

November 5, 2008

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Docket ID No. EPA-HQ-OAR-2008-0334
National Emission Standards for Hazardous Air Pollutants for
Chemical Manufacturing Area Sources Docket
U.S. Environmental Protection Agency
EPA Docket Center
Mailcode: 2822T
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 Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources, which were published in the *Federal Register* on October 6, 2008 (73 *Federal Register* 58352). NACAA is the national association of air pollution control agencies in 53 states and territories and over 165 metropolitan areas across the country.

NACAA supports the establishment of effective regulations to reduce emissions of hazardous air pollutants (HAP) from area sources, pursuant to the mandates of the Clean Air Act. The adverse effects of the emissions from these sources in the aggregate are significant and should be ameliorated. NACAA believes it was the intent of the Clean Air Act that the area source program result in real reductions in emissions from area sources of HAPs and urge EPA to incorporate provisions in the area source rules that will provide additional public health protection from the adverse effects of emissions of HAPs from area sources.

In order for the area rules to be implemented properly, EPA should provide sufficient additional funds for state and local clean air agencies to carry out this important work. Currently, federal grants fall far short of what is needed to support state and local agencies in carrying out their existing responsibilities. In recent years, federal grants for state and local air programs have amounted to only about one-third of what they should be and budget requests for the last several years have called for further cuts. Additional area source programs, which are not eligible for Title V fees, will require significant new resources for state and local air agencies, above and beyond what is currently provided.

Without increased funding, some state and local air agencies may not be able to adopt and enforce additional area source rules. Even for permitting authorities that do not adopt the rules, it is possible that implementation of the area source standards will increase the workload and resource needs of state and local agencies. For example, synthetic minor permits (or Federally Enforceable State Operating Permits) will need to incorporate all applicable requirements, which would include the area source standards. These requirements also must be enforced. However, Title V permit fee funds are not available for those efforts and many state and local air agencies do not have sufficient resources for these responsibilities. Accordingly, NACAA recommends that EPA provide state and local air agencies with sufficient additional grants so that they may participate in the implementation of these important area source rules.

We also recommend that the final rule require a formal leak detection and repair (LDAR) program using a volatile organic compound instrument detector for quarterly leak inspections on all process vents. This requirement would ensure compliance with the requirement that all openings and access points are closed while the process is in operation.

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

Sincerely,



Vinson Hellwig
Michigan
Co-Chair
NACAA Air Toxics Committee



Robert Colby
Chattanooga, Tennessee
Co-Chair
NACAA Air Toxics Committee