



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

October 31, 2019

The Honorable Franklin M. Pratt
The Honorable Gail Griffin
Arizona Capitol Complex
1700 West Washington Street
Phoenix, AZ 85007-2890

RE: 2019 Third Quarterly Report to the Joint Legislative Review Committee on State Plans Relating to Carbon Dioxide (CO₂) Emissions from Existing Power Plants Pursuant to A.R.S. § 49-459(B) and Notice of Cessation of Future Reports

Dear Chairs Pratt and Griffin:

As required by A.R.S. § 49-459(B), we are pleased to submit the Arizona Department of Environmental Quality's (ADEQ) 2019 Third Quarterly Report to the Joint Legislative Review Committee on State Plans Relating to Carbon Dioxide (CO₂) Emissions from Existing Power Plants.

However, due to the termination of the Joint Legislative Review Committee on State Plans Relating to CO₂ Emissions from Existing Power Plants, ADEQ will cease transmitting these quarterly reports. The attached quarterly report dated October 31, 2019 will be the final report prepared by ADEQ. However, ADEQ will continue the quarterly reports if requested.

As discussed in the prior quarterly report, ADEQ is commencing the planning process to develop a State Plan under the federal Clean Air Act § 111(d) to comply with the U.S. Environmental Protection Agency's Affordable Clean Energy Rule. See 84 Fed. Reg. 32,520 (July 8, 2019).

If you have any questions, please contact Joseph Martini, Air Quality Improvement Planning Section, Air Quality Division, at (602) 771-1089 or martini.joseph@azdeq.gov.

Sincerely,

Daniel Czecholinski
Air Quality Division

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Regulatory Developments

There have been no significant regulatory developments since the last quarterly report.

Litigation Developments

Several petitions for review of the ACE rule have been filed in the United States Court of Appeals for the D.C. Circuit. On September 17, 2019, the D.C. Circuit dismissed the pending petitions challenging the CPP as being moot due to the replacement of the CPP by the ACE rule.

Outreach and Consultation

ADEQ will hold an initial stakeholder meeting on implementation of the ACE rule on November 8, 2019.