



June 14, 2018

Mr. Peter Tsirigotis, Director
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
Mail code: C404-04
Research Triangle Park, NC 27711

Dear Mr. Tsirigotis,

The Western States Air Resources (WESTAR) Council, an association of 15 western state air quality managers, appreciates the opportunity to comment on the March 27, 2018 Memorandum titled "Information on the Interstate Transport State Implementation Plan Submissions for the 2015 Ozone National Ambient Air Quality Standard under Clean Air Act Section 110(a)(2)(D)(i)(I)." Over the past several years WESTAR has commented extensively to EPA on ozone NAAQS implementation issues in the west, including ozone transport¹. Our comments at this time focus on implementation issues that are of concern to WESTAR members as a collective: background and transported ozone, the one-percent screening level and international transport. Some WESTAR member states will provide comments specifically pertaining to their state in separate memos.

Background levels of ozone in remote locations, including many intermountain national parks, significantly contribute to the overall ozone concentrations measured. Elevated concentrations of ozone in rural areas of the west originate from a mix of anthropogenic and non-anthropogenic sources. That source mix, along with long range transport of pollutants, the complex terrain common in western states, and the role of natural events such as wildfires and stratospheric intrusions, are just a few examples of scientific issues that are not well understood yet have impacts upon regulatory decisions. This situation exists because ozone nonattainment planning

¹ WESTAR comments to EPA on ozone NAAQS implementation : *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications and State Implementation Plan Requirements*, February 13, 2017; *Proposed Ozone Nonattainment Area Classification and SIP Requirements Rule*, January 12, 2016; *Implementation of the 2015 Primary Ozone NAAQS: Issues Associated with Background Ozone White Paper for Discussion*, May 11, 2016; *Proposed National Ambient Air Quality Standards for Ozone*, March 16, 2015; *Clean Air Act Section 110(a)(2)*, February 1, 2012.

policies and strategies have historically been focused on solving urban ozone exceedances. Additionally, EPA points to rural transport and international transport provisions of the Clean Air Act as means to effectively address domestic anthropogenic ozone within a jurisdiction's authority. In fact, these options are limited and may not be sufficient to provide relief for the nonattainment issues that western states face. WESTAR is concerned about the lack of scientific understanding and tools available to account for ozone exceedances strongly influenced by high background concentrations and rural or international transport.

To address these uniquely western issues, we believe cooperative federalism in air quality management must be strengthened. We applaud EPA for its openness to "alternative frameworks to address good neighbor obligations" and "potential flexibilities" expressed in the attachment to the EPA memorandum. EPA should recognize state authority under the CAA and afford states sufficient flexibility to create air quality programs tailored to individual state needs, industries, and economies while meeting the human health protection obligations of the CAA. Additionally, the evaluation of exceptional events should be more timely and open to the wide-range of extreme events experienced in the western U.S.

Since 2007, WESTAR has commented that EPA needed to provide funding to help states understand ozone background and transport in the west. At that time, we noted that EPA had provided substantial funding to support ozone analysis in the eastern U.S. As a result of the EPA's extraordinary support, eastern states were able to develop a better understanding of the origin of ozone precursors, ozone formation and the fate of ozone with a level of confidence that helped also with the development and implementation of meaningful and effective regulatory programs to improve air quality. Once again, we urge EPA to make a similar commitment to the west, especially because a relatively low significant threshold for interstate transport drives a need for increased precision in model predictions. Without such assistance, western states will continue to have limited tools for accomplishing what the Clean Air Act was intended to do: improve air quality. WESTAR requests that EPA commit to a detailed ozone analyses focusing on the western United States to gain a better understanding of the origin ozone precursors, ozone formation and fate with a level of confidence that will lead to the development and implementation of effective regulatory programs for the west.

WESTAR supports the need for additional and ongoing research on background, interstate and international ozone transport as it impacts the west. This research should be transparent, comprehensive and coordinated with state air quality agencies and regional organizations. With this new information, EPA should keep an ongoing and open dialog with western states regarding the appropriate threshold for significant contribution for interstate ozone transport obligations in the west.

Sincerely,



Nancy Vehr, President

Western States Air Resources Council (WESTAR)