

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SENATE CONCURRENT MEMORIAL 1014

A CONCURRENT MEMORIAL

URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO REFRAIN FROM
REDUCING THE OZONE CONCENTRATION STANDARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Administrator of the United States Environmental Protection Agency:
2 Your memorialist respectfully represents:
3 Whereas, the United States Environmental Protection Agency (EPA) is
4 proposing to reduce the national ambient air quality standard for ozone from
5 75 parts per billion to 65 to 70 parts per billion, while taking comment on a
6 level as low as 60 parts per billion; and
7 Whereas, the Clean Air Act requires the EPA to review the ozone
8 concentration standard every five years, and the EPA last updated this
9 standard in 2008, setting it at 75 parts per billion; and
10 Whereas, if the EPA reduced the standard to 70 parts per billion, nine
11 out of 11 counties monitored for ozone levels in Arizona would be out of
12 compliance; and
13 Whereas, if the EPA reduced the standard to 65 parts per billion, all
14 11 counties monitored for ozone levels in Arizona would be out of compliance,
15 and the four rural counties that are not currently monitored might also be
16 out of compliance; and
17 Whereas, a revised ozone standard of 65 to 70 parts per billion would
18 result in widespread nonattainment designations in areas of the nation that
19 already meet the current ozone standards; and
20 Whereas, based on 2011 through 2013 monitoring data, the EPA reports
21 that 358 counties in the nation would violate a standard of 70 parts per
22 billion and that an additional 200 counties would violate a standard of 65
23 parts per billion; and
24 Whereas, nonattainment area designations would limit economic and job
25 growth by restricting new and expanded industrial and manufacturing
26 facilities, imposing emission "offset" requirements on new sources of
27 nitrogen oxides and volatile organic compounds emissions, constraining oil
28 and gas extraction and raising electricity prices for industries and
29 consumers; and
30 Whereas, low-income and fixed-income citizens would bear the brunt of
31 higher energy costs and utility bills; and
32 Whereas, according to the National Association of manufacturers, the
33 EPA's proposal could be the most expensive regulation ever issued on the
34 American public, costing the nation \$270 billion to \$360 billion annually;
35 and
36 Whereas, according to the National Association of Manufacturers, the
37 proposed ozone regulations could cost Arizona \$28 billion in gross state
38 product loss from 2017 to 2040, 19,982 lost jobs or job equivalents per year,
39 \$639 million in total compliance costs and a \$520 drop in average household
40 consumption per year; and
41 Whereas, the National Association of Manufacturers predicts that the
42 EPA's proposed standards could result in a 15% increase in residential
43 electricity prices, a 32% increase in residential natural gas prices and an
44 8% reduction in Arizona's coal-fired generating capacity; and
45 Whereas, the EPA has identified only 46% of the controls needed to meet
46 the proposed standards, and the remaining 54% would have to be met with

1 unknown controls that the EPA has not yet identified but that would likely
2 have to include early shutdowns and scrappage of existing facilities,
3 equipment and vehicles; and

4 Whereas, early retirement and scrappage of power plants, industrial
5 facilities, heavy-duty trucks and equipment and automobiles would be much
6 more costly ways to remove each additional ton of emissions than the controls
7 the EPA has identified; and

8 Whereas, air quality continues to improve, and nitrogen oxide emissions
9 are already down to 60% nationwide since 1980, which, after adjusting for
10 economic growth, implies a 90% reduction in emission rates from the
11 relatively uncontrolled 1990 rates for nitrogen oxide-emitting sources; and

12 Whereas, average ozone concentrations have decreased significantly in
13 both urban and rural areas over the past two decades in response to state and
14 federal emission control programs; and

15 Whereas, states are on track to be fully in attainment with the current
16 standards, but some have not yet reached full attainment; and

17 Whereas, instead of giving states enough time to meet the current
18 standards through ongoing emission reduction programs, the EPA now wants to
19 move the goalpost by imposing a lower standard; and

20 Whereas, retaining the current ozone standards would provide for
21 continued air quality improvement throughout the nation as emission reduction
22 programs under existing EPA regulations are implemented.

23 Wherefore your memorialist, the Senate of the State of Arizona, the House of
24 Representatives concurring, prays:

25 1. That the EPA refrain from reducing the ozone concentration standard
26 from 75 parts per billion to 65 to 70 parts per billion.

27 2. That the Secretary of State of the State of Arizona transmit copies
28 of this Memorial to the Administrator of the United States Environmental
29 Protection Agency, the President of the United States, the President of the
30 United States Senate, the Speaker of the United States House of
31 Representatives and each Member of Congress from the State of Arizona.

PASSED BY THE HOUSE MARCH 25, 2015.

PASSED BY THE SENATE FEBRUARY 19, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 30, 2015.