

March 16, 2015

Gina McCarthy, Administrator  
United States Environmental Protection Agency  
EPA Docket Center  
Mailcode 28221T  
1200 Pennsylvania Avenue N.W.  
Washington, D.C. 20460  
Attention: Docket ID No. EPA-HQ- OAR-2008-0699

RE: Proposed Rule - National Ambient Air Quality Standards for Ozone

Dear Administrator McCarthy:

The Department of Energy and Environmental Protection (Department) appreciates the opportunity to comment on the United States Environmental Protection Agency's (EPA) proposed National Ambient Air Quality Standard (NAAQS) rule for ground-level ozone (Federal Register Vol. 79 No.242, Page 75234, December 17, 2014).

The Department appreciates the effort put forth by EPA to update the ground-level ozone NAAQS as indicated by the latest and best science. Connecticut welcomes EPA's efforts to protect public health and recognition that the evidence demonstrates the current standard is not adequate. For over forty years, air quality in Connecticut has failed to meet EPA's national health-based standards for ground-level ozone, which has subjected generations of our citizens to unhealthy air and negative health impacts. While air quality in Connecticut has improved substantially over this period, so has our knowledge of the health risks associated with ground-level ozone. The health impacts from ozone exposure are well documented and support the assessment that ozone impairs lung and cardiovascular function in our society's most susceptible populations – the very young and the elderly – which are sensitive groups for whom government owes the greatest duty to protect. The final standard selected by EPA must be driven by protection of these populations – with an adequate margin of safety.

While the State of Connecticut appreciates the benefit of utilizing the latest science and epidemiological health studies to set the next primary and secondary ozone NAAQS, we will need EPA's assistance in meeting any new standard since Connecticut's impaired air quality and excess ground level ozone is predominantly the result of interstate transport. Unfortunately, as EPA now concludes its third cycle of ozone air quality standard adoption since 1990, a disturbing pattern has emerged where instead of requiring upwind states to mitigate their contribution to downwind nonattainment, EPA delays implementation schedules and lowers cost effectiveness thresholds in good neighbor plans that leaves downwind states to attempt to address the problem with additional local controls. EPA must break this paradigm, expand the

size of nonattainment areas and transport regions and require upwind states to take responsibility for their air pollution if we are to solve the transport problem.

We continue to do more than our fair share to reasonably address local emissions in a cost effective manner, but cannot continue to shoulder a disproportionate burden that fails to yield significant benefits while leaving upwind contribution inadequately addressed. While we commend EPA for proceeding to adopt the next ozone NAAQS, we expect EPA to ensure that every state fully addresses its contribution to any other state's ozone nonattainment.

Regardless of what level the EPA sets the ozone NAAQS, Connecticut will be designated as "nonattainment" and subject to the full array of commensurate Clean Air Act obligations. Connecticut does not have adequate resources to develop and implement another attainment plan. To fulfill the obligation will require adequate state and federal funding. The need for additional funding must be reflected in the budget.

The Department's specific comments on the proposed ozone NAAQS are set forth in Attachment A hereto.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Klee", with a horizontal line extending to the right.

Robert J. Klee  
Commissioner

Attachment

## **Attachment A**

**Comments of the Connecticut  
Department of Energy and Environmental Protection  
On the Proposed  
National Ambient Air Quality Standard (NAAQS) for Ground-level Ozone  
(Federal Register Vol. 79 No.242, Page 75234, December 17, 2014)**

**1. Connecticut supports establishing a primary ozone NAAQS of 65ppb, or lower.**

Connecticut supports setting the primary ozone standard at a level that will protect public health and welfare and is based on the best available science. Ground-level ozone is a respiratory irritant that adversely affects people with respiratory disease as well as healthy children and adults. A primary standard in the range of 0.060 to 0.070 parts per million (ppm) is supported by the science, required by the Clean Air Act, and recommended by EPA's independent Clean Air Scientific Advisory Committee (CASAC). No matter the level at which the final primary standard is set, EPA must meet its statutory obligation to issue timely guidance, support states implementation and require timely good neighbor plans from upwind states.

**2. Connecticut supports revisiting the secondary NAAQS based on sound science to assure protection of welfare effects on vegetation and pursuing equivalency with the primary NAAQS.**

Given the ongoing resource constraints within many states, EPA must provide the necessary guidance to states regarding specific planning obligations required under CAA sections 107(a) and 172(a)(2)(B) if EPA promulgates a distinct secondary NAAQS that differs from the primary NAAQS. A dual work effort would be extraordinarily resource intensive, so timely EPA guidance is critical. As state resources continue to be constrained it is incumbent upon EPA to ensure the continuation of our federal – state partnership through the provision of adequate resources that will enable states to successfully plan for and implement any new secondary standard.

**3. Connecticut supports most of the proposed changes to ozone monitoring requirements, including reducing the number of PAMs sites; however, Connecticut does not support extending the ozone monitoring season in Connecticut to include the month of March as this is not supported by Connecticut's data nor will March ozone readings influence design values in Connecticut.**

Connecticut deploys ozone monitors in early – mid March each year in order to ensure the collection of ozone data beginning on April 1. As such, Connecticut has a fair amount of data related to ozone levels in both of Connecticut's ozone nonattainment areas during the month of March (see Figures 1 and 2, below). Since 2008, the Department has not monitored ozone at levels that exceed the proposed standards now under consideration. As such, the Department believes any data acquired during this period would be of little benefit and would only increase costs associated with preparing, deploying and operating ozone monitors

during the January – February timeframe in order to begin collecting data on March 1. Furthermore, Connecticut is also concerned with the safety and well-being of its staff during this period, which brings some of the most dangerous winter weather in Connecticut each year.

Figure 1

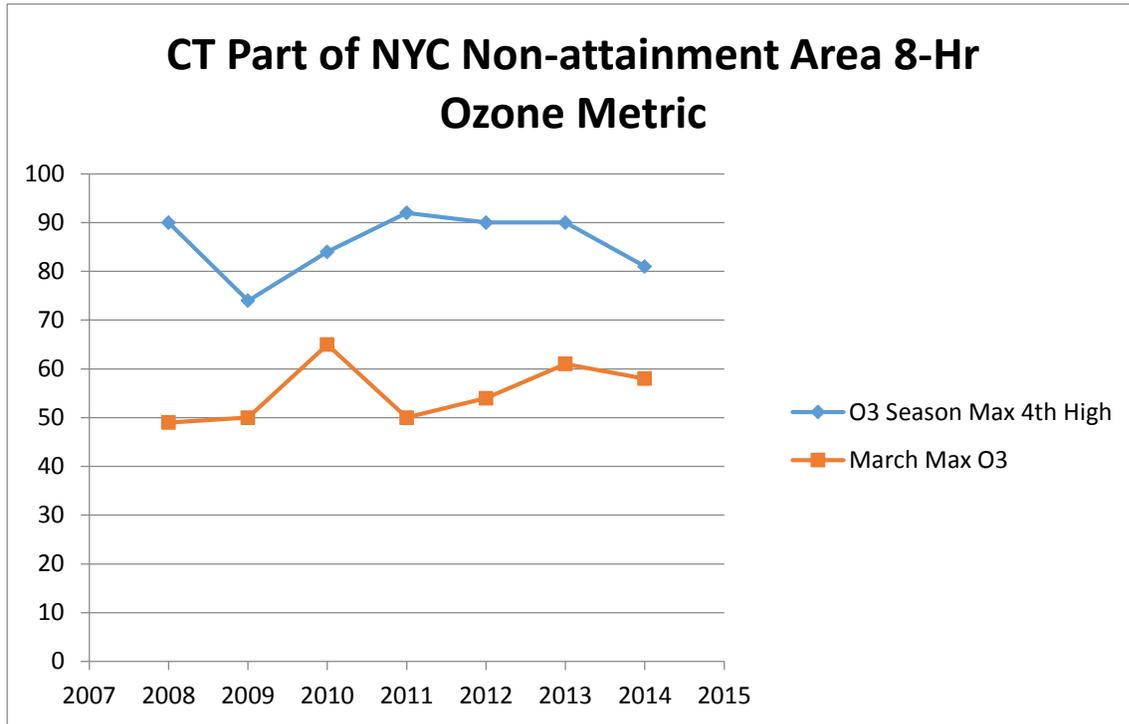
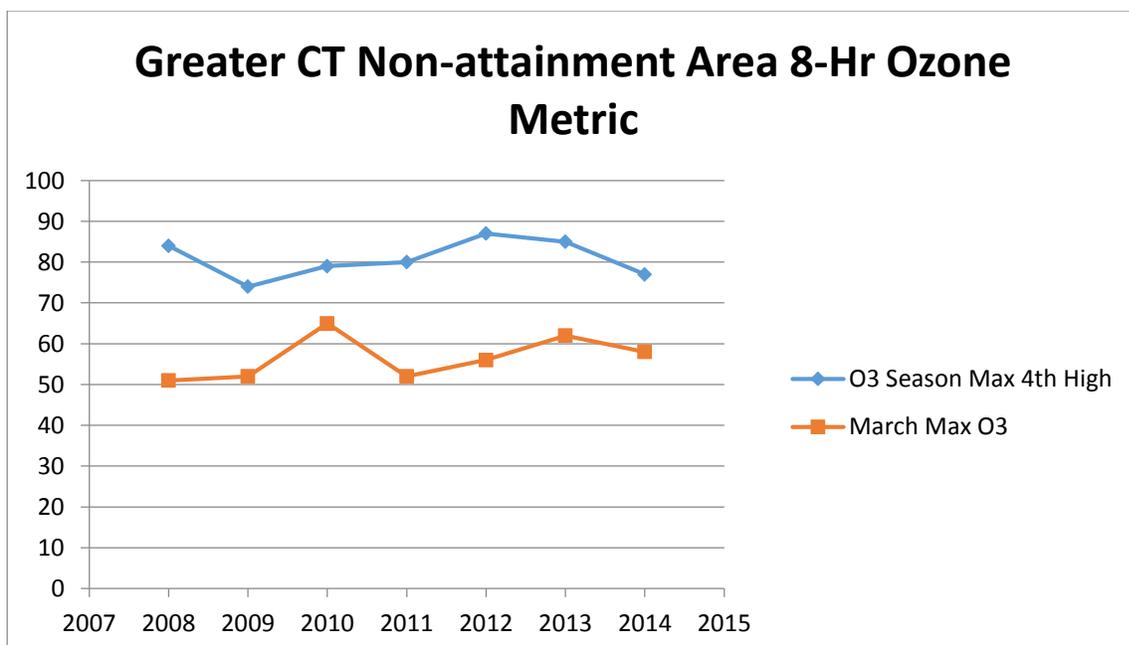


Figure 2



**4. EPA must address interstate transport of ozone pollution and its precursors in a timely manner or many states will be unable to comply with the new ozone standard.**

Connecticut echoes and supports comments by NESCAUM urging EPA to address interstate transport in a timely manner so that Connecticut and similarly situated states will be positioned to meet a more protective ozone standard in the timeframe specified within the CAA. The absence of regulation and guidance on interstate transport prevents Connecticut from meeting the current 0.075 ppm ozone standard as well as the previous 0.084 ppm ozone NAAQS. Upon adopting a more stringent national standard, EPA must immediately move to address interstate transport.

**5. National programs to reduce mobile source emissions must be part of any effort to meet the new ozone standard.**

Aside from transport, mobile sources remain the largest sector contributing to “home grown” emissions in Connecticut; the Department believes EPA must obtain greater emission reductions from this sector in lieu of over reliance on fleet turnover rates and other attrition factors. Mobile source NO<sub>x</sub> reduction strategies, such as lower emission standards for heavy-duty diesel vehicles, updated federal aftermarket catalytic converter policies, diesel inspection and maintenance programs, and idling reduction measures are existing strategies in California and other states that need to be included and analyzed in the menu of options provided in EPA’s final Regulatory Impact Analysis (RIA).

**6. EPA must issue implementation rules and guidance at the same time as the revised ozone NAAQS.**

EPA’s past practice of issuing implementation guidance at almost the same time as attainment is required continues to place states at a tremendous disadvantage. Connecticut echoes the call from many other states in requesting EPA issue implementation rules and guidance at the same time as the revised ozone NAAQS. Guidance should cover infrastructure SIPs, Reasonably Available Control Technology (RACT), and attainment demonstration requirements. Without the requested guidance, Connecticut will be unable to fully meet its CAA obligations in a timely manner. Provided transport is addressed, issuing implementation rules and associated guidance concurrent with the new ozone NAAQS will enable Connecticut to fully capture the full public health benefits and economic value of the revised ozone standard.