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Alert is a monthly update on transportation and air quality planning activities in the Delaware Valley.



Air Quality Regulations

Eight States Sue the US EPA to Enact More Stringent Emissions Controls on Upwind States

On Tuesday, December 26, 2017, eight Northeastern states, led by the New York State Attorney General, Eric Schneiderman, filed suit in the federal appeals court in the District of Columbia urging the U.S. Environmental Protection Agency (EPA) to add Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, Tennessee, Virginia and West Virginia to the congressionally created Ozone Transport Region (OTR).

The OTR is composed of eleven Northeastern and Mid-Atlantic states, and the District of Columbia. The region was created under the Clean Air Act and states in the region are members of the Ozone Transport Commission (OTC). The OTC advises the EPA on air pollution transport issues across state boundaries in this portion of the country. Generally, OTC member states have more stringent air emission regulations aimed at preventing upwind states from contributing to air quality violations in downwind states.

In late 2013, the Attorneys General of Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, and Vermont originally asked the Court to have nine upwind states added to the OTR. The OTC states asserted that the nine listed Southern and Mid-Western states contribute to violations of the ground-level ozone air quality standards in the OTR. The suit contended that these states should be subject to more stringent emissions standards to prevent the transport of pollutants that cause ozone violations across state boundaries. That case resulted in a consent decree that forced the EPA to decide the issue by the end of October 2017. In October, EPA Administrator Scott Pruitt declined to add the states to the OTR.

The action by the eight states on December 26, is asking the appeals court to force the EPA to change its decision. Schneiderman said the EPA was empowered to add states to the OTR if the EPA has reason to believe that their air pollution significantly causes downwind states to exceed federal pollution standards. Schneiderman reiterated that the EPA's own studies show that pollution from these states substantially adds to harmful levels of smog (ozone pollution) in New York and other states in the OTR.

For more information on the northeastern states lawsuit of EPA, please visit: <https://ag.ny.gov>



Save the Date

**Wednesday,
January 31, 2018**

**Healthy Communities
Task Force
9:30 am**

*Location of Meeting:
DVRPC Conference Center
8th Floor
6th and Race Streets
Philadelphia, PA*

**Thursday
February 15, 2018**

**DVRPC Public Participation
Task Force
5:00 pm**

*Location of Meeting:
DVRPC Conference Center
8th Floor
6th and Race Streets
Philadelphia, PA*

US EPA Responds to State Recommendations for Areas Not Attaining the 2015 Ozone Standard

On December 21, 2017, the US Environmental Protection Agency (EPA) responded to state recommendations of areas not attaining the 2015 ground-level ozone standards by indicating the anticipated non-attainment areas across the nation. In November 2017, the EPA listed the areas that were attaining the 2015 Ozone Standard but did not comment on the areas that were not meeting the standard.

The EPA responses to the states will start a 120-day period for states and tribes to provide additional information to the EPA before the EPA determines final non-attainment designations. EPA will also be opening a 30-day comment period for the public to provide input on these designations before they are finalized.

Each of the nine counties in the DVRPC region was recommended by their respective states to be listed as not attaining the 2015 Ozone Standard. The EPA agreed with these recommendations in their December 2017 response letters to the states.

For more information on the EPA's non-attainment areas for the 2015 Ozone Standard, please visit: www.epa.gov/ozone-designations



Air Quality Information

Study Shows that Emissions from Vehicles is Highest When They are First Started

The Environmental Protection Agency (EPA) has reported that air is cleaner today than it was in the 1990s, however more than 130 million people in the U.S. still live in places where ground-level ozone or particle pollution rises to unhealthy levels. According to the Federal Highway Administration, emissions from on-road vehicles contribute up to 38 percent of Nitrogen Oxides, 14 percent of Volatile Organic Compounds (VOCs), and 3 percent of fine particle pollution to the nation's air. These pollutants all contribute to the nation's air pollution problem.

Research, funded by the California Air Resources Board, and conducted by Dr. Greg Drozd, Ph.D at the University of California, shows that emissions from cars that are less than two years old can be as little as 99 percent lower than a 20 year old car.

The research also found that vehicles emit significantly more pollutants in the first 30 seconds after a "cold start" than under normal running conditions. The research found that almost all emissions in properly functioning, new vehicles are emitted immediately after starting the cars when their engines were cold. Once new cars warmed up, they had to be driven 100 to 300 miles to match the emissions levels that came out in the first 30 seconds of the engine turning on.

Drozd adds "Even malfunctioning and older cars would have to travel 50 to 100 miles, respectively, to release the same amount of emissions as they would within the first minute of a cold start". He explains that this concentrated release very early in a car's operation occurs because its catalytic converter, which breaks down VOCs, hasn't had a chance to warm up yet. The faster it can heat up, the lower the emissions could be, he added. "That tells us how we need to inform future vehicle engineering," Drozd says. "We need to think a lot about that cold start. That's still the best place to reduce emissions."

These findings could assist auto manufacturers develop new strategies for reducing vehicle emissions as well as improve air quality modelling of air emissions and pollutants.



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