



Memorandum

Air Quality Subcommittee

Coal Policy Task Force

Minerals Policy Task Force

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Final NMA Comments on EPA's New Regional Haze Policy

The National Mining Association (NMA) today filed [comments](#) to support the U.S. Environmental Protection Agency's (EPA) new approach to the Clean Air Act's Regional Haze Program. As we previously informed you, EPA's [proposal](#) to approve West Virginia's regional haze state implementation plan (SIP) for the second planning period included a new policy "that, where visibility conditions for a Class I area impacted by a State are below the ["uniform rate of progress"] and the State has considered the four statutory factors, the State will have presumptively demonstrated reasonable progress for the second planning period for that area." See NMA's [memorandum](#) distributed on April 21, 2025.

This new policy could be a game-changer because many Class I areas are well ahead of the progress needed to meet the 2064 goal. For such areas, EPA's proposed presumption would allow states greater autonomy than allowed under previous administrations to decide no further controls are necessary, so long as the state also supported that determination by considering the factors typically used by states to define "reasonable progress" (i.e., cost, time to comply, other energy and environmental factors, and remaining useful life). EPA has used this new approach again in a [proposal](#) published today in the *Federal Register* to approve South Dakota's regional haze SIP. The NMA's comments provide support for this

important policy change.

Thank you to our counsel at Troutman Pepper Locke for assisting us with these comments. If you have any questions regarding this matter, please contact me at tbridgeford@nma.org.

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