

AIR QUALITY BASICS: History of Houston Clean Air Deadlines

The Houston area has exceeded federal health standards for ozone since they were established in the early 1970s. More than 30 years and five deadlines have passed, and the region still hasn't solved its ozone problem. Yet the Texas Commission on Environmental Quality (TCEQ) recently proposed another insufficient plan to clean the air.

The federal Clean Air Act of 1970 established the first National Ambient Air Quality Standards (NAAQS). The U.S. Environmental Protection Agency (EPA) was charged with setting those standards at a level that protected public health. For ozone, EPA set the hourly standard at 0.08 ppm. All states were required to comply with the ozone standard and the NAAQS for the other criteria pollutants by 1975.

Before that deadline arrived, Texas applied for a deadline extension for the Houston area. It was the first of several deadline extensions and amendments that would be passed over the years.

In 1979, the EPA relaxed the hourly ozone standard to 0.12 ppm. This change in the standard triggered lawsuits by air quality advocates, but it held up. Interestingly enough, EPA went back to a 0.08 ppm standard in 1997 - only this time, it was based on an 8-hour average ozone level, rather than a 1-hour average ozone level. Again, several groups challenged the change, and again it held. These are just two of the many legal challenges that have been brought regarding the implementation of the Clean Air Act.

These lawsuits and the changes to the ozone standard both served to delay the promise of clean air for regions around the nation. For ozone, there were additional delays caused by a new understanding of ozone formation and changing strategies regarding its control. Almost since the beginning, the key players in this debate have disagreed on the most effective control strategies. To this day, much of that argument rages on.

TCEQ's new plan is the latest development in the saga, and it's also the latest in a series of half-hearted efforts to solve Houston's ozone problem. TCEQ now claims that the Houston area cannot attain the ozone standard until 2018 - nearly 50 years since it was declared out of compliance.

In June, the TCEQ will submit its plan to EPA for review. It is not expected to contain significant changes. It will be up to EPA to either approve the plan or disapprove it.

It is unlikely that EPA will approve the plan, which even TCEQ says will not meet the 2010 deadline. What's more likely is that the state will request an extension of the deadline when it submits the plan. This will only serve to further delay the process, which originally began in the 1970s.

Ozone Deadlines: Past, Present & Future

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| 1970 | Federal Clean Air Act (CAA) is passed. It sets deadlines, requires use of best available technology, and establishes health-related air quality levels, known as National Ambient Air Quality Standards (NAAQS). The state compliance deadline is set for 1975. |
| 1971 | EPA determines NAAQS for criteria pollutants. An hourly standard of 0.08 ppm is set for ozone. |
| 1974 | Harris County is granted a two-year extension, until 1977, to meet NAAQS for ozone. |
| 1975 | First deadline for state compliance with NAAQS. |
| 1977 | CAA is amended, and all areas still not in compliance with the NAAQS are given a five-year extension. Harris County's ozone deadline is now 1982. |
| 1979 | EPA relaxes permissible one-hour standard for ozone from 0.08 to 0.12 ppm. Harris County is given another five-year extension, until 1987, to attain ozone standard. |
| 1982 | Deadline for state compliance with NAAQS. |
| 1987 | Congress amends CAA, preventing EPA from imposing sanctions on areas not meeting 1987 deadline and directing EPA to update designations. |
| 1990 | Major revisions to CAA are passed. They reset deadlines and create classifications of severity. Houston area is designated severe and given 17 more years, until 2007, to meet ozone standard. |
| 1997 | EPA establishes new 8-hour ozone standard at 0.08 ppm. |
| 1999 | Houston tops LA for the most days of high ozone. |
| 2005 | EPA revokes 1-hour ozone standard and implements 8-hour standard. |
| 2006 | Courts decide that EPA cannot remove penalties for not meeting 1-hour ozone deadline. |
| 2007 | Houston region's deadline to meet 1-hour ozone standard. |
| 2010 | Houston region's deadline to meet 8-hour ozone standard. |
| 2018 | Date that TCEQ expects Houston to meet 8-hour ozone deadline. |

Bold dates indicate ozone deadlines for Houston region.