

06-09-99

FACT SHEET

EPA ISSUES FINAL DETERMINATION THAT 1-HOUR GROUND-LEVEL OZONE (SMOG) STANDARD NO LONGER APPLIES FOR TEN AREAS BASED ON 1996-1998 DATA

THIS ACTION

- ! On May 12, 1999, the Environmental Protection Agency (EPA) took final action determining that the 1-hour national ambient air quality standard (NAAQS) for ozone no longer applies in 10 areas of the country. This action is being published today in the Federal Register. The determination was made because no current violation of this standard, based on the most recent available data (i.e., 1996-1998), has been measured in these areas.
- ! The areas are: Boston-Lawrence-Worcester (East Massachusetts), Massachusetts-New Hampshire; Memphis, Tennessee; Muskegon, Michigan; Portland, Maine; Portsmouth-Dover-Rochester, New Hampshire; Providence (all Rhode Island), Rhode Island; Allegan County, Michigan; Oceana County, Michigan; Mason County, Michigan; Door County, Wisconsin.
- ! EPA signed this final notice prior to a recent U.S. Court of Appeals' decision regarding the revised NAAQS for ozone and particulate matter. On May 14, 1999, the U.S. Court of Appeals for the District of Columbia issued an opinion regarding the final NAAQS for ozone and particulate matter that EPA issued in July 1997. The court opinion is being reviewed by EPA and the Department of Justice. EPA is recommending that the Department of Justice appeal this decision and take all judicial steps necessary to overturn it.
- ! EPA is currently examining whether it needs to re-evaluate its policy regarding the applicability of the 1-hour standard in light of the recent court decision.

BACKGROUND

- ! On July 17, 1997, following a lengthy scientific review process, EPA announced a new national ambient air quality standard for ground-level ozone that is more protective of public health and provided for the phase out of the previous 1-hour standard.
- ! When EPA issued the revised standards in July 1997, President Clinton issued a memorandum which outlined a common-sense implementation strategy for both the 8-

hour and 1-hour ozone standard. Under this strategy, one of the first steps for areas to take toward eventually meeting the new 8-hour ozone standard is to meet the 1-hour standard.

- ! As called for in the President's memorandum, in January 1998, EPA began identifying areas for which the 1-hour standard would no longer be applicable based on the most recent three years of ozone data. Since then, EPA has identified over 2,900 counties to which the 1-hour standard no longer applies.
- ! On December 17, 1998, EPA proposed ten additional areas where the 1-hour standard would no longer be applicable based on 1996-1998 data. Today EPA is publishing the final rule for those ten areas. The Agency has also addressed all relevant public comments.

FOR FURTHER INFORMATION

- ! Interested parties can obtain more information about EPA's rule to determine that the 1-hour standard no longer applies from EPA's web site on the Internet at the following address: *<http://www.epa.gov/airlinks>*. General questions concerning the notice should be referred to Annie Nikbakht (policy issues) at 919 541-5246 or Barry Gilbert (air quality data issues) at 919-541-5238.