

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE CONCURRENT
4 RESOLUTION 51

By: Bingman of the Senate

and

5 Benge of the House
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9 AS INTRODUCED

10 A Concurrent Resolution requesting the United States
11 Environmental Protection Agency to allow for cost-
12 benefit information during implementation of revised
13 air quality standards; and directing distribution.

14 WHEREAS, the United States Environmental Protection Agency (EPA)
15 has proposed revisions to the National Ambient Air Quality Standards
16 (NAAQS) relating to ground-level ozone and such revised standards
17 may threaten to push every state in the nation into non-attainment
18 status; and

19 WHEREAS, EPA's implementation guidelines for the current
20 standard of .075 ppm, updated only two years ago, have not been
21 released; and

22 WHEREAS, the EPA's guidance on the revision currently being
23 considered will not be made public until December of 2010, far too
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1 late for statewide analyses prior to the due date for
2 recommendations to the Governor; and

3 WHEREAS, the unprecedented timing of such reconsideration of the
4 NAAQS governing ground-level ozone will have a chilling effect on
5 businesses, industry and citizens currently working toward cleaner
6 air and implementation of the current standards; and

7 WHEREAS, the State of Oklahoma has consistently worked to
8 implement every regulation the EPA has promulgated as a valued
9 partner in our mutual efforts to create a healthier environment for
10 Oklahoma's citizens; and

11 WHEREAS, the cost of a non-attainment designation to our cities
12 and state is detrimental to our economic development efforts; and

13 WHEREAS, the Clean Air Act prohibits the EPA's consideration of
14 a cost-benefit analysis during the standard-setting phase of the
15 revision process, yet the EPA is allowed to consider costs to the
16 states in the implementation phase of revising air quality
17 standards; and

18 WHEREAS, the negative impact of this federal regulation will
19 further impede Oklahoma's efforts to alleviate the current economic
20 crisis.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION
22 OF THE 52ND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES
23 CONCURRING THEREIN:

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1 THAT the State of Oklahoma requests the United States Congress
2 to legislatively address federal laws and regulations under the
3 purview of the United States Environmental Protection Agency
4 specifically to consider the cost to the American public and allow
5 for consideration of cost-benefit information during implementation
6 of any new ozone standards in a manner which allows states to
7 achieve attainment under the new standard within a reasonable period
8 of time.

9 THAT copies of this resolution be distributed to the members of
10 the Oklahoma congressional delegation and Lisa P. Jackson,
11 Administrator of the United States Environmental Protection Agency.

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