Ozone Early Action Compacts--A Voluntary, Community-Based Program
Who are we?

- David Cole, US EPA
- William Gill, Capital Area Council of Governments (CAPCOG)
- Cathy Stephens, Capital Area Metropolitan Planning Organization (CAMPO)
- David Balfour, URS Corporation
What are we covering today?

- What are Early Action Compacts (EACs) for Ozone?
- How is Central TX meeting the EAC?
- What issues are EAC areas facing & how is Austin addressing them?
- What lessons have we learned?
Overview of Ozone
Early Action Compacts

- Why is ground-level ozone bad?
- What is an EAC & why participate?
- What are EAC milestones?
- Why legal concerns?
Overview: Why is ground-level ozone bad?

- EAC addresses ozone concerns

- High ozone levels can---
  - Irritate throat and lungs
  - Reduce lung capacity
  - Aggravate asthma and other respiratory illnesses
Why is ground-level ozone bad? (continued)

- At-risk groups include--
  - Children
  - The elderly
  - Those who work or exercise outdoors
What are EACs?

- Voluntary agreements
- Innovative approach to cleaner air
- Commitment to early reductions / early implementation
Why participate?

- “Cleaner air sooner”
- Local involvement, local choice
- Federal requirements do not apply if all compact terms are met
- Good PR for the community
- It’s INNOVATIVE
Who is participating?

- Upper Savannah (Abbeville-Greenwood area), SC
- Mountain Area of NC
- Lower Savannah-Augusta (Augusta-Aiken), GA-SC
- Austin-San Marcos area, TX
- Low Country (Beaufort area), SC
- Berkeley-Charleston-Dorchester (Charleston area), SC
- Chattanooga area, TN
- Central Midlands (Columbia area), SC
- Denver area, CO
- Fayetteville area, NC
- Pee Dee (Florence area), SC
- Triad (Greensboro-Winston Salem-High Point), NC
- Appalachian (Greenville-Spartanburg-Anderson), SC
- Unifour (Hickory-Morganton-Lenoir), NC
- Tri Cities (Johnson City-Kingsport-Bristol area), TN
- Northeast TX area (Longview-Marshall-Tyler area), TX
- Eastern Pan Handle Region (Martinsburg area), WV
- Waccamaw (Myrtle Beach area), SC
- Nashville area, TN
- Oklahoma City area, OK
- Roanoke area, VA
- San Antonio area, TX
- San Juan County, NM (Farmington area)
- Shreveport-Bossier City area, LA
- Santee Lynches (Sumter area), SC
- Tulsa area, OK
- Washington County (west of DC area), MD
- Northern Shenandoah Valley Region (Winchester), VA
- Catawba, (part of Charlotte-Gastonia-Rock Hill MSA), SC
What are the 7 milestones?

- 12/02 - Agreements signed
- 6/03 - Draft measures identified
- 3/04 - Local air quality plan submitted to State
- 12/04 - States submitted air quality plans to EPA for approval
What are the 7 milestones?
(cont’d)

- 2006 Ozone Season - Control measures implemented
- 6/06 - Progress assessment due
- 12/07 – Areas comply with ozone standard
Why legal concerns?

- Statute does not allow deferred designation of nonattainment
- Compact terms negotiated with major environmental groups
- Litigation stayed
What’s next?

- 11/06 – EPA approves next deferred nonattainment designation
- Continued deferral if measures done & making progress
- 12/07 – Local areas meet ozone standard
- 4/08 – EPA designates deferred areas attainment or nonattainment
Central Texas
Early Action Compact
Austin EAC Outline

- Challenges faced by the Austin region in dealing with the national eight-hour ozone air quality standard
- Ozone data – near nonattainment
- Proactive approaches developed by local officials
- Stakeholder approach to elicit emission reduction commitments from the various emission categories
Austin EAC Outline

- Voluntary measures, Clean Air Partners Program
- State assisted measures
- Continue the planning efforts
  - EAC progress report
  - Air quality monitoring and photochemical modeling
Challenges Faced by Austin Area

- Significant amount of ozone at monitors is transported into the area – from major point sources and nonattainment areas.
- Area monitors have measured ozone just slightly above and in some years below the standard.
- Population growth in the area continues to add more local emissions.
Austin-Round Rock MSA 8-Hour Ozone Design Value Trend

Last Year of Three-Year DV Average

Design Value (ppb ozone)
Economic Effects

- **Nonattainment may result in:**
  - Negative stigma that affects economic development
  - Emission control equipment that can increase costs to consumers

- **Limits on business expansions**
  - Delays in meeting transportation needs
  - Diversion of resources to meet compliance needs
Central Texas EAC

- Applies to the Austin Round Rock MSA
  - Bastrop, Caldwell, Hays, Travis and Williamson Counties
- Signed Dec 2002 by 5 counties, 7 cities
  - Austin, Bastrop, Elgin, Lockhart, Luling, Round Rock, San Marcos
- Region of varied characteristics
  - Urban, suburban and rural
  - Socioeconomic differences
EAC Goals and Challenges

- Ensure adequate safety margin against nonattainment
- Develop a reasonable CAAP that works for all jurisdictions, given varied circumstances
- Meet all EAC milestones
Regional AQ Planning Structure

- Clean Air Coalition (CAC)
  - Elected officials from the 5 counties, 7 cities
- EAC Task Force (EACTF)
  - Develop draft plans and agreements
Regional AQ Planning Structure

- CLEAN Air Force (CAF) non-profit
  - Public involvement, voluntary programs
- Capital Area Council of Governments (CAPCOG)
  - State grant funding for air quality planning and technical analysis
Public Involvement

- 4 stakeholder workgroups
  - point, area, non-road, on-road
- 2 public opinion surveys
  - 1 general, 1 measure specific
Public Involvement

- Outreach at events
- Public meetings
- Semiannual progress reports reviewed by elected officials and available to public for comment
EAC Clean Air Plan
Components

- Policy statements
- Technical analysis
- Public & stakeholder involvement
EAC Clean Air Plan
Components

- Emission reduction measures
- Maintenance for growth
- Continuing planning process
- Tracking and reporting
Emission Reduction Measures

- Developed through fair share approach
- State assisted measures
  - Most will apply MSA-wide
  - 2 county inspection & maintenance program
  - Product of stakeholder work groups
Emission Reduction Measures

- Local measures (no state action needed)
  - Select from menu of options, provides choice
  - Reductions proportionate to contribution
  - O3 Flex and new EAC measures
Why State Assisted Measures?

- Counties have limited legal authority to adopt air quality regulations.
- Cities have legal authority, but there may be preemption issues.
Why State Assisted Measures?

- TCEQ is the only entity that can provide uniform regulatory coverage
- Patchwork regulatory application would be confusing, create inequities and influence growth patterns
**Austin Area State Assisted Measures**

**STATE ASSISTED MEASURES**

- Vehicle Emission Inspection & Maintenance
- Locally Enforced Idling Restrictions
- Stage 1 Vapor Recovery
- Degreasing Requirements
- Cut-back Asphalt Restrictions
- Low Emission Gas Cans
- *Texas Emission Reduction Program (TERP) Grants*
- *Local Power Plant Reductions*

*State-assisted measures not requiring new state rules for implementation*
Local Commitments
Tracking and Reporting

- Tree Planting
- Ozone Action Day Response program
- Cleaner Diesel for Fleets
- Fleet Vehicle Maintenance
- Resource conservation
- e-Government and Multiple locations
- Low Emission Vehicles
- Fleet Usage Efficiency Evaluation
Voluntary Measures

- Commute Solution programs
- Clean Air Partners
  - Reduce employee commute
  - Exercise green choice option
  - Implement energy conservation measures
- Clean School Bus Program
- Electric Lawnmower Rebate Program
Continuing Planning Process

- Annual analysis of air quality data and modeling update, if necessary
- Evaluation of future transportation plans, new point sources and other potential new source growth
- Determine if selected control measures still adequate to achieve attainment
Ozone Impacts Modeling New Power Plants

Difference in Daily Maximum 8-hr Average Ozone

All Power Plants - 2007 Future Case

September 15, 1999 0:00:00
Min = -0.89 at (31,39), Max = 3.98 at (67,107)

PPB
Common EAC Issues
A panel discussion...
What issues do EAC areas have in common?

- Planning
- Implementation of measures
- Measuring success
- Litigation concerns—14 areas
Planning Issues

- How have you been able to keep the community engaged this long?
- How did you get stakeholders involved?
- In selecting measures for AQ improvement...
  - How did you select them?
  - How were able to build consensus?
  - Were there any obstacles?
Implementation Issues

- How did you transition from planning to implementation?
- Were there any obstacles?
- Have any changes in local leaders affected the EAC process?
Measuring Success

- Have you identified ways to verify that you will accomplish what you hope to achieve?
- To what extent have public attitudes & behaviors changed so far?
Legal Concerns

- Has the potential for legal action from environmental groups or others had an impact on your ability to continue your EAC?
“Lessons Learned”

- Keep focused on goals and objectives
- Accept incremental progress
- Be aware of changes in leadership at all levels
“Lessons Learned”

- Staff involvement can be critical to success
- Involve all significant stakeholders
- Stakeholder benefits are key
For more information, go to EPA & Austin websites at:

www.epa.gov/ttn/naaqs/ozone/eac

Or contact:

David Cole, U.S. EPA
919.541.5565  cole.david@epa.gov

Cathy Stephens, CAMPO
512.974.1861  cathy.stephens@campotexas.org

Bill Gill, CAPCOG
512.916.6066  bgill@capcog.org

David Balfour, URS Corporation
512.419.5249  David_Balfour@URSCorp.com