

### **Clean Air Interstate Rule (CAIR)**

On May 12, 2005, the Environmental Protection Agency (EPA) promulgated the [Clean Air Interstate Rule](#), (CAIR). CAIR used a cap and trade approach to reduce sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) emissions across 28 eastern states and the District of Columbia.

On July 11, 2008, the D.C. Circuit issued an opinion finding CAIR unlawful and vacating the rule. On December 23, 2008, the D.C. Circuit issued a decision on the petitions for rehearing of the July 11 decision. The court granted EPA's petition for rehearing to the extent that it remanded the cases without vacatur of CAIR. This ruling means that the CAIR rule remains in place, but that EPA is also obligated to promulgate another rule under 110(a)(2)(D) consistent with the court's July 11 opinion.

On May 6, 2009, EPA proposed to stay the effectiveness (74 FR 22147), for Minnesota only, of the Clean Air Interstate Rule (CAIR) and the associated CAIR Federal Implementation Plan (CAIR FIP).

### **Clean Air Mercury Rule (CAMR)**

On December 22, 2006, EPA proposed a Federal Plan to implement the requirements of the [Clean Air Mercury Rule](#) (CAMR) for any States that did not have a timely, approved State Plan, as well as certain Tribes. The Clean Air Mercury Rule was part of the suite of inter-related rules collectively known as the [Clean Air Rules of 2004](#). These rules address ozone and fine particle pollution, non-road diesel emissions, and power plant emissions of sulfur dioxide, nitrogen oxides and mercury.

On February 8, 2008, the U.S. Court of Appeals for the D.C. Circuit vacated CAMR. As a result, CAMR is no longer in effect.