



**MEMORANDUM OF UNDERSTANDING
AMONG THE STATES OF THE OZONE TRANSPORT COMMISSION
ON ADOPTION OF NEW REGIONAL CONTROL MEASURES TOWARD
ACHIEVING THE OZONE NATIONAL AMBIENT AIR QUALITY
STANDARDS (NAAQS)**

Connecticut

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

Delaware

WHEREAS, the member States including the District of Columbia (States) of the OTC face a persistent problem in their efforts to attain and maintain the health-based NAAQS for ozone; and,

District of Columbia

Maine

WHEREAS, the Clean Air Act recognizes ozone can cause respiratory illnesses, exacerbate or trigger asthma related episodes, increase respiratory-related emergency room and hospital admissions and compromise the immune system leading to increased incidents of other respiratory illnesses, including pneumonia and bronchitis and premature death; and,

Maryland

Massachusetts

New Hampshire

WHEREAS, recent health studies indicate increased mortality from ground-level ozone, and indicate the need for increasingly tighter standards in the future to be fully protective of public health; and

New Jersey

New York

WHEREAS, the OTC is charged with identifying and addressing the contributions of all relevant sources of air pollution to the ozone problem, including the transport of ozone and its precursors nitrogen oxides (NO_x) and volatile organic compounds (VOCs) into as well as throughout the ozone transport region (OTR); and,

Pennsylvania

Rhode Island

WHEREAS, the OTC member States have already taken aggressive steps to reduce ozone air pollution within the OTR, and recognize that significant additional efforts are needed to further reduce emissions from a variety of sectors within and outside the region to attain and maintain healthful air quality; and,

Vermont

Virginia

Anna Garcia
Executive Director

WHEREAS, to fulfill states' obligations under the Clean Air Act additional NO_x and VOC emission reductions are needed to reduce ozone formation and to help reduce ozone transport for the protection of public health; and,

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WHEREAS, the OTC member states have engaged in super-regional discussions with other states beyond the OTR to implement similar reductions to achieve broader control consistency; and,

WHEREAS, the undersigned States seek to develop cost-effective solutions to reduce NOx and VOC emissions, which are best implemented through a suite of measures (including state-specific measures, regional and super-regional measures and the Federal measures required under the Clean Air Act) to control ozone; and,

WHEREAS, Section 110(a)(2)(D) of the Clean Air Act requires that each state air quality implementation plan must prohibit emissions within such state from contributing significantly to nonattainment in, or interfering with maintenance by, any other state; and,

WHEREAS, on March 12, 2008 EPA revised the ozone 8-hour standard of 0.08 parts per million (ppm) to 0.075 ppm and on January 19, 2010 EPA proposed to reconsider that standard and proposed to strengthen it to between 0.060 and 0.070 ppm; and

WHEREAS, the measures listed below are in response to Resolution 10-02 dated June 3, 2010 and, taken together and with additional measures already covered by previous OTC MOUs, will assist states in developing SIPs that are approvable and adequately protective of the public health; and,

WHEREAS, implementing the rules listed below will help make progress toward attaining and maintaining the eight-hour NAAQS for ozone, at levels currently under consideration by EPA; and,

THEREFORE, the undersigned member States commit to continue to work with interested stakeholders and pursue state-specific rulemakings, as necessary and appropriate, to reduce or further reduce ozone precursor emissions from the following sectors:

- Stationary Generators and
- High Electricity Demand Day Turbines.

FURTHERMORE, that the undersigned states will pursue any such state rulemaking, as necessary and appropriate, in accordance with state-specific administrative procedures based on the respective model rules developed by OTC for such purposes, and to have such state rules, developed in accordance with each state's applicable policies and procedures, set forth a target date for adoption of the rule by January 1, 2014, or as soon thereafter as practicable; and,

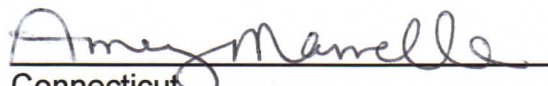
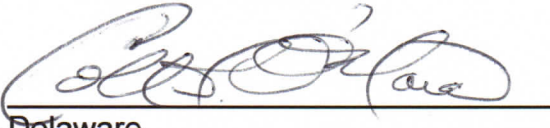
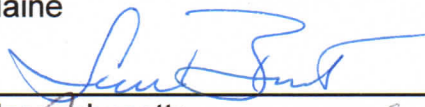

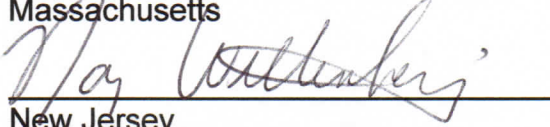
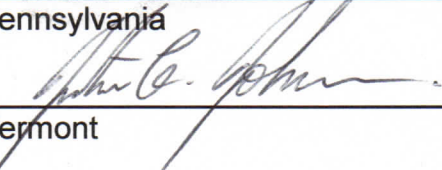
FURTHERMORE, that the OTC member States, recognizing that state programs implemented within OTC member states may not be sufficient to achieve the NAAQS and are best implemented at a national level, urge

EPA to pursue federal programs consistent with the standards expressed in these model rules; and

FURTHERMORE, that the OTC member States will continue to engage other states and seek to gain support from other states for a broader, inter-regional and federal implementation strategy for control of ozone precursors from these and other appropriate sources; and,

FURTHERMORE, that the OTC member States recognize that additional measures at the state, regional and national levels may be required to demonstrate attainment, and to attain and maintain the ozone levels required to satisfy the NAAQS at levels currently under consideration by EPA.

Executed by the undersigned States this 10th day of November, 2010:

 Connecticut	 Delaware
_____	_____
District of Columbia	Maine
_____	
Maryland	Massachusetts
 New Hampshire	 New Jersey
_____	_____
New York	Pennsylvania
_____	
Rhode Island	Vermont
_____	_____
Virginia	