



## REGIONAL AIR POLLUTION CONTROL AGENCY

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Testimony of

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on

Ohio EPA's Proposed Request to USEPA Region 5

for

Redesignation of the Dayton-Springfield Area to Attainment

for

The Eight-hour Ozone National Ambient Air Quality Standard

December 5, 2006

Good afternoon. My name is John Paul, and I am the supervisor of the Regional Air Pollution Control Agency (RAPCA), a six-county local agency centered in Dayton. RAPCA is part of the Combined Health District of Montgomery County and contracts with the health departments of our other five counties. As such, the protection of public health is our primary objective. I am here today to testify on Ohio EPA's proposed request to USEPA Region 5 for redesignation of the Dayton-Springfield Area to attainment for the eight-hour ozone national ambient air quality standard. RAPCA supports this request, and I am appearing today to state the reasons for our support and to identify various measures we intend to pursue to assure that attainment of this important health-based standard is maintained into the future.

Ozone in the ambient air can irritate eyes, skin, and lungs by drying mucous and the protective moist membranes of the body. This pollutant can impair breathing, damage plants and reduce crop yields, cause major changes in ecosystems, and cause serious deterioration in organic materials such as rubber and dyes. Exposure to ozone damages biological tissue and cells. Exposure for 6 to 7 hours, even at relatively low concentrations, significantly reduces lung function in normal, healthy people during periods of moderate exercise. Ozone is not emitted directly into the atmosphere but is produced by a complex series of chemical reactions. These reactions are initiated when volatile organic compounds (VOCs) and nitrogen oxide emissions from automobiles and other sources are exposed to sunlight and relatively high temperatures. Also, ozone and

the pollutants that cause ozone can be carried to an area from pollution sources located hundreds of miles upwind.

The National Ambient Air Quality Standard for ozone is 85 parts per billion. Attainment is based on the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentrations measured at each monitor within an area over each year. RAPCA operates six ozone monitors throughout our six counties, and these monitors have measured attainment of the standard for two consecutive 3-year periods (2003-2005 and 2004-2006). We believe the measured attainment to be an accurate reflection of current air quality.

Emissions of air pollutants that contribute to the formation of ozone are classified in three categories—industrial point source emissions, mobile source emissions, and area source emissions. The Dayton-Springfield Area inventory of emissions is dominated by mobile sources for both VOCs (53%) and NO<sub>x</sub> (66%). Industry accounts for only 4% of the VOC emissions and 31% of the NO<sub>x</sub> emissions. RAPCA works with Ohio EPA and the Miami Valley Regional Planning Agency to calculate this emissions inventory on an annual basis and to project this inventory into the future based on various regulatory assumptions. Maintenance of the attainment air quality standard is assumed if maintenance of the attainment inventory of emissions can be shown. Projections of future emissions as presented in the redesignation request display this maintenance of the standard into the future. Thus, RAPCA supports the redesignation request.

Now, let me please take some time to discuss various actions we will take to assure the maintenance of the standard does not get off track. I will address these measures with regard to each category of emissions—point sources, mobile sources, and area sources.

**Point Sources:** As stated earlier, point sources do not make up an overwhelming percentage of the Dayton-Springfield emissions inventory of VOCs or NO<sub>x</sub>. However, it remains important that RAPCA personnel work to assure that point sources operate in compliance with established limits through annual on-site inspections of major sources and review of company reports. We will continue to do so.

It is also important that we make sure emissions from new or modified point sources are minimized through the installation of best available control technology. There are two significant challenges to the accomplishment of this task in the future. First is the passage of Senate Bill 265 by the Ohio legislature in 2006. This bill exempts sources less than 10 tons per year after controls from the requirement to install best available controls. RAPCA personnel are concerned this exemption could result in excessive emissions increases; thus, we will monitor emissions increases carefully. If we find that emissions increases endanger the maintenance of the standard, we will pursue remedies at either the state or local level.

The second challenge is the potential that the federal rule governing emissions increases from major source modifications at electric generating units (utility power plants) could change significantly. The Supreme Court of the United States is currently deliberating

the merits of Environmental Defense vs. Duke Energy, and should rule on this case some time in 2007. It is possible the Supreme Court ruling, combined with EPA action, could allow major utilities to rebuild units and greatly increase annual emissions without going through the new source review process and the installation of best available control technology. Such a ruling could have a direct effect on the Dayton-Springfield Area maintenance plan, as it could allow the Dayton Power and Light Hutchings Station to increase emissions significantly. Again this is a situation we will monitor closely, and if necessary seek remedies at either the state or local level.

**Mobile Sources:** Since mobile sources make up such a major share of the Dayton-Springfield Area emissions inventory, it is obvious that we must give them appropriate attention. Projected emissions from the mobile source sector are declining. There are, however, several elements in this decline that we will pursue carefully.

First is the implementation of the Ohio EPA adoption of a low Reid Vapor Pressure gasoline requirement for the Dayton-Cincinnati region. This requirement is likely to take effect in 2008 and is intended to make up some of the emissions control lost when the Ohio legislature repealed the Inspection/Maintenance program at the end of 2005. RAPCA will work with appropriate parties to ensure this low-RVP requirement is implemented.

Second is the continued pursuit by RAPCA personnel for funding for diesel retrofit projects in our area. Control of diesel emissions has a three-fold benefit—control of ozone forming emissions, control of particulate matter emissions, and control of toxic emissions. RAPCA considers the control of diesel emissions a high priority.

Third is the continuation of agency actions to inspect area auto sales to assure that vehicles are not offered for sale in a tampered condition. Enforcement of state and local anti-tampering rules is of increased importance with repeal of the Inspection/Maintenance program.

Fourth is a commitment by the agency to work with our local Regional Transit Authority to assure the continued operation of the electric trolley system in Dayton. Recent newspaper articles suggest that RTA may consider going to an all-diesel fleet in the future. RAPCA personnel will work with RTA and other local officials to make sure that any future decisions regarding the RTA fleet include air pollution considerations.

**Area Sources:** The area source inventory includes emissions from small sources that are not included in the point source inventory (examples include drycleaners, gasoline stations, home heating units (including wood-burning stoves), lawn mowing, etc.) and general household-type product use. Emissions from some of these sources are covered by existing and planned rules. For instance, there are existing rules for drycleaners and gasoline stations and there are proposed rules for paint architectural coatings. RAPCA supports these rules. Additionally, we encourage “green” product use through our web site and recently implemented a woodstove changeout program, using funds from a national enforcement settlement. Area source emissions follow very closely population

growth and are the only sector of the overall inventory which is expected to grow over the next ten years. We will track the emissions from this sector and work with Ohio EPA and USEPA on controls. We will also look for opportunities to promote additional programs similar to our recent woodstove changeout program.

Obviously, the control of emissions is key to maintenance of the ozone standard. RAPCA personnel pledge to work with our various counterparts at Ohio EPA and USEPA to assure that emissions from all three sectors (Point, Mobile, and Area) remain at levels necessary for attainment.

One final major point and I will be done. Whereas the Dayton- Springfield Area measures attainment air quality for ozone, we do not measure attainment air quality for fine particulate—PM<sub>2.5</sub>. The plan for attainment of this standard is due next spring. Current modeling indicates that measures currently “on the books” may be sufficient to provide attainment by the national deadline of 2010, but this is not certain. The primary “on the books” rule is the federal Clean Air Interstate Rule (CAIR). This rule calls for control of NO<sub>x</sub> and SO<sub>2</sub> emissions from coal-fired utility boilers in 28 eastern states, beginning in 2009-2010. CAIR provides reductions which will improve air quality for both ozone and PM<sub>2.5</sub>, however many areas in the Midwest, including areas in Ohio, will remain nonattainment in 2010, 2015, and beyond. Therefore, several states within our region are considering adoption of regional controls which are more stringent than the federal CAIR plan (referred to as CAIR plus). The adoption of such rules would provide maximum benefit toward the attainment of both ozone and fine particulate standards throughout the region. We urge Ohio EPA to join in this effort, and we pledge our support for the adoption of CAIR plus requirements.

In conclusion, we support the proposal to redesignate the Dayton-Springfield Area as attainment for the National Ambient Air Quality Standard for ozone. We recognize that with this attainment designation comes a responsibility for RAPCA to take appropriate measures to assure this attainment is maintained into the future. We stand ready to take these measures.

Thank you for this opportunity to provide testimony. I will be happy to address any questions you might have.