



Statement of the Ozone Transport Commission to the US Environmental Protection Agency Regarding the 2010 National Ambient Air Quality Standards for Ozone

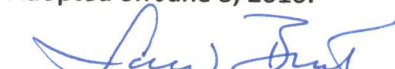
The Ozone Transport Commission (OTC) reaffirms its strong support for a revised primary ozone standard that offers greater public health protection, within the recommended levels and forms put forth by the Clean Air Scientific Advisory Committee (CASAC). In anticipation of the final rule revising the National Ambient Air Quality Standard (NAAQS) for ozone, OTC urges the US EPA to issue a proposed implementation rule for the new ozone NAAQS contemporaneously with the final rule to achieve the benefits of the tighter standard. Further, OTC is already in great need of additional reductions in transport to meet the current ozone standard. Prompt action is needed to address the tighter standard we expect EPA to promulgate in August to update the transport rule as soon as possible.

The OTC states also support accelerated implementation of the new primary standard, including an expedited designation process, because it is important to avoid unnecessary delays in protecting public health. To achieve this goal EPA will need to provide information on the requirements and schedule for implementation of the secondary standard at the same time as that for the primary standard, so that states can avoid duplication of effort and maximize use of limited resources.

When finalizing designations, OTC urges EPA to recognize the critical role of transport on nonattainment. Studies in the northeast region show that on high ozone days 80 percent or more of tropospheric ozone and its precursors occurring in our states are due to interstate transport. Therefore when finalizing designations, EPA should, through modeling or other analytical techniques, identify source regions contributing significantly to another state's nonattainment and make sure that those areas are also designated nonattainment. The OTC states, along with the state members of the Lake Michigan Area Directors Consortium (LADCO), advised EPA that an upwind state significantly contributes to nonattainment or interferes with maintenance in a downwind area if its total impact from all source sectors equals or exceeds 1 percent of the NAAQS. This is consistent with EPA's NOx SIP Call. If a significantly contributing nonattainment area has a later attainment date than the affected downwind area, then EPA should not approve that upwind state's SIP unless it contains control measures that address its contribution, in accordance with the law, in sufficient time for affected downwind nonattainment areas to meet their earlier attainment dates.

A critical consideration in the implementation of a new ozone standard is the identification and implementation of cost-effective controls on a national and larger regional basis, since local and Ozone Transport Region (OTR) controls alone will not achieve attainment in all areas. The OTC states urge EPA to address ozone transport by making appropriate designations, adopting national measures for many key sectors, and ensuring the necessary upwind controls are implemented promptly to allow downwind states to attain the ozone NAAQS in a timely manner. Furthermore, we call on EPA to provide the states with the technical assistance, resources and tools that will be critical to ensure the effective implementation of the new ozone NAAQS.

Adopted on June 3, 2010:


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