

**Testimony of
Nancy R. Kruger
on behalf of the
National Association of Clean Air Agencies
before the
U.S. Environmental Protection Agency
on the
Proposed National Ambient Air Quality Standards for Ozone
Docket ID No. EPA-HQ-OAR-2008-0699**

**January 29, 2015
Washington, DC**

Good morning. I am Nancy Kruger, Deputy Director of NACAA – the National Association of Clean Air Agencies. Thank you for this opportunity to testify on behalf of NACAA on the U.S. Environmental Protection Agency’s (EPA) proposed National Ambient Air Quality Standards (NAAQS) for ozone, published by the agency on December 17, 2014 (79 *Federal Register* 75234). NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 41 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 U.S. This testimony is based upon that experience. The views expressed in this testimony do not represent the positions of every state and local air pollution control agency in the country.

NACAA welcomes this EPA proposal to revise the current ozone NAAQS, which were established in 2008. In particular, NACAA supports EPA’s use of scientific evidence to establish a primary ozone NAAQS that protects public health based on the agency’s assessment that the current standard is not adequate to do so. The serious threats to public health from exposure to ozone are well documented. For example, in its *Integrated Science Assessment* for this NAAQS review, the agency concluded, among other things, that ozone pollution causes respiratory harm; is likely to cause premature death and adverse cardiovascular impacts; and may cause damage to the central nervous system and reproductive and developmental effects.

In addition, EPA’s independent science advisors, the Clean Air Scientific Advisory Committee (CASAC), also believe the primary ozone NAAQS must be more protective of public health. As the group stated in its June 26, 2014 letter to EPA on the agency’s *Second Draft Policy Assessment for the Review of the Ozone National Ambient Air Quality Standard*, “In addressing the adequacy of the primary standard, the Second Draft PA presents scientifically sound information on the health effects evidence for each major effect category....The CASAC finds scientific justification that current evidence and the results of the exposure and risk assessment call into question the adequacy of the current standard. Furthermore, there is clear scientific support for the need to revise the standard. The CASAC supports the scientific rationale presented in the Second Draft PA on these points.” CASAC also went on to say that it “further concludes that there is adequate scientific evidence to recommend a range of levels for a revised primary ozone standard from 70 ppb to 60 ppb.”

NACAA, therefore, supports EPA’s proposed revised primary NAAQS – within the range of 0.065 to 0.070 parts per million (ppm) – which is at the upper end of the science-based range recommended by CASAC.

With respect to the secondary ozone NAAQS, NACAA is continuing to review EPA's proposal as well as CASAC's recommendations to the agency and will provide the association's perspective in our written comments.

On the issue of the Air Quality Index (AQI), NACAA supports EPA's proposal to revise the AQI at the same time that it finalizes the revised ozone NAAQS. The AQI is a risk communication tool developed by EPA to keep the general public informed about its local air quality and to help make informed decisions about exposure to air pollutants. Air quality is measured by monitors that record the concentrations of major pollutants each day at thousands of locations across the country. Those raw measurements are then converted into AQI values using standard formulas developed by EPA. The effectiveness of the AQI as a public health tool will be undermined if EPA undertakes regulatory changes to the ozone NAAQS without simultaneously revising the AQI. Therefore, we are pleased that EPA has proposed to move forward with revisions to the NAAQS and the AQI at the same time.

Finally, while NACAA firmly believes EPA must maintain a strong firewall between standard-setting issues and implementation issues, we do acknowledge that whatever decisions EPA makes on the primary and secondary ozone NAAQS will have a profound impact on the work of state and local air pollution control agencies. EPA must also recognize this and take timely actions on several fronts.

First, EPA should commit to, and follow through on, proposing the implementation rule for the revised ozone standards at the same time it issues the final revised standards and issuing the final implementation rule within one year following such proposal. It is imperative that development of the implementation rule and any related guidance be done in close collaboration with state and local air agencies. EPA should also work in close partnership with state and local air agencies to increase efficiencies in the planning process.

Second, EPA should take timely action to adopt, or further strengthen, federal measures to control a range of emission sources. It is extremely important that these measures be adopted and implemented in time for the associated emission reductions to contribute to attainment by the specified deadlines. Further, EPA should ensure that states are able to take credit for federal measures that achieve real emission reductions.

Third, in order to fulfill their responsibilities to attain more protective ozone standards by the prescribed deadlines, state and local air agencies will need more resources than they currently have. This is especially true since many areas of the country will face nonattainment status for the first time and will require additional training and resources to develop and implement state plans. EPA must assist states and localities in this regard and request additional, adequate federal funding to enable them to successfully fulfill their statutory responsibilities and their obligation to provide their citizens with clean, healthful air as expeditiously as practicable.

In the coming weeks, we will continue to study the provisions of the proposal, including those related to monitoring and permitting implementation issues, and will offer additional comments in writing by the March 17, 2015 deadline. In the meantime, we appreciate the opportunity to provide the comments we have offered today and look forward to continuing to work with EPA so that this rule is promulgated in final form by October 1, 2015.

Thank you.