

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE CONCURRENT  
RESOLUTION NO. 1006

By: Thornbrugh

AS INTRODUCED

A Concurrent Resolution relating to the National Ambient Air Quality Standards (NAAQS); urging the Environmental Protection Agency (EPA) to retain existing NAAQS for ozone and certain particulate matter; requesting additional monitoring and research; urging abandonment of certain standards until additional information is obtained; requesting identification of unfunded mandates if changes are made; and directing distribution.

WHEREAS, the United States Environmental Protection Agency (EPA) has a responsibility under the federal Clean Air Act to review periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM); and

WHEREAS, EPA is considering changes to the NAAQS, which include tightening the ozone standard and adding a separate standard for particulate matter smaller than two and one-half microns in size (PM<sub>2.5</sub>) in addition to the existing standard for particulate matter smaller than ten microns in size (PM<sub>10</sub>); and

WHEREAS, states, through their citizens, legislative bodies and regulatory agencies, have worked hard to reduce air pollution and meet clean air requirements; and

WHEREAS, tightened standards could significantly expand the number of nonattainment areas for standards and result in emissions controls in additional areas, thus imposing significant economic,

administrative and regulatory burdens on more citizens, businesses and local governments; and

WHEREAS, there is very little monitoring data for PM2.5; and

WHEREAS, current research indicates that there are many unanswered questions and uncertainties on the PM issue and the need for a more stringent standard, including divergent opinions among scientists who have investigated this issue, lack of supporting toxicological data, lack of a plausible toxicological mechanism connecting PM2.5 to adverse health effects, and lack of an established correlation between recorded levels and public health effects; and

WHEREAS, no clear scientific proof exists that tightening controls on PM2.5 or ozone would avoid alleged adverse health effects, while costs of implementing such a standard would assuredly be high; and

WHEREAS, the EPA's action has been taken with virtually no evidence that the change in standards will result in significant health benefits and with no analysis of the enormous costs that will be charged to Oklahoma businesses and consumers and to those communities that must implement new complicated compliance programs; and

WHEREAS, it is premature to tighten air standards severely without adequate health data on the need for such standards or sufficient information on the atmospheric transport of ozone, and in that the EPA has yet to even determine a "reference method" for collecting and reporting data on particulate matter; and

WHEREAS, the EPA's own scientific advisor, the Clean Air Science Advisory Committee (CASAC) has recommended that the EPA proceed cautiously and improve the existing state of scientific knowledge before taking costly steps to further control ozone and fine particulate emissions; and

WHEREAS, the Senate committee responsible for approving EPA's budget, when it allocated \$19 Million to study particulate matter, noted that is premature for the EPA to order such drastic changes in air regulations without conducting the necessary scientific review.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Legislature of this state advises and strongly urges the EPA to:

1. Retain the existing NAAQS for ozone;
2. Reaffirm the existing PM10 standard and conduct the additional PM2.5 monitoring and scientific research needed to address the issue of causality and other important unanswered questions before a proposal for a new PM2.5 standard or a revised PM10 standard is made;
3. Abandon its current consideration of a PM2.5 standard until more information, including sound science and cost-effectiveness data are available; and
4. Identify any unfunded mandates or other administrative and economic burdens for state or local governments or agencies that would derive from changes to the NAAQS for ozone or particulate matter.

THAT copies of this resolution be distributed to the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Oklahoma Congressional delegation, the Administrator of the United State Environmental Protection Agency and the Executive Director of Department of Environment Quality.

46-1-6486

KSM