Ozone Program Update

2007 Region 4 Modelers Workshop

March 27-28, 2007

Ozone SIPs

- 8-hour Implementation Policy Status
- New Standards Review
- 2007 Region 4 SIP Expectations

8-hour Implementation Policy Status - Background

2007 Region 4 Modelers Workshop March 27-28, 2007

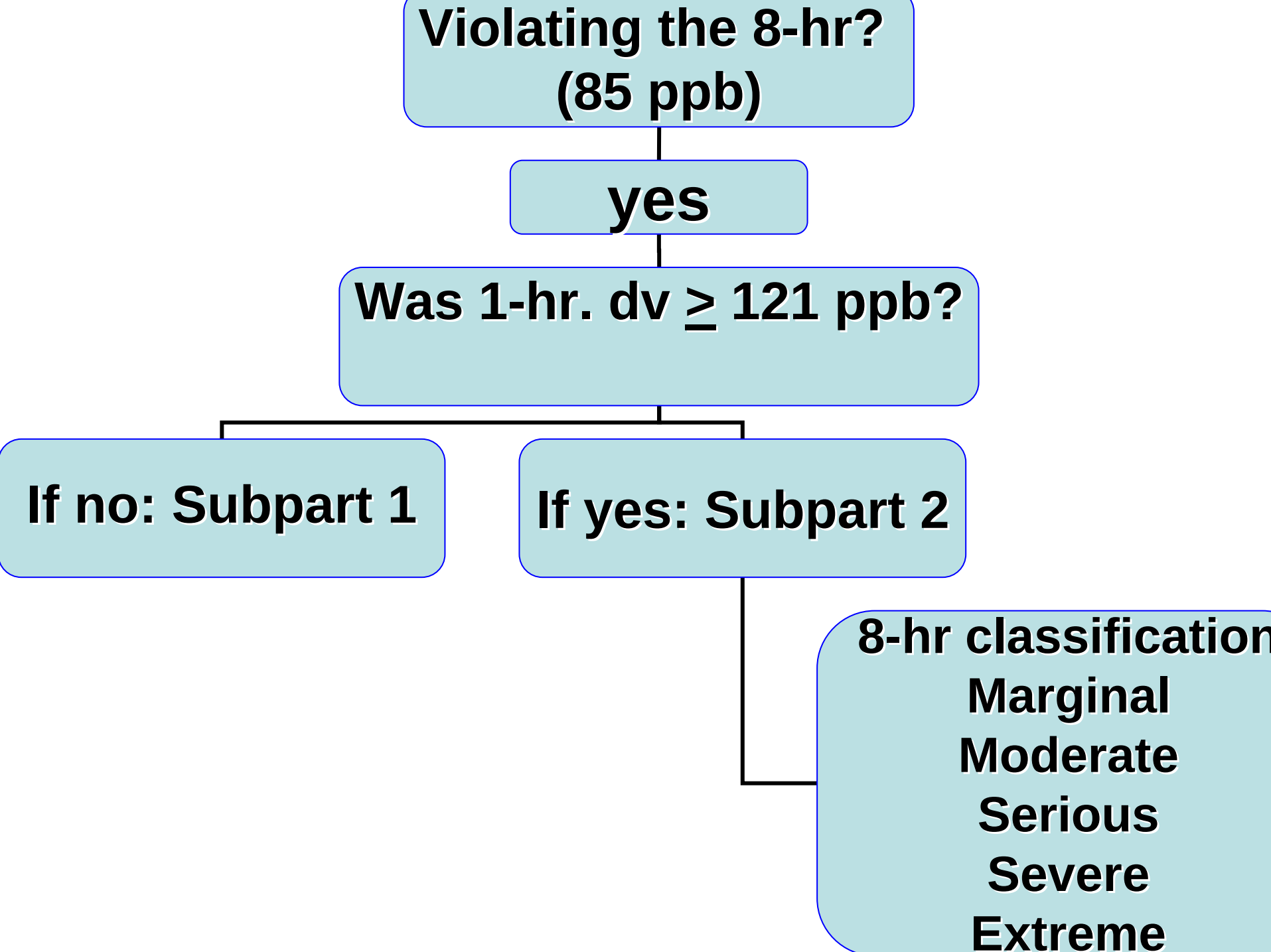
NAAQS and Designations

- 8-hour Ozone Implementation Rule
  - **Phase 1 Implementation Rule - April 30, 2004** Final Rule (69 FR 23951)
  - **Phase 2 Implementation Rule - November 29, 2005** Final Rule (70 FR 71612)

- *8-hr Ozone Designations*
  - April 30, 2004 Final Rule (69 FR 23858)

8-hour Phase 1 Rule

- Phase 1 – April 30, 2004 Final Rule (69 FR 23951)
  - Explained classification determination
  - Revoked 1-hour standard (June 15, 2005)
  - Anti-backsliding principles
  - Attainment dates
  - Timing of reductions needed to attain.


Violating the 8-hr?
(85 ppb)
yes
Was 1-hr. dv ≥ 121 ppb?
If no: Subpart 1
If yes: Subpart 2
8-hr classification
Marginal
Moderate
Serious
Severe
Extreme

8-hour Ozone Subpart 2 Classifications

Area Class	Design Value ppm	Max period for attain. dates for SIPs
Marginal	0.085 - 0.092	3 yrs after effect. date of NA desig. for 8-hr
Moderate	0.092 – 0.107	6 yrs after
Serious	0.107 – 0.120	9 yrs after
Severe - 15	0.120 – 0.127	15 yrs after
Severe - 17	0.127– 0.187	17 yrs after
Extreme	= or > 0.187	20 yrs after

Region 4 8-hour Ozone Areas Designated NA and classified Subpart 1 in 2004

- Redesignated to attainment
  - Birmingham, AL*
  - Clarksville-Hopkinsville, TN-KY
  - Rocky Mount, NC
- Final Redesignation Request submitted
  - Ashland-Huntington, KY- WV (Boyd County)
  - Louisville, KY

* Not attaining with ’04 – ’06 data

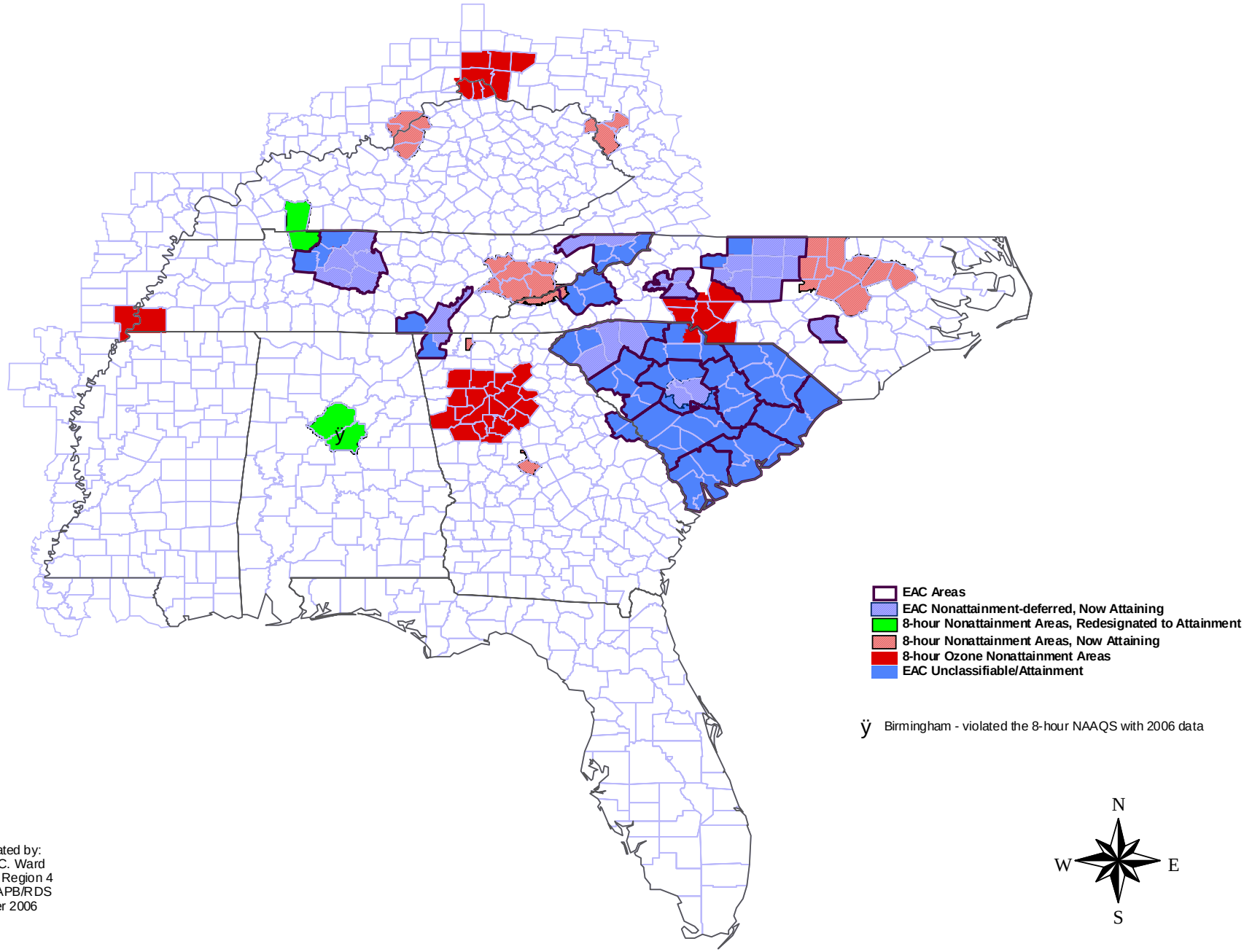
Region 4 8-hour Ozone Areas Designated NA and classified Subpart 1 in 2004

- Expected Redesignation Requests
  - Macon, GA
  - Murray County, GA
  - Haywood and Swain Counties (GSNP), NC
  - Raleigh-Durham-Chapel Hill (Triangle area), NC
  - Knoxville, TN
- Expected Attainment SIP
  - Cincinnati (Northern KY)

Region 4 8-hour Ozone Areas
Designated NA and classified Subpart 2 in 2004

- **Charlotte, NC - Moderate**
- **Atlanta, GA - Marginal**
- **Memphis, TN-AR – Marginal**

8-hour Ozone Designations and Early Action Compact Areas



Map Created by:
Nacosta C. Ward
USEPA - Region 4
APTMD/APB/RDS
November 2006

8-hour Implementation Policy Status Court Decision

- **<u>December 22, 2006 D.C. Circuit Court Decision</u>**
  - Phase 1 rule vacated and remanded
  - Some subpart 1 areas should have been classified under subpart 2
  - Upheld decision to revoke 1-hour stnd.
  - Additional requirements need to be preserved under antibacksliding scheme – NSR,1-hour conformity and 185(a) penalties

8-hour Implementation Policy Status Next Steps

- March 19, 2007 Q&A Memo
- March 22, 2007 – Supplemental rule for existing redesignation proposed approvals
- Waiting for language for redesignations not yet proposed for approval
- Weekly status update calls with EPA HQ and the Regions

8-hour Implementation Policy Status Next Steps cont.

- March 22, 2007 EPA petitioned court for rehearing
- The court will decide whether to grant rehearing and notify EPA by ???
- **EPA does not yet know how redesignations or any other issue related to 8-hour ozone will ultimately be affected by the recent vacature of Phase 1 of the 8-Hour Ozone Implementaion Rule**

2007 SIP Expectations

- **EPA does not yet know how redesignations or any other issue related to 8-hour ozone will ultimately be affected by the recent vacature of Phase 1 of the 8-Hour Ozone Implementaion Rule**
- States should continue to work on SIPs

2007 SIP Expectations

EPA does not yet know how court decision will affect Ozone SIPs

- **<u>Region 4 8-hour Ozone NA Areas Status Report</u>**
  - 14 areas designated NA in ‘04
  - 6 nonattainment areas that did not attain the standard with ‘05 ozone data.
  - 4 of those 6 areas continue to violate the standard with ***preliminary*** ‘06 data

2007 SIP Expectations

EPA does not yet know how court decision will affect Ozone SIPs

Region 4 8-hr Ozone NA Areas Still violating

- Subpart 1
  - Cincinnati, OH-KY-IN
- Marginal Needing reclassification
  - Atlanta, GA
  - Memphis, AR-TN
- Moderate – Latest Attainment Date - 2010
  - Charlotte-Gastonia-Rock Hill, NC

2007 SIP Expectations

EPA does not yet know how court decision will affect Ozone SIPs

Redesignations

- R4 will wait for FR language from OAQPS regarding the recent court decision before proposing approval of any redesignations
- Final Submittal to EPA
  - Huntington-Ashland WV-KY
  - Louisville, KY

2007 SIP Expectations

EPA does not yet know how court decision will affect Ozone SIPs

Redesignations Expected

- Macon, GA
- Murray County, GA
- Raleigh-Durham-Chapel Hill, NC
- Haywood and Swain Counties (Great Smoky NP), NC
- Knoxville, TN

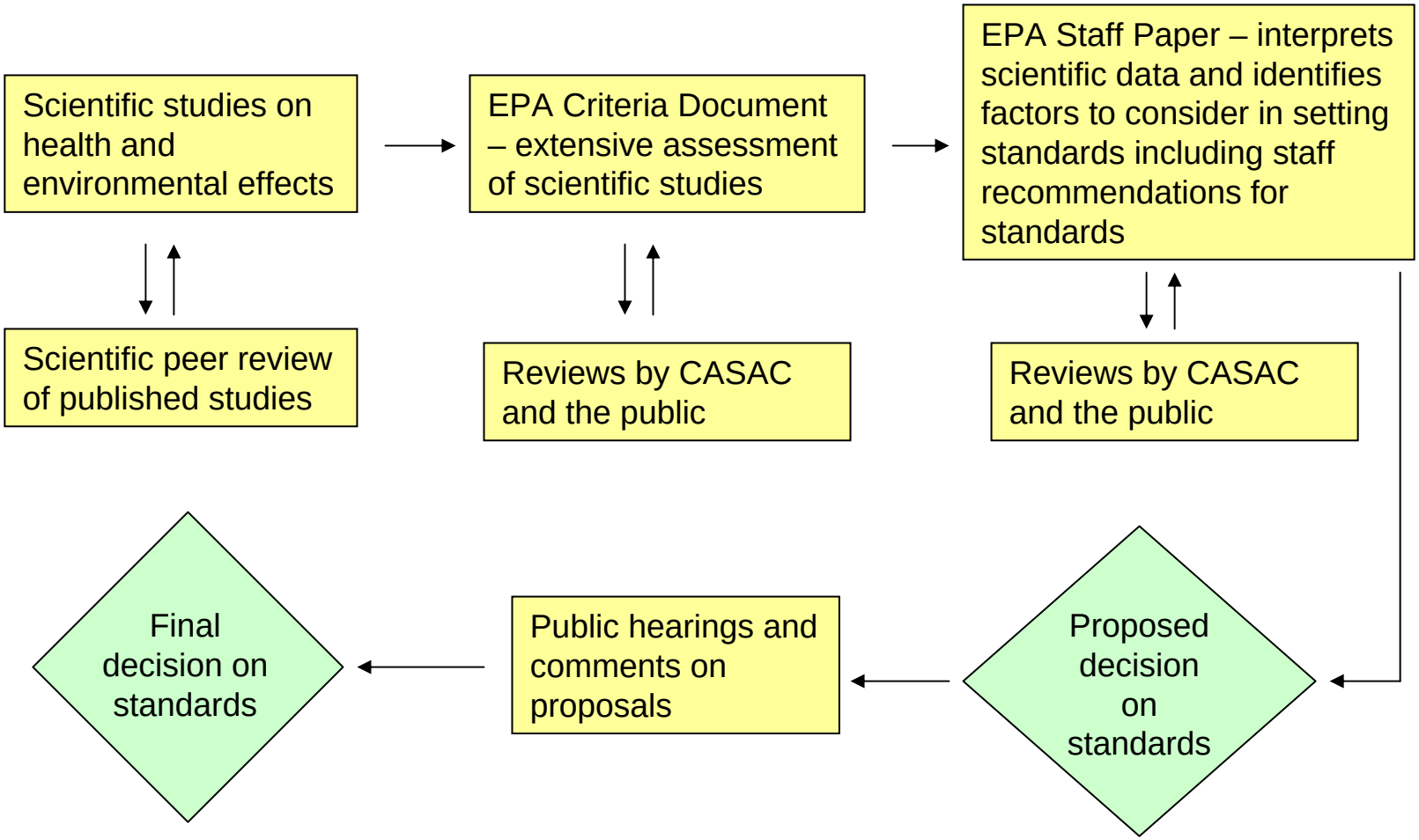
New Ozone Standards Review

2007 Region 4 Modelers Workshop March 27-28, 2007

New Standards Review

- CAA requires NAAQS review every 5 yrs
- Last Ozone Standard revision - 1997
- January 31, 2007 - CASAC published Final Ozone Staff Paper

Review Process for NAAQS



New Standards Review

- March 5, 2007 – EPA/CASAC Ozone Review Panel public teleconference
  - 10 public commenters spoke.
  - Advisory Board discussed revisions to Ozone Staff Paper
  - Board indicated they will recommend primary standard no higher than .070 ppm.
  - EPA will consider CASAC's recommendations along with other factors.

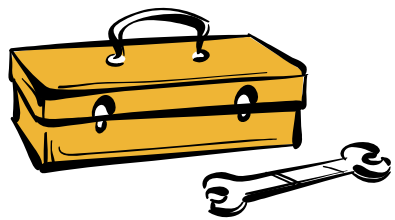
New Standards Review

- January 31, 2007 – Final release of Ozone Staff paper
- June 20, 2007 – Planned notice of proposed rulemaking
- March 12, 2008 – Final decision
- Long-range Next Steps
  - Designations
  - Development of Attainment Plans

EPA's SIP Tool Kit For Ozone

http://www.epa.gov/air/ozonepollution/SIPToolkit/index.html

- SIP Planning Information Toolkit Home
- Applicable Timeframes
- Attainment Demonstrations / Modeling
- Reasonable Further Progress
- Applicable Control Measures
- CTG & ACT Documents
- Relevant Rules & Policies
- Examples of States' SIP Protocol
- Related Links



For More Guidance

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