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# What Does Ozone Nonattainment Really Mean?

Under the federal Clean Air Act, the U.S. Environmental Protection Agency (EPA) is charged with implementing health-based air pollution standards to protect the public. This means working with states and communities to identify areas where levels of pollution put health at risk, and helping them clean it up.

*What is "Nonattainment"?*

- "Nonattainment" is the technical term that simply means an area has too much of one of the nation's most widespread and dangerous air pollutants, such as ozone. It means that an area must clean up emissions to reach, or "attain," the official, health-based limits for that pollutant.
- Acknowledging that pollution levels are too high by designating an area in nonattainment is EPA's critical first step to helping areas save lives and improve health by reducing pollution.
- People living in an area with unhealthy air have the right to know that their air is unhealthy so that they can protect themselves and their families.
- The Clean Air Act gives everyone the right to protection from air pollution above the legal limit.

*Why it Matters:*

- Air pollution is dangerous and even deadly. Ozone pollution can cause asthma attacks and premature death, and has been linked to cardiovascular harm.
- Children, the elderly, and people with lung and heart disease are particularly vulnerable to health harms from breathing ozone – but even healthy adults are at risk.
- While the United States has made great progress in reducing ozone, millions of Americans still live where levels of ozone pollution are unhealthy according to the best, most up-to-date science.

*How the Clean Air Act's Process Works:*

- EPA periodically reviews the health science and, if necessary, updates the official limit for ozone, called the National Ambient Air Quality Standard, to the level necessary to protect the public based on the most current science. EPA updated the ozone standard in 2015.
- States and communities work with EPA to regularly monitor ozone levels. They also use computer modeling and other tools to learn more about the extent of the problem.
- EPA, states and communities work together to decide which areas have ozone levels higher than the national limit. After reviewing all the evidence states and communities provide, EPA compiles an official list of nonattainment areas, which includes geographic areas with too much ozone, as well as geographic areas with emissions that significantly contribute to unhealthy levels of ozone in other areas.
- States must then develop State Implementation Plans (SIPs) to reduce ozone levels. These plans include steps already underway to clean up ozone, especially federal rules that will help clean up sources that states and local agencies cannot. States have three years to complete the plans.
- As part of the SIP, states must ensure that any new large sources do not worsen air quality, and that existing sources include reasonably available control technology to reduce pollution.

*Common Concerns about Nonattainment Designations:*

Emission Reductions Are Achievable

- The technology exists to reduce the emissions that form ozone. In fact, if power plants with already installed controls just ran the controls they had at full capacity, steep reductions could be achieved immediately. For example, according to one state's recent analysis of data from EPA's Clean Air

Market's Division, in 2015-2016, 36 coal fired power plants in five states known to cause downwind ozone problems had not operated their *existing* pollution controls anywhere near their full proven efficacy and produced more emissions than in the prior five years.[1]

- Ozone levels will also continue to fall because of federal rules that are already on the books—but that have not yet had their full impact on reducing ozone levels. For example, new rules requiring cleaner gasoline will alone lower ozone pollution significantly nationwide.[2] Similarly, new cleanup measures for coal-fired power plants will reduce emissions that help to produce ozone.

Economic Impacts

- History shows that the U.S. population has grown and the economy has expanded—all while the air has gotten cleaner. A new EPA report found that combined emissions of six common air pollutants, including ozone, dropped by 73 percent in the U.S. since the Clean Air Act became law in 1970, even as the economy grew by more than 250 percent.[3]
- The health impacts of ozone have a financial cost as well as a human cost. Preventing premature deaths, as well as missed days of work and school, emergency department visits, and hospitalizations, is a sound investment. An EPA study found that by 2020, the benefits of Clean Air Act will have outweighed the costs by 30:1.[4]

Highway Funds and Other Sanctions

- Communities do not lose highway funds or face other sanctions for simply being in nonattainment. These sanctions would only apply if a community fails to make a good faith effort to write a plan to reduce pollution.

Background Ozone

- EPA did a thorough review of the impact of all background (natural) and transported (coming from other countries) ozone.[5] The dominant sources are generated by human action in the U.S.[6] EPA has policies to allow spikes in background ozone to be excluded when assessing the area's air quality and designating attainment status.[7]

*For more information*

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[1] Ben Grumbles, Secretary of the Maryland Department. Letter to Gina McCarthy, Administrator, U.S. Environmental Protection Agency. November 16, 2016.
[2] U.S. Environmental Protection Agency (2014) EPA Sets Tier 3 Motor Vehicle Emission and Fuel Standards
[3] U.S. EPA (2017). Our Nation's Air.
[4] U.S. EPA (2011). Benefits and Costs of the Clean Air Act 1990-2020, Second Prospective Study
[5] U.S. EPA (2014). *Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards*. pp. 2-12 through 2-31.
[6] Policy Assessment, p. 2-31.
[7] Policy Assessment, p. 2-21.