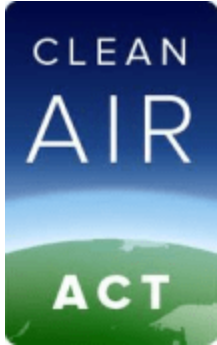


POST

Clean Air Act Reform

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It's easy to forget that the Clean Air Act or its predecessor has already been revised 5 times. This is the longest stretch without an update. We are at 22 years. The next closest is 13 years.

Wouldn't it be fun to pop on-line in 2014 and read the following history of the Clean Air Act on EPA's website? Much of what you read below is inspired or taken from "Breaking the Logjam" (see www.breakingthelogjam.org (<http://www.breakingthelogjam.org>)).

History of the Clean Air Act

Primary goals were to: (1) create a comprehensive multi-pollutant approach to addressing air quality and climate change concerns; (2) realign responsibility and authority under the Act to increase the efficiency and effectiveness of International,

Federal, State, and Local control efforts; and (3) modernize and simplify the Act to make it more transparent and easier to implement and enforce.

- Established an international component to managing and helping improve air quality and addressing climate change concerns in the U.S.
 - o Created the authority to negotiate and develop a Multi-pollutant International Emissions Management Program (MIEMP)
- Replaced Nonattainment/SIP Process with a National Multi-pollutant Market-based System (NMMS):
 - o Congress set the initial emission reduction schedule with the NMMS based on the advice of EPA, States, and others—which lowered national emissions below current levels (this was a comprehensive, coordinated, multi-pollutant review which included NAAQS pollutants, greenhouse gases, visibility pollutants, toxics, and other pollutant concerns)
 - o Required EPA to periodically review the NMMS (simultaneously, collectively, and in the same coordinated fashion) and submit a new emission reduction schedule for Congressional approval which further lowered national emissions (if Congress failed to act, the new schedule would become automatically effective on a given date). This periodic review also included a requirement for EPA to provide recommendations to Congress on needed changes to the MIEMP.
 - o Larger stationary sources were made directly subject to the NMMS and are required to demonstrate compliance via real-time facility-wide source monitoring (PSD/NNSR, NSPS, MACT, and Title V were therefore no longer needed for these sources). The NMMS for mobile sources was generally implemented the same as under the 1990 CAA. The NMMS for smaller stationary sources was implemented via national performance standards.

- States were placed in charge of enforcing the NMMS, addressing potential fence-line or hot-spot concerns not addressed by the NMMS, and functioning as innovators, information gatherers, and primary advisors on developing the NMMS and performance standards. Because less resources were needed to enforce larger stationary requirements because of the transparency and simplicity of the real-time source monitoring requirement, States were able to focus more on smaller sources and enforcing air quality requirements in the field. States were also provided with not only the right to develop more stringent controls under these Amendments, but more ability to do so since less resources were needed for administrative exercises.

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