



Site Navigation

- Cleanups, Remediation
- Emergency Response
- Licensing
- Permits, Registrations
- Preventing Pollution
- Recycling
- Reporting
- Rules

- Data
- Forms
- Maps
- Public Notices
- Publications
- Records
- Webcasts

- About Us
- Contact Us

How 's our Customer Service? Please fill out our [Customer Satisfaction Survey](#)

You are here: [Home](#) → [Publications](#) → [Periodicals](#) → [Natural Outlook](#) → [Winter 2003](#) → [Entering the Zone](#)

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Entering the Zone

With the 8-hour ozone standard soon to be implemented, several regions of Texas could be declared in violation.

New 8-hour ozone standard spells tougher air quality measures for Texas and other states

In this story:

- [Implementation Delayed](#)
- [Early Action Compacts](#)

Texas' ozone problems go further than the federal 1-hour ozone standard, which has resulted in 16 counties being designated as "nonattainment" and subject to possible federal sanctions.

In recent years, a stricter measure--the 8-hour standard--was devised by the Environmental Protection Agency for monitoring ground-level ozone.

Under this new standard, a metropolitan area will be required to keep monitored ozone concentrations below 85 parts per billion, averaged over any 8-hour period. Designation of areas as nonattainment will be based on three years of monitoring data.

Long delayed by legal challenges, the 8-hour standard is about to be implemented, and EPA will begin writing a new chapter in air quality monitoring and enforcement.

Texas officials acknowledge that additional urban areas of the state will be drawn into requirements to address air quality.

The 8-hour standard will potentially affect not only the existing 1-hour nonattainment areas, but also the near-nonattainment areas of Austin, San Antonio, Longview-Marshall, Tyler, Corpus Christi, Victoria, and several counties around the Dallas-Fort Worth area.

Areas Potentially in Violation

Implementing the 8-hour ozone standard will have far-reaching effects, affecting regions with a population totaling 14 million. The metropolitan areas that could face having to implement the 8-hour standard are:

- Houston-Galveston
- Dallas-Fort Worth & perimeter counties
- Beaumont-Port Arthur
- San Antonio
- Austin
- Longview-Marshall
- Tyler*
- Corpus Christi*
- Victoria*

*Currently in compliance with the 8-hour standard

All of these metropolitan areas are being closely monitored under the newer standard, as are the four existing nonattainment areas.

"The 1-hour nonattainment areas of Houston, Dallas-Fort Worth, and Beaumont-Port Arthur will need to revise their State Implementation Plan (SIP) strategies by developing plans for attaining the 8-hour standard," said TCEQ Commissioner R.B. "Ralph" Marquez.

"In addition, some urban areas of Texas that have not been required to have strict ozone control measures could be affected by the new ozone standard," he said.

Implementation Delayed

EPA tried to initiate the 8-hour ozone standard in states in 1997, but a series of legal challenges postponed implementation and enforcement.

In 2001, the U.S. Supreme Court upheld EPA's right to adopt the 8-hour standard, but objected to the federal agency's implementation policies. In early 2002, a lower court cleared the last legal obstacles for implementing the standard.

The more stringent 8-hour standard is intended to offer more protection to people, including children, who experience health problems from the harmful effects of ozone. The new standard is expected to reduce premature deaths and the severity of

respiratory diseases, such as asthma.



Industrial air pollution is a major problem for cities along the Texas Gulf Coast. Factories and power plants must report to the TCEQ how they track emissions and the equipment used to control the release of pollutants./ photo by the Texas Department of Transportation

EPA is considering phasing out the 1-hour standard in the coming years and relying on the 8-hour standard in all states to protect against longer ozone exposure periods.

EPA will propose its 8-hour implementation rules this spring.

Once finalized, these rules will set in motion a process for designating nonattainment areas and submitting attainment demonstrations--the detailed plans for achieving compliance with federal air quality standards.

Under the Clean Air Act, states are required to propose the boundaries for their nonattainment areas, based on air monitoring results from 2000 to 2002. EPA then determines whether to accept the recommendations. These proposals are due to EPA some time in 2003.

EPA's rules will determine the schedule for each community to comply with the new standard. Failure to comply could eventually trigger the federal sanctions clock.

Early Action Compacts

While the 8-hour standard was in legal limbo, some Texas cities began to tackle their ozone problems through voluntary efforts, including the use of vanpools and flexible work schedules for commuters. Also, local governments are moving toward purchases of lower emitting vehicles and use of cleaner-burning fuels.

Each of the near-nonattainment areas has developed control strategies and models of air emissions. The Legislature in 2001 approved \$5 million to assist near-nonattainment areas with air improvement plans.



A comprehensive air quality study in 2000 led scientists to focus on the Houston Ship Channel as the source of much of the area's air pollution. Spikes in ozone levels occur most often at this industrial complex./ photo by the Texas Department of Transportation

Now, counties in attainment for the 1-hour standard but facing possible nonattainment for the 8-hour standard have a way to avoid the requirements associated with that federal designation.

The concept of "early action compacts" was crafted by the TCEQ in cooperation with EPA and members of the environmental community.

These agreements provide a means for local governments to develop their own initiatives to zone standard--before they would have to do so under EPA's implementation schedule.

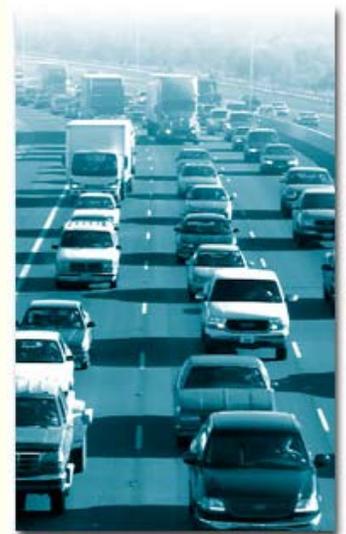
By moving forward early, these counties can maintain local control over decision making. The early action compacts establish a rigorous process to ensure an area will engage in air modeling and enforcement on par with SIP requirements, but allow local governments to tailor clean air plans to what works best in their communities.

The compacts require participating localities to comply with the 8-hour standard by the end of 2007.

Early action compacts have been signed by San Antonio, Austin, and Northeast Texas (Longview-Marshall and Tyler) and submitted to the TCEQ and EPA. The TCEQ must submit attainment demonstrations--drafted by each area--to EPA by the end of next year.

Officials from Bexar and surrounding counties have pledged to develop a strategy in 2004 for reducing ozone levels and to put the plan into action by the end of 2005. Mandatory vehicle emissions testing is one option under consideration. Other possibilities are converting public and private fleets to cleaner-burning vehicles and fuels and finding new ways to reduce traffic congestion.

Austin, which is another high-traffic area, will likely look at similar strategies, while Longview-Marshall and Tyler will probably focus on reducing air emissions from local industrial sources.



Mounting traffic is one of the factors complicating air quality in urban areas. Cars and trucks release nitrogen oxides and hydrocarbons, elements that contribute to the formation of ground-level ozone.

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