

BEFORE THE TENNESSEE AIR POLLUTION CONTROL BOARD

IN THE MATTER OF:

**Control Measure Development
For Revisions To The State
Implementation Plan For The New
Eight Hour Ozone National
Ambient Air Quality Standard**

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Resolution No. 03-001R

BOARD RESOLUTION

WHEREAS, the United States Environmental Protection Agency has established a new, more restrictive national ambient air quality standard for ozone commonly known as the eight hour standard, and

WHEREAS, these standards are set to protect public health, and

WHEREAS, there are several areas of Tennessee with ozone ambient air quality monitors that do not indicate attainment of this standard, and

WHEREAS, there are other counties in Tennessee that contribute to the nonattainment of counties in Tennessee with ozone air quality monitors, and

WHEREAS, 2007 is an important year to show attainment of the eight hour ozone standard because of Early Action Compact commitments, and

WHEREAS, the Division of Air Pollution Control has initiated a rulemaking proposing statewide Reasonably Available Control Technology (RACT) be applied to certain stationary sources,

WHEREAS, emission inventories that project the cumulative effect of emission reductions from national control measures and the counteracting effect of growth to the year 2007 show that mobile sources are the dominant source of emissions that cause ozone to form, and

WHEREAS, it will be necessary to look at new, more restrictive control measures for controlling ozone forming emissions from all sources of air pollution, including mobile and area sources.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board instructs its staff to investigate and recommend rules to the Board that will allow it to set what it determines to be an equitable and efficient distribution of the necessary control measures considering all sources of emissions that cause ozone to form.
2. To the maximum extent practicable allowed by the Early Action Compact deadlines, the staff will seek out organizations that represent activity sectors or geographic sectors that may be impacted by these proposals and make them aware that such control measures are under consideration.
3. The Board is interested in evaluating controls on all types of open burning that would assist in the attainment of the new eight-hour ozone standard.
4. The Board is also interested in the possible expansion of vehicle emission testing programs in counties of Tennessee that may be necessary to allow all counties of Tennessee to meet the new eight hour standard for ozone.
5. The Board is further interested in the evaluation of control measures to minimize the impacts of heavy-duty diesel emissions from both on-road and off-road engines. Specifically, the Board is interested in the impact of selectively reducing the speed limit on Interstate Highways for heavy duty diesel vehicles, in the examination of programs to minimize the emissions from such vehicles during protracted periods of idling and the use of contract stipulations in major construction projects that require the use of clean engine technology and clean fuels in heavy-duty diesel emission off-road vehicles.
6. With respect to fuels, the Board is also interested in the evaluation of requiring Stage I and Stage II vapor recovery technology during fuel deliveries and dispensing at gasoline retail stations and programs to stimulate the voluntary early use of low-sulfur gasoline and diesel fuel and fuel additives that promote more efficient combustion with lower emissions.
7. The Board fully supports the concept of legislative measures that would permit it to develop regulations in any area of emission control that would allow for attainment of this standard.
8. To ensure the Board is able to develop an equitable, efficient, and comprehensive distribution of the control measures and to consider its opportunities to obtain human health and environmental benefits, it is the Board's preference that to the extent possible, the full package of such rules, including any such rule addressing stationary source controls, be presented to the Board at the same time for final action.
9. The Board takes note of the importance of transportation control measures and encourages the development of them by local governments to the extent necessary to attain the new eight-hour ozone standard. If there are state legislative measures needed to enable local governments to accomplish this work, the Board fully endorses the concept of such legislation.

