

**Testimony of
Thomas Huynh
on behalf of the
National Association of Clean Air Agencies
on the U.S. Environmental Protection Agency's Proposal to
Revise the National Ambient Air Quality Standards for Particulate Matter
(June 29, 2012, 77 *Federal Register* 38890)
Docket ID No. EPA-HQ-OAR-2007-0492**

**Philadelphia, Pennsylvania
July 17, 2012**

Good morning. My name is Thomas Huynh and I am testifying today on behalf of the National Association of Clean Air Agencies (NACAA) on the U.S. Environmental Protection Agency's (EPA's) proposed revisions to the particulate matter (PM) National Ambient Air Quality Standards (NAAQS). I am a member of the NACAA Board of Directors and also Director of the Philadelphia Air Management Services Program.

NACAA is the national, nonpartisan, non-profit association of air pollution control agencies in 45 states, the District of Columbia, four territories and 116 local air pollution control agencies. The air quality professionals in NACAA's member agencies have vast experience dedicated to improving air quality in the U.S. The testimony we offer today is based upon that experience. I note also that the comments NACAA provides today are based on our preliminary review of EPA's proposal and focus on just a few key topics. We will continue to study the proposal in the coming weeks and offer more comprehensive comments by the August 31, 2012 deadline.

Primary PM_{2.5} NAAQS

EPA's proposals to tighten the primary annual PM_{2.5} standard to a level in the range of 12-13 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and retain the primary 24-hour PM_{2.5} standard are appropriate and consistent with the recommendations of the Clean Air Scientific Advisory Committee (CASAC) – the agency's congressionally chartered body of independent scientific advisers. NACAA supports these proposals.

In its *Second Draft Policy Assessment*, EPA concluded that in determining whether to revise the existing primary PM_{2.5} standards – an annual standard of $15 \mu\text{g}/\text{m}^3$ and a 24-hour standard of $35 \mu\text{g}/\text{m}^3$ – consideration should be given to alternative annual standards in the range of 11-13 $\mu\text{g}/\text{m}^3$ in conjunction with a retained 24-hour standard of $35 \mu\text{g}/\text{m}^3$. In a September 10, 2010 letter to EPA Administrator

Lisa Jackson, CASAC offered support for EPA staff's conclusion that "currently available information clearly calls into question the adequacy of the current standards." CASAC also advised the Administrator of its conclusion that the primary PM_{2.5} standard levels under consideration by the agency "are supported by the epidemiological and toxicological evidence, as well as by the risk and air quality information" compiled in EPA's various PM assessment documents.

Monitoring

EPA is also proposing to require PM_{2.5} monitoring near roadways in core-based statistical areas (CBSAs) with a population of 1 million or more, which the agency estimates will result in near roadway PM_{2.5} monitoring at 52 locations nationwide. EPA is proposing to allow state and local agencies to relocate existing PM_{2.5} monitors to near roadway locations, and to require implementation of the PM_{2.5} near roadway network by January 1, 2015. This proposal follows the agency's establishment of requirements for monitoring emissions of nitrogen dioxide (NO₂) and carbon monoxide (CO) near roadways and the completion of a pilot study evaluating initial siting and design parameters for implementation of the near roadway network.

NACAA supports EPA's proposal to co-locate PM_{2.5} near roadway monitors at sites measuring NO₂ and CO. This is consistent with CASAC's recommendations to develop the near roadway network with a multipollutant focus and to include PM_{2.5} on the list of pollutants that should be measured. However, in order to ensure the best possible measurement of near roadway PM_{2.5} concentrations, NACAA asks that state and local agencies be given flexibility to identify alternative siting locations on a case-by-case basis, where there is a scientific justification for doing so. We will be providing feedback on specific aspects of the proposed PM_{2.5} near roadway network in our written comments.

We also support EPA's efforts to phase-in implementation of near roadway monitoring requirements. Phasing implementation of the near roadway network allows information gleaned from the pilot study and the initial sites to inform continued network design and siting. A phased approach is also in line with CASAC's recommendation that the near roadway network be implemented in stages. CASAC noted that a phased approach is needed to absorb lessons from EPA's near roadway pilot study to ensure the best possible siting of near roadway monitors.

NACAA continues to stress that monitoring requirements must be fully funded, including staffing as well as operation and maintenance costs. New monitoring mandates must be supported by appropriate increases in federal funding. State and local agencies need additional, adequate federal funding in order to move forward with new monitoring requirements and continue to operate and maintain existing monitoring networks, which are crucial to the protection of public health and the environment. Implementing a multipollutant near roadway monitoring network requires the purchase of new equipment and installation of new sites, relocation of monitors, and additional staff and operation and maintenance costs at a time when

state and local agencies are already struggling with budget and staffing shortfalls. New federal funding is desperately needed in order to implement these new requirements, and should be provided under Clean Air Act §103. It is also important to note that the relocation of existing monitors does result in additional costs to state and local agencies, as it requires the use of additional staff time and resources. These costs must be fully funded.

NACAA also continues to encourage EPA to work with state and local agencies to address a number of complicated implementation issues that are raised by the near roadway monitoring network and nonattainment area designations. There is a need to think creatively about challenging aspects of the network, including the general issue of how to address nonattainment based on a near roadway monitor reading. The Clean Air Act requires states to address and reduce emissions in order to achieve attainment, and the focus of the emission control effort is within a nonattainment area, typically a CBSA or county. In a near roadway, ultra-microscale environment, however, one issue that arises is what control measures – beyond federally required motor vehicle fleet standards that are beyond our control – are appropriate or effective for state and local agencies to take. EPA should consult with NACAA on implementation issues that arise when relevant regulatory nonattainment requirements are triggered by near roadway monitors.

Implementation

Setting NAAQS and implementing them are independent issues and must remain so. However, whatever decision EPA makes on the level and form of the PM NAAQS will have a profound impact on the work of state and local air agencies. EPA must recognize this, not in setting the NAAQS, but in timely future rulemakings and appropriations requests – by requesting sufficient funds for state and local clean air agencies to carry out work associated with meeting the new NAAQS, providing sufficient infrastructure – such as monitors, as we have already mentioned – involving state and local air agencies from the outset in the development of implementation rules and guidance and issuing these rules and guidance documents in a timely manner. Accordingly, it is imperative that EPA work in close partnership with state and local clean air agencies to address implementation issues and achieve the ultimate goal of public health protection. We are encouraged by EPA's recent initiation of a Lifecycle Analysis Project for implementation of the PM NAAQS and look forward to collaborating with EPA on this effort on an expedited schedule.

It is also important that any potential economic impacts of a more stringent PM_{2.5} standard be taken into consideration during implementation.

Finally, although EPA has projected that all but a few nonattainment areas for the primary PM_{2.5} standard will attain by 2020 based on expected emissions reductions from a number of federal programs, there are concerns that EPA may have overestimated the scope of attainment and that additional areas may be unable to attain by 2020 and face continued challenges in meeting the standard. It is important

that EPA work closely with such areas to identify and correct potential errors in attainment projections and to collaboratively establish viable implementation approaches.

Conclusion

Once again, we look forward to providing additional comments on this important proposal by the close of EPA's public comment period and, in the meantime, thank you for this opportunity to testify.