



# Oregon

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## Department of Environmental Quality

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April 13, 2006

Honorable Stephen L. Johnson  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Subject: Comments on the Proposed National Ambient Air Quality Standards for Particulate Matter and Proposed Revisions to the Ambient Air Monitoring Regulations (Docket #: EPA-HQ-OAR-2001-0017 and EPA-HQ-OAR-2004-0018)

Dear Administrator Johnson:

The Oregon Department of Environmental Quality would like to take this opportunity to comment on EPA's proposed revisions to the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM) and the proposed revisions to the Ambient Air Monitoring Regulations, both of which were published in the Federal Register on January 17, 2006. The Department appreciates the opportunity to comment.

### National Ambient Air Quality Standards (NAAQS) for Particulate

For over 30 years, the state of Oregon has worked to protect public health by meeting federal air quality standards for particulate. In that time, as science and our understanding of public health risk from particulate evolved, EPA has acted to tighten standards when needed and states have responded accordingly. Today, new health studies provide compelling evidence that particulate standards should be strengthened again. The state of Oregon strongly encourages EPA to set new particulate standards reflecting the current state-of-the-science that is protective of public health, including sensitive populations, and with an adequate margin of safety, as required by the Clean Air Act.

In its January 17, 2006 action EPA has proposed to lower the 24-hour  $PM_{2.5}$  standard to  $35 \text{ ug/m}^3$  but retain the current annual  $PM_{2.5}$  standard of  $15 \text{ ug/m}^3$ . This pairing of a  $35 \text{ ug/m}^3$  daily standard with no reduction in the annual standard is inconsistent with the recommendations made by EPA's Clean Air Act Science Advisory Committee (CASAC). CASAC recommended a range of  $25 \text{ ug/m}^3$  to  $35 \text{ ug/m}^3$  for the 24-hour standard, but the committee was clear that a 24-hour standard at the upper end of the range would have to be paired with a lowered annual standard to protect public health based on the latest science. In an unprecedented action, CASAC has strongly and formally objected to EPA's dismissal of the CASAC recommendations.

Oregon strongly encourages EPA to follow the Clean Air Act Scientific Advisory Committee's recommendations regarding the revised  $PM_{2.5}$  standard. We urge EPA to choose one of the options from the suite of  $PM_{2.5}$  standards recommended by the advisory committee: either to lower the daily standard below  $35 \text{ ug/m}^3$  if retaining the current annual standard of  $15 \text{ ug/m}^3$  or to lower the annual standard below  $15 \text{ ug/m}^3$  paired with a daily standard of  $35 \text{ ug/m}^3$ .

### Air Quality Monitoring

Under the President's proposed budget for FY2007, funding cuts for PM monitoring top \$17 million. These proposed cuts make it impossible to comply with the new  $PM_{2.5}$  monitoring needs, or to initiate the new  $PM_{10-2.5}$  monitoring network. This means that Oregon will not be able to fully assess the risk to Oregon citizens under the new  $PM_{2.5}$  NAAQS. Adequate funding for a monitoring network is a critical part of implementing any new national air quality standard. EPA must fully fund such a network so that states can adequately assess the public's risk under the new PM NAAQS.



Because of the proposed funding cuts, there is also a need to streamline the monitoring process. For example, EPA proposes to maintain monthly flow verifications for manual PM<sub>2.5</sub> samplers. Oregon believes monthly flow verifications are unnecessary and going to quarterly verifications would not reduce accuracy but would reduce cost.

In addition, the PM<sub>10-2.5</sub> monitoring network as proposed is insufficient to adequately understand impacts throughout the state, especially in rural areas with Metropolitan Statistical Areas (MSA) of less than 100,000 people. Again, EPA should conform to CASAC's recommendations that PM<sub>10-2.5</sub> monitors be included in both urban and rural areas.

Air quality health standards must apply to every community, whether they are urban or rural, large population centers or small, and states must be given the tools necessary to assess compliance and take action where needed. Again, this is consistent with CASAC's recommendations to EPA.

#### Attainment Determinations

Under EPA's proposal, PM<sub>2.5</sub> monitoring data from 2004-2006 will be used to make state attainment/non-attainment recommendations to EPA. EPA should allow States to provide data from the most recent 3-year period as the basis for the recommendations before final designations are made.

#### Urban Visibility

Oregon also recommends that EPA adopt CASAC's recommendations regarding a sub-daily visibility standard for PM<sub>2.5</sub>. This will help protect urban visibility and potentially provide additional benefits of reduced haze levels in Class I areas.

#### Transition from PM<sub>10</sub> to new PM NAAQS

Finally, while implementation issues are addressed in the Advance Notice of Proposed Rulemaking (ANPR) proposal, we strongly urge that when EPA revokes the PM<sub>10</sub> standard, it should require States with any rules and requirements associated with past and current maintenance plans to keep them in place. This would ensure there is no backsliding in air quality, particularly in states that are restricted from adopting rules that are more stringent than EPA's rules.

It is critical that EPA maintain, to the greatest extent possible, the legal framework and underpinnings of existing PM<sub>10</sub> strategies, and that removal of any strategies only be allowed after states demonstrate they are no longer needed to protect compliance with the new PM<sub>2.5</sub> and PM<sub>10-2.5</sub> standards. This includes emission reduction strategies as well as growth management strategies such as New Source Review and Prevention of Significant Deterioration. EPA should allow no gap between PM<sub>10</sub> revocation and PM<sub>2.5</sub>/PM<sub>10-2.5</sub> implementation, and should develop an anti-backsliding policy that will not jeopardize the 30 years of air quality progress made by states.

Thank you again for the opportunity to comment.

Sincerely,



Andrew Ginsburg  
Air Quality Administrator