



September 11, 2009

EPA Docket Center
U.S. Environmental Protection Agency
Mail Code: 2822T
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460
Attention Docket ID No. EPA-HQ-OAR-2008-0338

Subject: Ambient Ozone Monitoring Regulations: Proposed Revisions to Network
 Design Requirements

Dear Sir or Madam,

The Western States Air Resources (WESTAR) Council, an association of 15 western state air quality agencies, appreciates the opportunity to comment on the recently proposed revisions to the state ozone monitoring requirements.

On July 8, 2009, the Environmental Protection Agency (EPA) proposed to revise the ozone air quality monitoring network design requirements. These requirements, along with network design requirements for all criteria pollutants were established in October, 2006. The proposed ozone monitoring requirements represent a significant increased commitment of both staff and funding for some of the WESTAR states.

WESTAR is very concerned about the escalating monitoring requirements and resource commitments to ambient monitoring programs generally. Monitoring requirements for states and localities have expanded, and will continue to expand in the next several years as a result of the revision to the lead NAAQS; the proposed nitrogen dioxide (NO₂) NAAQS; EPA's Air Toxics in Schools Initiative; and, the ozone monitoring proposal. It is essential that EPA view these expanded ozone monitoring requirements in the context of the cumulative impacts of increasing state ambient air monitoring network requirements as a whole.

The recently revised lead NAAQS requires the addition of source-oriented monitors in 2010 and population-oriented monitors in 2011. EPA's proposed changes to the NO₂ NAAQS will require states to add one or two near-roadway NO₂ stations to their networks by January 1,

2013, and for some states, additional population-oriented monitors at the same time. EPA's proposed changes to the ozone monitoring regulations will require many states to deploy a minimum of three additional ozone monitoring sites, extend their ozone monitoring seasons and operate NCore ozone monitors on a year-round basis.

WESTAR is greatly concerned about the cumulative effect of increasing monitoring requirements without concomitant funding from EPA, particularly in a time of economic challenges facing state governments. WESTAR is concerned that new air monitoring initiatives and investments far outweigh divestment opportunities cited in EPA's 2008 Ambient Air Monitoring Strategy.

The use of Metropolitan Statistical Areas (MSAs) may be a convenient way to identify the need for monitoring sites, but will in some instances result in the unnecessary commitment of scarce monitoring resources. Using MSAs in this manner does not take into account essential network design considerations such as geographic size, population density, topography, source types, numbers, and distribution, land use, pollution transport and meteorology. MSAs in the West are generally substantially larger, more dispersed and often not adjacent to other MSAs, and if adjacent, are often in very different and unrelated air basins. Data from some of the Western states indicate that the large geographic size and distribution of MSAs make it highly unlikely that unmonitored MSAs with populations between 50,000 and 350,000 are close to violating ozone monitors, or would have monitors measuring within 85 percent of the ozone standard as would appear from national statistics presented in the proposal. Based on current monitoring, some western states have no sites measuring values above 85 percent of the standard in more urbanized areas and the requirement to monitor in a Micropolitan Statistical Area cannot be justified.

WESTAR recommends that EPA use the upcoming full-scale five-year Network Assessment due July 1, 2010, and subsequent annual monitoring plan reviews to provide all states with the opportunity to review and adjust monitoring networks, including the ozone network. National Park Service monitoring sites that meet SLAMs requirements will probably be sufficient to meet the goal of one vegetation sensitive site measurement per state, although winter access limitations may result in incomplete quality assured data. Ozone transport siting is best addressed in the context of the overall network review. States must have the flexibility to design a network that supports their air quality goals and available resources. In some WESTAR states, air quality management priorities are directed toward criteria pollutants other than ozone (e.g., PM_{2.5}) and without additional funding, increases in ozone monitoring may result in inappropriate reductions in funding for other public health programs.

Even if EPA allocates funds to assist states with start-up capital costs associated with new monitoring requirements, additional costs including site development, leases, quality assurance and data management, and operation and maintenance (often to distant sites in the West), will substantially impact state air quality budgets. Finally, requisite funding for these additional monitoring requirements should be granted through §103 of the Clean Air Act, relieving states from the burden of providing matching funds required by §105.

Thank you for the opportunity to comment on these proposed revisions to the ozone monitoring rule. We look forward to working with EPA to find a long-term solution to the increasing demand and resource commitments of ambient air quality monitoring programs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Johnson', with a large loop at the end of the line.

Dan Johnson, Executive Director
Western States Air Resources Council