

September 26, 2016

Ms. Janet McCabe
Acting Assistant Administrator, Office of Air and Radiation (OAR)
U.S. Environmental Protection Agency (EPA)
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Subject: Draft Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program; Comment Period Extension Request

Dear Ms. McCabe:

The Association of Air Pollution Control Agencies (AAPCA)¹ requests that U.S. EPA extend the public comment period on its Draft Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program (herein "SILs Guidance")² and supporting documents beyond September 30, 2016. In particular, AAPCA asks that comments be accepted for a minimum of 60 days following publication of EPA's final rule, Revision to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Modeling Techniques to Address Fine Particulate Matter and Ozone (herein "Appendix W"). For several reasons, this extension would help ensure meaningful feedback from state and local air agencies.

The draft SILs Guidance repeatedly cites the forthcoming final Appendix W rule and recognizes the interrelationship between these two documents. The Guidance states that "The ozone SIL value recommended in this guidance is intended to complement the Appendix W updates.... With respect to PM_{2.5}, the EPA expects the final Appendix W revisions will include criteria and process steps for choosing single-source analytical techniques or models to assess concentrations of direct and secondarily-formed PM_{2.5}."³ The Guidance further clarifies that "Appendix W will be the appropriate resource to use when considering the extent of the modeling domain."⁴

The final Appendix W rule was sent to the White House Office of Information and Regulatory Affairs on September 2, 2016 and is undergoing Executive Order 12866 review.⁵ The complementary nature of the SILs Guidance and Appendix W, including the fact that key areas of state and local concern deal with this intersection, underscores the need for simultaneous review. Similarly, other forthcoming EPA guidance and rulemaking, including draft guidance on model emissions rates for precursors (MERPs), may also be relevant to these comments.

¹ AAPCA is a national, non-profit, consensus-driven organization focused on assisting state and local air quality agencies and personnel with implementation and technical issues associated with the federal Clean Air Act. Twenty state environmental agencies currently sit on AAPCA's Board of Directors. AAPCA is housed in Lexington, Kentucky as an affiliate of The Council of State Governments. You can find more information about AAPCA at: <http://www.cleanairact.org>.

² https://www.epa.gov/sites/production/files/2016-08/documents/pm2_5_sils_and_ozone_draft_guidance.pdf.

³ Draft SILs Guidance, pg. 5-6.

⁴ Draft SILs Guidance, pg. 12-13.

⁵ RIN: 2060-AS54.

Additionally, EPA recently announced updated timing for the 2016 Regional/State/Local Modelers' Workshop, which is being held November 14 – 17 in New Orleans in order to facilitate intergovernmental dialogue on the final Appendix W rule.⁶ Furthermore, the draft SILs Guidance, first posted on August 1, 2016, contained two errors that were corrected by EPA on August 18, 2016.⁷ However, EPA did not adjust the comment period for the revised draft guidance.

Thank you considering this request for an extension. An extended comment period for the SILs Guidance that lasts at least 60 days after publication of the final Appendix W rule should allow state and local agencies to examine these interrelated actions jointly, and help ensure informed, meaningful feedback to EPA. If you have any questions regarding our request, please contact Clint Woods, AAPCA's executive director, at cwoods@csg.org or (859) 244-8040.

Sincerely,



Clinton J. Woods, Executive Director
AAPCA

⁶ Preliminary agenda is available at:
https://www3.epa.gov/ttn/scram/guidance/guide/2016_RSL_Modelers_Workshop-Preliminary_Agenda.pdf.

⁷ <https://www.epa.gov/nsr/forms/significant-impact-levels-ozone-and-fine-particles-prevention-significant-deterioration>.