



March 20, 2020

Administrator Andrew Wheeler
U.S. Environmental Protection Agency
EPA Docket Center
Docket ID No. EPA-HQ-OA-2018-0259
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Wheeler,

I am writing on behalf of the members of the National Association of Clean Air Agencies (NACAA) regarding the U.S. Environmental Protection Agency's (EPA's) proposed supplement to its proposed rule, "Strengthening Transparency In Regulatory Science," which was published in the *Federal Register* on March 18, 2020 (85 Fed. Reg. 15,396). NACAA is the national, non-partisan, non-profit association of air pollution control agencies across 41 states, including 116 local air agencies, the District of Columbia and four territories. The air quality professionals in NACAA's member agencies have vast experience dedicated to improving air quality in the U.S. The views expressed in this letter do not represent the positions of every state and local air pollution control agency in the country.

The aforementioned March 18, 2020 *Federal Register* notice established a deadline of April 17, 2020 for public comment on the supplemental proposal. We request that EPA extend the public comment period by at least 60 days and notify the public of the extension as soon as possible and well in advance of the April 17, 2020 deadline so commenters may make full use of the additional time.

The supplement extends the applicability of the rule, changes the types of information that can be considered, proposes new methods of information handling and protection, and outlines other novel policy provisions that embed complex issues with myriad ramifications into the proposal. Understanding these changes and their implications requires evaluation by our scientific, legal, and policy experts convened together. NACAA shares EPA's hope that comments will improve the proposed policy by drawing from the thoughtful engagement of state and local experts. Indeed, regulations.gov is fully functioning, but understanding and submitting suggested improvements to the proposed rule will require more careful consideration and analysis than one would give a tweet. Simply having the ability to submit a letter electronically via the regulations.gov website is wholly insufficient to afford "business as usual" review and prudent comment – we are in a time of global pandemic, agency lockdowns, and social distancing to protect the health of Americans, and smart engagement between EPA and the states will require patience and pragmatic accommodation of this

reality. In order to ensure that state and local agencies have an adequate opportunity to review and respond to the proposal, additional time beyond the 30-day comment period is necessary.

In light of the considerations discussed above, and because there is no statutory or court-ordered deadline associated with the proposed rule, we strongly urge EPA to extend the comment deadline by a minimum of 60 days, to a date no earlier than June 17, 2020, to allow state and local agencies and others to fully consider and respond to the proposal.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Miles Keogh', with a large, stylized flourish at the end.

Miles Keogh
Executive Director
National Association of Clean Air Agencies
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Arlington VA 22209