

# United States Senate

WASHINGTON, DC 20510

July 15, 2016

The Honorable James Inhofe  
Chairman  
Senate Committee on Environment and Public Works  
410 Dirksen Senate Office Building  
Washington, DC 20510-6176

Dear Chairman Inhofe:

We are concerned that the Environmental Protection Agency's (EPA) overlapping implementation schedule for states and local communities to comply with the agency's revised ground-level ozone standard will have economic impacts that increase costs, create uncertainty for consumers and businesses, and may lead to job loss.

As you are aware, under the Clean Air Act's National Ambient Air Quality Standards (NAAQS) program, EPA sets standards for criteria pollutants such as ground-level ozone. EPA initially established NAAQS for ozone in 1971, and subsequently revised them in 1979, 1997, and 2008. Unfortunately, EPA did not publish implementing regulations for the 2008 ozone NAAQS until March 2015, and states are just beginning to implement those NAAQS. Because EPA again revised the ozone NAAQS in October 2015, states now face the reality of simultaneously implementing two ozone NAAQS at the same time. That is why thousands of elected officials, state agencies, and other stakeholders urged EPA to let states catch up on the 2008 ozone NAAQS before setting a new standard.

Those commenters noted to EPA that cleaner air does not require redundant and overlapping ozone NAAQS implementation schedules. Since 1980, the U.S. economy has more than tripled in growth while average ozone levels have decreased by 33 percent.<sup>1</sup> EPA predicts that ozone levels will continue to improve through the next decade and that a vast majority of counties and parishes across the country are on track to attain the 2015 ozone NAAQS' 70 ppb standard by 2025 under existing federal, state, local requirements and industry efforts. In other words, EPA's current implementation schedule for the 2015 ozone NAAQS unnecessarily pushes regions of our states into nonattainment, leading to the loss of industry and economic development, including federal highway and transit funding.

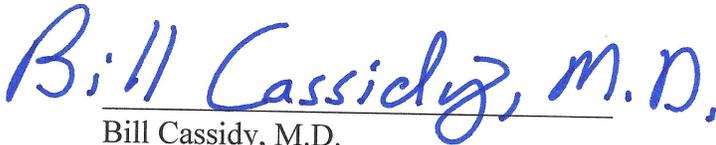
Members of Congress have expressed bipartisan concern with EPA's new 2015 ozone NAAQS' appropriateness and implementation schedule. At a minimum, we believe the Environment and Public Works Committee should expeditiously markup the Ozone Standards Implementation Act of 2016 (S. 2882). This legislation would adjust the schedule for the 2015

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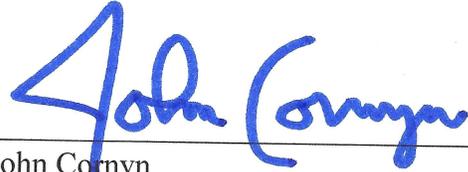
<sup>1</sup> EPA. "National Trends in Ozone Concentrations in 1990-2013," <http://www.epa.gov/airtrends/ozone.html>.

ozone standard to provide states time to complete work on the delayed 2008 standard. We believe that Congress must act to ensure continued improvement of air quality improvements without unnecessarily draining limited state administrative and economic resources.

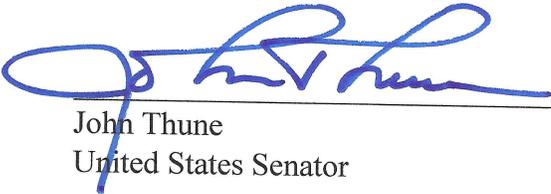
Sincerely,



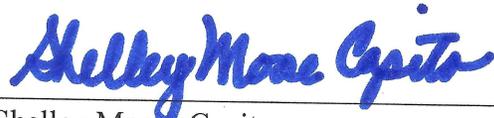
Bill Cassidy, M.D.  
United States Senator



John Cornyn  
United States Senator



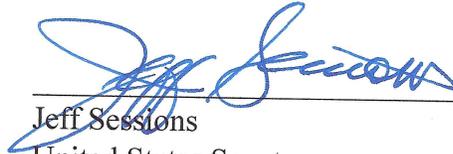
John Thune  
United States Senator



Shelley Moore Capito  
United States Senator



David Vitter  
United States Senator



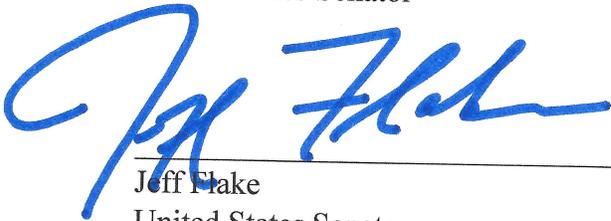
Jeff Sessions  
United States Senator



Tim Scott  
United States Senator



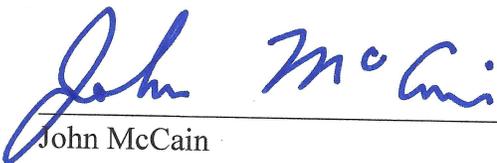
Jerry Moran  
United States Senator



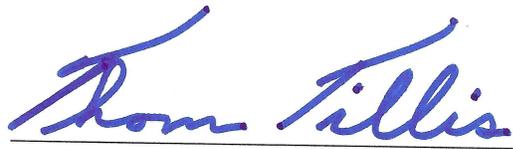
Jeff Flake  
United States Senator



John Hoeven  
United States Senator



John McCain  
United States Senator



Thom Tillis  
United States Senator



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James Lankford  
United States Senator



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Johnny Isakson  
United States Senator