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## Critics: Reform ozone fighting plans

Experts call for new process at smog hearings

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Texas will spend the next five years and millions of dollars to develop a new smog-fighting strategy for the Houston area.

And the plan still might not clean the air.

The problem, the skeptics say, is a federally mandated process that is intentionally narrow — focusing only on ozone, the lung-burning chemical that is the main ingredient of smog, over a short period of time — and places too much of the burden for reduced emissions on state and local governments with limited regulatory authority.

"There is nothing nice and easy about the process," said Elena Marks, the director of environmental and health policy for Mayor Bill White. "It's crazy for a thousand different reasons. Nobody likes it."

The critics include some attorneys, environmentalists, industry executives and lawmakers from both parties. They may disagree about what the federal standards for air quality should be, but there is a shared dislike for a bureaucratic exercise known as the state implementation plan, or SIP.

The U.S. Environmental Protection Agency requires the plans from areas where ozone is the highest and sets a deadline for compliance. Ozone levels in the eight-county greater Houston area are above the federal limit.

At a recent state Senate committee hearing, Kathleen Hartnett White, former chairman of the Texas Commission on Environmental Quality and a frequent target of environmentalists, questioned whether the process is viable because of the state's lack of authority to regulate emissions from vehicles, the leading source of ozone-forming pollution in Houston.

Ramon Alvarez, an Environmental Defense Fund scientist, told lawmakers that "we need to go beyond looking at one pollutant at a time."

And Jed Anderson, a Houston attorney who is leading a campaign to reform the process, said the approach creates the appearance of environmental protection without proof that any plan would make the air safe to breathe.

The calls for reform come as Houston begins another round of talks regarding smog. The TCEQ held its first hearing here Wednesday on the new federal standard for ground-level ozone.

The EPA reduced the amounts of allowable ozone in March after many scientists and medical groups had concluded that the previous standard, set in 1997, was no longer considered safe.

### More protection needed

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The new limit is 75 parts per billion, or 75 molecules of ozone out of every billion molecules of air. The former standard allowed 84 ppb, which the EPA's scientists said does not provide enough protection against aggravated asthma, heart attacks and respiratory problems.

The decision means Houston and Dallas-Fort Worth, among hundreds of other communities, will need to do more to cut emissions that cause lung-scarring ozone. Smog is produced when nitrogen oxides and volatile organic compounds, which are released from tailpipes, smokestacks and even trees, cook in sunlight. Houston's car-dependent lifestyle, large concentration of industry and weather give the area one of the longest smog seasons in the country.

Even before the EPA's decision, Gov. Rick Perry urged the agency last year to classify Houston's smog problem as "severe" and asked for more time — until 2019 — to comply with the former standard.

That means state officials will be working on two Houston smog plans with different deadlines and goals for emissions reductions at the same time.

"It's just an administrative quagmire," Anderson said in an interview. "We're spending tens of millions of dollars justifying what we couldn't do."

Anderson said that most of Houston's ozone problem is beyond local control. A recent study found that roughly half of the city's smog-forming pollution blows in from other states and countries and much of the rest comes from

tailpipes, which fall under federal regulatory control.

"When the federal government is requiring a 55 percent reduction and the state only controls 25 percent, you can't get there from here," he said.

### Local controls more costly

As a result, Anderson said state and local governments make shortsighted and uncoordinated decisions, such as requiring selective catalytic reduction systems for boilers in plants.

The technology cuts nitrogen oxides, but increases the amount of particulate matter in the air and uses more energy.

What's more, local and state controls are typically more expensive than federal measures. Anderson cited a University of Houston study that showed federal controls in Houston's 2000 smog plan reduced emissions at \$2,306 per ton, while state measures cost \$58,924 per ton.

The reformers said one solution is a multipollutant approach that considers particulate matter, toxins and heat-trapping gases like carbon dioxide, as well as ozone. A comprehensive effort would produce the greatest health benefit at the lowest cost, said Anderson, who has advised the business friendly Greater Houston Partnership on air quality issues.

Any change in the planning process would likely require revisions to the federal Clean Air Act.

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Within the next few years, Congress may take another look at the law as part of legislation dealing with global warming.

Still, there is some trepidation among environmentalists because of the lack of consensus on how to change the process.

"Right now we have a program that has led to some ozone reductions and has some teeth to it," said Matthew Tejada, executive director of the Galveston-Houston Association for Smog Prevention. "I'm all for the conversation, but no one has a plan to change it."

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