

## Legal Reviews and Petitions

- *ALA v EPA*, DC Cir. 08-1200 – Challenges 2008 Ozone Standard as too strict v. too lenient
  - case stayed until 9/09 pending new EPA administration's review on maintaining, modifying or otherwise reconsidering the 2008 standards
- 12/08 WildEarth Guardians' Petition for EPA to issue SIP Call and to Establish a Western Regional Ozone Transport Region and Commission for 16 Western States [incl. WY]
  - SIP revisions by 2013
  - Transport region designation by 6/2010
- 6/08 Rocky Mtn Clean Air Action Petition for EPA to accelerate and designate Sublette County as non-attainment

## NAAQS Review Process

- CAA § 109(d) – EPA to review/revise NAAQS every 5 years
  - 1971 - 0.08 ppm – 1 hr standard
  - 1979 - 0.12 ppm – 1 hr standard
  - 1997 – 0.08 ppm – 8 hr standard added (so had 1 hr and 8 hr standard)
  - 2005 – EPA revokes 1 hr standard for most areas, including all of Wyoming
  - 3/08 – 8 hr primary (health) and secondary (welfare) standard lowered to 0.075 ppm
- NEXT Ozone NAAQS review already started
  - 2/09 – EPA draft Integrated Review Plan
  - 5/09 – EPA announces revised review process
  - 3/2013 tentative completion

## 2008 NAAQS Nonattainment Designation Process

- 3/12/08 – Primary and Secondary NAAQS standard revised to 0.075 ppm from 0.08.
- 3/12/09 – Wyoming submitted recommendation to EPA (Sublette and part of Sweetwater/Lincoln)
- 11/09 – EPA announces preliminary area designations
- 3/12/2010 – EPA publishes final area designations
- 3/12/2013 – Nonattainment SIP submittals

## WAAQS

- W.S. 35-11-102 – WEQA Policy and Purpose
- W.S. 35-11-202 – Establishment of Ambient Air Standards
- 2 WAQSR § 6 – current ambient ozone standard