

STAPPA / ALAPCO

STATE AND TERRITORIAL
AIR POLLUTION PROGRAM
ADMINISTRATORS

ASSOCIATION OF
LOCAL AIR POLLUTION
CONTROL OFFICIALS

S. WILLIAM BECKER
EXECUTIVE DIRECTOR

April 17, 2006

Air Docket
U.S. Environmental Protection Agency
Attention Docket ID No. EPA-HQ-OAR-2001-0017
Attention Docket ID No. EPA-HQ-OAR-2004-0018
Mail Code: 6102T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

To Whom It May Concern:

The State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO) are pleased to submit the attached comments on the U.S. Environmental Protection Agency's (EPA's) Proposed Rule to Revise the National Ambient Air Quality Standards (NAAQS) for Particulate Matter ("proposed PM NAAQS"), as published in the *Federal Register* on January 17, 2006 (71 *Federal Register* 2620) and EPA's Proposed Rule to Revise the Ambient Air Monitoring Regulations ("proposed PM monitoring regulations"), as published in the *Federal Register* on January 17, 2006 (71 *Federal Register* 2710). STAPPA and ALAPCO are the two national associations of air quality officials in states, territories and major metropolitan areas across the United States.

As the Clean Air Act provides, state and local air agencies have the primary responsibility for preventing and controlling air pollution in order to protect our citizens' health and welfare.¹ We are charged with devising State Implementation Plans (SIPs) to ensure that the air in states and localities is clean and healthy to breathe; thus, any time EPA proposes to revise air quality standards, we pay close attention. In this case, several aspects of EPA's proposal deeply concern us: the levels of the fine PM (PM_{2.5}) standards, the failure to establish a sub-daily PM_{2.5} standard for visibility, source and population exemptions associated with the coarse particle (PM_{10-2.5}) standard, the lack of funding for monitoring and misguided changes to the monitoring regulations.

PM_{2.5} Standard

We find it very troubling that EPA did not revise the annual PM_{2.5} standard in accordance with the recommendations of the Clean Air Scientific Advisory Committee (CASAC) – a

¹ Section 101(a)(3).

congressionally chartered group of outside scientific experts. CASAC recommended tightening the annual PM_{2.5} standard in conjunction with lowering the daily standard because adverse health effects are observed at the current annual standard and lowering the daily standard alone does not protect residents in cities where annual average concentrations are elevated but daily concentrations rarely are. We urge EPA to follow the recommendations of its appointed scientific experts and lower the annual average standard to 13 or 14 micrograms per cubic meter (µg/m³) in addition to lowering the daily standard to 35 µg/m³.

In addition, EPA should establish a sub-daily standard for PM_{2.5} to protect and enhance visibility, as suggested by CASAC. In its proposal, EPA relies on the primary 24-hour standard for visibility protection, but a 24-hour standard set for health reasons does not sufficiently provide visibility protection during daylight hours, as CASAC notes. Setting a reasonable sub-daily standard to protect against visibility will also help areas make reasonable progress toward their regional haze goals, as required under the Clean Air Act.

PM_{10-2.5} Standard

We are deeply troubled that the proposal exempts from control major sources contributing significantly to coarse PM emissions, including agricultural, mining and other sources of crustal material. Excluding these sources implies their emissions are not harmful, yet EPA does not present any such evidence. On the contrary, substantial evidence exists that emissions from agricultural and mining operations do contaminate the environment with harmful substances. In addition, rural windblown dust – also referred to by EPA as “crustal material” – may contain toxic elements of concern and thus this category of material should not be given a blanket exemption from the PM coarse standard. We therefore urge EPA to eliminate the exemptions for agriculture, mining and rural windblown dust. If any exemptions are warranted, they should be handled in the rules and policies implementing the standard and not the standard itself.

We are also extremely concerned that EPA’s proposed coarse PM monitoring regulations have the practical effect of ignoring the health and welfare of millions of people throughout the country living in areas with populations less than 100,000. Exempting these areas from monitoring their air quality is an unprecedented action and completely ignores the recommendation of CASAC. Moreover, we do not believe the Clean Air Act makes any provision for selective protection of public health. EPA needs to completely overhaul its siting policy for coarse PM monitors to eliminate these exemptions.

Furthermore, in order to ensure that all populations are protected, the existing 24-hour PM₁₀ standard (which applies nationwide) should be maintained until a nationally applicable PM coarse standard is promulgated and areas are designated.

Monitoring Funding

EPA’s proposed PM monitoring regulations and FY2007 budget request ignore the important funding issues associated with deploying and operating monitoring networks for both PM_{2.5} and coarse PM.

EPA has made no provision to increase federal funding to address the expanded monitoring requirements for the new PM standards. In fact, the President's proposed budget for FY2007 slashes fine particulate monitoring by \$17 million, which will severely weaken existing monitoring programs and likely result in significant staff cuts throughout the country. We urge that the proposed FY2007 budget cuts be restored, and that EPA provide funding in FY2008 to expand the PM_{2.5} monitoring program. Additionally, the President's budget request calls for PM monitoring to be funded under Section 105 authority, rather than Section 103 authority. Because Section 105 funds must be matched, many agencies will find this a burden. We are also troubled that EPA has not made any commitment to funding the proposed coarse PM network scheduled for deployment in FY2008. EPA has estimated that the capital costs of this monitoring network could easily exceed \$14 million, with annual operating expenses of approximately \$13 million. State and local agencies will simply not be able to assume these significant costs. We urge EPA to provide new funding in FY2008 for the coarse PM monitoring network.

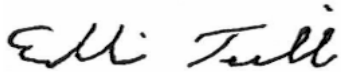
Other Monitoring Issues

We also have concerns with several aspects of EPA's other proposals on monitoring.

- Multipollutant monitoring should not be undertaken at the expense of criteria pollutant monitoring networks. We are concerned that EPA's emphasis on National Core multipollutant sites is supplanting the collection of criteria pollutant information of continuing value.
- Although we agree with EPA's general quality assurance (QA) goals for monitoring – elimination of bias and national comparability – we nonetheless have serious concerns about the general thrust of the QA proposal. In particular, EPA's critical reexamination of quality assurance burdens is beneficial but does not go far enough.
- We believe that Federal Equivalent Methods for PM_{2.5} and coarse PM should correspond more closely to Federal Reference Methods and that Approved Region Method performance requirements must ensure accurate data.
- EPA and state and local air agencies can and should arrive at criteria for exempting data from special purpose monitors from NAAQS comparisons.
- The Clean Air Status and Trends Network (CASTNET) and IMPROVE federal networks are being funded at the expense of state networks.

We hope you will consider carefully these perspectives and our attached written comments as you proceed with the final rulemakings. If you have any questions, please feel free to contact either of us or S. William Becker, Executive Director of STAPPA/ALAPCO, at 202-624-7864.

Sincerely,



Eddie Terrill
STAPPA President



John A. Paul
ALAPCO President

Encl.