



**OZONE
TRANSPORT
COMMISSION**

**RESOLUTION 06-03 OF THE OZONE TRANSPORT COMMISSION
CONCERNING FEDERAL GUIDANCE AND RULEMAKING FOR
NATIONALLY-RELEVANT OZONE CONTROL MEASURES**

Whereas, the Ozone Transport Commission (OTC) was established under Sections 176A and 184 of the federal Clean Air Act (CAA) to ensure the development and implementation of regional strategies and to advise EPA on national programs and actions to reduce ground-level ozone to healthful levels; and,

Connecticut

Delaware

Whereas, ozone has been shown to cause respiratory illnesses, exacerbate or trigger asthma related episodes, increase respiratory-related emergency room and hospital admissions and compromise the immune system leading to increased incidents of other respiratory illnesses, including pneumonia and bronchitis, and to cause premature death; and,

District of Columbia

Maine

Maryland

Whereas, in the course of the last decade, the OTC states have demonstrated leadership in NOx and VOC reductions, adopting and implementing measures to reduce emissions of these ozone precursors through its 1994 NOx MOU, and its 2000 Model Rule program, which have significantly reduced ozone formation in the region; and,

Massachusetts

New Hampshire

Whereas, the member states including the District of Columbia (States) of the OTC face a persistent problem in their efforts to attain the health-based National Ambient Air Quality Standard (NAAQS) for ozone; and,

New Jersey

New York

Whereas, the OTC has identified and is pursuing additional regional controls in mobile, stationary and area source categories that are technically-feasible and cost-effective and will further improve air quality; and

Pennsylvania

Rhode Island

Whereas, the OTC member states have engaged in super-regional discussions with other states beyond the OTR to implement similar reductions to achieve broader control consistency; and,

Vermont

Virginia

Whereas, as an example of the success of these coordinating efforts, twenty (20) collaborating states signed on to a letter dated March 14, 2006 to EPA specifically requesting action on the small engine regulations; and,

Christopher Recchia
Executive Director

Whereas, although the member states must and will pursue state and regional control measures, in several instances, control measures are truly best implemented on a national level, and as national programs, would prove to be environmentally significant efforts at managing ozone formation; and,

444 N. Capitol St. NW
Suite 638

Washington, DC 20001
(202) 508-3840

FAX (202) 508-3841

e-mail: ozone@otcair.org

Whereas, EPA is a partner to the Commission in its work, its Administrator is member of the Commission, and the Agency is in a position to effectuate some of these regional and super-regional controls on a national level.

THEREFORE, BE IT RESOLVED that the OTC member states request EPA pursue federal regulations and programs designed to ensure national implementation of control measures comparable to the cost-effective and technically feasible reduction levels OTC has adopted, including those identified in its resolution 06-02 adopted at this meeting of the Commission, and those the OTC intends to pursue to achieve desired levels of control for the source categories identified below, as well as other reduction efforts EPA is in the best position to advance.

Be it further resolved that, at a minimum, these areas include federal development and implementation of strong national programs reflecting current technology advancements regarding:

- Architectural and Industrial Maintenance (AIM) Coatings
- Consumer Products
- ICI Boilers over 100 MMBTU
- Portable Fuel Containers
- Municipal Waste Combustors
- Regionally Consistent and Environmentally Sound Fuels beyond the OTR
- Small Engine Emission Regulation
- Gasoline Vapor Recovery (including Stage I, Stage II and On-Board Vapor Recovery).

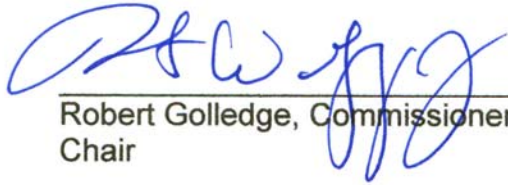
Be it further resolved that the OTC states recognize the EPA has previously developed or is in the process of developing rules for several of these source categories, but that in several instances, such as in Consumer Products and AIM, the rules on the books do not sufficiently reflect technological advancements in these areas to enable OTR states or other regions to rely upon them as part of their attainment plans, and in other instances, such as the small engine rulemaking, regulations are significantly overdue; and,

Be it further resolved that the compliance dates of EPA amended programs or rulemaking in these areas should be targeted for January 1, 2009 or as soon as practicable thereafter; and,

Be it further resolved that the OTC member states and OTC executive staff will assist EPA in any way feasible to help ensure environmentally

substantial federal programs are developed and implemented in a timely manner for each of these control areas.

Adopted by the Commission on June 7, 2006



Robert Golledge, Commissioner, MA DEP
Chair