



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

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## **HCM2008: air quality; ozone standards; opposing**

**Sponsor: Representative Carbone, LD 25**

**Committee on Natural Resources, Energy & Water**

### **Overview**

Requests that the Biden Administration and the U.S. Congress stop the Environmental Protection Agency (EPA) from imposing penalties on Arizona to comply with an ozone standard that is impossible to attain through any of the control measures being considered.

### **History**

The Clean Air Act (CAA) requires the EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants that are common in outdoor air, harmful to health and the environment and come from diverse sources ([42 U.S.C. § 7409](#)). Ozone is one of these pollutants. Each state must establish a state implementation plan (SIP) with measures to maintain NAAQS, which must be approved by the EPA ([42 U.S.C. § 7410](#)). Additionally, states with nonattainment areas for particular NAAQS must develop plans for these areas to reach an acceptable standard ([42 U.S.C. § 7502](#)). Nonattainment status also impacts permitting requirements for emissions sources, limitations on certain federal assistance to activities that do not adequately conform to the SIP, new motor vehicle emissions standards and the establishment of interstate transport commissions ([42 U.S.C. § 7503 et seq.](#)). If the EPA Administrator determines that a SIP or any part of a SIP is not being properly implemented, sanctions may be imposed on the offending area, including prohibitions on the approval of transportation projects and transportation grants ([42 U.S.C. § 7509](#)).

Parts of Maricopa, Gila and Pinal Counties were designated as marginal nonattainment areas under the ozone NAAQS in 2016 ([81 Federal Register 26697](#)). However, after the EPA lowered the ozone NAAQS from 75 parts per billion to 70 parts per billion ([80 Federal Register 65291](#)), this area was reclassified as moderate nonattainment in 2018. Part of Yuma County was classified as marginal non-attainment for the ozone NAAQS in that year ([83 Federal Register 25786](#)).

### **Provisions**

1. Urges the Biden Administration and the U.S. Congress to stop the EPA from imposing penalties on Arizona to comply with an ozone standard that is impossible to attain through any of the control measures being considered.
2. Directs the Arizona Secretary of State to transmit the memorial to the U.S. President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and each member of Congress from Arizona.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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