategy. In recent federal implementation plans, such as in Texas and Arkansas, EPA required controls for the sources that are large contributors to impairment and for which controls would be cost-effective and advance reasonable progress towards natural conditions. EPA must be consistent and apply this same framework to Nebraska. EPA's prior analysis shows that GGS impairs Class I area visibility and that post-combustion controls are feasible, meet the four reasonable progress factors, and would help achieve reasonable progress.

Administrator Gina McCarthy

November 7, 2016

Page 2

Second, EPA must require controls at GGS in order to comply with the requirement to include an approvable long-term strategy for Class I areas that are affected by emissions from the state. 40 C.F.R. § 51.308(d)(3). Under EPA's approach in Texas and Arkansas, the requirement to make reasonable progress is primary and must be met regardless of the status of any reasonable progress goals, which are designed to reflect required controls. In this instance, post-combustion controls are reasonable and should be required. This is particularly true given that (a) existing reasonable progress goals for Badlands, Wind Cave, and Rocky Mountain National Parks already reflect the reasonable, but unfulfilled, assumption of a scrubber at GGS; and (b) Nebraska lags far behind neighboring states taking measures to achieve reasonable progress, and especially in reducing EGU emissions.

Taking action on GGS also enjoys broad public support. Since August 2016, EPA has received nearly 2,000 comments from citizens urging the agency to require a scrubber at GGS. EPA has also received letters from four Nebraska state senators urging action on GGS.

On October 3, we held a meeting with EPA Region 7 to convey our concerns about GGS and regional haze. Participants included representatives from Sierra Club, Earthjustice, National Parks Conservation Association, and Nebraska State Senator Ken Haar.

In 2015, 5.8 million people visited Rocky Mountain, Badlands, and Wind Cave National Parks, contributing significantly to the economies of surrounding communities. Studies have shown that visitors value clean air in our national parks, are able to tell when it is hazy, and enjoy their visit less when haze is bad. Moreover, visitors are willing to alter the length of their stay based on their perception of air quality. Shorter park visits, or none at all, means less time and money spent in gateway communities.

We urge U.S. EPA to move quickly to complete a federal regional haze plan for Nebraska that would require installation of a scrubber at GGS. This would reduce the impact on visibility at important natural areas and benefit their millions of annual visitors. Thank you.

Sincerely,

Amy Schaffer
Program Coordinator
BOLD Nebraska
208 S. Burlington Ave., Ste 103, Box 325
Hastings, NE 68901

Brian Depew
Executive Director
Center for Rural Affairs
145 Main St, PO Box 136
Lyons, NE 68038

Matthew Gerhart
Senior Associate Attorney
Earthjustice
633 17th St., Suite 1600
Denver, CO 80202

Howard A. Learner
Executive Director
Environmental Law & Policy Center
35 E. Wacker Dr., Suite 1600
Chicago, IL 60601

Administrator Gina McCarthy

November 7, 2016

Page 3

Janece Mollhoff
Natural Resources Director
League of Women Voters of Nebraska
4600 Valley Road, Suite 306
Lincoln, NE 68510

Stephanie Kodish
Senior Director & Counsel
Clean Air Program
National Parks Conservation Association
706 Walnut St, Suite 200
Knoxville, TN 37902

Duane Hovorka
Executive Director
Nebraska Wildlife Federation
Box 81437
Lincoln, NE 68501

Holly Bender
Deputy Director
Sierra Club - Beyond Coal Campaign
133 S. Butler St., Ste 106
Madison, WI 53703

cc: Janet McCabe, Acting Assistant Administrator, Office of Air & Radiation, U.S. EPA
Mike Koerber, Associate Director for Policy, OAQPS, U.S. EPA
Mark Hague, Regional Administrator, U.S. EPA Region 7
Rebecca Weber, Director, Air & Waste Mgt. Div., U.S. EPA Region 7
Shaun McGrath, Regional Administrator, U.S. EPA Region 8
Carl Daly, Air Program Director, U.S. EPA Region 8