

Ozone NAAQS

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Overview

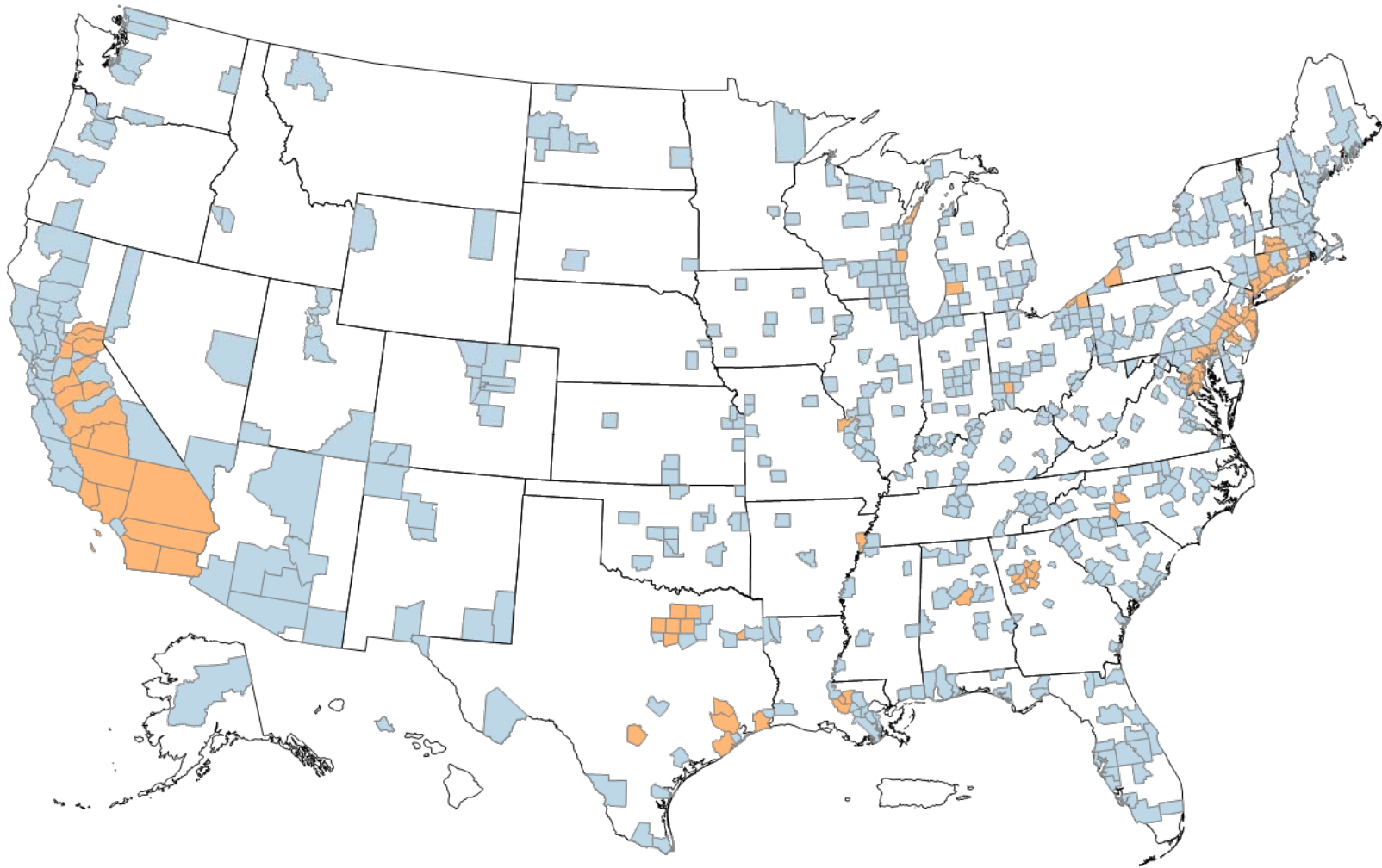
- On March 12, 2008, EPA significantly strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone
- These revisions reflect new scientific evidence about ozone and its effects on public health and the environment
- The final revisions affect two types of ozone standards:
 - *Primary standard* to protect public health, including the health of "sensitive" populations such as people with asthma, children, and older adults
 - *Secondary standard* to protect public welfare and the environment, including sensitive vegetation and ecosystems
- Specifically, EPA has:
 - Revised the level of the primary and secondary 8-hour ozone standards to 0.075 parts per million (ppm)
- For more information go to <http://www.epa.gov/groundlevelozone>

Revised Ozone AQI

- EPA changed the Air Quality Index (AQI) to reflect the new primary standard
- The AQI is EPA's color-coded tool designed to inform the public about daily air pollution levels in their communities
- EPA is adjusting the 100-level, which is the upper end of the "moderate" category, to equal the new 0.075 ppm standard, and making proportional changes to other AQI values

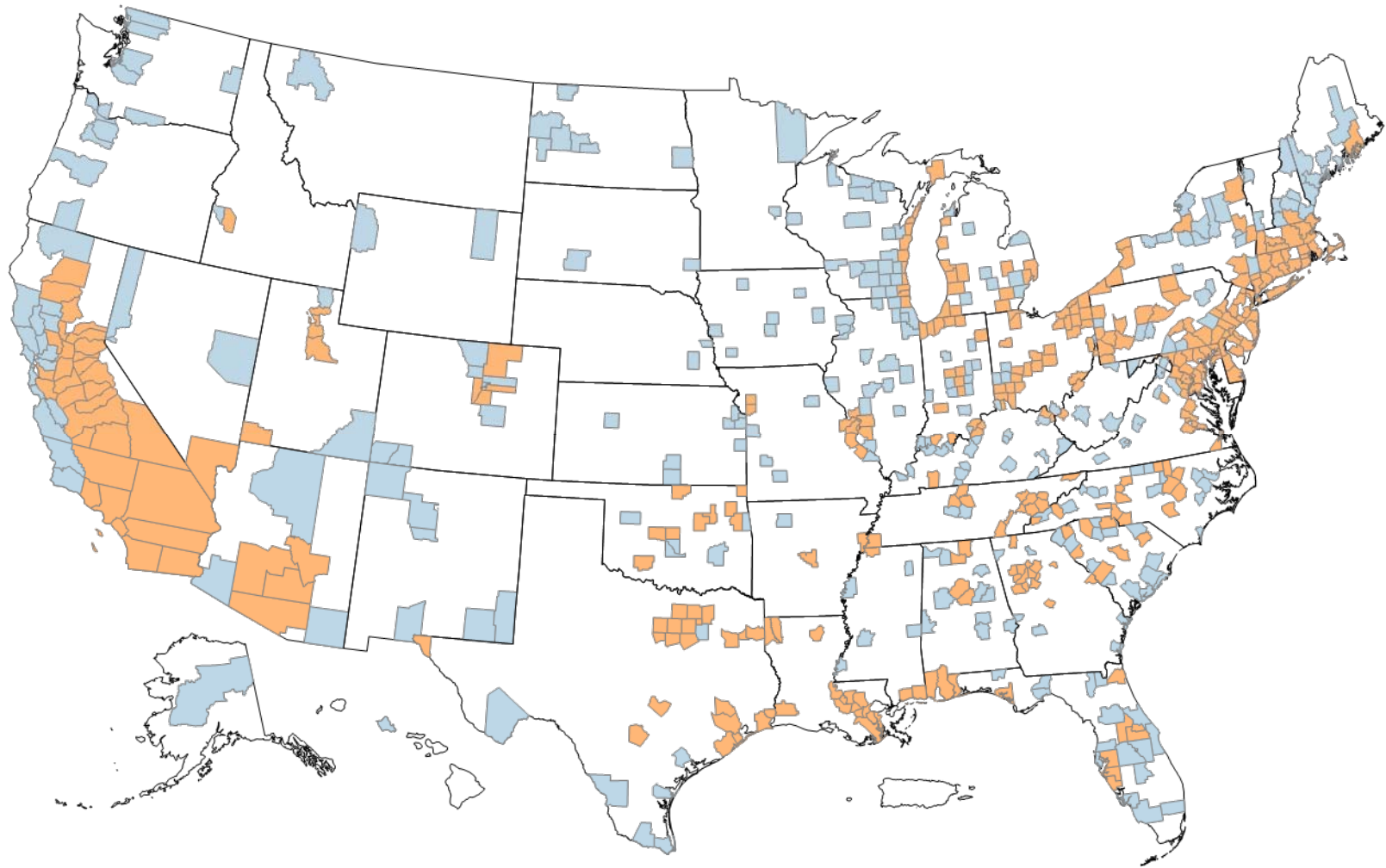
Category	AQI Value	1997 8-hour (ppm)	2008 8-hour (ppm)
Good	0-50	0.000-0.064	0.000-0.059
Moderate	51-100	0.065-0.084	0.060-0.075
Unhealthy for Sensitive Groups	101-150	0.085-0.104	0.076-0.095
Unhealthy	151-200	0.105-0.124	0.096-0.115
Very Unhealthy	201-300	0.125-0.374	0.116-0.374
Hazardous	301-400	No Change	No Change
	401-500	No Change	No Change

Counties with Monitors Violating the 1997 8-Hour Ozone Standard of 0.08 parts per million (ppm), 2004-2006 Data



- 85 Counties Above the Level of the Standard
- 552 Counties Below the Level of the Standard

Counties with Monitors Violating the 2008 8-Hour Ozone Standard of 0.075 parts per million (ppm), 2004-2006 Data



- 345 Counties Above the Level of the Standard
- 298 Counties Below the Level of the Standard

Counties with Monitors Projected to Violate the 2008 8-Hour Ozone Standard of 0.075 parts per million (ppm) in 2020



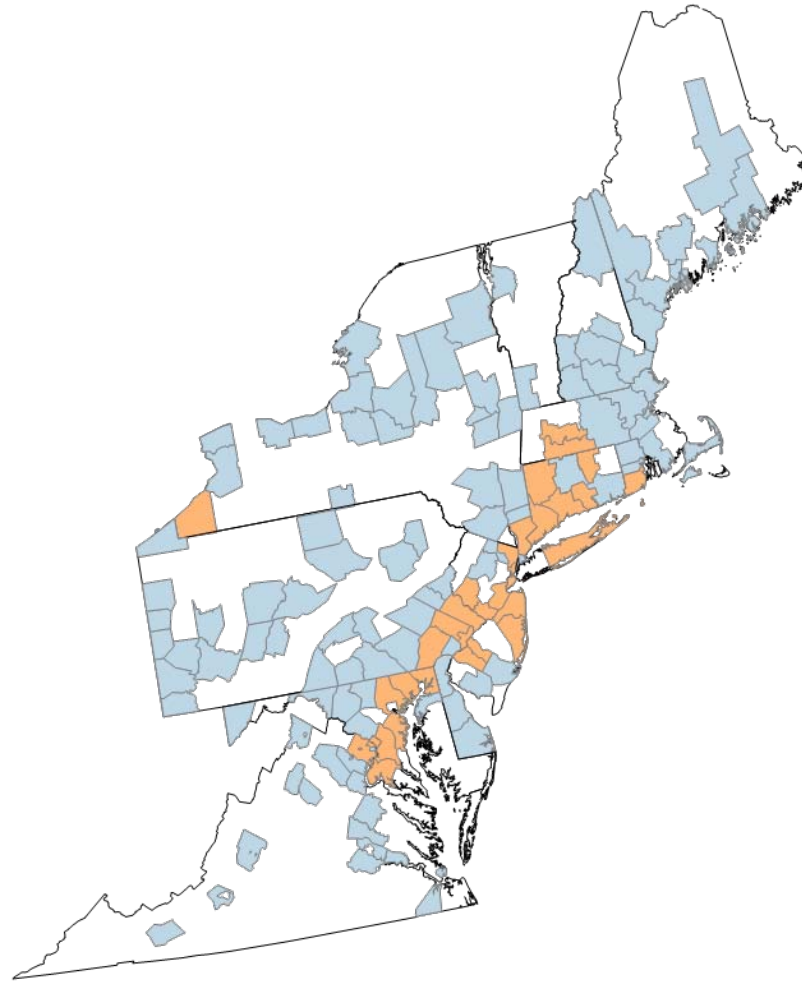
Notes:

¹ 28 counties are projected to violate the 2008 8-hour ozone standard of 0.075 parts per million (ppm).

² Future ozone levels were projected only for counties with monitoring data and within the contiguous 48 states.

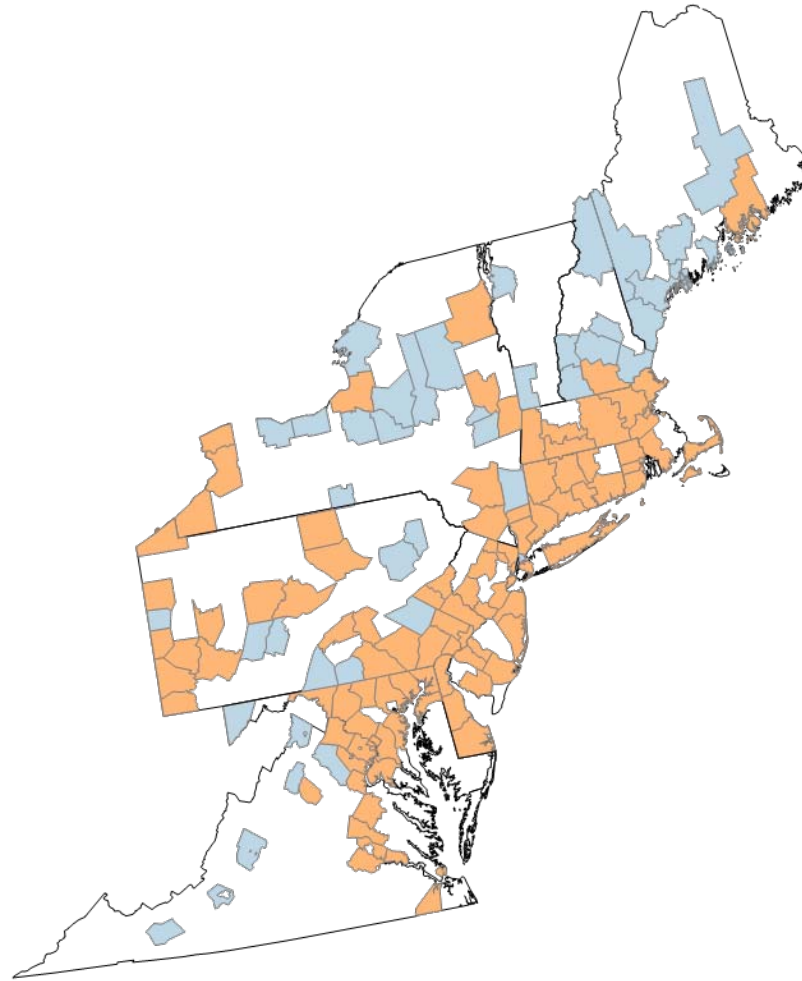
³ Modeled emissions reflect the expected reductions from federal programs including the Clean Air Interstate Rule, the Clean Air Mercury Rule, the Clean Air Visibility Rule, the Clean Air Nonroad Diesel Rule, the Light-Duty Vehicle Tier 2 Rule, the Heavy Duty Diesel Rule, proposed rules for Locomotive and Marine vessels and for Small Spark-Ignition Engines; as well as illustrative state and local level mobile and stationary source controls identified for the purpose of attaining the 1997 ozone and 2006 PM_{2.5} standards. States may choose to apply different control strategies for implementation.

**Counties (OTC Region) with Monitors Violating the 1997 8-Hour Ozone Standard
of 0.08 parts per million (ppm),
2004-2006 Data**



- 34 Counties Above the Level of the Standard
- 108 Counties Below the Level of the Standard

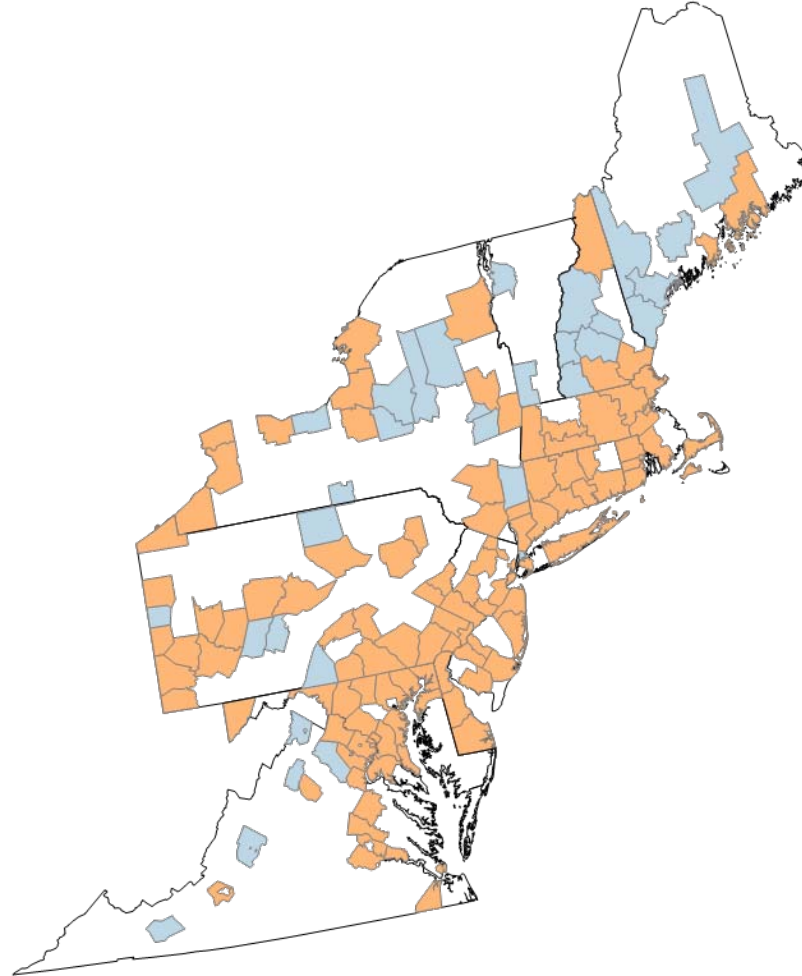
Counties (OTC Region) with Monitors Violating the 2008 8-Hour Ozone Standard of 0.075 parts per million (ppm), 2004-2006 Data



- 102 Counties Above the Level of the Standard
- 43 Counties Below the Level of the Standard

**Counties (OTC Region) with Monitors Violating the 2008 8-Hour Ozone Standard
of 0.075 parts per million (ppm),
2005-2007 Data**

PRELIMINARY 2005-2007 Data (Retrieved on June 4, 2008)



- 113 Counties Above the Level of the Standard
- 32 Counties Below the Level of the Standard

Designations

- By Mar 12, 2009: No later than one year after EPA revises a NAAQS, the Clean Air Act requires states (and gives tribes the option) to recommend boundaries for areas that **are & are not** meeting the new standards
- By Nov 12, 2009: EPA will notify States if EPA intends to modify a State's recommendation to allow State to comment on the modification.
- By Mar 12, 2010: EPA is required to issue final designations within two years after establishing revised NAAQS (but may take up to another year if insufficient data is available for designation).
- EPA is reviewing existing designations guidance to see if it needs to be updated.

Expected Implementation Timeline for the 2008 Ozone NAAQS

Milestone	Date
Signature—Final Rule	March 12, 2008
State Designation Recommendations to EPA	No later than March 12, 2009
Final Designations	No later than March 12, 2010*
Attainment Demonstration SIPs Due	2013*
Attainment Dates	2013-2030 (depends on severity of problem)

* In the event the Administrator has insufficient information to promulgate the designations by March 12, 2010, the date of final designations may be extended up to one year, but no later than March 12, 2011. SIPs will be due three years from final designations.

Revised Exceptional Events Data Flagging and Documentation Dates

- EPA intends to issue a rule this summer to adjust dates for flagging ozone monitoring data affected by exceptional events and submitting supporting documentation for years 2005-2008.
- We may need to adjust schedules each time we revise a NAAQS for purposes of the initial designations under the NAAQS.

<u>Data Years</u>	<u>Must be Flagged in AQS</u>	<u>Final Documentation Due</u>
2005-2007	12/31/2008	04/01/2009
2008	04/01/2009	04/01/2009

Monitoring Considerations Related to Revised Ozone Standards

- EPA will consider the following issues in monitoring rule to be proposed late summer 2008 with final in Spring 2009
 - Requirements in urban areas, including whether to require ozone monitors in smaller Metropolitan Statistical Areas (cities) of between 50,000 and 350,000 population that do not currently have monitors
 - Requirements in rural areas to address the large spatial gaps that exist in the current network, including whether to require a minimum number of rural monitors per state
 - Such monitors would likely be located in areas with ozone sensitive plant species and where resulting vegetation damage would adversely affect land usage, with special focus on public lands that are protected areas of national/state/tribal interest (e.g., National parks, wilderness areas)
 - The length of the required ozone monitoring season, including whether the season should be lengthened in some areas to capture relevant measurements in calculating the revised NAAQS and the Air Quality Index

1997 Ozone Standards

- For now, the 1997 8-hour ozone NAAQS and all the associated regulatory requirements remain in place.
- States should continue their plans for implementing the 1997 NAAQS.
- EPA will address any transition issues in a separate rulemaking to be proposed this Fall.

Summary of 1997 Ozone NAAQS SIP Status

- SIPs to meet the 1997 ozone standards were due by June 15, 2007. A number of States have submitted final attainment demonstrations, RFP SIPs and RACT SIPs for some of the areas.
- Regional Offices are working with their States for the remaining areas to receive complete and approvable SIPs.
- We are working with our Regional Offices to ensure consistency in reviewing and acting on SIPs especially related to use of “weight of evidence.”
- March 24, 2008 - EPA issued findings that 11 States missed Clean Air Act deadlines for submitting plans, or elements of plans, for implementing EPA’s national air quality standards for ozone.
- March 28, 2008 – EPA also issued findings related to the section 110(a) infrastructure SIPs. There are no sanctions associated with these findings.

Current Phase 1 Implementation Litigation – 1997 Ozone NAAQS

- DC Circuit Court partial vacatur
 - Vacated subpart 1 classification (not designations)
 - Vacated removal of certain 1-hr Ozone requirements for purposes of anti-backsliding
 - NSR applicability
 - section 185 fee programs
 - contingency measures
 - On June 8, 2007, the U.S. Court of Appeals for the District of Columbia Circuit responded to our petition for rehearing on the court's December 22, 2006, decision on the Phase 1 Rule to implement the 8-hour ozone NAAQS.

Next Steps on 1997 Ozone NAAQS – Rulemakings –

- Develop 4 proposed rules - Fall of 2008
 - Classification of subpart 1 areas & contingency measures
 - Section 185 fees for the 1-hour ozone NAAQS
 - NSR for the 1-hour ozone NAAQS
 - RFP outside the nonattainment area
- Develop final rules - Fall of 2009

Phase 2 Rule Litigation Schedule

- Reconsiderations completed for CAIR=RACT & 2 NSR issues
- Oral argument was originally scheduled for Sep 7, 2007, but was postponed due to the re-consolidation of the 3 reconsideration issues with the other 5 issues.
- Petitioner briefs were filed in mid-March, 2008.
- EPA response brief filed in mid-May.
- The court will likely allow the petitioners 4 to 6 weeks for their response to the EPA brief
- Oral argument not yet scheduled, will likely be in the Fall.

2008 Ozone NAAQS

- Plan to issue proposal on implementing 2008 ozone NAAQS, including transitioning from the 1997 NAAQS, in Fall 2008.
- We are gathering questions to address in this proposal from States/Tribes.
- For further information or to submit questions to be addressed in the proposal, contact John Silvasi at 919-541-5666 or silvasi.john@epa.gov.