

# **EPA UPDATES**

**AAQTF**

**SALT LAKE CITY, UTAH**

**MAY 2008**



# FARM, RANCH, & RURAL COMMUNITIES COMMITTEE

- **First meeting:** Wash. DC, March 13-14, 2008
- **3 workgroups:**
  - Climate Change and Renewable Energy
  - Comprehensive Livestock Management Strategy
  - Emerging Issues
- **Next meeting:** Kansas City, MO, Sept.8-11, 2008
- Comprehensive meeting summary and other information available at FRRCC website:  
**[www.epa.gov/agriculture/frrcc](http://www.epa.gov/agriculture/frrcc)**



# BIOFUELS STRATEGY

- Feb. 2007: NACEPT recommended that EPA develop comprehensive, multi-media, multi-program Biofuels Strategy.
- EPA responded by drafting Biofuels Strategy. Internal draft is currently under review.
- Biofuels Strategy is an Agency work plan, NOT a policy document.



# ANSI STANDARD

- Voluntary national standard for sustainable crop agriculture.
- Multi-stakeholder, consensus-based process.
- National Technology Transfer and Advancement Act requires federal agencies to adopt private-sector standards where possible.
- EPA and USDA have both chosen to participate in the process.



# CERCLA/EPCRA REPORTING

- Comment period closed
- Significant number of comments received
  - Definition of animal waste and farm
  - Support for and opposition to rule
  - Expand to other sources of animal waste
- Final decision in Fall 2008



# OW CAFO RULE

- Final Rule: Summer 2008
- Proposed to add a self-certification process for non dischargers
- Three options for incorporation of the terms of the nutrient management plan
  - Tons/acre
  - Rate-based
  - Formula
- Compliance date of February 2009



# PM 2.5 and OZONE NAAQS UPDATE

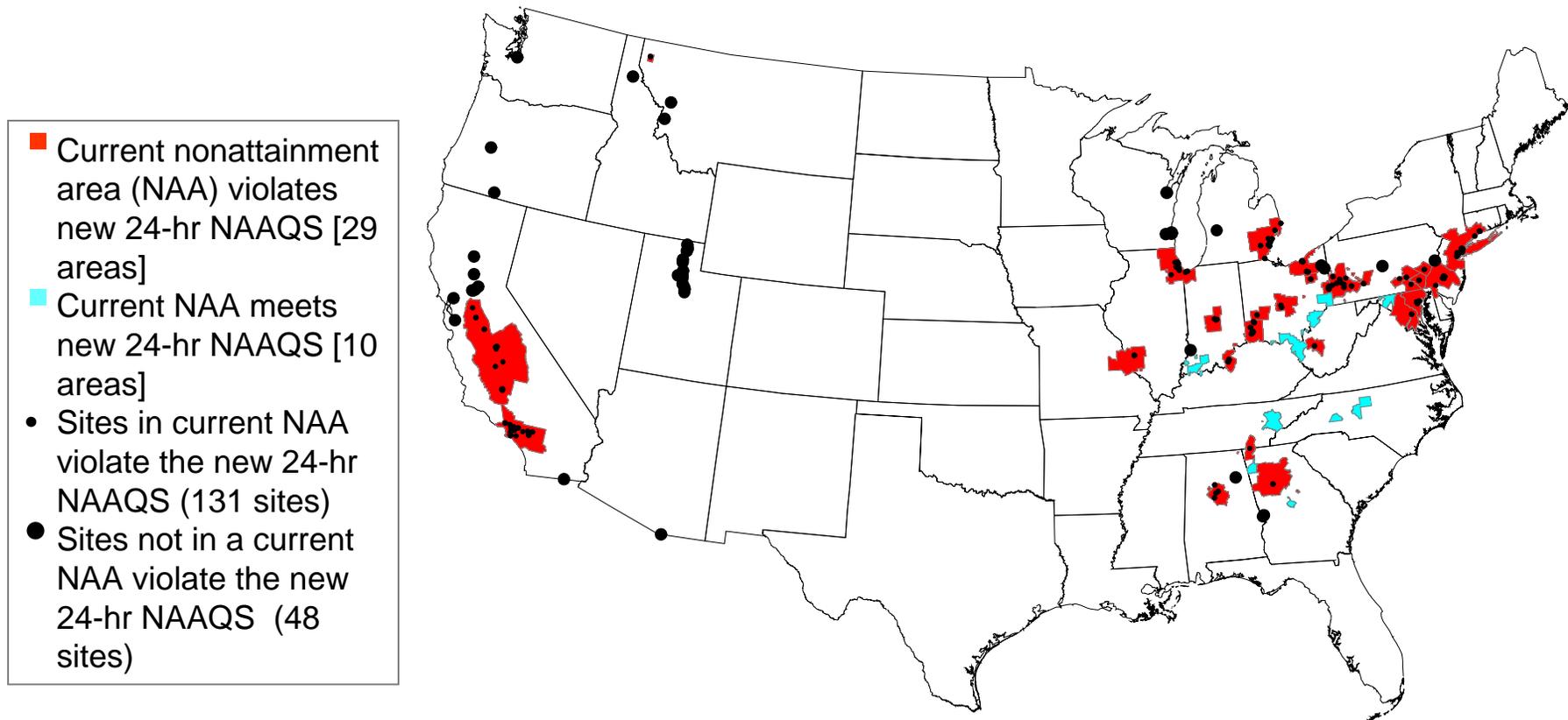


# EPA's PM Standards

	Previous Standards *		2006 Standards	
	Annual	24-hour	Annual	24-hour
<b>PM<sub>2.5</sub></b>	<b>15 µg/m<sup>3</sup></b> Annual average	<b>65 µg/m<sup>3</sup></b> 98 <sup>th</sup> percentile	<b>15 µg/m<sup>3</sup></b> Annual average	<b>35 µg/m<sup>3</sup></b> 98 <sup>th</sup> percentile
<b>PM<sub>10</sub></b>	<b>50 µg/m<sup>3</sup></b> Annual average	<b>150 µg/m<sup>3</sup></b> 1 expected exceedance	<b>Revoked</b>	<b>150 µg/m<sup>3</sup></b> 1 expected exceedance

\* Original PM<sub>2.5</sub> standards established in 1997; PM<sub>10</sub> standards established in 1987.

# Current PM<sub>2.5</sub> Nonattainment Areas and Sites Exceeding 24-Hour PM<sub>2.5</sub> Standard (2004-2006 data)



- 48 violating sites outside of current NAA are located in 27 areas:
  - 25 CBSAs: Largest are Seattle, Sacramento, San Jose, Milwaukee, Salt Lake City.
  - 2 State-Counties (not part of a CBSA): Shoshone ID; Ravalli MT
- States make initial recommendations for 24-hr designations using 2004-2006 data but 2003-2005 and 2005-2007 also relevant.

<b>Milestone</b>	<b>1997 PM<sub>2.5</sub> NAAQS</b>	<b>2006 PM<sub>2.5</sub> NAAQS</b>
<b>Promulgation of Standard</b>	July 1997	September 2006
<b>Effective Date of Standard</b>	September 1997	December 18, 2006
<b>State Recommendations to EPA</b>	February 2004 (based on 2001-2003 monitoring data)	<b>December 18, 2007</b> (based on 2004-2006 monitoring data)
<b>Final Designations Signature</b>	December 2004	No later than December 18, 2008*
<b>Effective Date of Designations</b>	April 2005	Typically no later than 90 days after publication in the Federal Register
<b>SIPs Due</b>	<b>April 2008</b>	3 years after effective date of designations
<b>Attainment Date</b>	April 2010 (based on 2007-2009 monitoring data)	No later than 5 years after effective date of designations
<b>Attainment Date with Extension</b>	Up to April 2015	No later than 10 years from effective date of designations

*\* In the event the Administrator has insufficient information to promulgate the designations by December 18, 2008, the date of final designations may be extended up to one year, but no later than December 18, 2009.*

# PM2.5 Litigation

- PM standards
- 2005 designations
- Implementation Rule
  - Oppose CAIR=RACM/RACT for utilities
  - Failure to require control of condensable PM
  - Economic feasibility criteria for RACT
  - RFP: allowance for reductions outside of nonattainment area
  - Inclusion of crustal PM in direct PM2.5 definition (NCBA)



# OZONE STANDARDS

Level of the standard	Averaging time
0.075ppm 2008 standard	8 hour 3 yr average of 4 <sup>th</sup> highest max 8-hr average concentrations
0.08ppm 1997 standard	8 hour 3 yr average of 4 <sup>th</sup> highest max 8-hr Average concentrations
0.12ppm	1 hour. Applies in limited areas 1 exceedance/year

# OZONE LITIGATION

- Partial Vacatur of Phase I Implementation for 1-hour standard requirements
  - Classifications
  - NSR applicability
  - Contingency measures
  - Section 185 fee programs
- Proposal in fall of 2008, final in fall of 2009
- Phase 2 Implementation
  - CAIR=RACT
  - NSR issues



# 2008 Ozone NAAQS

- Develop proposal on transitioning from the 1997 standards to the 2008 ozone standards in Fall 2008.
- Review of and litigation on States 110(a) SIPs regarding program infrastructure for new standards



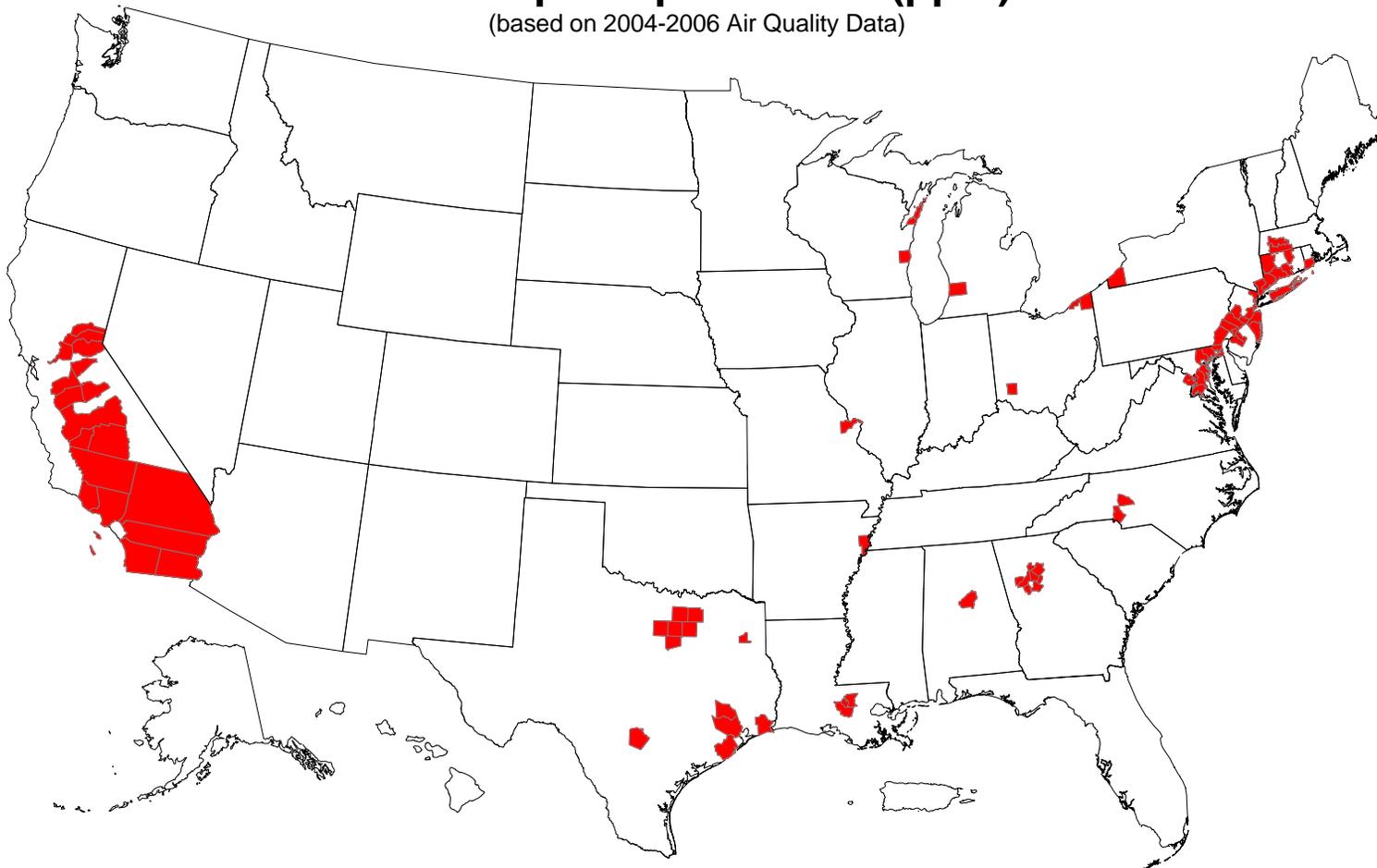
## Expected Implementation Timeline for the 2008 Ozone NAAQS

<b>Milestone</b>	<b>Date</b>
<b>Signature—Final Rule</b>	March 12, 2008
<b>State Designation Recommendations to EPA</b>	No later than March 12, 2009
<b>Final Designations</b>	No later than March 12, 2010*
<b>Attainment Demonstration SIPs Due</b>	2013*
<b>Attainment Dates</b>	2013-2030 (depends on severity of problem)

*\* In the event the Administrator has insufficient information to promulgate the designations by March 12, 2010, the date of final designations may be extended up to one year, but no later than March 12, 2011. SIPs will be due three years from final designations.*

# 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:

<sup>1</sup> 85 monitored counties violate.

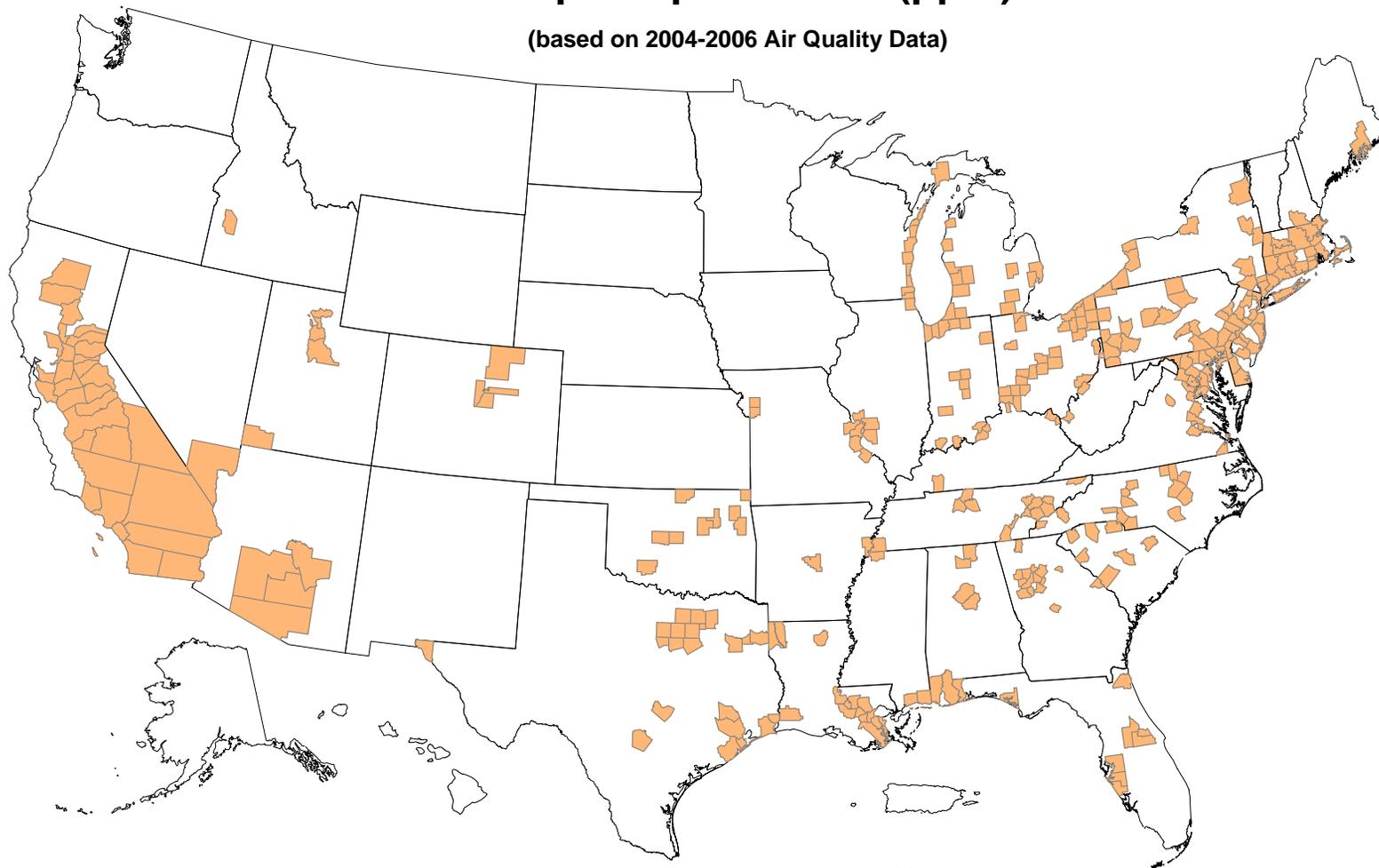
<sup>2</sup> Monitored air quality data can be obtained from the AQS system at <http://www.epa.gov/ttn/airsaqs/>

<sup>3</sup> 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.

Estimates are based on the most recent data (2004 – 2006). EPA will not designate areas as nonattainment on these data, but likely on data from 2006 – 2008 or later, which we expect to show improved air quality.

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

(based on 2004-2006 Air Quality Data)

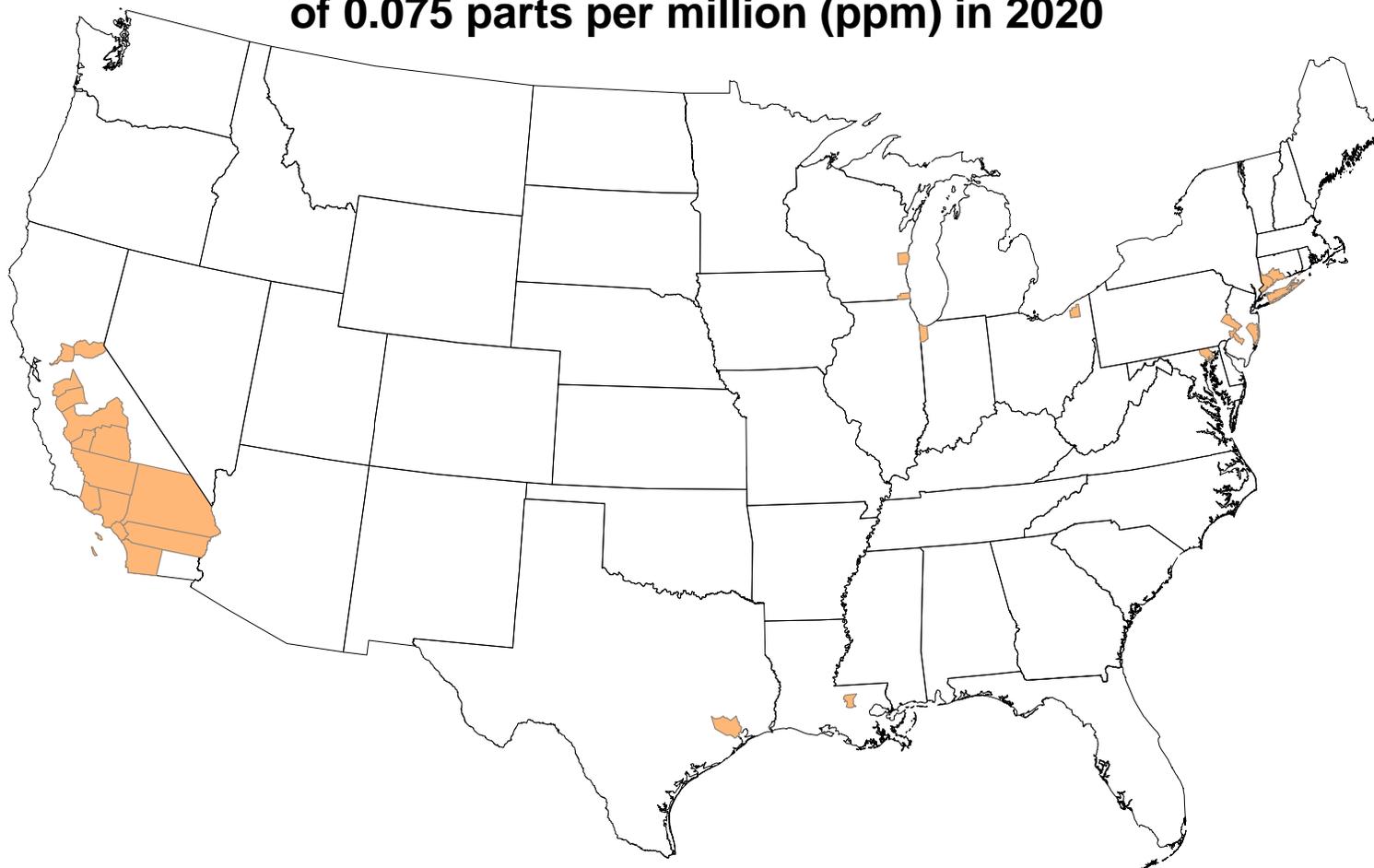


Notes:

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

<sup>2</sup> Monitored air quality data can be obtained from the AQS system at <http://www.epa.gov/ttn/airsaqs/>

## Counties with Monitors Projected to Violate the 2008 8-Hour Ozone Standard of 0.075 parts per million (ppm) in 2020



### Notes:

<sup>1</sup> 28 counties are projected to violate the 2008 8-hour ozone standard of 0.075 parts per million (ppm).

<sup>2</sup> Future ozone levels were projected only for counties with monitoring data and within the contiguous 48 states.

<sup>3</sup> Modeled emissions reflect the expected reductions from federal programs including the Clean Air Interstate Rule, the Clean Air Mercury Rule, the Clean Air Visibility Rule, the Clean Air Nonroad Diesel Rule, the Light-Duty Vehicle Tier 2 Rule, the Heavy Duty Diesel Rule, proposed rules for Locomotive and Marine vessels and for Small Spark-Ignition Engines; as well as illustrative state and local level mobile and stationary source controls identified for the purpose of attaining the 1997 ozone and 2006 PM<sub>2.5</sub> standards. States may choose to apply different control strategies for implementation.