

Outline

- I. What is the 8-hour ozone problem and EPA's strategy for addressing it?
 - A. What is the ozone standard and the health problem?
 - B. What is the geographic extent of the 8-hour ozone problem?
 - C. What is EPA's overall strategy for reducing ozone pollution?
 1. The SIP system
 2. National rule
 - D. What is the relationship between the SIP system proposed and the proposed Clear Skies legislation?
 - II. What is the background on the 8-hour ozone standard?
 - A. What is the legal background?
 - B. What technical work influenced EPA's implementation approach?
 - III. How did EPA obtain stakeholder input for this effort?
 - IV. What is EPA's schedule for issuing an 8-hour ozone implementation rule?
 - V. In short, what does this proposed rulemaking contain?
 - A. Classification of areas
 - B. Attainment deadlines
 - C. Transition from the 1-hour to the 8-hour standard
 - D. Mandatory measures
 - E. Consequences of failure to attain
 - F. Interstate transport
 - G. Modeling and attainment demonstration
 - H. Reasonable Further Progress (RFP)
 1. Requirement for 15 percent VOC reductions for moderate and above areas during the first 6 years after the base year
 2. Base year
 - I. Reasonably available control measures/Reasonably available control technology (RACM/RACT)
 - J. Conformity
 - K. New Source Review
 - VI. What are EPA's proposed frameworks for implementing the 8-hour ozone standard?
 - A. How will EPA reconcile subparts 1 and 2? How will EPA classify nonattainment areas for the 8-hour standard? What attainment dates would apply?
 1. Statutory framework and Supreme Court decision
 2. EPA's development of options
 3. Options for classification
 4. Under classification option 2, how would EPA classify subpart 1 areas?
 5. Rationale for regulating all "gap" areas under subpart 1 only
 6. Proposed incentive feature
 7. Other options EPA considered
 8. Implications for the options
 9. Other considerations
 - B. How will EPA treat attainment dates and other dates including SIP submittal dates for the 8-hour ozone standard?
 1. Background
 2. How will EPA address the provision regarding 1-year extensions?
 3. How do attainment dates apply to Indian country?
 4. How will EPA establish attainment dates for areas classified as marginal under the "incentive" feature proposed under the classification section or areas covered under subpart 1 with a requested attainment date of 3 years or less after the designation date?
 - C. How will EPA implement the transition from the 1-hour to the 8-hour standard in a way to ensure continued momentum in States' efforts toward cleaner air?
 1. Background
 2. When will EPA revoke the 1-hour standard?
 3. What obligations should continue to apply as an area begins to implement the 8-hour ozone NAAQS and what obligations should no longer apply?
 4. Does the requirement for continued implementation of the obligations addressed above expire at some point?
 5. How will EPA ensure that the public knows which areas must continue provisions under the 1-hour SIPs if EPA revokes the 1-hour standard?
 - D. Should prescribed requirements of subpart 2 apply in all 8-hour nonattainment areas classified under subpart 2, or is there flexibility in application in certain narrowly defined circumstances?
 1. Background
 2. Approach being proposed
 3. Other approaches considered
 - E. What is the required timeframe for obtaining emissions reductions to ensure attainment by the attainment date?
 - F. How will EPA address long-range transport of ground-level ozone and its precursors when implementing the 8-hour ozone standard?
 1. Background
 2. EPA's anticipated approach
 3. Other concerns about transport
 4. Other options considered
 - G. How will EPA address transport of ground-level ozone and its precursors for rural nonattainment areas, multi-State nonattainment areas, areas affected by intrastate transport, and international transport?
 1. Rural transport nonattainment areas
 2. Multi-state nonattainment areas
 3. Intrastate transport
 4. International transport
 5. Additional ways of addressing transport
 6. State-Tribal transport
 - H. How will EPA address requirements for modeling and attainment demonstration SIPs when implementing the 8-hour ozone standard?
 1. Multi-pollutant assessments (one-atmosphere modeling)
 2. Areas with early attainment dates
 3. Areas with later attainment dates
 4. Modeling guidance
 5. Mid-Course review
 - I. What requirements for RFP should apply under the 8-hour ozone standard?
 1. Background
 2. Proposed features in general
 3. For subpart 2 areas, should the initial 15 percent RFP requirement be limited to VOC emissions?
 4. What baseline year should be required for the emission inventory for the RFP requirement?
 5. Should moderate areas be subject to prescribed additional RFP requirements prior to their attainment date?
 6. What is the timing of the submission of the ROP plan?
 7. How should CAA restrictions on creditable measures be interpreted?
- Which national measures should count as generating emissions reductions credit toward RFP requirements?
8. For areas covered by subpart 1 instead of subpart 2, how should the RFP requirement be structured?
9. How should the RFP requirements be implemented for areas designated for the 8-hour ozone standard that entirely or in part encompass an area that was designated nonattainment for the 1-hour ozone standard?
10. Will EPA's "Clean Data Policy" continue to apply under the 8-hour standard for RFP?
11. How will RFP be addressed in Tribal areas?
12. How will RFP targets be calculated?
- J. Are contingency measures required in the event of failure to meet a milestone or attain the 8-hour ozone NAAQS?
 1. Background
 2. Proposal
- K. What requirements should apply for RACM and RACT for 8-hour ozone nonattainment areas?
 1. Background
 2. Proposed approach for RACT in general for areas covered under subpart 2
 3. Proposed approach for RACT in general for areas covered under subpart 1
 4. Proposed approach for previous source-specific major source RACT determinations
 5. Proposed approach for NO_x RACT determinations in areas affected by the NO_x SIP Call
 6. Proposed approach for NO_x as an ozone precursor
 7. Proposed approach for RACM
 8. Proposed submission date for RACT and RACM requirements
- L. How will the section 182(f) NO_x provisions be handled under the 8-hour ozone standard?
- M. What aspects of transportation conformity and the 8-hour ozone standard are addressed in this proposal?
 1. What is transportation conformity?
 2. Why is EPA discussing transportation conformity in this proposed rulemaking?
 3. Are any changes being made to transportation conformity in this proposed rulemaking?
 4. When does transportation conformity apply to 8-hour ozone nonattainment areas?
 5. How does the 1-year grace period apply in metropolitan areas?
 6. How does the 1-year grace period apply in "donut" areas?
 7. How does the 1-year grace period apply in isolated rural areas?
 8. Does conformity apply for the 1-hour ozone standard once the 1-hour ozone standard is revoked?
 9. What are EPA's plans for amending the conformity rule to address the 8-hour ozone standard?
 10. What impact will the implementation of the 8-hour ozone standard have on a State's Transportation Conformity SIP?
 11. What other parts of this proposal could affect transportation conformity determinations?