

July 2, 2018

Mr. Aaron Yeow
Designated Federal Officer
U.S. Environmental Protection Agency
Science Advisory Board & Clean Air Scientific Advisory Committee
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Subject: Invitation for Public Comment on the List of Candidates for the U.S. Environmental Protection Agency's (EPA) Clean Air Scientific Advisory Committee (CASAC)

Mr. Yeow:

The Association of Air Pollution Control Agencies (AAPCA)¹ appreciates U.S. EPA's request for public comments on the list of candidates for service on EPA's chartered CASAC.² On October 31, 2017, U.S. EPA Administrator Scott Pruitt issued a directive on "Strengthening and Improving Membership on EPA Federal Advisory Committees," which specifically called for EPA to "Increase State, Tribal and Local Government Participation" and "Enhance Geographic Diversity."³ The inclusion of geographically diverse state, local, and tribal experts in the scientific advisory process will be critical as U.S. EPA seeks to review multiple National Ambient Air Quality Standards (NAAQS) over the next several years.

U.S. EPA's list of qualified candidates includes individuals from two AAPCA member agencies as well as a partner multi-jurisdictional organization with which AAPCA shares state agency members: Dr. Sabine Lange, Texas Commission on Environmental Quality; Corey Masuca, Jefferson County Department of Health (Alabama); and, Tom Moore, Western States Air Resources Council and Western Regional Air Partnership. These candidates have demonstrated high levels of competence, knowledge, and expertise in fields relevant to air pollution and air quality issues, and would provide key perspectives in the scientific review process. In addition to significant experience in the technical aspects of the NAAQS, including monitoring, modeling, and emissions inventory assessment, these individuals also have impressive academic credentials in fields that include risk assessment, toxicology, chemical engineering, and environmental health.

AAPCA strongly recommends that U.S. EPA's Science Advisory Board Staff Office consider these experts in the current chartered CASAC selection process.

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. AAPCA represents more than 40 state and local air agencies, and senior officials from 20 state environmental agencies currently sit on the AAPCA Board of Directors. AAPCA is housed in Lexington, Kentucky as an affiliate of The Council of State Governments (CSG). You can find more information about AAPCA at: www.cleanairact.org. In 2017 AAPCA, in conjunction with CSG, released a new resource – located at www.cooperativefederalism.org – entitled *STATES AT THE TABLE: Engaging Energy and Environmental Opportunities with Federal Advisory Committees* that provides information for state officials on federal advisory committee opportunities with U.S. EPA, the U.S. Departments of Energy and Interior, and the National Oceanic and Atmospheric Administration.

² U.S. EPA Science Advisory Board Staff Office, [Invitation for Public Comment on the List of Candidates For the Environmental Protection Agency's Clean Air Scientific Advisory Committee](#), June 11, 2018.

³ Available at: https://www.epa.gov/sites/production/files/2017-10/documents/final_draft_fac_directive-10.31.2017.pdf.

The October 2017 directive on EPA Federal Advisory Committee Membership is in line with statutory requirements and federal committee composition directives. CASAC's charter and the Clean Air Act direct EPA to appoint *at least* one member of the National Academy of Sciences, one physician, and one person representing state air pollution control agencies. The June 2017 Membership Balance Plan for CASAC indicates that "Geographic location may be considered" as the only other balance factor that "EPA identifies as important in achieving a balanced [Federal Advisory Committee]."⁴ Further, the most recent edition of U.S. EPA's *Peer Review Handbook* directs that the Agency "include a broad enough spectrum of other related experts to consider wider dimensions of the issue(s)" and "keep a balance by considering new individuals who bring fresh perspectives to the review of a work product."⁵

While AAPCA recognizes the distinction between technical advisory committees like CASAC, in which panelists serve as "Special Government Employees," and representative advisory committees, the Association believes that state, local, and tribal agency personnel have unique, on-the-ground experience critical to providing informed, comprehensive, and authoritative understanding of the NAAQS. Contributions from these agencies will be important as U.S. EPA undertakes several reviews related to the NAAQS.

Administrator Pruitt indicated in a May 9 memorandum outlining "Back-to-Basics Process for Reviewing National Ambient Air Quality Standards," that U.S. EPA would "begin the next review of the ozone NAAQS so EPA will be ready to finalize any necessary revisions by the statutorily required five-year deadline (October 2020)" as well as "conduct the already initiated review of the particulate matter NAAQS in such a manner as to ensure that any necessary revisions to that NAAQS are finalized by December 2020."⁶ In that effort, U.S. EPA issued multiple notices on June 26, 2018, regarding current reviews of the NAAQS, including: a call for scientific and policy-relevant information regarding review of the ozone NAAQS⁷; a call for information on the adverse effects of strategies for attainment and maintenance of NAAQS⁸; and, a notice of public comment period on EPA's "Second External Review Draft Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter – Ecological Criteria."⁹

As EPA and CASAC evaluate scientific and policy information on these documents and reviews, including feedback relevant to Section 109(d) of the Clean Air Act, the inclusion of geographically diverse state, local, and tribal perspectives can provide key insight that has not always been considered in the scientific review process.¹⁰ AAPCA encourages EPA to continue to fulfill relevant Federal Advisory Committee directives by selecting air agency experts for the CASAC from this list of qualified candidates.

⁴ [CASAC 2017 Membership Balance Plan](#).

⁵ U.S. EPA, [Peer Review Handbook](#), 4th Edition, October 2015.

⁶ Available at: <https://www.epa.gov/sites/production/files/2018-05/documents/image2018-05-09-173219.pdf>.

⁷ 83 FR 29185 – 29786.

⁸ 83 FR 29784 – 29785.

⁹ 83 FR 29786 – 29788.

¹⁰ The Council of State Governments West highlighted in a [May 2015 letter](#) that "For EPA's Clean Air Scientific Advisory Committee Ozone Review Panel, which provided the critical advice for Administrator Gina McCarthy's proposed ozone regulations, only one of the 22 panelists came from a state/local perspective."

Thank you for the opportunity to provide feedback on EPA's excellent list of candidates for CASAC. If you have any questions regarding AAPCA's comments, please contact Mr. Jason Sloan, Executive Director, at jsloan@csg.org or (859) 244-8043.

Sincerely,



Stuart Spencer
Associate Director, Arkansas Department of Environmental Quality
2018 President, AAPCA