



# Ozone NAAQS: Already Protective of Public Health

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## **Ask**

EPA should retain the current standard of 75 parts per billion (ppb) in its final Oct. 1, 2015 rule.

## **Background**

- Under the Clean Air Act, EPA must update its assessment of the latest science and consider whether any changes are needed to National Ambient Air Quality Standards (NAAQS) at least every five years. EPA has significant discretion in determining what is “requisite” to protect public health when setting NAAQS.
- EPA missed its review deadline for ozone in 2013 and was sued by environmental groups, so a court has ordered EPA to propose a rule by Dec. 1, 2014 and issue a final rule by Oct. 1, 2015.
- In December 2014, EPA proposed to lower the current 75 ppb limit to between 65 and 70 ppb. It also invited comment on retaining the current standard as well as going down to 60 ppb.
- EPA’s science advisors recommended that the standard be lowered to between 60 and 70 ppb based on their view of the evidence.
- The revisions could place most of the country in nonattainment, putting five times more paper and wood product mills at risk.

## **Analysis**

- The science does not support a further tightening of the standards. EPA continues to rely on studies that reinforce their concerns while ignoring or giving little weight to negative or ambiguous studies.
- States have yet to implement the 2008 standards, which involves the designation of areas as non-attainment and then identifying additional controls from mobile and stationary sources through their State Implementation Plans.
- Air quality has gotten significantly better over the last several years and will continue to improve due to other EPA rules on the books even if the ozone NAAQS are not changed. Nitrogen oxide (NOx) and volatile organic compound (VOC) emissions from pulp, paper and wood produce mills continue to decline.
- At 65 ppb, most of the country fails to meet the standard, which would discourage economic development and job growth even in rural areas. For the paper and wood products



manufacturing industry, the costs could be hundreds of millions in new capital costs.

- EPA's own cost benefit analysis would make the ozone rule one of the most expensive air regulations ever at over \$15 billion. More complete industry assessments put the economy-wide annual cost many times higher with significant energy cost increases and job losses.
- Although EPA cannot consider cost when setting the NAAQS (only during implementation), the health effect evidence has not changed significantly since EPA tightened the ozone NAAQS in 2008, so a further change is not justified.
- In some areas, reducing the precursors to ozone formation can result in ozone level actually increasing, especially in inner cities, due to ozone's complex formation chemistry.
- Constantly moving these air quality goal posts creates significant uncertainty for new mill investments that are critical to our global competitiveness.
- As EPA contemplates driving the ozone standard toward background levels, it might also be driving companies to cancel job creating projects.