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May 21, 2019

U.S. Environmental Protection Agency
EPA Docket Center
Docket ID Number EPA-HQ-OAR-2017-0688
Mail-Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to comment on the proposed National Emissions Standards for Hazardous Air Pollutants: Stationary Combustion Turbines Residual Risk and Technology Review (RTR), which were published in the *Federal Register* on April 12, 2019 (84 *Federal Register* 15046). NACAA is the national, non-partisan, non-profit association of air pollution control agencies in 41 states, including 114 local air agencies, the District of Columbia and four territories. 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 represent the positions of every state and local air pollution control agency in the country.

NACAA would like to offer the following comments and recommendations related to elements of the proposed rule.

Facility-Wide and Cumulative Risks

According to the proposal, EPA has included in its analyses facility-wide assessments (including emissions from all HAP-emitting operations in a facility); exposures from multiple sources in the same category; analysis of the ingestion route of exposure for some persistent and bioaccumulative pollutants; and aggregate cancer risk from all carcinogens and aggregated noncancer Hazard Quotients for noncarcinogens affecting the same target organ.¹ It is appropriate for EPA to incorporate cumulative risk analyses into its risk assessments for the RTRs. We encourage EPA to broadly consider the full impact of multiple pollutants and emission points affecting the local community in its regulations.

¹ 84 *Federal Register* 15051.

It is very troubling that the estimated cancer maximum individual risk identified in this proposal is 2,000-in-1 million largely due to the contributions of ethylene oxide (EtO).² We urge EPA to use the updated Integrated Risk Information System (IRIS) risk value for EtO in setting regulations that will ameliorate risks from exposure to EtO from this or other source categories as expeditiously as possible.

Concentrations at Census Tract Centroids

In assessing the cancer risks related to the source category, EPA used long-term concentrations affecting the census blocks within 50 kilometers of each facility.³ This analysis dilutes the effect of sources' emissions by estimating the impact at the centroid of the census block instead of at the property line or wherever the maximum exposed individual is. Census blocks can be large geographically, depending on the population density, so the maximum point of impact can be far from the centroid. It could be elsewhere in the census block, including at or near the property line where people may live or work. EPA itself alludes to this problem in the proposal.⁴ Further, even if the area near the property line is not developed, over time homes and businesses could locate closer to the facility. While it is possible that population distribution is homogenous over a census block, this assumption is not necessarily accurate in considering the predicted impacts from the location of a source. NACAA recommends EPA identify and use the truly maximum individual risk, irrespective of its location in the census block, rather than using the predicted chronic exposures at the census block centroid as surrogates for the exposure concentrations for all people living in that block.

Acute Exposure

We have expressed our concerns in the past with EPA's use of Acute Exposure Guideline Levels (AEGs) or Emergency Response Planning Guidelines (ERPGs) values to address acute exposures in the residual risk assessments. It appears EPA is still using them for those purposes in this proposal.⁵ These limits were developed for accident release emergency planning and are not appropriate for assessing daily human exposure scenarios. In the December 2002 EPA document, "A Review of the Reference Dose and Reference Concentration Processes," the agency stated that the primary purpose of the AEGL program is to develop guidelines for once-in-a-lifetime short-term exposures to airborne concentrations of acutely toxic chemicals. They are not meant to evaluate the acute impacts from routine emissions that occur over the life of a facility. Unlike the reference concentrations (RfCs) for chronic exposures, the AEGs and ERPGs do not include adequate safety and uncertainty factors and cannot be relied upon to protect the public from the adverse effects of exposure to toxic air pollutants. The use of AEGs or ERPGs in residual risk assessments is not appropriate and does not ensure that public health is adequately protected from the acute impacts of HAP exposure. We are gratified to see that EPA has included the use of the California Reference Exposure Levels (RELs) to address acute

² 84 *Federal Register* 15061.

³ 84 *Federal Register* 15053.

⁴ 84 *Federal Register* 15057.

⁵ 84 *Federal Register* 15054.

exposures in the residual risk assessments⁶ and we continue to urge EPA to use the RELs for these assessments.

Thank you for this opportunity to comment on the proposal. Please contact us if we can provide additional information.

Sincerely,



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Co-Chair
NACAA Air Toxics Committee



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⁶ 84 *Federal Register* 15054.