

# A Status Report: OTC Transport Team



September 12, 2013 – OTC Meeting Tad Aburn - Air Director, MDE

## **Topics**



- The EPA Transport
  Process
- A potential collaboration between upwind and downwind states to solve the ozone transport problem
- Individual state legal efforts to compel action on ozone transport



# The EPA Transport Process

#### Regional meetings on April 7 and 18

One in the East ... one in the West

#### Multiple conference calls

- Some with Commissioners and Air Directors
- Others that are more technical
  - Air Directors and technical staff

#### EPA has been very clear

- They will not propose a solution
- They will take a formal action to establish the "Good Neighbor" responsibilities for all upwind states
  - Could be an emission reduction requirement
  - Could be a requirement for the upwind state to adopt control programs to achieve a concentration reduction (ppb or ug/m3) in a specific downwind area
- Whatever EPA ends up doing ...
  - The bottom line is that the states will need to find the solution
  - EPA schedule has not yet been announced





### The State Role in the EPA Process

#### Provide Comments to EPA on critical issues

- Technical Issues
- Some complicated issues resulting from the Homer City decision

Begin to look at what the "solution" or "remedy" might be

 Discussions on a technical collaboration between the states has already started





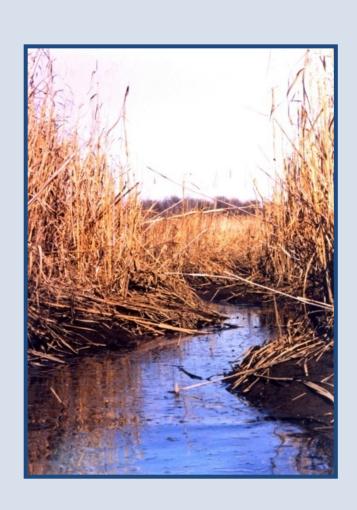
## Getting a Collaborative Effort Started

### ... finding the solution

Really picked up steam since early April

- EPA meetings clearly generated interest Still some confusion over what the EPA process will be and who is responsible for doing what ...
  - The EPA process will only establish emission reduction responsibilities for upwind states
  - States are to identify the solution which sources to control ... and then do it
    - Technical Collaboration between many states has already begun
      - OTC, Midwest and Southern states
      - Focusing on a 2018 "business-as-usual" scenario
      - Any discussions on new policies will involve Commissioners

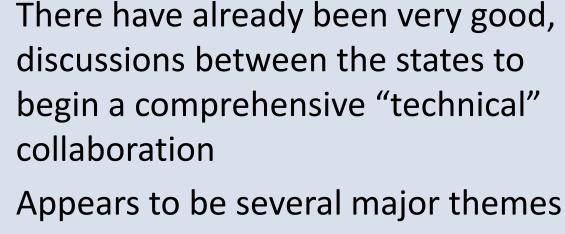




### A Collaborative Effort Between States

### ... getting the effort started







- It's more than power plants
- Mobile source NOx reduction are critical – Analyze potential Tier 3 benefits
- Power plants are important but there are some interesting trends
- ICI Boilers are also experiencing positive change in emissions



### The OTC Transport Team

At it's November 10, 2011 meeting the OTC charged the Air Directors to develop a technical and legal strategy to better address regional transport

 Some areas of the southern OTR continue to measure "incoming" ozone levels that are already above the new 75 ppb standard.

A Transport Team is now in place to coordinate this effort

- Looking at both technical analyses and legal options
- A group of individual states (not OTC)
   have been working on and in some
   cases moving forward with legal
   challenges to compel action on reducing
   ozone transport





## Potential Transport Actions

- Pushing and supporting federal measures to reduce transport
- Section 107 recommendations for very large nonattainment areas
- o Challenging upwind states "Transport SIPs" (the Section 110A2D "Good Neighbor" SIP)
- o Section 176A Petition to expand the Ozone Transport Region
  - o May 30 letter to 9 upwind states
- o Section 126 Petitions against stationary sources
- o Another "state partnership" effort



