

February 11, 2008

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EPA Docket Center (2822T)
Docket ID No. EPA-HQ-OAR-2007-0211
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to comment on the proposed National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (Polysulfide Rubber Production, Ethylene Propylene Rubber Production, Butyl Rubber Production, Neoprene Production); National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production; National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards (Acetal Resins Production and Hydrogen Fluoride Production), which were published in the *Federal Register* on December 12, 2007 (72 *Federal Register* 70543). NACAA is the national association of air pollution control agencies in 53 states and territories and over 165 metropolitan areas across the country.

Our concerns with the proposal are primarily related to elements of the risk assessment methodology on which the U.S. Environmental Protection Agency (EPA) based its decision that no further controls are needed for the affected source categories. NACAA believes that if the methodology is not sound, EPA cannot properly determine whether the Maximum Achievable Control Technology (MACT) standard truly resulted in adequate risk reduction. The following includes our concerns and recommendations relative to this proposed rulemaking.

Property-line Concentrations

In assessing the cancer risks related to the source category, EPA used long-term concentrations affecting the centroid of the census block (page 70548). This analysis dilutes the effect of sources' emissions by estimating the impact at the centroid, rather than at the property line. Census blocks can be large geographically, depending on the population density, so the maximum point of impact can be far from the centroid, including at or near the property line where people may live or work. Further, even if the area near the property line is not developed, over time homes and businesses could locate closer to the facility. While it is possible that population distribution is homogenous over a census block,

this assumption is not necessarily accurate in considering the predicted impacts from a nearby point source. Accordingly, NACAA recommends that the impact from all of the sources in a source category be calculated based on concentrations at the property line and beyond and take into account the maximum exposed individual.

Actual Emissions

In evaluating residual risk, EPA considered actual reported emissions instead of potential or allowable emissions (page 70549). Since facility emissions could increase over time for a variety of reasons, and with them the associated impacts, EPA should consider the risks based on potential or allowable emissions. We believe EPA's analysis, based on actual emissions from a single point in time, underestimates the residual risk from a source category. Further, the major source hazardous air pollutant (HAP) thresholds are based on maximum potential-to-emit, as opposed to actual emissions, and air agencies issue permits based on potential emissions. Limiting the scope of a risk evaluation to actual emissions would be inconsistent with the applicability section of Part 63 rules. We recommend that EPA conduct residual risk assessments using up-to-date data on potential or allowable emissions. This is necessary to fully understand the potential public health implications for a source category.

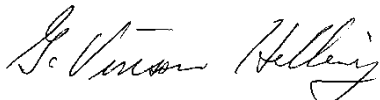
Emissions Data

The proposal indicates that, for some of the source categories, EPA relied primarily on emissions data and emissions release characteristic data supplied by industry (page 70547). However, for other source categories, EPA used National Emissions Inventory data that included information provided by state and local air agencies. The proposal did not explain why data from state and local air agencies was not also included for all of the source categories. We suggest that EPA consider expanding the data set to include state and local information.

Additionally, the proposal states that the "annual emissions estimates do not consider operations such as startup/shutdown and malfunctions" (page 70550). NACAA recommends that EPA's analysis include data on such events, since they are the cause of significant HAP emissions. Exempting startup, shutdown, and malfunction emissions underestimates the true risks and does not provide an incentive to sources to control these emissions.

Thank you for this opportunity to provide NACAA's comments. Please contact us if we can provide additional information.

Sincerely,



Vinson Hellwig
Michigan
Co-Chair
NACAA Air Toxics Committee



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