

Overview of CACI Engagement on EPA Regulations

EPA SIP Call Action Regarding Startup, Shutdown, & Malfunction Affirmative Defense Provisions

Overview:

- This EPA action aims to reduce or eliminate existing regulatory provisions that provide administrative and legal affirmative defense protections for excess emissions that occur during startup, shutdown, and malfunction (SSM) events to industry operators in Colorado and 36 states nationwide.

CACI Action:

- CACI's Air Quality Subcommittee is the clear leader of Colorado's business and industry communities on this issue, advocating to retain SSM affirmative defense provisions in Colorado that are as strong as is permissible under the law.

Clean Power Plan, Section 111-d of the Federal Clean Air Act

Overview:

- The federal Clean Power Plan (CPP) represents the first-ever national standards to reduce carbon emissions from fossil fuel-fired power plants by 32 percent below 2005 levels over the next 15 year period.

CACI Action:

- CACI has filed public comments with the EPA, engaged Colorado's Congressional delegation on this issue, and will continue to actively engage Colorado's regulators as they develop Colorado's state implementation plan.

Ground-level Ozone Standard

Overview:

- The EPA will soon finalize new, tighter emissions limits for ground-level ozone below the current 75 parts per billion (ppb), and likely between 60 and 70 ppb, or even lower, in an effort to reduce smog and increase air quality.
- NAM estimates that a new standard below 75ppb could result in the most expensive regulatory compliance costs for industries, and state and local economies, to date.

CACI Action:

- CACI submitted public comments to the EPA during the administrative rulemaking, in addition to engaging Colorado's congressional delegation regarding the cost impacts a new, lower ozone standard could generate.
- CACI has also engaged impacted members via the CACI Ozone Coalition, aimed at generating a narrative regarding the specific impacts a lower ozone standard could have on CACI member companies' operations, employment profile, costs, and future investments and plans in Colorado.

Methane Regulations

Overview:

- EPA proposed new rules to cut methane emissions from the oil and gas sector by 40 to 45 percent from 2012 levels by 2025, and to amend emissions permitting requirements for the sector.
- The rules have not yet been issued in the federal register.
- Colorado is the first state to precede the EPA in regulating methane emissions.
 - Some believe that the Colorado rules served as the basis for the development of the new federal rule proposals. It remains to be seen if the EPA will require standards that are as strict as Colorado rules.

CACI Action:

- CACI's action on this issue will likely depend on the nature of the EPA's rules, and whether they impose new regulations and or regulations that exceed the requirements of existing Colorado rules.