

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL RULES**

RULE IMPACT STATEMENT

**APPENDIX E. PRIMARY AMBIENT AIR QUALITY STANDARDS [REVOKED]
APPENDIX E. PRIMARY AMBIENT AIR QUALITY STANDARDS [NEW]**

Before the Air Quality Advisory Council, April 17, 2013

Before the Environmental Quality Board, June 18, 2013

1. **DESCRIPTION:** The Department proposes to update Appendix E, Primary Ambient Air Quality Standards, to maintain consistency with the National Ambient Air Quality Standards (NAAQS) established by the U.S. Environmental Protection Agency to protect public health. The existing Appendix E will be revoked and replaced with a new Appendix E that includes changes made to the NAAQS for fine particles (generally referring to particles less than or equal to 2.5 micrometers (μm) in diameter, $\text{PM}_{2.5}$) promulgated on January 13, 2013 (78 CFR 3085). The proposed rule change would ensure the revised NAAQS is enforceable under the state program rules.
2. **CLASSES OF PERSONS AFFECTED:** The owners and operators of regulated sources and citizens of Oklahoma will be affected. This change will ensure that Oklahoma standards in Appendix E are sufficiently protective of public health.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The owners and operators of regulated sources of air emissions and the citizens of the State of Oklahoma will bear the costs.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** The Department has received no information on cost impacts from private or public entities.
5. **CLASSES OF PERSONS BENEFITTED:** The owners and operators of regulated sources and the citizens of Oklahoma will benefit from the change because it ensures that the state primary $\text{PM}_{2.5}$ standard is sufficiently protective of public health.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** There are no significant economic impacts on affected classes of persons anticipated from the proposed change because the EPA has already established it as a national standard. The proposed change simply makes it enforceable under the state program.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** There are no significant economic impacts on political subdivisions anticipated from the proposed change.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** No adverse effects on owners and operators of small businesses are expected.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION**

FOR EACH FEE CHANGE: No fee changes are included in the proposed changes.

10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:**
No additional costs to DEQ to enforce or implement the rule are anticipated.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** No other agencies will be implementing or enforcing the proposed rule.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:**
Federal grants and fees will continue to be used.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** There are no net losses or gains associated with the proposed rule.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** No other agencies will be implementing or enforcing the proposed rule.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** There are no additional compliance costs expected, so no measures were taken.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are no less costly or nonregulatory methods of achieving the purpose of the proposed change.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The change is based on national standards, which were established to protect public health. This change will ensure that Oklahoma standards in Appendix E are sufficiently protective of public health.
18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The proposed rule change will reinforce the state air quality program to ensure protection of the public health.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** The proposed change is necessary to update the State Implementation Plan and ensure that it reinforces the state air quality program, making it requisite to protect public health.

20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** There should be no quantitative impact on business entities since the proposed change will align state standards with the current federal standards. The qualitative impact is that business entities will benefit from consistent state and federal standards.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: March 4, 2013