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Uinta Basin now ozone nonattainment area; Rio Blanco County not included by EPA

By DENNIS WEBB

The Environmental Protection Agency this week designated the Uinta Basin in northeastern Utah as a nonattainment area for ground-level ozone pollution, while agreeing with Colorado's recommendation not to include nearby Rio Blanco County in that area.

The agency acted due to an unusual wintertime ozone problem in the basin that is thought to be driven in good part by intensive oil and gas development there.

Nonattainment area designations are based on data collected over a three-year period. Utah Gov. Gary Herbert had recommended the Uinta Basin designation based on the high ozone levels recorded there. While Rangely violated the ozone standard based on high values measured in 2013, the state of Colorado said Rio Blanco County should be designated as an attainment or unclassifiable area because 2014-16 data was being used for the decision.

"This recommendation is further supported by stringent emission controls on existing Colorado oil and gas sources, low population density and expected low population growth and traffic volumes for the Rangely area," Dr. Larry Wolk, executive director of the state Department of Public Health and Environment, said in the state's recommendation letter in 2016.

In 2015, the EPA lowered its ozone standard from 75 parts per billion to 70 parts per million. Conservation and health groups and some states said in legal actions in December that the EPA missed a deadline to finalize designations for nonattainment areas following that change. A judge later ruled that it had until Monday to make the designations.

The Center for Biological Diversity, one of the groups that brought that suit, says that a nonattainment designation requires states, tribes and federal agencies to reduce ozone levels and can result in federal funding to help.

Jeremy Nichols, with the conservation group WildEarth Guardians, said the exclusion of Rio Blanco County from the nonattainment designation was expected, but still a disappointment.

"A nonattainment designation would have given the state tools to ensure that no more ozone violations happen in northwest Colorado. Instead, they turned their back on these tools, keeping clean air and public health at risk," he said. "In any case, this is still a positive step forward for the Uinta Basin, which for years has been suffering from a real and significant ozone problem."

Colorless, odorless ozone can cause respiratory problems in active children and adults, and in people with ailments such as asthma.

Ozone is generally a summertime problem, occurring from a reaction when volatile organic compounds, nitrogen oxides and sunlight mix. The Uinta Basin problems are thought to be due to pollution being trapped in wintertime inversions and interacting with sun that reflects off snow.

Earlier this year, Utah regulators adopted new statewide rules targeting pollution from oil and gas development. While the state expects those rules to help with the Uinta Basin ozone problem, more rules are expected to follow specific to the basin now that the nonattainment designation has occurred.