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Resolution of the Ozone Transport Commission on Reducing Emissions of Nitrogen Oxides from Buildings

WHEREAS, the Ozone Transport Commission (OTC) was established under Sections 176A and 184 of the federal Clean Air Act (CAA) to ensure the development and implementation of regional strategies to reduce ground-level ozone to healthy levels; and

WHEREAS, the adverse health effects of ground-level ozone are well documented, and despite significant reductions of ozone precursor emissions achieved to date, approximately 30 million residents of the Ozone Transport Region (OTR) continue to be exposed to unhealthy levels of ozone air pollution; and

WHEREAS, since its formation in 1991, the OTC has developed considerable policy and technical expertise on ozone policy, implementation of ozone control strategies, opportunities to enhance economic development and job creation, air pollution control technology and the science of ground level ozone formation; and

WHEREAS, the research and modeling conducted by OTC and the OTC states show that the most important and timely strategy for continued progress on reducing ground-level ozone throughout the OTR is the reduction of nitrogen oxides (NOx) emissions through regional actions by the OTC states and by states that significantly contribute to ozone in the OTR, and through federal actions; and

WHEREAS, current technical analysis completed by OTC shows that buildings contribute over 150,000 tons of NOx emitted within the OTR annually; and

WHEREAS, states are considering establishing limits on NOx emissions from building appliances such as hot water heaters and space heating equipment; and

WHEREAS, a recent OTC technical analysis shows that additional NOx controls are technically feasible and cost effective for building appliances and equipment in the OTR; and

WHEREAS, NOx reduction emission strategies have co-benefits in reducing emissions of fine particulate matter, air toxics, and greenhouse gases; and

WHEREAS, emissions from buildings located in overburdened communities contribute to the disproportionate amount of pollution in these communities;

THEREFORE, BE IT RESOLVED, that the members of the OTC commit to working together on technical analyses to develop regional and national recommendations for NOx emission reductions from buildings;

FURTHERMORE, the OTC commits to collaborate with the U.S. Environmental Protection Agency (EPA) to evaluate national strategies to achieve NOx reductions from buildings;

FURTHERMORE, the OTC will engage in a public process to obtain input and comment from interested parties in developing recommendations on NOx emission reductions from buildings; and

FURTHERMORE, based on the public process and OTC technical analyses, the OTC will compile technical information that can support cost effective, scientifically sound recommendations leading to substantial reductions in ozone-forming NOx emissions.

Adopted by the Commission on June 14, 2023.

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Melanie Loyzim, OTC Chair