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U.S. Environmental Protection Agency  
EPA Docket Center  
Attn. Docket ID No. EPA-HQ-OAR-2015-0486  
Mailcode: 28221T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Sir/Madam:

The National Association of Clean Air Agencies (NACAA) appreciates this opportunity to comment on the U.S. Environmental Protection Agency's (EPA's) proposed rule entitled *Revision to the Near-Road NO<sub>2</sub> Minimum Monitoring Requirements*, which was published in the *Federal Register* on May 16, 2016 (81 Fed. Reg. 30,224). NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 40 states, the District of Columbia, four territories and 116 metropolitan areas. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the United States. These comments are based upon that experience. The views expressed in these comments do not necessarily represent the positions of every state and local air pollution control agency in the country.

EPA's proposal would revise the near-road nitrogen dioxide (NO<sub>2</sub>) monitoring rules to remove the requirements for state and local agencies to install and operate near-road NO<sub>2</sub> monitoring stations in core-based statistical areas (CBSAs) with populations between 500,000 and 1,000,000 people. Under the current rules, each of these CBSAs is required to have one operational near-road NO<sub>2</sub> monitor by January 1, 2017. This requirement comprises "Phase 3" of the three-stage implementation plan for deployment of the near-road NO<sub>2</sub> monitoring network that was established in a 2012 rulemaking.<sup>1</sup> In Phase 1, CBSAs with a population of 1,000,000 or more were required to install and operate one near-road NO<sub>2</sub> monitor by January 2, 2014. In Phase 2, CBSAs requiring two near-road NO<sub>2</sub> monitors (those with populations over 2,500,000 or populations over 500,000 plus one or more roadway segments with annual average daily traffic counts of at least 250,000) were obligated to install and operate the second monitor by January 1, 2015. Phase 3 would be the final component of the network deployment.

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<sup>1</sup> The final rule was published in March 2013. *Revision to Ambient Nitrogen Dioxide Monitoring Requirements*, 78 Fed. Reg. 16,181 (Mar. 14, 2013). That rule, in turn, amended the original deployment schedule set forth in the 2010 NO<sub>2</sub> National Ambient Air Quality Standards (NAAQS) rule. *Primary National Ambient Air Quality Standards for Nitrogen Dioxide*, 75 Fed. Reg. 6474 (Feb. 9, 2010).

NACAA supports the proposal to eliminate Phase 3 of the near-road NO<sub>2</sub> network and commends EPA for recognizing and working to ameliorate the burden it would place on state and local agencies in exchange for minimal public health or research benefits. EPA has carefully analyzed the NO<sub>2</sub> data collected from the near-road monitors installed during Phases 1 and 2 and found air quality in the near-road environment to be well below the NO<sub>2</sub> NAAQS.<sup>2</sup> EPA's analysis demonstrates a correspondence between population, traffic volume, and NO<sub>2</sub> levels, such that higher NO<sub>2</sub> concentrations are expected in the higher-populated CBSAs. Yet, even in the most highly populated areas, data from the near-road monitors indicate that air quality has never threatened to exceed the annual or hourly NO<sub>2</sub> NAAQS. NACAA's monitoring experts agree with EPA's conclusion that data collected from Phase 3 monitors, which would be located in relatively smaller CBSAs, would almost certainly measure lower or similar NO<sub>2</sub> concentrations.

NACAA recommended and supported the phased deployment of the near-road NO<sub>2</sub> network, in part because the approach would allow the network to evolve based on lessons learned during each phase.<sup>3</sup> The association also stressed the significant resources required to implement the near-road network, noting that it "requires the purchase of new equipment; installation of new sites; and additional staff, operation, and maintenance costs at a time when state and local agencies are already struggling with significant budget and staffing shortfalls." Today, the resource challenges that our members face in implementing new and existing monitoring requirements are perhaps even more pronounced than they were in 2012. Unfortunately, for many years state and local air pollution control agencies have faced a serious shortfall in federal grants and they struggle to continue the essential air quality programs that the public requires. Air quality monitoring is critical for determining the extent and location of air quality problems and assessing the efficacy of our programs. Yet it is becoming increasingly apparent that flat and declining budgets and the loss of experienced monitoring staff are resulting in the postponement of critical upkeep and maintenance activities that are essential to our air monitoring networks.

In this climate, it is important to prioritize monitoring activities that will most effectively advance air agencies' core mission of protecting public health and the environment. Those resources that would be required to implement Phase 3 of the near-road NO<sub>2</sub> network would be better directed to other, critically important, monitoring activities that state and local agencies will undertake in the coming years, such as expanded ozone monitoring seasons, source-oriented sulfur dioxide monitoring and implementation of the redesigned Photochemical Assessment Monitoring Stations (PAMS) network.

Adverse health outcomes in near-roadway communities are a serious concern and NACAA believes that further research is needed to better understand the public health effects of

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<sup>2</sup> Memorandum from Neelson Watkins & Adam Reff to Docket No. EPA-HQ-OAR-2015-0486, "Near-road NO<sub>2</sub> Network and Data Analysis."

<sup>3</sup> See NACAA Letter to EPA Assistant Administrator Gina McCarthy re: Implementing Ambient Air Monitoring Requirements (June 22, 2011); NACAA Comments on *Revision to Ambient Nitrogen Dioxide Monitoring Requirements* (proposed rule), 77 Fed. Reg. 64,244 (proposed Oct. 19, 2012) (Nov. 19, 2012).

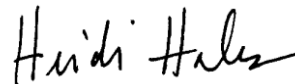
traffic-related air pollution in these areas. Expanding the near-road NO<sub>2</sub> monitoring network to smaller cities, however, would not materially advance that goal.

Once again, we thank you for this opportunity to provide NACAA's views on the NO<sub>2</sub> monitoring proposal. If you have any questions, please feel free to contact us or Karen Mongoven of NACAA ([kmongoven@4cleanair.org](mailto:kmongoven@4cleanair.org)).

Sincerely,



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Co-Chair  
NACAA Monitoring Committee



Heidi Hales  
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