

House Engrossed

air quality; ozone standards; opposing

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HOUSE CONCURRENT MEMORIAL 2008**

A CONCURRENT MEMORIAL

URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO HALT THE IMPOSITION OF UNREALISTIC OZONE STANDARDS ON THE STATE OF ARIZONA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the President and Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, on September 16, 2022, the United States Environmental  
4 Protection Agency (EPA) reclassified Maricopa County as a moderate  
5 nonattainment area for ozone limits under the Clean Air Act; and

6 Whereas, the EPA under the Biden Administration is trying to force  
7 the adoption of ozone control measures on the State of Arizona and its  
8 individual citizens, motorists and businesses that would devastate the  
9 economy; and

10 Whereas, the main contributor to nonattainment for Maricopa County  
11 was the adoption of the 2015 EPA guidelines, which dropped acceptable  
12 ozone levels from 75ppb to 70ppb; and

13 Whereas, multiple studies have shown that higher ozone levels in  
14 Maricopa County are being caused by natural events and that external  
15 activity outside the state is beyond the scope and control of the citizens  
16 of this state; and

17 Whereas, there is no evidence that any of the control measures being  
18 considered, including additional regulations on business, expanding  
19 transit, adopting vision-zero zoning programs or vehicle trip reduction  
20 requirements will result in Maricopa County reaching attainment; and

21 Whereas, the Maricopa Association of Governments has issued public  
22 statements acknowledging that the removal of all 4,000,000 internal  
23 combustion vehicles in the metropolitan Phoenix area would not bring  
24 Maricopa County into compliance with the ozone requirements mandated by  
25 the EPA; and

26 Whereas, during the Covid-19 pandemic in 2020 ozone levels increased  
27 from 79ppb to 87ppb despite the fact that most vehicular and business  
28 activity was halted in Maricopa County; and

29 Whereas, the imposition of fines and penalties or the withholding of  
30 Arizona's share of federal transportation dollars by the EPA for  
31 nonattainment would be coercive and unfairly punitive to the citizens of  
32 this state.

33 Wherefore your memorialist, the House of Representatives of the State of  
34 Arizona, the Senate concurring, prays:

35 1. That the Biden Administration and the United States Congress  
36 stop the United States Environmental Protection Agency from imposing  
37 coercive and likely unconstitutional penalties on Arizona to comply with  
38 an ozone standard that is impossible to attain through any of the control  
39 measures being considered.

40 2. That the Secretary of State of the State of Arizona transmit  
41 copies of this Memorial to the President of the United States, the  
42 President of the United States Senate, the Speaker of the United States  
43 House of Representatives and each Member of Congress from the State of  
44 Arizona.