Impact of Ozone Nonattainment Designations

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Ozone Health Effects

- Lung irritant
- Reduces lung function
- Causes inflammation

Past Ozone Standards

Year	Standard	Michigan Attainment Status	Classification
2008	75 ppb	Attainment	--
1997	80 ppb	Nonattainment Areas	Marginal
1979	120 ppb	Nonattainment Areas	Moderate

2015 Ozone Standard History

October 2015

Ozone standard lowered to 70 ppb

November 2017

EPA designates Attainment/Unclassifiable areas

October 2016

Michigan submits designation recommendations

December 2017
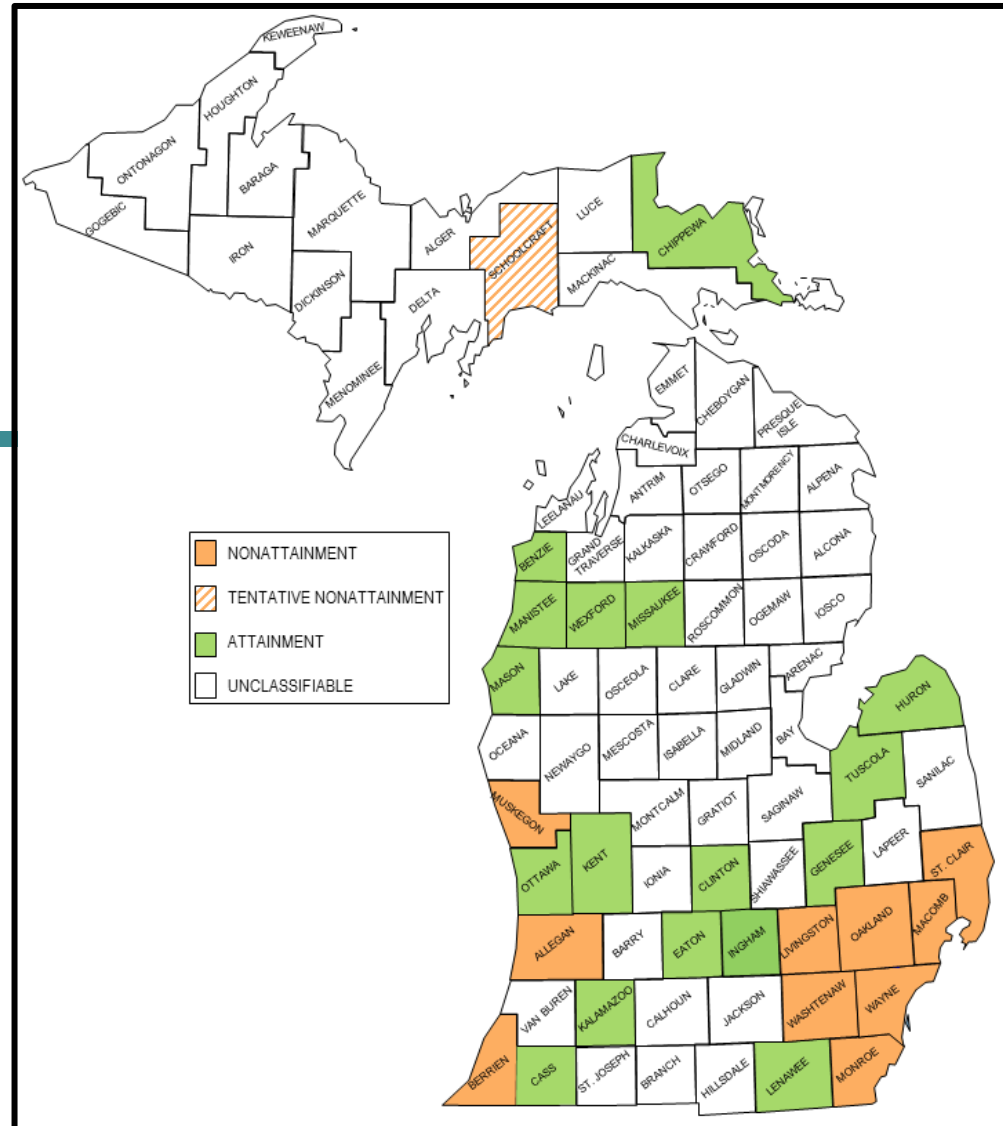
EPA letter of proposed actions

February 2018

Michigan submits supplemental recommendations
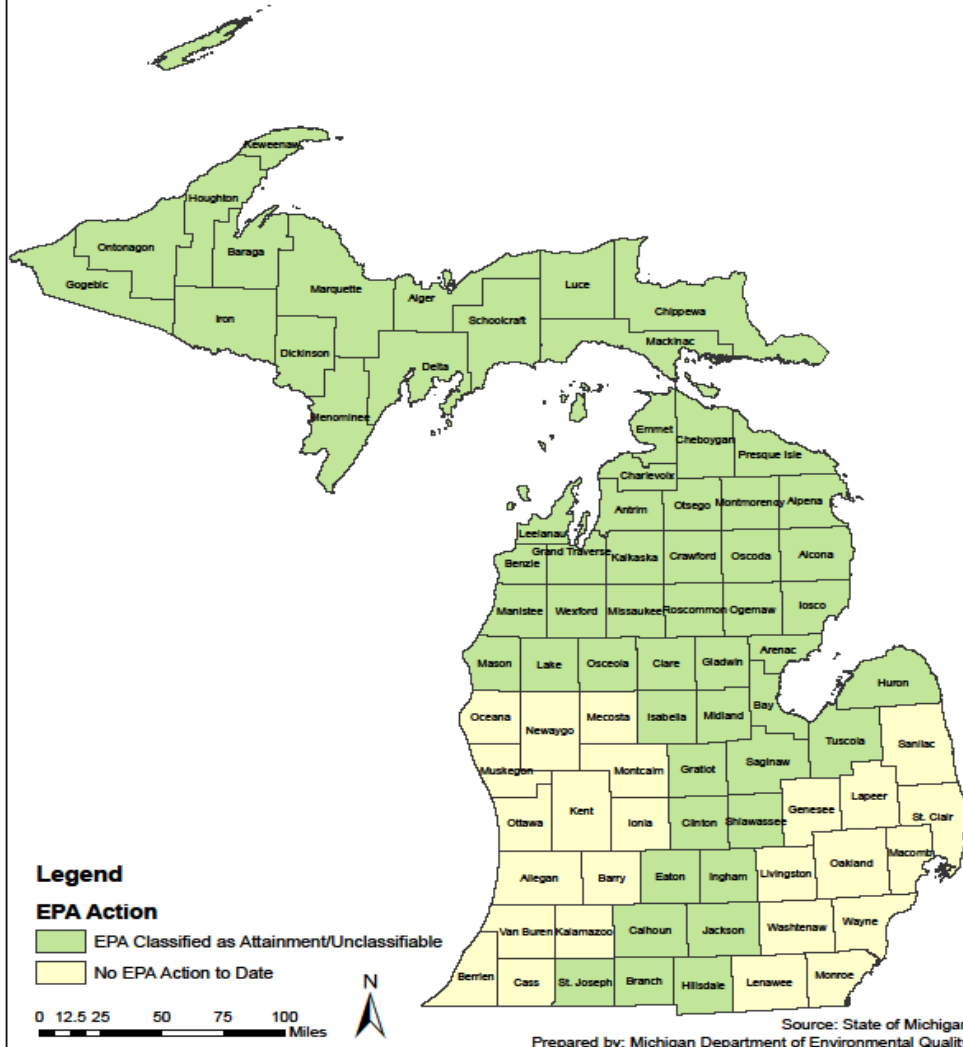
2015 Ozone Standard History

October 2016

Michigan submits designation recommendations
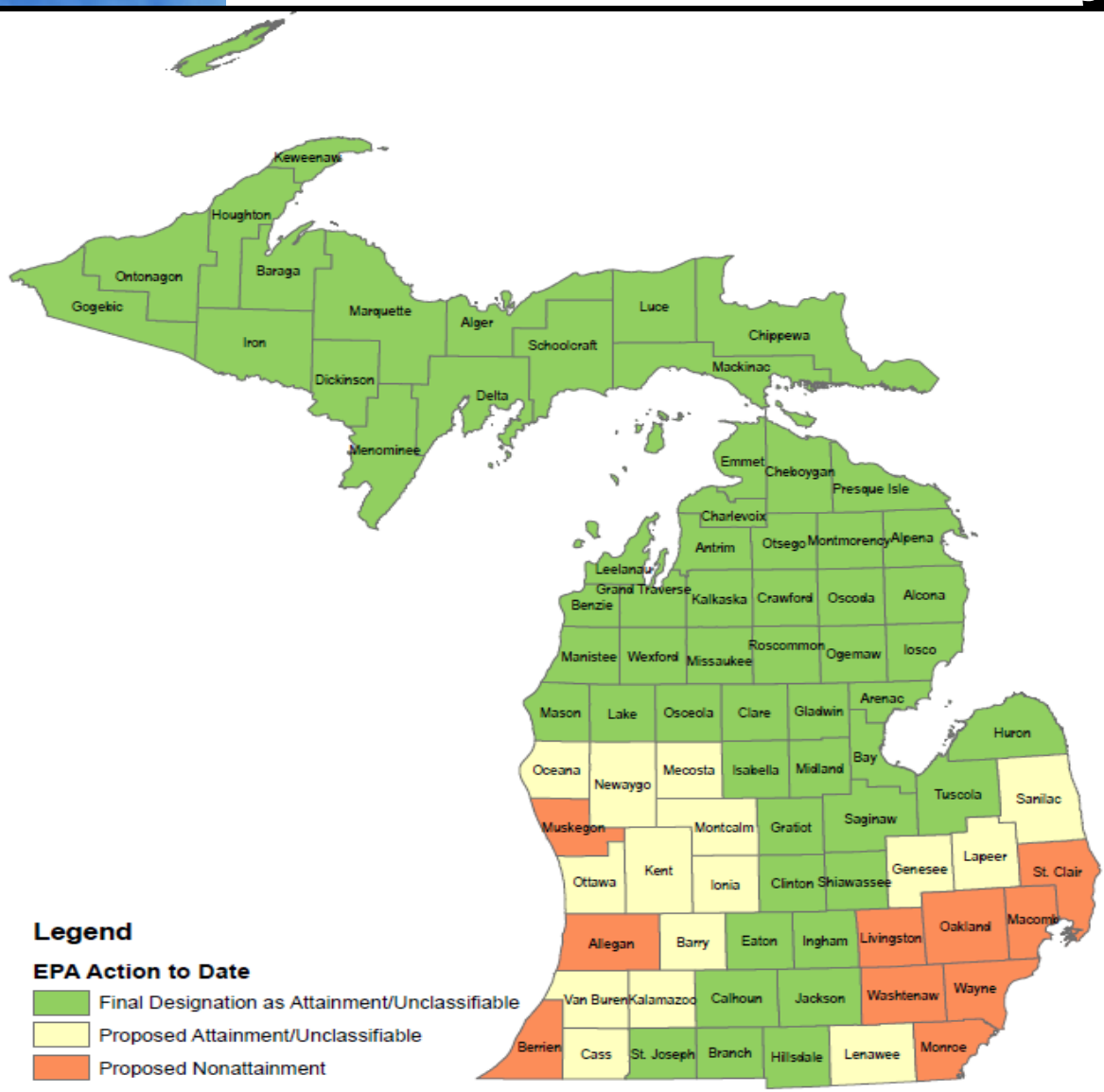
2015 Ozone Standard History

Final Ozone Designations for the 2015 Ozone Standard as of November 7, 2017

Legend

EPA Action

- EPA Classified as Attainment/Unclassifiable
- No EPA Action to Date

0 12.5 25   50   75   100 Miles

N

Source: State of Michigan
Prepared by: Michigan Department of Environmental Quality

November 2017

EPA designates Attainment/Unclassifiable areas

2015 Ozone Standard History

December 2017

EPA letter of proposed actions

Legend

EPA Action to Date

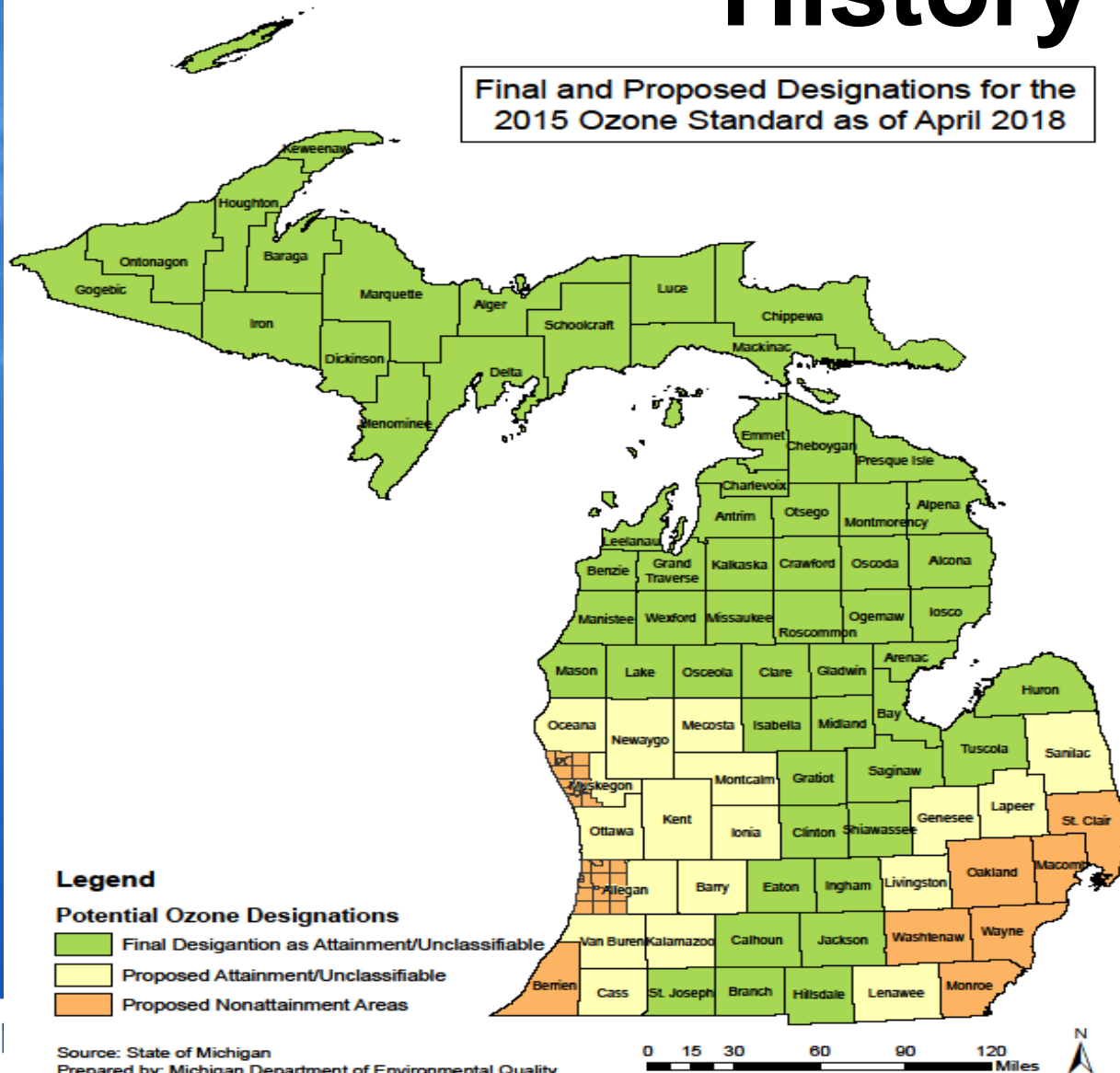- Final Designation as Attainment/Unclassifiable
- Proposed Attainment/Unclassifiable
- Proposed Nonattainment

2015 Ozone Standard History

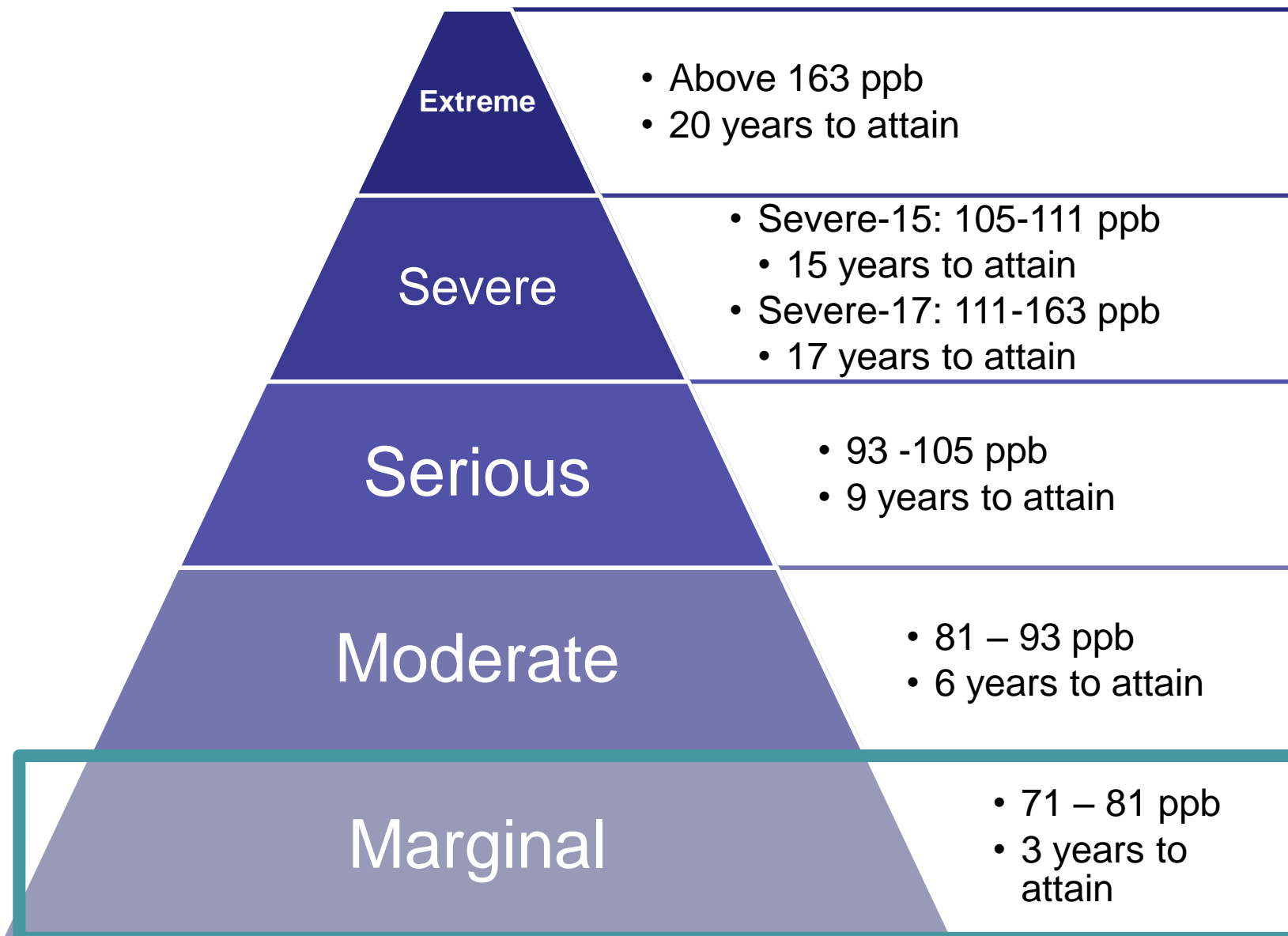Final and Proposed Designations for the 2015 Ozone Standard as of April 2018

Legend

Potential Ozone Designations
- Final Desigantion as Attainment/Unclassifiable
- Proposed Attainment/Unclassifiable
- Proposed Nonattainment Areas

Source: State of Michigan
Prepared by: Michigan Department of Environmental Quality
April 17, 2018

0   15   30   60   90   120
Miles

February 2018

Michigan submits supplemental recommendations

Probable Nonattainment Areas

Detroit Area	West Michigan Area
Livingston County	Allegan County (partial?)
Macomb County	Berrien County
Monroe County	Muskegon County (partial?)
Oakland County	Ottawa County ?
St. Clair County	
Washtenaw County	
Wayne County	

Clean Air Act Nonattainment Requirements

Nonattainment Area Classifications

Extreme
- Above 163 ppb
- 20 years to attain

Severe
- Severe-15: 105-111 ppb
  - 15 years to attain
- Severe-17: 111-163 ppb
  - 17 years to attain

Serious
- 93 -105 ppb
- 9 years to attain

Moderate
- 81 – 93 ppb
- 6 years to attain

Marginal
- 71 – 81 ppb
- 3 years to attain

Marginal vs Moderate
Clean Air Act Requirements

Requirement	Marginal	Moderate
NSR Offsets	1.1 to 1	1.15 to 1
Attainment Date	3 years	6 years
VOC and NOx RACT	No	Yes
15% VOC RFP Reductions	No	Yes
Basic I/M Program	No	Yes
Stage II Gasoline Vapor Recovery	No	Yes

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Nonattainment NSR Offset Requirement

Nonattainment NSR Requirements	Marginal Offset Requirements
New sources or major modifications	1.1 to 1 ratio
Nonattainment areas	NOx or VOC
Designated nonattainment until redesignated attainment	Real reductions
	Same nonattainment area
Part 19 Air Pollution Control Rules	Baseline year to permit issuance

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Baseline Year

- ## Act 451 5505(2):

  "The start date for the emissions offsets eligible to be applied to a permit to install shall be the date established by federal rule or, if a date is not established by federal rule, January 1 of the year after the emissions baseline year used for the purpose of preparing the relevant state implementation plan."

- ## DC Circuit Court: baseline year must have a statutory basis

  South Coast Air Quality Management District v. EPA, No. 15-1115 (D.C. Cir. 2018)

Attainment Strategy

What Happens If We Don't Attain in 3 Years?

- Bump up to Moderate classification

Requirement	Marginal	Moderate
NSR Offsets	1.1 to 1	1.15 to 1
Attainment Date	3 years	6 years
VOC and NOx RACT	No	Yes
15% VOC RFP Reductions	No	Yes
Basic I/M Program	No	Yes
Stage II Gasoline Vapor Recovery	No	Yes

VOC and NOx RACT

- VOC RACT
  - Based on Control Technique Guidelines
  - MI considering as part of 2015 ozone attainment plan
- NOx RACT
  - CSAPR Update
  - CAIR

Additional Moderate Requirements

- Additional 15% VOC reductions
- Basic Vehicle Inspection and Maintenance Program
- Stage II Gasoline Vapor Recovery

What Happens If We Don't Submit a SIP in time?

- Federal Implementation Plan (FIP)
- Sanctions
  - NSR offset ratio of at least 2 to 1
  - Highway funding sanctions

Marginal vs Moderate
Clean Air Act Requirements

Requirement	Marginal	Moderate
NSR Offsets	1.1 to 1	1.15 to 1
Attainment Date	3 years	6 years
VOC and NOx RACT	No	Yes
15% VOC RFP Reductions	No	Yes
Basic I/M Program	No	Yes
Stage II Gasoline Vapor Recovery	No	Yes

Next Steps

- Determine Attainment Strategy

- Rulemaking, if needed

- Develop and submit Attainment Plan by April 2021

Michigan Department of Environmental Quality

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