



**OZONE
TRANSPORT
COMMISSION**

**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 strategies to reduce ground-level ozone to healthful levels; and,

Delaware

District of Columbia

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,

Maine

Maryland

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,

Massachusetts

New Hampshire

New Jersey

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 York

Pennsylvania

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,

Rhode Island

Vermont

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,

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 Federal measures) 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, taken together, 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 current levels as well as those 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:

- CONSUMER PRODUCTS (3rd update)
- ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS (2nd update)
- LARGE ABOVE-GROUND STORAGE TANKS
- OIL AND GAS BOILERS SERVING EGUs
- NEW SMALL NATURAL GAS-FIRED BOILERS, STEAM GENERATORS, PROCESS HEATERS AND WATER HEATERS (ULNB)

FURTHERMORE, any such state rules, will include a target date for adoption by January 1, 2014, or as soon thereafter as practicable.

Executed by the undersigned States this 3rd day of June, 2010:

Amy Manelle Carol M. Hays
Connecticut Delaware

[Signature] [Signature]
District of Columbia Maine

[Signature] [Signature]
Maryland Massachusetts

Thomas d. Smock [Signature]
New Hampshire New Jersey

[Signature] [Signature]
New York Pennsylvania

[Signature] [Signature]
Rhode Island Vermont

[Signature]
Virginia