1997 Ozone NAAQS: EPA Proposed SIP Call for NY-NJ-CT Area

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June 5, 2014
Ozone Design Value Trend
NY-NJ-CT Nonattainment Area

Design Value (ppb)

NY-NJ-CT Max DV
SWCT Portion
NJ Portion
NY Portion
1997 NAAQS

Connecticut Department of Energy and Environmental Protection
EPA’s Proposal
(79 FR 27830; 5/15/2014; comments due 6/16/2014)

- **Revoke Clean Data Determination**
  - does not affect finding that area attained on time
  - no bump-up to “serious”

- **“SIP Call” for Revised Attainment SIPs (3 options)**
  - 1997 NAAQS / re-attain “as expeditiously as practicable”
  - 2008 NAAQS / “marginal” / 2015 attainment
  - 2008 NAAQS / request “moderate”/ 2018 attainment

  ➔ NY/NJ/CT must all request moderate bump-up
Proposed “SIP Call” Based On Portion of CAA Section 110(k)(5)

(5) CALLS FOR PLAN REVISIONS. — Whenever the Administrator finds that the applicable implementation plan for any area is substantially inadequate to attain or maintain the relevant national ambient air quality standard ... the Administrator shall require the State to revise the plan as necessary to correct such inadequacies.
CT’s Comments

Apply **ALL** of CAA Section 110(k)(5)

- **(5) CALLS FOR PLAN REVISIONS.**—Whenever the Administrator finds that the applicable implementation plan for any area is substantially *inadequate* to attain or maintain the relevant national ambient air quality standard, *to mitigate adequately the interstate pollutant transport described in section 176A or section 184, or to otherwise comply with any requirement of this Act*, the Administrator shall require the State to revise the plan as necessary to correct such inadequacies.
Overwhelming Transport to CT

Percent Contributions to Connecticut Peak Ozone Levels

Data source: [http://www.epa.gov/crossstaterule/pdfs/CSAPR_Ozone%20and%20PM2.5_Contributions.xls](http://www.epa.gov/crossstaterule/pdfs/CSAPR_Ozone%20and%20PM2.5_Contributions.xls)

Percentages calculated using EPA modeled 2012 design values & state contributions to CT, averaged across all CT monitors.
Possible DEEP Comments (early draft)

• Fully Apply CAA Section 110(k)(5)
  - re-issue proposal with SIP Calls for all states significantly impacting violating monitors

• SCOTUS Homer City Ruling
  - enables EPA to issue FIPs for all states contributing to transport for 1997 & 2008 NAAQS

• Other Comments
  - should issue SIP Calls to other violating areas (Sheboygan WI)
  - questions authority to require Attain SIPs for 2008 NAAQS
  - numerous technical/policy questions
Questions?

• Proposed SIP Call: 79 FR 27830
  – comments due June 16, 2014

• DEEP Ozone Planning Web Page

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