



August 14, 2013

Mr. Richard Wayland
United States Environmental Protection Agency
109 T. W. Alexander Drive
Mail Code: C304-02
Research Triangle Park, NC 27709

Re: CASTNET Monitoring System

Dear Mr. Wayland:

This letter is in regard to the U.S. Environmental Protection Agency's (EPA) recent actions to convert Clean Air Status and Trends Network (CASTNET) ozone monitors into regulatory monitors for use in future ozone attainment designations and State Implementation Plan (SIP) development. Specifically, we understand that the monitors will be used in setting 2013 ozone design values. Many of our states became aware of this conversion as a result of an April 30, 2013, Greenwire news article, "States scramble as EPA shifts research monitors into regulatory mode." Please see the attached article. Even though some of our states were aware that EPA was upgrading the monitor system to meet quality assurance requirements for reporting into AQS, EPA did not formally seek public comment on this effort and as a result some of our member states did not know and are not sure about the full ramifications of this action.

We are concerned that EPA appears to have undertaken the conversion of CASTNET monitors into regulatory monitors without appropriate notification and input from its state partners. EPA should always formally engage with states when EPA's actions will have a significant impact on state programs and resources. Given that so many states were caught off-guard with respect to the monitor conversion is evidence that EPA's outreach was sorely insufficient. It is our position that EPA should have provided specific notice in the Federal Register regarding the conversion and should have solicited public comment before proceeding. An EPA action that potentially could result in additional state ozone nonattainment areas and SIP planning is clearly a significant action about which EPA should not be acting informally.

While we note the majority of the sites are owned or operated by EPA or the National Park Service, states will be placed in the position of expending their resources for both direct and indirect activities associated with monitoring at these sites. These activities can include data quality assurance/quality control (QA/QC), research and evaluation of sources and trends, and more significantly, possible development of exceptional event demonstrations and SIP revisions. This is an even more pressing concern if EPA continues to lower the ozone National Ambient Air Quality Standards (NAAQS). Based on CASTNET monitoring data from 2010-2012 (http://epq.gov/castnet/javaweb/ozone/ozone_1012_large.png), approximately 21% of the monitors would exceed the current standard of 75 ppb and roughly 43% of CASTNET monitors would exceed a standard of 70 ppb. An alarming 76% would exceed a 65 ppb ozone NAAQS.

As noted in the CASTNET 2011 Annual Report, "Most CASTNET sites are located in rural or remote locations away from pollutant emission sources and heavily populated areas." As such, ozone levels at these sites either represent background concentrations and/or are heavily influenced by international, interstate, and intrastate pollutant transport. In any case, the CASTNET monitoring locations would not likely be where most states would locate a regulatory monitor. We also note that EPA has approved all of the state ozone monitoring networks, thus implying that these state networks are sufficient to adequately characterize ozone concentrations in each state. Adding additional regulatory monitors to the existing sufficient monitoring network reflects unnecessary expenses especially at a time when both federal and state agencies are experiencing significant budget reductions. Clearly, the use of the CASTNET monitors as regulatory monitors will have significant implications for state ozone programs.

We take our responsibility to conduct accurate air quality monitoring very seriously. We track the ozone concentrations on a daily or even hourly basis (particularly during high ozone days) at the various ozone monitors throughout the ozone season. If EPA wants states to consider these monitors as part of the official air quality network, we must insist that the sites not only meet the QA standards of our local networks, but that the data from the monitors be fully integrated into our respective networks and allow us access to the hourly readings during the day. It is not reasonable for EPA to expect states to plan for the development of ozone SIPs only to be "surprised" six months later about a high reading at a CASTNET site.

In addition, we were not aware that CASTNET sites were to become regulatory monitors well into the initial three-year data collecting period – making it impossible for us to perform timely QA reviews of the data as it was being collected. Even now, in the final year of the 2011-2013 period, we still have only partial access to the data required to perform the necessary QA functions. We believe that any data used for regulatory purposes should be subject to the host state's QA review. This includes the opportunity to poll the monitoring data daily, to review the zero/span/precision results, to have access to the minute data, to discuss questions with the operator, and to audit the sites. This is the case with our own monitors and those operated by the local programs. Even data collected by industry is subject to our respective states' review prior to its acceptance for regulatory purposes. We believe that the data standards and QA processes should be the same with CASTNET monitors and at this time it is not.

We therefore request that EPA reconsider its decision to use the CASTNET monitoring system for regulatory decision making until formal public comment can be solicited and addressed. We also request that EPA to begin to engage all of the affected states on this issue so that we can collectively meet our air quality monitoring goals.

Thank you. Feel free to contact me at (859) 244-8030.

Sincerely,



Brydon Ross

Interim Executive Director

Association of Air Pollution Control Agencies (AAPCA)