

STAPPA / ALAPCO

STATE AND TERRITORIAL
AIR POLLUTION PROGRAM
ADMINISTRATORS

ASSOCIATION OF
LOCAL AIR POLLUTION
CONTROL OFFICIALS

S. WILLIAM BECKER
EXECUTIVE DIRECTOR

March 26, 2004

The Honorable Michael O. Leavitt
Administrator
Air Docket
Environmental Protection Agency
Mail Code: 6102T
1200 Pennsylvania Ave., NW
Washington, DC 20460
Attention: Docket ID No. OAR-2003-0053

Re: Extension Request – Comment on Proposed Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Interstate Air Quality Rule); Docket ID No. OAR-2003-0053

Dear Administrator Leavitt:

On behalf of the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), we are writing to request an extension of the comment period on the Interstate Air Quality Rule (IAQR) proposed on January 30, 2004. Specifically, we request that the comment period remain open until 45 days following publication of the Supplemental Notice of Proposed Rulemaking (SNPR) in the *Federal Register*, which we understand is expected sometime in late April. The reasons for our request are set forward below.

First, EPA's January 30th proposal does not include any regulatory text. In the absence of such text, we are unable to review how EPA intends to translate the general concepts in the proposal into regulatory language or to provide detailed comments on the proposal and its impacts. Further, we understand that the forthcoming SNPR will contain additional information on how the agency intends to implement the IAQR. It is essential that EPA provide for a comment period that allows commenters to consider and comment on the January 30th proposal and the SNPR as a complete package. Accordingly, we recommend that the comment period on the IAQR remain open until 45 days following publication of the SNPR in the *Federal Register*. In addition, we urge that EPA include in the SNPR complete regulatory text for the entire rulemaking package to allow for meaningful, detailed analysis of the IAQR.

STAPPA and ALAPCO believe strongly that a transport rule should be issued expeditiously. Our request for a single comment period should not delay publication of the final rule since we are not requesting that the final comment deadline be extended, but rather that the

agency keep open the comment period on the January 30th proposal while comments on the SNPR are accepted, to allow commenters time to analyze and comment on the rule as a whole, in one coherent document, rather than submit seriatim comments.

Second, the proposed IAQR is linked to EPA's mercury proposal, also published on January 30, 2004 (Proposed Rule to Control Emissions of Hazardous Air Pollutants from Utilities (Utility Mercury Rule) (69 *Federal Register* 4652, Docket ID No. OAR 2002-0056)). EPA published a supplemental notice regarding the Utility Mercury Rule on March 16, 2004 and will be holding a hearing on March 31, 2004. Given the new information on the mercury rulemaking and its linkage to the IAQR, commenters should be given additional time to consider this information in formulating their comments.

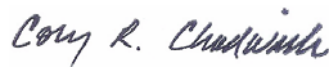
Third, EPA has yet to post the technical information necessary to evaluate the proposal on EPA's web site. In addition, EPA requested that commenters provide any cost or control information available on non-EGU sources, and we would like to provide detailed cost and effectiveness information on local controls; additional time is needed to compile this information.

If you have any questions about our request, please feel free to contact either of us or S. William Becker of the STAPPA/ALAPCO Secretariat at 202-624-7864 or bbecker@4cleanair.org.

Sincerely,



James A. Joy, III
President of STAPPA



Cory R. Chadwick
President of ALAPCO