

Obama Requests That EPA Administrator Withdraw Proposed New Ozone NAAQS

SEPTEMBER 2, 2011

On September 2, 2011, President Obama released a public statement requesting that EPA Administrator Lisa P. Jackson withdraw the recently proposed ozone National Ambient Air Quality Standards (NAAQS).

In 2009, EPA undertook a voluntary review of the 2008 ozone NAAQS in response to environmentalist claims that the 2008 standard was not protective enough. In January 2010, EPA proposed to tighten the primary ozone standard from 75 parts per billion to a range within 60 to 70 ppb. On July 11, 2011, EPA sent the final revised ozone standard to the Office of Management & Budget (OMB) for review. Both business and industry have been extremely critical of the possible implementation of an ozone standard at the stricter end of the proposed range and have been lobbying to postpone revision of the standard. A stricter standard would have far reaching economic consequences because it would put many areas of the country into nonattainment for the first time.

Legally, EPA is not required to review the ozone NAAQS until 2013, and President Obama relied on this fact to support his decision. In his statement, President Obama renewed his commitment to protecting public health and the environment, but stated that “ultimately [he] did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.” Shortly after the President issued his request, Jackson issued a statement indicating that EPA “will revise the ozone standard, in compliance with the Clean Air Act.”

This action does not impact Cross-State Air Transport Rule (CSAPR) or Electric Generating Unit Maximum Achievable Control Technology (EGU MACT) deadlines.

1 Min Read

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