

# ALERT! *April 2006*

ALERT! is a monthly update on transportation and air quality planning activities in the Delaware Valley.



## CONFORMITY

### **Appeals Court Rules Against Exemptions to New Source Review**

The U.S. DC Circuit Court of Appeals ruled that the Environmental Protection Agency (EPA) can not exempt industrial facilities, including coal-fired power plants and oil refineries, from regulations to install new pollution controls to meet emission standards. The Clean Air Act requires that new and modified industrial facilities undergo a process termed "New Source Review" (NSR). The NSR process determines and imposes pollution-control requirements for emitting industries. In 2003, the EPA adopted a rule exempting equipment replacement, valued at less than 20 percent of the replacement value the unit, from the NSR requirements. This exemption would have allowed plant operators to replace equipment or even expand facility capacity without installing upgraded emission control systems. The court found that this exemption violates the intent of the Clean Air Act.

The Appeals Court ruling is a result of a lawsuit brought by a coalition of 15 states, including Pennsylvania and New Jersey, and environmental groups. The ruling affects approximately 800 power plants and more than 17,000 other facilities nationwide.

### **EPA Announces Final Clean Air Interstate Rule (CAIR)**

On March 10, 2006, EPA officials announced the Final Clean Air Interstate Rule (CAIR) aimed at reducing nitrogen oxide (NO<sub>x</sub>) and sulphur dioxide (SO<sub>2</sub>) emissions from power plants in 28 eastern states, including Pennsylvania, New Jersey and Delaware, and the District of Columbia.

EPA estimates that implementation of CAIR will reduce NO<sub>x</sub> emissions by 70% and SO<sub>2</sub> emissions by 60% from 2003 levels. According to EPA models, these anticipated reductions will aid the Philadelphia region reach attainment status for PM<sub>2.5</sub> by 2010. The reductions are expected to result in more than \$100 billion in health and visibility benefits per year by 2015 and help to prevent an estimated 17,000 premature deaths annually.

CAIR provides two compliance options for states to attain the required emission reductions. As one option, CAIR establishes an interstate cap and trade system that caps emissions in two stages for both NO<sub>x</sub> and SO<sub>2</sub>. The trade program establishes emission allowances that are allocated to sources by the states. Emitting industries can then meet the standards by installing pollution control devices, switching fuels or buying "credits" from other sources. SO<sub>2</sub> allowances have already been established by the EPA's Acid Rain Program. These allowances will be used in the CAIR model SO<sub>2</sub> trading program. NO<sub>x</sub> allowances will be determined by state budgets. Because each source must hold sufficient allowances to cover its emissions each year, the



**SAVE  
THE  
DATE**

**Saturday,  
April 15<sup>th</sup>, 2006  
Clean Air Council  
5K Run for Clean Air  
Registration 7:30 am**

Martin Luther King Drive  
(West River Drive)  
Behind the  
Philadelphia Art Museum

**Wednesday,  
April 19<sup>th</sup>, 2006  
Bus Rapid Transit  
Press Conference and  
Demonstration Ride  
11:00 am**

Independence Visitor's Center  
Market Street between 5<sup>th</sup> and 6<sup>th</sup>  
Philadelphia

limited number of allowances available ensures that the required reductions are achieved. CAIR also provides a flexible second option that allows states to choose their own strategy for meeting the more stringent emission budgets.

Under the Final CAIR document, State Implementation Plans are due in 2006. Phase I caps for both pollutants will be implemented by 2010 and full program implementation should be in place by 2015. For more information about CAIR, visit the EPA's website at [www.epa.gov/cair/](http://www.epa.gov/cair/).



## **TRANSPORTATION – AIR QUALITY**

### **PhillyCarShare Named Among Top 50 Government Innovations**

Harvard University's John F. Kennedy School of Government, in cooperation with the Council for Excellence in Government, has listed PhillyCarShare as one of the "Top 50 Government Innovations for 2006". This list identifies semifinalists for the Innovations in American Government Awards which are recognized for their novelty and creativity, effectiveness at addressing significant issues and problems, and ability to be replicated by other jurisdictions.

PhillyCarShare is a non-profit, community-based car sharing program, dedicated to reducing the city's dependence on automobiles. Philadelphia City Government has been a member of the organization since 2004, making Philadelphia the first city in North America to share vehicles with residents as part of a major fleet reduction program. Participation in PhillyCarShare has allowed the city to eliminate the use of 330 vehicles and save \$1.7 million annually. In addition to fiscal savings, the car share program is working to improve air quality and the health of city residents.

Two-thirds of PhillyCarShare's vehicles are gas-electric hybrids with gas mileage ratings of up to 60 miles per gallon as well as significant reductions in vehicle emissions. Program patrons report selling or avoiding the purchase of 1,400 vehicles, while driving 3 million fewer miles each year by walking, biking and taking transit more often and using the car share program when necessary. Five semifinalists will receive \$100,000 grant awards in a ceremony in Washington D.C. in July.



## **AIR QUALITY PARTNERSHIP**

### **Air Quality Partnership to Kick-off Tenth Ozone Forecasting Season**

The Air Quality Partnership of the Delaware Valley (AQP) will kick-off the tenth season of summer ozone forecasting with a press conference and public information event at the Independence Visitor's Center on Friday, May 12<sup>th</sup>, 2006. The event will highlight the positive steps that agencies and organizations in the region are taking to improve air quality.

The Kick-off serves to raise awareness that summer is ozone season and everyone should take action to reduce polluting activities. The AQP provides ozone forecasts daily from May through September to alert the public when ground-level ozone levels are expected to be unhealthy. The public is encouraged to take positive action to reduce ozone pollution, such as taking transit or avoiding topping off the gas tank when refueling. These actions are important every day, but especially when air quality is forecast to be unhealthy.

ALERT! is a DVRPC publication.



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