

**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]
APPENDIX F. SECONDARY AMBIENT AIR QUALITY STANDARDS [REVOKED]
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Before the Air Quality Advisory Council, January 20, 2016
Before the Environmental Quality Board, February 19, 2016

1. **DESCRIPTION:** To protect public health and welfare, the Department proposes to update Appendices E and F to maintain consistency with recent federal changes to the primary and secondary National Ambient Air Quality Standards (NAAQS) for ozone that were effective December 28, 2015 (80 FR 65292). The existing Appendices E and F will be revoked and replaced with new Appendices to reflect the change to both the primary and secondary ozone standards from 0.075 ppm to 0.070 ppm.
2. **CLASSES OF PERSONS AFFECTED:** The owners and operators of regulated sources and citizens of Oklahoma will be affected.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The owners and operators of regulated sources and citizens of Oklahoma will bear the costs. However, no additional costs are expected for these persons because they are already subject to the federal standards.
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 citizens of Oklahoma will benefit from the changes because they ensure that the state primary and secondary ozone standards are sufficiently protective of public health.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The Department anticipates no expected economic impacts on affected classes of persons.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The Department anticipates no expected economic impacts on political subdivisions from the proposed changes.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The Department anticipates no adverse effects on owners and operators of small businesses.

9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** No fee changes are included in the proposed rules.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** No additional costs to DEQ to enforce or implement the proposed rules are anticipated.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** No other state agencies will be implementing or enforcing the proposed rules.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Fees and federal grants 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 state agencies or political subdivisions will be implementing or enforcing the proposed rules.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** The Department anticipates that no additional compliance costs will result, 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, nonregulatory, or less intrusive methods of achieving the purpose of the proposed changes.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The proposed changes will have a positive effect because they are based on national standards established to protect public health and welfare.
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 clearest health effects of ozone exposure are those on the respiratory system, with most of the evidence showing effects from short-term exposure (hours to weeks). It is believed that ozone forms secondary oxidation products in the respiratory tract, which stimulate inflammation in the airways and allergic/asthmatic responses. Groups considered most at risk are children, people with asthma and other lung diseases, older adults, and adults active or working outside. Chronic exposure can affect developing lungs and immune systems. The proposed rule

changes will reinforce the state air quality standards to ensure protection of public health, safety, and the environment from ozone exposure.

19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** The proposed changes are necessary to update the state's ozone ambient air quality standards to be consistent with federal standards and to update the State Implementation Plan, which are requisite to protect public health.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** The Department anticipates no quantitative impact on business entities because the proposed changes will align state standards with 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: November 30, 2015