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**PLAN TO EVALUATE THE EFFECTIVENESS OF NEW SOURCE PERFORMANCE STANDARDS  
AND NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS**

**INTRODUCTION**

The Clean Air Act Amendments of 1977 require that the Administrator of the U.S. Environmental Protection Agency (EPA) review and, if appropriate, revise established standards of performance for new stationary sources at least every 4 years (Section 111(b)(1)(B)). In addition, Section 2(d)(8) of Executive Order 12044 requires that each new "significant" regulation have a plan for evaluating its effectiveness. One objective of the evaluation is to improve the relevance and adequacy of data collected over a period of time to analyze the effectiveness of the regulation. EPA's implementation of Executive Order 12044 is contained in a Final Report published in the Federal Register on May 29, 1979. The Final Report states that EPA will evaluate each new "significant" regulation within 5 years of implementation. Therefore, EPA will review New Source Performance Standards (NSPS) every 4 years as required by the Clean Air Act as amended and National Emission Standards for Hazardous Air Pollutants (NESHAP) every 5 years in compliance with EPA guidelines.

**PROCEDURE FOR EVALUATION OF STANDARDS**

**1. Collection of Information**

In order to evaluate the existing standards and determine whether revisions are needed, compliance with the present emission limitations, monitoring requirements, number of units planned or under construction, state-of-the-art of applicable control technology, and other appropriate factors must be considered. Data on aspects of compliance with the existing

standards will be obtained from compliance test data provided by the States to the EPA Regional Offices. Information on the state-of-the-art of control technology will be obtained from current literature and, in some cases, EPA's plan of action and inform the public of the availability of the review document. If EPA concludes that the standard should be revised, EPA will publish an Advanced Notice of Proposed Rulemaking, in which the plans and schedule for development, proposal, and promulgation of the revised standard will be briefly described. The public will be given 60 days to comment on the review, the conclusions, and EPA's planned action. All comments received will be posted in a public docket. If the evaluation leads to revision or modification of the standards, EPA's normal procedures for the development and review of regulations will apply (i.e., Working Group, Steering Committee, and Assistant Administrator review).

#### ESTIMATED RESOURCE DEMANDS

It is anticipated that the review of the standards and summarization will be conducted by EPA or by contractor engineering staff. It is estimated that the complete review will require about 5 to 10 man-months of technical staff for each source category being reviewed. At least an additional man-month will be required to prepare and publish the Federal Register notice and evaluate public comments.

#### ESTIMATED DATE OF COMPLETION

A total of 6 to 9 months will be required to complete the review of each existing standard, depending upon its complexity. This review would begin within 4 years after the promulgation date for NSPS and 5 years after the promulgation date for NESHAP.