



September 27, 2023

Mr. Marc Houyoux
Emission Inventory and Analysis Group, Air Quality Assessment Division
Office of Air Quality Planning and Standards (OAQPS)
Office of Air and Radiation (OAR)
U.S. Environmental Protection Agency (EPA)
109 T.W. Alexander Drive
Research Triangle Park, NC 27711

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

Subject: 30-day comment period extension for proposed rulemaking, “Revisions to the Air Emissions Reporting Requirements” (Docket ID No. EPA-HQ-OAR-2004-0489)

Dear Mr. Houyoux:

The Association of Air Pollution Control Agencies (AAPCA)¹ submits this letter to request an extension of the comment period for U.S. EPA’s proposed rulemaking, “Revisions to the Air Emissions Reporting Requirements” (AERR).² Currently, the proposal, published in the *Federal Register* on August 9, 2023, provides 70 days for public comment, until October 18, 2023. AAPCA requests that U.S. EPA provide at least 30 additional days for comment on this important proposal.

The current AERR was promulgated in February 2015,³ and U.S. EPA’s proposed revisions would require state, local, and certain tribal air agencies to report emissions data to the U.S. EPA using different approaches from currently established requirements. Specifically, U.S. EPA is proposing new reporting requirements for all 188 hazardous air pollutants (HAPs), fuel use data for certain sources of electrical generation associated with peak electricity demand, prescribed fire data, as well as further changes for reporting on airports, rail yards, commercial marine vessels, locomotives, and nonpoint sources. As U.S. EPA acknowledges, the proposed amendments “may require changes to current regulations of State, local, and certain tribal air agencies,” and these agencies need adequate time to evaluate and develop substantive comments on these reporting and regulation changes.

The proposal and associated Regulatory Impact Analysis⁴ include over 300 pages of regulatory and technical text that need to be reviewed by state and local air agencies in order to develop meaningful comments. Notably, U.S. EPA has reopened the comment period for the Information Collection Request (ICR) for the proposed AERR “to ensure the public has sufficient time to review the ICR in conjunction

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. Created in 2012, AAPCA represents 51 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](http://www.councilofstategovernments.org). More about AAPCA is at: www.cleanairact.org.

² [88 Fed. Reg. 54118](https://www.federalregister.gov/documents/2023/08/09/2023-15418) (August 09, 2023).

³ [80 Fed. Reg. 8787](https://www.federalregister.gov/documents/2015/02/19/2015-03887) (February 19, 2015).

⁴ https://www.epa.gov/system/files/documents/2023-07/ria_aerr_proposal_2023-07.pdf.

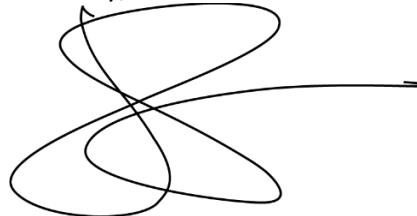
with the associated proposed action.”⁵ Furthermore, the comment period for the proposed AERR revisions overlaps with several other comment periods for proposed air toxics rulemakings, including amendments to the:

- General Provisions for National Emission Standards for Hazardous Air Pollutants (NESHAP) in the proposed rule, “Regulatory Requirements for New HAP Additions to Part 63”;⁶
- NESHAP for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries; Residual Risk and Technology Review, and Periodic Technology Review;⁷
- NESHAP for Primary Copper Smelting;⁸
- NESHAP for Integrated Iron and Steel Manufacturing Facilities Technology Review;⁹ and,
- NESHAP for Reciprocating Internal Combustion Engines and New Source Performance Standards (NSPS) for Internal Combustion Engines; Electronic Reporting.¹⁰

U.S. EPA has provided comment period extensions for a number of the proposed rules listed above, recognizing the need for additional time to appropriately review and develop feedback during overlapping comment periods for multiple technical proposals. Allowing at least an additional 30 days for comment will increase important input from state and local agencies that are co-regulators under the Clean Air Act and 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 AERR. If you have any questions, please contact Mr. Jason Sloan, Executive Director, at jsloan@csg.org or (859) 244-8043.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Jason E. Sloan
Executive Director, AAPCA

cc: Mr. Peter Tsirigotis, EPA OAQPS
Mr. Richard Wayland, EPA OAQPS

⁵ “Revisions to the Air Emissions Reporting Requirements” ([88 FR 63046](#)). Comment period closes 10/18/2023.

⁶ “Regulatory Requirements for New HAP Additions to Part 63” ([88 FR 62711](#)). Comment period closes 11/13/2023.

⁷ “National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries; Residual Risk and Technology Review, and Periodic Technology Review” ([88 FR 55858](#)). Comment period closes 10/02/2023.

⁸ “National Emission Standards for Hazardous Air Pollutants: Primary Copper Smelting” ([88 FR 47415](#)). [Extended](#) comment period closes 09/22/2023.

⁹ “National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities Technology Review” ([88 FR 49402](#)). [Extended](#) comment period closes 09/29/2023.

¹⁰ “National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting” ([88 FR 41361](#)). Comment period closed 08/25/2023.