



February 24, 2023

Mr. Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation (OAR)  
U.S. Environmental Protection Agency (EPA)  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Submitted via the Federal eRulemaking Portal at <https://www.regulations.gov>

Subject: 30-day comment period extension for proposed rulemaking, “Reconsideration of the National Ambient Air Quality Standards for Particulate Matter” (Docket ID No. EPA-HQ-OAR-2015-0072)

Dear Mr. Goffman:

The Association of Air Pollution Control Agencies (AAPCA)<sup>1</sup> submits this letter to request an extension of the comment period for U.S. EPA’s proposed rulemaking, “Reconsideration of the National Ambient Air Quality Standards for Particulate Matter” (PM NAAQS).<sup>2</sup> Currently, the proposal, published in the *Federal Register* on January 27, 2023, provides 60 days for public comment, until March 28, 2023. This is a limited amount of time to review several hundred pages of regulatory and technical text, in particular for state and local air agencies that will be responsible for implementing the final rule. AAPCA requests that U.S. EPA provide at least 30 additional days for comment.

U.S. EPA announced in June 2021 that the Agency would reconsider the December 2020 decision to retain the existing PM NAAQS by developing a supplement to the 2019 Final Integrated Science Assessment (ISA).<sup>3</sup> A draft supplement to the PM ISA was released in September 2021 for review by the public and the Clean Air Scientific Advisory Committee (CASAC), followed by a final PM ISA Supplement issued in May 2022<sup>4</sup> with a corresponding Policy Assessment (PA)<sup>5</sup>, meant to “bridge the gap’ between the Agency’s scientific assessments.” These final documents, at more than 1,000 pages, inform the 162-page reconsideration proposal and other supporting documents that are

---

<sup>1</sup> 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. Created in 2012, AAPCA represents 48 state and local air pollution control agencies, and senior officials from 21 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](#). More about AAPCA is at: [www.cleanairact.org](http://www.cleanairact.org).

<sup>2</sup> [88 Fed. Reg. 5558](#) (January 27, 2023).

<sup>3</sup> U.S. EPA, “[EPA to Reexamine Health Standards for Harmful Soot that Previous Administration Left Unchanged](#),” June 10, 2021.

<sup>4</sup> <https://www.epa.gov/naaqs/particulate-matter-pm-standards-integrated-science-assessments-current-review>.

<sup>5</sup> <https://www.epa.gov/naaqs/particulate-matter-pm-standards-policy-assessments-current-review-0>.

open for public review and comment, including a Regulatory Impact Analysis (RIA) that stands at 467 pages.

U.S. EPA proposes in the reconsideration to tighten the primary fine PM (PM<sub>2.5</sub>) annual standard, established in 2012, from 12.0 micrograms per cubic meter (µg/m<sup>3</sup>) to within the range of 9.0 – 10.0 µg/m<sup>3</sup>, while retaining the current primary daily NAAQS for PM<sub>2.5</sub> and coarse PM (PM<sub>10</sub>) as well as the secondary PM NAAQS. Agencies have indicated that commenting on a range of standards, rather than a set NAAQS, provides unique challenges requiring additional research and review in conjunction with other provisions in the proposal. For example, U.S. EPA’s analysis of monitoring data from 2019 to 2021 shows that 50 counties would not meet an annual standard of 10.0 µg/m<sup>3</sup>, but that the number of impacted counties would more than double under a 9.0 µg/m<sup>3</sup> PM<sub>2.5</sub> NAAQS scenario, adding an additional 62 counties, or 112 total.<sup>6</sup> Further, U.S. EPA’s proposal seeks comment on “alternative annual standard levels down to 8.0 µg/m<sup>3</sup> and up to 11.0 µg/m<sup>3</sup>” and various ranges for the daily and secondary NAAQS.<sup>7</sup>

In the reconsideration, U.S. EPA “proposes revisions to other key aspects related to the PM NAAQS, including revisions to the Air Quality Index (AQI) and monitoring requirements for the PM NAAQS.”<sup>8</sup> These provisions could have considerable impact on the work of air agencies, which serve as primary monitoring entities under the federal Clean Air Act. Operating an ambient air monitoring program involves network planning, monitor siting, shelter maintenance, instrument certification, and data handling, including quality assurance/quality control (QA/QC), recordkeeping, and reporting. State and local agencies have also raised concerns about PM monitoring method comparability,<sup>9</sup> an issue that needs to be evaluated in consideration of this proposal due to potential impacts on attainment recommendations and designations. Resource conscious agencies must also understand budgetary, staffing, training and other associated personnel needs that could result from the proposed changes.

Additionally, the comment period for the proposed PM NAAQS reconsideration overlaps with several other proposal comment periods, including significant Clean Air Act rulemakings for the oil and natural gas sector,<sup>10</sup> implementing regulations for state plans under Section 111(d),<sup>11</sup> and “fugitive” emissions under the New Source Review (NSR) program,<sup>12</sup> among others. Reviewing and developing comments on multiple technical proposals simultaneously is difficult and potentially

---

<sup>6</sup> U.S. EPA, “[Current and Projected Air Quality Data for Counties with Monitors](#),” February 2023.

<sup>7</sup> [88 Fed. Reg. 5560](#) (January 27, 2023).

<sup>8</sup> [88 Fed. Reg. 5558](#) (January 27, 2023).

<sup>9</sup> See [AAPCA letter](#) on PM monitoring method comparability (November 23, 2022).

<sup>10</sup> “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review” ([87 Fed. Reg. 74702](#)). Comment period closed February 13, 2023.

<sup>11</sup> “Adoption and Submittal of State Plans for Designated Facilities: Implementing Regulations Under Clean Air Act Section 111(d)” ([87 Fed. Reg. 79176](#)). Comment period closes February 27, 2023.

<sup>12</sup> “Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Reconsideration of Fugitive Emissions Rule” ([87 Fed. Reg. 62322](#)). Comment period closed February 14, 2023.



limits meaningful, substantive input. Allowing at least an additional 30 days for comment will increase applicable input from state and local agencies responsible for implementing final rules.

Thank you for considering this request to extend the comment period on U.S. EPA's proposed revisions to the PM NAAQS. If you have any questions, please contact Mr. Jason Sloan, Executive Director, at [jsloan@csg.org](mailto:jsloan@csg.org) or (859) 244-8043.

Sincerely,

Jason E. Sloan  
Executive Director, AAPCA