



## What Businesses Need to Know About National Ambient Air Quality Standards and Nonattainment

The federal Clean Air Act requires U.S. EPA to set national ambient air quality standards for pollutants considered harmful to public health and the environment. U.S. EPA has air quality standards for the following criteria pollutants: carbon monoxide, lead, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), ozone and sulfur dioxide.

The pollutants of concern in Ohio are lead, nitrogen dioxide, fine particulate matter, ozone and sulfur dioxide. The Clean Air Act requires U.S. EPA to review air quality standards every five years to determine if they are still protective of human health and the environment.

When an area does not meet the standard, it is classified as being in “nonattainment.” This classification impacts businesses that want to locate or expand an air pollution source in that area. Once an area has three years of data showing that it meets the standard, the State must petition U.S. EPA to reclassify it as being in attainment.

The Clean Air Act gives U.S. EPA up to 18 months to act on a redesignation request. The area is not officially redesignated until U.S. EPA provides an opportunity for public comment and publishes the final action in the Federal Register. Only then is the area relieved of all requirements for nonattainment areas, including the requirement for new or modified facilities to obtain emissions offsets.

Ohio EPA monitors the air and analyzes the data to determine compliance with air quality standards. As of February 2018, Ohio EPA has 219 air monitors at 121 monitoring sites that check levels of sulfur dioxide, lead, particulate matter, nitrogen dioxide, carbon monoxide and ozone.

Ohio EPA submits data and detailed plans to U.S. EPA to demonstrate compliance and the ability to maintain compliance.

### Do Nonattainment Areas Affect Businesses?

Yes, nonattainment can be an important consideration for businesses intending to locate or expand in a nonattainment area. However, the nonattainment New Source Review (NSR) requirements apply only to new major stationary sources of air pollutants, or modifications at existing major sources. A new major source in a nonattainment area is one that has the potential to emit more than 100 tons of air pollutants per year. In some instances, the threshold for defining a major source is 250 tons per year in attainment areas. The threshold for a major source modification can be 40, 25, 15 or 10 tons per year.

So, although an important consideration related to business location or expansion, nonattainment is generally related to large business operations that have significant emission levels, such as major manufacturing companies (for example, iron/steel, auto, paper, chemical/petroleum) and utilities.

Nonattainment is NOT applicable to any business activity that is classified as a minor source of air emissions (<100 tons per year). Companies classified as minor sources are required to obtain a permit-to-install and operate (PTIO) from Ohio EPA, but are not subject to nonattainment new source review requirements and do not need to obtain emission (offset) credits, as described below.

For major sources that are subject to nonattainment New Source Review, the basic requirements related to this are:

- The new/expanding company must obtain emission credits (called offset credits) from existing sources located in the vicinity of a proposed source which (1) offset the emissions increase from the new source or modification and (2) provide a net air quality benefit.
- The new/expanding company must obtain a nonattainment air permit from Ohio EPA which includes installing pollution control equipment that demonstrates the company is achieving the lowest achievable emission rate (LAER).

For every one ton of pollutants the company will emit, it must obtain more than one ton of emissions credits from a company that has reduced its emissions or is no longer operating. Credits must be obtained from a company that is in the same nonattainment area.

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The purpose of requiring offset credits is to allow for new economic growth in nonattainment areas without negatively impacting air quality in the area over time. Ohio EPA is not involved in the transaction of purchasing or selling offset credits. This process is arranged between the business parties. However, Ohio EPA can assist any new or expanding business in identifying where there may be sources of emission offset credits, from facilities that have either reduced or closed operations. Ohio EPA has an Emission Reduction Credit (ERC) Banking Program to assist facilities in obtaining emission offsets and maintains a list of companies that have voluntarily reported the availability of offset credits. For more information, see Ohio EPA's ERC website at [epa.ohio.gov/dapc/ERC/erc.aspx](http://epa.ohio.gov/dapc/ERC/erc.aspx).

### Attainment Status

Ohio's attainment status can frequently change from attainment to nonattainment and vice versa as a result of U.S. EPA revising the air standards and promulgating new nonattainment areas and as a result of U.S. EPA redesignating nonattainment areas back to attainment after air quality meets the standards. Ohio's current attainment status for each of the standards can be found at [epa.ohio.gov/dapc/general/naaqs.aspx](http://epa.ohio.gov/dapc/general/naaqs.aspx).

### Contact

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