



Resolution 03-01 Concerning Multi-Pollutant Emission Control of Electrical Generating Units

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 healthful levels; and,

Connecticut

Whereas, ozone has been shown to 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,

Delaware

District of Columbia

Maine

Whereas, the OTC is charged with exploring the contributions of all 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,

Maryland

Massachusetts

Whereas, the dominant point source of ozone precursors, NO_x transported into our region is electrical generating units (EGUs); and,

New Hampshire

New Jersey

Whereas, the OTC member jurisdictions have already taken aggressive steps to reduce ozone pollution within the OTR, and recognize that significant additional efforts to further reduce emissions from all sectors within and outside the region is needed if attainment of healthy ozone levels is to be achieved; and,

New York

Pennsylvania

Whereas, the most cost-effective and technically constructive method of reducing the emission of pollutants from EGUs is to address all of its emissions at the same time (the multi-pollutant approach); and

Rhode Island

Vermont

Whereas, the OTC approved by consensus its Multi-pollutant Statement of Principles at its March 4, 2003 Meeting; and

Virginia

Whereas, EGUs release pollutants that are directly related to the OTC's mission such as oxides of nitrogen (NO_x), as well as other pollutants that affect the environment and public health, such as sulfur dioxide (SO₂), particulate matter, mercury, dioxins and furans, nickel, arsenic and greenhouse gases; and these other pollutants are appropriately considered when evaluating appropriate pollution controls for NO_x and other ozone precursors; and

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Whereas, the OTR continues to experience the adverse effects of upwind emissions, including ozone non-attainment, violations of the fine

particulate standards, regional haze problems and the health effects thereof; and

Whereas, the U.S. Environmental Protection Agency (EPA) has promulgated a NO_x State Implementation Plan Call under Section 110 of the CAA, based on the cap and trade program of the OTC which has achieved an estimated 60% reduction in NO_x emissions among its member states; and,

Whereas, the health and environmental benefits of achieving further reductions in NO_x emissions from the EGU sector for attainment far outweigh the costs of such programs; and,

Whereas, several multi-pollutant legislative proposals for the EGU sector are being considered by the United States Congress;

THEREFORE, BE IT RESOLVED that the OTC supports the enactment of multi-pollutant legislation this Congressional session which, when combined with other regulatory and non-regulatory programs, enables attainment of the ozone and fine particulate standards no later than 2012; and,

Be it further resolved that the OTC supports and is committed to the concept of cap and trade programs as a primary means of achieving economical emission reductions of non-hazardous pollutants emitted from the electrical generation sector (notably coal-fired power plants); and,

Be it further resolved that the OTC shall continue to work with the EPA, other state organizations, interested partners and Congress to help establish a national comprehensive multi-pollutant program affecting EGU and non-EGU industrial boilers which sets annual and seasonal emission caps that enable attainment of ozone standards by 2012; and,

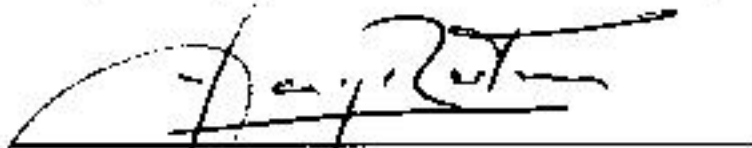
Be it further resolved that, because of the serious health consequences of non-attainment as well as the significant economic and environmental inequities continuing to disadvantage OTC member jurisdictions as long as that designation remains, upwind contributors must be held accountable for their emissions and the attainment dates for the 8 hour ozone standard must not be relaxed; and,

Be it further resolved that this program shall also optimize the control of other pollutants of concern, in the most comprehensive and cost-effective manner possible, so as to maximize public health, environmental and economic benefits; and,

Be it further resolved that the multi-pollutant program shall not preclude any rights of states to ensure healthful and environmentally safe air for its citizenry or reduce its ability to effect that result; and,

Be it further resolved that the OTC calls for a national cap on NOx emissions from EGU's be set at a level that will, in conjunction with other stringent controls of other sectors, ensure attainment of ozone and particulate matter no later than 2012. For the EGU sector, modeling indicates that the cap be set at a level as low as 1.28 million tons per year in the attainment year and every year thereafter, and that a secondary eastern cap and an ozone seasonal cap be established within the national cap if necessary to address transport and ensure attainment in all jurisdictions.

Adopted by the Commission on September 24, 2003



Jan H. Reitsma
Chair



Commission Calls for Greater Pollution Control From Coal-Fired Power Plants

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FOR IMMEDIATE RELEASE

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The Ozone Transport Commission (OTC), an organization of 12 northeastern and mid-atlantic states plus the District of Columbia today called for much deeper and earlier cuts in emissions from power generators, notably coal plants, than any competing proposals on capitol hill would require.

"Ozone transport has simply not been adequately addressed in the debate over these bills so far," says Jan H. Reitsma, Chair of the Commission and Director of Rhode Island's Department of Environmental Management, referring to the several multi-pollutant bills now before Congress. The latest OTC modeling results indicate that none of the current proposals would reduce pollution sufficiently for the region to meet its air quality goals. Instead, the results appear to confirm an earlier approach advanced by EPA is closer to the mark."

In 2001, EPA proposed a 1.25 million ton cap on NOx by 2008 as technically and economically feasible, even lower than the 1.28 million ton cap OTC is calling for.

Through a Resolution adopted on September 24, 2003, OTC endorsed the multi-pollutant approach to controlling pollution from the electric power sector, but concludes that nitrogen oxide (NOx) emissions from power plants, including coal plants, need to be as low as 1.28 million tons per year, significantly lower than the 1.7 million ton level projected by the Administration's Clear Skies Initiative (CSI) and the other bills under consideration, but higher than EPA's 2001 proposal. In addition, OTC opposes the extension of compliance deadlines to as far out as 2018, as proposed in the pending bills. The Clean Air Act requires states to meet the health standards by 2010-2012.

"Our states support the Administration for its emphasis on a multi-pollutant approach," says Reitsma, "but with respect to NOx control, in particular, the initiatives offer too little, too late. As a result, OTC states would continue to incur higher public health and economic costs than are either necessary or fair, considering that a substantial portion of our pollution problems are due to upwind emissions."

268 counties in the east fail to meet the 8-hour ozone standard. According to EPA's modeling, the Clear Skies Initiative would result in only 3 additional counties meeting standards by the attainment date.

Recent modeling by the Commission shows that, even with Clear Skies, ozone pollution blowing in from the mid-west would still cause violations of the health standard even if there were NO manufactured emissions from the OTC states. The OTC Region has reduced its own NOx emissions by over 60% since 1990, and yet it has monitored exceedences of the health standard 625 times so far this year alone.

"At a minimum, new clean air legislation should be strict enough to achieve the public health standards that these proposals intend to support," said OTC Vice Chair and New Jersey Department of Environmental Protection Commissioner Bradley M. Campbell.

The OTC states are encouraging cooperative, bi-partisan action this year. "The Clean Air Act alone won't get us where we need to be either, so a multi-pollutant approach is the correct course" said Kendi Philbrick, Acting Secretary of the Maryland Department of the Environment.

Addressing the continued problem despite the regional reductions to date, Christopher Recchia, Executive Director of the Commission noted that "transport of pollution into the region from the west is just too large a piece of the problem for these sources not to take responsibility for their contribution."

"We are not asking for coal-fired power plants to achieve the standards for us, only that they do their part," Recchia said. OTC is calling for a 25% reduction from the CSI levels of 2020 by 2012, and an equal amount of emission reductions from the other sectors. The technology to reduce emissions from the power sector by this amount is well demonstrated, and when all pollutants are addressed together, the benefits outweigh the costs by about 10 to 1.

The OTC resolution also calls for preserving states' rights to deal with emissions coming from beyond their borders. CSI would restrict a state's ability under the Clean Air Act to petition EPA and receive timely relief when it can demonstrate that another state's sources are adversely affecting its air quality.

The OTC resolution follows closely on the heels of the September 9, 2003 New England Governors and Eastern Canadian Premiers resolution, which calls on EPA to reverse its recent New Source Review rules allowing older polluting coal plants to continue to operate without advance pollution controls. That resolution was based, in part, on OTC's work. "These plants were expected to be shut down or upgraded 30 years ago," said Reitsma. "How long should we wait?" In addition to causing unacceptable and avoidable health effects, this delay has economic consequences for the eastern states, including additional costs to businesses wishing to locate or expand in the OTC states.

"Without a bill that adequately addresses these issues," said Reitsma, "our member states are left with no other alternative than to continue to sue these plants in order to get the adequate controls installed. We would much prefer a predictable national standard that got this job done."

States including New Hampshire, Connecticut, Massachusetts and North Carolina are requiring advanced controls on coal plants by the 2012 date, many with the support of utility companies in those states. "The settlement agreements and state regulatory approaches show the levels of control we're asking for are achievable in the timeframe we're talking about" Recchia concluded.

The Ozone Transport Commission was established under the Clean Air Act amendments of 1990 to address the transport of ground level ozone and its precursors, Oxides of Nitrogen (NOx) and Volatile Organic Compounds (VOC's), into and through the region. NOx and VOC's are generated by power plants, cars and trucks, and other industrial and business sources.

Health effects of ozone include reduced respiratory capacity in children and adults, increased asthma attacks, and up to 20% increase in respiratory-related hospitalizations, including an estimated 50,000 emergency room visits per year in the region.

OTC member jurisdictions are: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Virginia.