

Federal Clean Air Act

- Congress establishes its intent broadly.
- EPA interprets & develops regulations, then policies or guidance.
- States or tribes demonstrate how goals are to be achieved through developing implementation plans. Processes vary.
- The Act sets timelines for plan development & implementation, as well as review cycle.

Federal Clean Air Act

- Section 109 - National Ambient Air Quality Standards (NAAQS)
 - Health standards based on protection of most sensitive populations
 - May set welfare standards
 - Costs not considered
 - Particulate matter and ozone of most concern

Federal Clean Air Act

- Section 110 – State Implementation Plans
 - Due 3 years after areas designated nonattainment
 - Make commitments toward attaining standard
 - Federally enforceable
 - Once standard achieved, maintenance plan submitted

Counties Designated Nonattainment for PM-2.5 and/or 8-hour Ozone Standard



Federal Clean Air Act

- More science showing air pollution unhealthy, resulting in tightened standards after required 5-year reviews.
 - PM2.5 standard tightened in 2006
 - Ozone standard tightened in 2008
 - Combined effects of pollution, one atmosphere?

National Ambient Air Quality Standards (NAAQS)



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Ozone:

- 1-Hour Standard = 100 ppb
- 8-Hour Standard = ~~85~~ ppb
= 76 ppb as of 3/08

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PM_{2.5}:

- Annual Standard = 15 ug/m³
- 24-Hour Standard = ~~65~~ ug/m³
= **35** ug/m³

New 24-Hour Standard 9/06

New Ozone Std
0.075 ppm
345 Counties estimated to exceed

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

(Based on 2004-2006 Air Quality Data)



Notes:

¹ 345 monitored counties violate the 2008 8-hour ozone standard of 0.075 parts per million (ppm).

² Monitored air quality data can be obtained from the AQIS system at <http://www.epa.gov/aqis/aqis.html>.

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

(Based on 2004-2006 Air Quality Data)



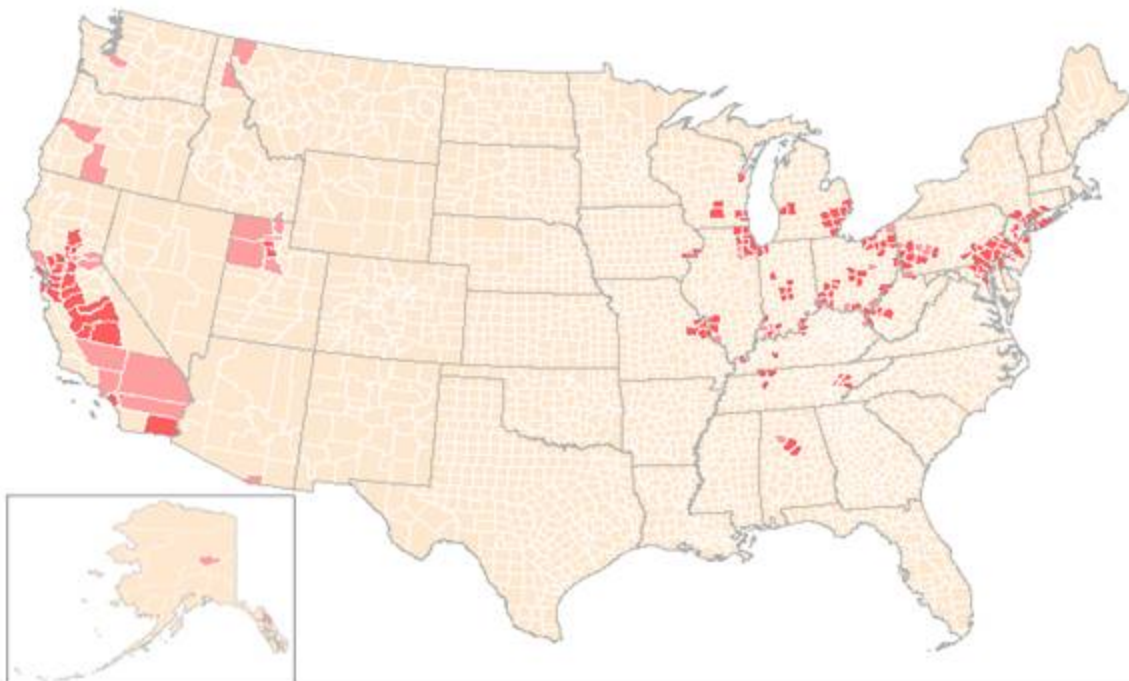
Notes:

¹ 85 monitored counties violate. Monitored air quality data can be obtained from the AQIS system at <http://www.epa.gov/aqis/aqis.html>.

² The 1997 national ambient air quality standard (NAAQS) for ozone of 0.08 ppm is effectively expressed as 0.084 ppm when data handling conventions are applied.

Old Ozone Std
0.08 ppm
85 Counties exceed

EPA Response to State Recommendations on 2006 24-Hour PM_{2.5} Designations – August 19, 2008



EPA Intended Designation

- Attainment/Unclassifiable
- Nonattainment - EPA recommendation (whole county)
- Nonattainment - EPA recommendation (partial county)

Federal Clean Air Act

- **Section 116 – Retention of State Authority**
 - States & tribes can develop regulations
- **Section 118 – Control of Pollution from Federal Facilities**
 - Applies to any requirement
 - Applies to fees
 - Applies to enforcement authority

Federal Clean Air Act

- Section 169 – Visibility Protection for Federal Class I areas
 - What are Class I areas?
 - Regional haze SIP
 - Current and natural conditions
 - Uniform rate of progress
 - Reasonable progress demonstration
 - Specific sources to be considered, includes fire
 - Best Available Retrofit Technology (BART)

EPA Rules & Policies

- Exceptional Events Rule – applies to prescribed fires & wildfires contributing to exceedances of standards
- Emergency Episode Rule – protect public health
- Interim Air Quality Policy on Wildland & Prescribed Fire

EPA Rules & Policies

- General conformity – requires projects not contribute to violation of standards
- Air Quality Index (AQI) – provides structure for informing public regarding air quality

Current Regulatory Issues

- PM2.5 standard revision
- Ozone standard revision
- Regional haze SIPs
- Development of smoke management programs/plans
- Interim policy
- Exceptional events

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