

Northeast and Mid-Atlantic States'
Proposal for Implementing the
Eight-Hour Ozone Standard

Guiding Principles

- Expeditious implementation to protect public health
- Accountability and fair share
- Effective national and regional controls
- Flexibility

Basic Premise

- The Clean Air Act contains mechanisms -- and mandates EPA -- to address transport
- Transport can and must be addressed prospectively
- There is ample technical data to support findings of significant contribution

Opportunities for EPA to Address Transport

- Mandatory: when designating non-attainment areas (CAA §107)
- Mandatory: when reviewing and approving SIPs (§110(a)(2)(D)(i))
- Optional: by establishing OTRs (§184), if EPA so chooses

Proposed Designation Process

- EPA reviews current 8-hour ozone monitored data
- EPA conducts analyses to determine what regions/areas contribute to downwind areas
- EPA gives each area a designation based on monitored values ($>0.08\text{ppm}=\text{nonattainment}$)
- EPA gives each area a designation based on whether the area contributes to downwind areas; contributing areas designated as nonattainment or functional equivalent

Two-Track SIP Obligations

- §110 (a)(2)(D) determinations made when a SIP is initially submitted
- EPA indicates extent of reductions necessary for area to come into attainment and eliminate downwind contributions
- Area is obligated to address (1) local and (2) downwind impacts through its SIP
- SIP is approved when downwind areas have approved SIPs or it is demonstrated that downwind contributions will be eliminated or reduced to insignificant levels

SIP Requirements

- Addresses any significant downwind contributions
- Contains modeling (approved by EPA) showing the necessary reductions for attainment in the area and downwind
- Accounts for growth to the area's attainment year
- Includes national and regional measures
- Includes rate of progress

Flexibility and Accountability

- Areas should have flexibility with respect to choosing specific measures
- Areas must ensure specified measures meet emission reduction requirements
- Category labels must accurately reflect the public health significance of the ozone problem

Dispelling Misperceptions

- The proposal does not advocate one big non-attainment area in the Eastern U.S.
- The proposal does not advocate establishing OTRs as the primary mechanism for addressing transport
- The proposal does not advocate that all non-attainment (or functionally equivalent) areas have identical requirements

To View the Proposal

- <http://www.sso.org/otc>
 - Click on “Publications”
 - Click on “Correspondence”
 - Click on “April 22, 2002 proposal to U.S. EPA for implementing the eight-hour ozone standard”