

MEMORANDUM

TO: Docket

FROM: EPA, Clean Air Markets Division

SUBJECT: Correction to State NO_x Budgets Proposed in the Supplemental Notice of Proposed Rulemaking for the Clean Air Interstate Rule

DATE: July 23, 2004

In the January 30, 2004 Notice of Proposed Rulemaking (NPR)¹, EPA proposed to distribute the 28-State (and D.C.) regional NO_x budgets based on each State's average heat input – using heat input data from Acid Rain Program units – over the years 1999 through 2002. EPA summed the average heat input from each of the applicable jurisdictions to obtain a regional total average annual heat input. Then, each State received a pro rata share of the regional NO_x emissions budget based on the ratio of its average annual heat input to the regional total average annual heat input.

In the June 10, 2004 Supplemental Notice of Proposed Rulemaking (SNPR)², EPA again proposed to apportion state budgets using heat input, but to supplement the Acid Rain Program data with annual heat input data from the U.S. Energy Information Administration (EIA) to reflect heat input from non-Acid Rain units. Additionally, EPA noted that it was including updated Acid Rain Program data for 2002 in the calculation of state budgets. The docket contains a technical support document and a memorandum that describe in detail the heat input data used in the calculation of state budgets, entitled as well as the data in spreadsheet form (EPA docket entries OAR-2003-0052-1407, -1408, and -1409).³ These items are also available on the Clean Air Interstate Rule Technical Information website.

<http://www.epa.gov/air/interstateairquality/technical.html>

EPA inadvertently made an error in the calculation of state NO_x budgets in the SNPR (69 FR 32749-32750). This memorandum provides revised state NO_x budgets. Specifically, EPA is making the following revision:

The heat input data used to calculate state NO_x budgets in the SNPR included updated Acid Rain Program for 2002, but did not include the EIA heat input data that EPA had

¹ See 69 FR 4566. For specific discussion of NO_x state budgets, see 69 FR 4620.

² See 69 FR 32684.

³ The technical support document and memorandum are titled, respectively, "State Emission Budget Calculation Technical Support Document for the Proposed Clean Air Interstate Rule – Supplemental Notice of Proposed Rulemaking" and "Revised State Acid Rain and EIA Heat Input Totals – 48 States and the District of Columbia."

proposed to include as a supplement to the Acid Rain Program data. The revised state NOx budgets presented in this memorandum were calculated using heat input data for Acid Rain Program units for 1999-2002, supplemented with EIA heat input data to account for affected non-Acid Rain Program units.

EPA notes that it is not revising the methodology it proposed to calculate state NOx budgets, but rather is making a revision based solely on an error in applying the methodology. Table 1 presents the state NOx budgets proposed in the SNPR and the revised state budgets.

Table 1. State NOx Budgets Proposed in the SNPR and Revised State NOx Budgets

State	State Budgets in SNPR (tons)		Revised State Budgets (tons)	
	2010	2015	2010	2015
Alabama	67,422	56,185	64,359	53,632
Arkansas	24,919	20,765	23,537	19,614
Delaware	5,089	4,241	4,812	4,010
District of Columbia	215	179	212	177
Florida	115,503	96,253	115,263	96,053
Georgia	63,575	52,979	61,026	50,855
Illinois	73,622	61,352	69,623	58,019
Indiana	102,295	85,246	100,223	83,519
Iowa	30,458	25,381	28,915	24,096
Kansas	32,436	27,030	30,689	25,574
Kentucky	77,938	64,948	73,710	61,425
Louisiana	47,339	39,449	50,783	42,319
Maryland	26,607	22,173	26,367	21,972
Massachusetts	19,630	16,358	24,395	20,329
Michigan	60,212	50,177	63,252	52,710
Minnesota	29,303	24,420	28,255	23,546
Mississippi	21,932	18,277	21,007	17,506
Missouri	56,571	47,143	53,918	44,931
New Jersey	9,895	8,246	17,608	14,674
New York	52,503	43,753	59,897	49,914
North Carolina	55,763	46,469	55,095	45,913
Ohio	101,704	84,753	96,389	80,324
Pennsylvania	84,552	70,460	87,279	72,733
South Carolina	30,895	25,746	29,575	24,646
Tennessee	47,739	39,783	45,193	37,661
Texas	224,314	186,928	233,447	194,539
Virginia	31,087	25,906	33,658	28,049
West Virginia	68,235	56,863	65,104	54,253
Wisconsin	39,044	32,537	37,210	31,008
Total	1,600,799	1,333,999	1,600,799	1,333,999

Additionally, as was discussed in the SNPR, EPA is taking comment on the data and

methodology used to calculate state emission budgets. Any further changes or corrections to the data as a result of public comment would result in further revisions to the state emission budgets.