

**BOARD OF DIRECTORS**

**Co-Presidents**

G. Vinson Hellwig  
Michigan

Larry Greene  
Sacramento, CA

**Co-Vice Presidents**

David Shaw  
New York

Lynne A. Liddington  
Knoxville, TN

**Co-Treasurers**

Mary Uhl  
New Mexico

Merlyn Hough  
Springfield, OR

**Past Co-Presidents**

Colleen Cripps  
Nevada

Arturo J. Blanco  
Houston, TX

**Directors**

Rick Brunetti  
Kansas

Joyce E. Epps  
Pennsylvania

Andrew Ginsburg  
Oregon

Anne Gobin  
Connecticut

Cheryl Heying  
Utah

James Hodina  
Cedar Rapids, IA

Cindy Kemper  
Johnson County, KS

John S. Lyons  
Kentucky

Richard Stedman  
Monterey, CA

**Executive Director**

S. William Becker

November 23, 2009

Air and Radiation Docket and Information Center  
Attention Docket ID No. EPA-HQ-OAR-2003-0146  
U.S. Environmental Protection Agency  
Mailcode: 2822T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies, thank you for this opportunity to comment on the Proposed Partial Withdrawal of the Final Rule for the National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries, which was published in the *Federal Register* on October 28, 2009 (74 *Federal Register* 55505). The National Association of Clean Air Agencies (NACAA) is the national association of air pollution control agencies in 53 states and territories and over 165 metropolitan areas across the country. NACAA is pleased to provide comments in support of EPA's proposed withdrawal of the final rule.

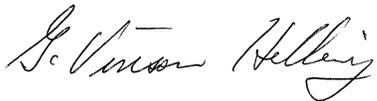
NACAA submitted comments on EPA's proposed National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries on December 20, 2007 and December 23, 2008. In those letters, NACAA expressed concern about the methodology and risk assessment EPA had used to develop the proposal, the inadequacies of the data on which the analyses were based and the control strategies under consideration. We were dismayed when EPA issued the final rule on January 16, 2009 without addressing those deficiencies.

We are very pleased that EPA has determined that the Petroleum Refinery residual risk and technology review rule may not characterize the risk this source category poses and has decided to gather better emissions information and develop a "more robust analysis based on the improved information...." (page 55506). We support EPA's decision to withdraw the rule and develop a new proposal based on improved information and risk analysis. We further encourage the agency, when addressing the issues related

to the source category, to review the comments NACAA submitted to the docket and give consideration to the concerns the association raised in those letters.

Please do not hesitate to contact us if we can provide you with additional information or input as you reconsider this important regulation. Thank you for your attention.

Sincerely,



G. Vinson Hellwig  
Michigan  
Co-Chair  
NACAA Air Toxics Committee



Robert H. Colby  
Chattanooga, Tennessee  
Co-Chair  
NACAA Air Toxics Committee