

Pennsylvania's Action

Pennsylvania's Action to Require Other States to Do Their Share to Control Air Pollution

We know from the work of the 37-state Ozone Transport Assessment Group (OTAG), completed and submitted June 30, 1997 to the U.S. Environmental Protection Agency (EPA), that ozone is not a local air pollution problem.

OTAG demonstrated that every state is downwind from another and that air mass movement transports ozone across state boundaries. In order to reduce ozone levels nationwide and in Pennsylvania, each state must do its fair share to reduce the transport of ozone.

For that reason, the Commonwealth of Pennsylvania, under Section 126(b) of the Clean Air Act (CAA) is petitioning EPA's Administrator to resolve the interstate transport problems identified by OTAG.

What is a Section 126 Petition?

Under Section 126, states can petition EPA to establish emission limitations on groups of sources necessary to achieve and maintain the ozone standard in Pennsylvania. The OTAG process demonstrated that states to Pennsylvania's west and south contribute significantly to violations of the ozone standard in the Commonwealth and throughout the northeast. This petition is being filed in order to ensure that EPA take timely action on the OTAG recommendations. According to the Clean Air Act, EPA must take action within 60 days of receipt of Pennsylvania's petition.

Why is Pennsylvania petitioning EPA to address transport now?

If EPA delays actions to resolve interstate transport public health will remain at risk; there may not be enough time for states to implement strategies to comply with air quality standards in accordance with deadlines set by the Clean Air Act. Pennsylvania can not meet ground-level ozone standards designed to protect public health if the transport issue is not resolved.

Executing this petition will not only result in improved air quality in the Commonwealth and throughout the Northeast States, but is necessary to level the economic playing field between the states. This is especially important as the deregulation of the electric industry allows for increased competition throughout the country.

What is Pennsylvania doing to reduce its ozone levels?

Pennsylvania has made a commitment to reducing nitrogen oxide (NO_x) emissions at its major sources. As part of the Ozone Transport Region (OTR), the Commonwealth has entered into a Memorandum of Understanding (MOU) to reduce NO_x. In the first phase of this MOU, Pennsylvania's large combustion units (NO_x Affected Units) must have emission reductions of 55 to 65 percent, based on 1990 levels, by

1999. In the second phase, Pennsylvania's large combustion units (NO_x Affected Units), if necessary, must have 75 percent reductions of NO_x, based on 1990 levels, by 2003.

Statewide, Pennsylvania has established Reasonably Achievable Control Technology (RACT) requirements on all existing major sources of volatile organic compound (VOC) and nitrogen oxides (NO_x), resulting in 40 percent reductions. It also established stringent New Source Review (NSR) requirements for all major sources.

Pennsylvania established Title V operating permit programs for major sources to inventory, monitor and control emissions of VOCs and NO_x.

The Commonwealth is implementing enhanced vehicle inspection and maintenance programs in 25 counties based on population density and nonattainment classification. States outside of the OTR have only implemented this program in areas categorized as serious and above nonattainment areas. Only five Pennsylvania counties are classified as serious and above nonattainment.

Pennsylvania also is implementing Stage II gasoline volatility requirements, or alternative strategies such as NO_x reductions from large combustion sources, on a statewide basis. Cleaner gasoline is either required or will be required in Pennsylvania's two major metropolitan areas by 1998.

Will Pennsylvania be able to meet National Ambient Air Quality Standards (NAAQS) to protect public health if transport is not resolved?

No. Based on the work of OTAG, Pennsylvania modeling and State and Local Air Monitoring Systems (SLAMS) data, transport of ozone will prevent the Commonwealth from achieving national health-based standards. Pennsylvania will not be able to meet the current one-hour or the newly promulgated eight-hour health-based standards for ground-level ozone if the issue of transport is not addressed by EPA.

What contribution do other states make to Pennsylvania's ozone problem?

According to measurement data at Pennsylvania's western border, ozone concentrations coming into Pennsylvania already exceed the newly promulgated eight-hour standard.

What is Pennsylvania requesting EPA to do?

The Commonwealth of Pennsylvania, under Section 126 (b) of the Clean Air Act is petitioning EPA to reduce the emissions from fossil-fuel fired indirect heat-exchange combustion units with a maximum rated heat input capacity of 250 MMBtu/hr or more and all fossil-fuel fired electric generating facilities rated at 15 megawatts or greater (NO_x Affected Units) in the following Transport States:

Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin

Based on the results of OTAG, Pennsylvania modeling and SLAMS data, Pennsylvania is asking EPA to require each Transport State to do its fair share to reduce emissions. EPA needs to establish uniform emission reduction limitations for the NO_x Affected Units in the Transport States requiring NO_x emission reductions of 55 percent, based on 1990 emissions data, on or before May 1, 1999.

Pennsylvania is also requesting EPA require emission reductions, if necessary, of 75 percent, based on 1990 emissions data, for the NO_x Affected Units in Transport States beginning in 2003 and such additional reductions beginning in 2005 as are necessary to reduce transport of ozone into Pennsylvania.

EPA should also allow market-based emissions trading between NO_x Affected Units in order to allow for the most cost-effective emissions reductions achievable under the emission caps.

In this petition, Pennsylvania is addressing NO_x Affected Units as a group of stationary sources of emitters rather than naming specific sources.

When does Pennsylvania need EPA to take action?

Because of health issues and economic impacts related to the transport of ozone, it is imperative that EPA do everything it can as soon as possible.

Legal obligations to meet the current one-hour health standard require Pennsylvania to be in attainment for ozone statewide, with the last counties reaching attainment by 2005. In order to fulfill this obligation under the Clean Air Act, Pennsylvania needs reductions in transport of VOCs and NO_x to begin on or before May 1, 1999.

How is ozone created?

NO_x reacts with VOCs in the presence of sunlight to produce significant levels of ozone during the months of May through September. NO_x and ground-level ozone, produced as a result of NO_x emissions by other states, are transported by westerly and southwesterly winds to Pennsylvania where it causes and contributes to elevated levels of ozone, and from time to time, exceedances of the health-based standards for ozone.

For more information visit the DEP website at <http://www.dep.state.pa.us> (choose Information by Subject/Air Quality) or contact Wick Havens, Bureau of Air Quality, at 717-787-9495.