

December 3, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Request for Extension of the Comment Periods for the NPRM and ANPRM, Titled “Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces,” and Second Public Hearing for NPRM

Dear Acting Administrator Wheeler:

On behalf the National Association of Clean Air Agencies (NACAA), representing state and local air pollution control agencies across 40 states as well as the District of Columbia and four territories, we respectfully request that EPA 1) extend the public comment periods for the Notice of Proposed Rulemaking (NPRM) and Advance Notice of Proposed Rulemaking (ANPRM) for Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces (Docket ID No. EPA-HQ-OAR-2018-0195) as published in the *Federal Register* on November 30, 2018 (83 Fed. Reg. 61,574 and 83 Fed. Reg. 61,585) and 2) provide for a second public hearing on the NPRM.

In the NPRM, EPA proposes a sell-through for hydronic heaters (HH) and forced-air furnaces (FAF) and seeks comment on various related issues as well as on a sell-through for wood stoves and related issues and whether to retain and, if so, revise the pellet fuel requirements of the final 2015 New Source Performance Standards (NSPS) rule. In the ANPRM, EPA seeks comment on a broad range of issues related to the 2015 NSPS rule including transitioning to cordwood certification test methods; feasibility of the May 15, 2020 Step 2 compliance date; level of the Step 2 emission standards for HHs, FAFs and wood stoves; Step 2 emission limits based on weighted averages versus individual burn rates for HHs and FAFs; EPA compliance audit testing; ISO-accredited third-party review; electronic reporting for submittal of the non-confidential business information certification application; and warranty requirements.

The subject matter of each of these actions is important and complex and warrants careful consideration by stakeholders. The 45-day comment period for the NPRM, to close on January 14, 2019, and the 75-day comment period for the ANPRM, to close on February 13,

2019, are inadequate to perform the analysis and engage in the policy discussions needed to determine the implications of the rule and offer comments. The timing of these actions, coinciding with the end of the calendar year, further curtails the ability to carry out a meaningful comment development process.

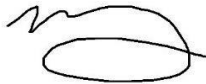
As such, NACAA requests that the public comment period for the NPRM be extended to a total of 90 days and for the ANPRM to a total of 120 days. These extensions would offer state and local leaders and experts the opportunity to comment at the level of depth that is necessary for these actions and consistent with cooperative federalism.

In addition, NACAA requests that EPA convene a second public hearing, to take place in January 2019. With the December 17, 2018 public hearing scheduled to take place so with so little advance notice many state and local agencies are finding it difficult, if not impossible, to obtain travel authorization to participate.

Finally, we request that you announce your decisions regarding these requests as soon as possible this month so that state and local agencies and other stakeholders can plan accordingly.

Thank you for considering these requests. If you have questions, please do not hesitate to contact me at mkeogh@4cleanair.org or 202-624-7864.

Sincerely,

A handwritten signature in black ink, appearing to read 'Miles Keogh', with a large, stylized flourish at the end.

Miles Keogh
Executive Director

cc: Bill Wehrum, Assistance Administrator, EPA Office of Air and Radiation