

July 5, 2001

Lydia Wegman  
Director  
Air Quality Strategies and Standards Division  
Office of Air Quality Planning and Standards  
MD-15  
Research Triangle Park, North Carolina 27711

Dear Lydia:

Over the past several years, the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO) have urged the U.S. Environmental Protection Agency (EPA) to develop a Limited Maintenance Plan (LMP) option for clean PM<sub>10</sub> nonattainment areas. Toward this end, we have engaged in numerous discussions with your staff regarding the key policy principles upon which an LMP option should be based and the core elements that should be included in such an option. Further, we have reviewed and commented on several iterations of draft guidance. We understand that EPA is poised to finalize its guidance on the LMP option imminently. Accordingly, we would like to offer our final comments on the agency's most recent draft LMP option for PM<sub>10</sub> nonattainment areas – dated April 19, 2001.

STAPPA and ALAPCO appreciate EPA's efforts to provide a PM<sub>10</sub> LMP option. Our associations remain concerned, however, that the option as developed by EPA places obligations on states and local areas that are beyond those contemplated by the Clean Air Act. In our May 25, 2000 comments to the agency on an earlier draft of the guidance we stated that

STAPPA and ALAPCO believe that mandatory implementation of contingency measures or mandatory development of a full maintenance plan that includes a maintenance demonstration should occur only in response to violation of the actual PM<sub>10</sub> standard, consistent with the processes for other criteria pollutants.

One year later, we are disappointed that EPA has not been responsive to this fundamental concern. Instead, the agency continues to pursue a policy that will result in

implementation of contingency measures and development of a full maintenance plan even when monitored levels of PM<sub>10</sub> remain well below the National Ambient Air Quality Standard.

Notwithstanding our disappointment, however, our associations believe that it is time for the agency to move forward to publish final guidance for an LMP option. If EPA elects to amend the guidance to accommodate our concerns and establish a more reasonable approach, our associations will be supportive of EPA's final guidance and, more importantly, the result will be a policy that will be attractive to and usable by a number of areas. If the agency elects not to accommodate our recommendations, the guidance should still be issued, although we believe that few areas are likely to pursue the option – which is, indeed, unfortunate.

Once again, STAPPA and ALAPCO thank you for your efforts to provide an LMP option. We hope you will give serious consideration to our final recommendations. In any event, however, we believe it is important that EPA now proceed with issuance of a final LMP policy.

Sincerely,

Brock M. Nicholson  
STAPPA Chair  
Criteria Pollutants Committee

John A. Paul  
ALAPCO Chair  
Criteria Pollutants Committee