



**OZONE
TRANSPORT
COMMISSION**

August 27, 2004

Air Docket
U.S. Environmental Protection Agency
Attention Docket ID No. OAR-2003-0053
Mail Code: 6102T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Connecticut

Delaware

District of Columbia

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

New York

Pennsylvania

Rhode Island

Vermont

Virginia

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Re: Comments on Availability of Additional Information (69 FR 47828) Supporting the Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone, Docket ID No. OAR-2003-0053

To Whom It May Concern:

The Ozone Transport Commission (OTC) is providing these comments to Docket ID No. OAR-2003-0053 in response to U.S. Environmental Protection Agency's (EPA's) notice of Availability of Additional Information for the proposed "Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Interstate Air Quality Transport Rule)."

As a multi-state organization created under the Clean Air Act (CAA), we are responsible for advising EPA on transport issues and for developing and implementing regional solutions to the ground-level ozone problem in the Northeast and Mid-Atlantic regions. Our members are: Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia.

On the issue of multi-pollutant reductions, OTC has worked extensively with EPA to communicate its needs for addressing interstate transport and providing regional reductions of nitrogen oxides (NOx) from the power sector sufficient to be considered part of an attainment strategy for the Northeast and Mid-Atlantic states. This recent collaboration is part of the history we have shared with EPA in developing sound regional programs including the NOx Budget Program and NOx SIP Call. It is because of this long standing relationship that we are disappointed with the approach EPA has taken on developing its "Clean Air Interstate Rule." Each step of the process has provided insufficient time for comment while introducing significant changes and new provisions.

OTC is concerned that EPA continues to release information and rush comments on this rule, and has yet made no changes in response to the substantial comments and suggestions made to date by OTC and other organizations. Furthermore, it appears that new information is not being made available to us in a timely way to result in a meaningful exchange of information and ideas.

Additionally, there has been insufficient time and collaboration to allow for thoughtful or meaningful deliberation. For example, there are no modeling results yet for Phases I and II (2010, 2015) of the program, and no way to tell what the implications of the changes to the modeling platform may be. Based on a August 18, 2004 EPA briefing to the STAPPA/ALAPCO Criteria Pollutants Committee, it is my understanding that we may not even see the results until the rule is final, which raises the question of how EPA actually developed the rule. This allows insufficient time to review data, understand the impact of changes to the modeling platform and produce a thoughtful response.

Technical Issues/ Questions

In addition to these significant process concerns, we have several technical questions based on review of data made available. While we understand that the comment period on this data closes at the time of submission of this letter, we will continue to review this and any subsequent data made available and would like to continue to work with EPA to improve our understanding of the implications of the new platform and subsequent modeling runs.

1. Technical Memorandum: Control Packet Development and Data Sources, Appendix B)

This technical document published by Alpine Geophysics provides estimated emission reduction benefits for a suite of model rules developed by OTC in March, 2001. Subsequently, many member states have promulgated regulations based on these models. It is our understanding that these independent estimates of emission benefit estimates will only be used in modeling CAIR using the CMAQ platform. However, we would like clarification from EPA on how estimates were derived, and why they differ from the technical analysis undertaken by OTC in developing our model control measures.

2. Use of new CMAQ model instead of REMSAD for revised modeling

While we applaud EPA in undertaking a new modeling platform with an opportunity to compare the model performance to measured data in urban and rural areas, we are disappointed that this exercise was performed at 36 km spatial resolution rather than 12 km that was used to address ozone under the NO_x SIP call as well as for IAQR/CAIR proposals.

We are also quite concerned that the USEPA did not take this opportunity to use the 'one-atmosphere' approach, given the complexity of the chemical processes and the linkages between the pollutants and their precursors. It appears that the two pollutant- two model approach will continue through the final rule. We strongly urge EPA to undertake the 'one-atmosphere' approach using one modeling system, and provide leadership as the states embark on developing SIPs to address 8-hr ozone, PM_{2.5}, and regional haze. A lack of comprehensive modeling will inhibit the understanding of the complex chemistry of the atmosphere as well as give a false sense of accomplishment.

3. Growth rate factors

The growth rate factors used in the new CAIR platform are different. Without seeing any modeling results based on these platform changes, it is not possible to understand the

effects of these changes. What is the justification for these changes and implications of making them?

4. Revised Methodology for Speciated Modeled Attainment Test (SMAT)

As part of the NODA, EPA has revised the methodology of speciated modeled attainment test (SMAT) that was originally issued as part of the draft modeling guidance for PM_{2.5} and regional haze. We are quite concerned by the path chosen to issue the new method instead of revised draft guidance. Furthermore, this process significantly curtails the comment period for a through review and assessment of the method. In the same vein, we would also like to note the deviation in defining the 'current year' design value. EPA has chosen to use an average of three design values covering five-year period. Again this change cannot be evaluated within the limited comment period.

5. Alternate heat rate data

In this round of data used, EPA uses EIA heat rate data for those sources for which Title IV data is not available. We would like analysis or justification made available for the "gap filling" of heat rate data.

We have put much effort into developing the technical basis and policy consensus needed for a regional approach toward attaining the eight-hour standard in the Northeast and Mid-Atlantic states. We have also been working constructively with EPA over the past several years to make our needs for a rule to adequately address transport very clear. We stand ready to continue to collaborate with EPA on the technical analysis and policy development to accomplish this goal. We hope that EPA will be receptive to the unique needs and extensive technical experience our member states offer, make use of the work we have done, and revise its proposal accordingly.

Sincerely,



Christopher Recchia
Executive Director

cc: OTC Members