

## **Summary of Comments Received on EPA's March 27, 2018 Memorandum, Information on the Interstate Transport State Implementation Plan Submissions for the 2015 Ozone National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)**

*NOTE: EPA received comments on a broad range of topic areas addressed by the March 27, 2018 memorandum. The below comment summaries reflect only those comments or comment portions that addressed the three flexibilities of most interest to states (identifying maintenance receptors, thresholds, and international emissions) and therefore do not reflect all comments or comment portions received.*

### **• Identifying maintenance receptors**

- Several commenters indicated that sites should only be considered to be nonattainment and/or maintenance receptors if they have projected design values above the NAAQS and have current design values above the NAAQS.
- Along similar lines, one commenter stated that monitors that are currently attaining the standard should not be considered as nonattainment and/or maintenance monitors.
- One commenter supported use of the most recent monitored design value in the 5-year base year period rather than the maximum design value to project future design values.
- One commenter supported omitting any monitors with a current DV of at least few parts per billion (ppb) below the standard, assuming that meteorology was conducive for ozone formation.
- One commenter stated that relying on the methodology of using the maximum design value is not legally sound.

### **• Thresholds**

- Some commenters indicated that using a 1 percent threshold is arbitrary and has never been supported by any scientific analysis. Along similar lines, some commenters stated that EPA should use 1 ppb as the contribution threshold.
- Some commenters stated the 0.7 ppb threshold is less than the manufacturer-reported precision of ambient monitors or that it is unreasonable to assume that air quality models can predict levels of ozone at this threshold. In addition, one commenter stated that Appendix U requires hourly average ozone concentrations to be reported in parts per million (ppm) to the third decimal place, with additional digits to the right of the third decimal place truncated, such that 0.7 ppb would officially be reported as 0 ppb.
- One commenter stated that EPA should apply uniformity, and consistency among states that are "linked" to a downwind receptor, regarding what is deemed a significant contribution.
- One commenter stated that geographical variability of the ozone problem should be considered in selecting an appropriate threshold.

- One commenter recommended a two-step process to determine if upwind states contribute significantly to nonattainment or interfere with maintenance at downwind monitors.
  - Step 1. Use a screening threshold to identify linkages to nonattainment and/or maintenance monitors that warrant further review and analysis
  - Step 2. Determine if upwind states contribute significantly to nonattainment or interfere with maintenance.
  
- **International Emissions**
  - Some commenters recommended applying analysis to determine if receptors would still be projected to be nonattainment or maintenance “but for” the contribution from international anthropogenic emissions. This approach would involve subtracting the anthropogenic contribution from Canada and Mexico and some portion of the boundary conditions from the 2023 projected design values.
  - One commenter indicated that EPA should consider expanding its photochemical modeling domain to include all of the closest international sources – Canada and Mexico.
  - One commenter stated that quantification of the impact of non-U.S. anthropogenic emissions would aid states and the EPA to understand and account for these impacts while determining significant contributions and not requiring overcontrol of emissions by downwind states.
  - One commenter recommended that EPA estimate international contributions that originate from sources that are “dirtier” than typical US sources (i.e., uncontrolled power plants, industrial sources, vehicles, etc.). If the “dirty” portion of international contributions are greater than the amount a monitor is above the national ambient air quality standard (NAAQS), no additional controls should be required of upwind states.
  - One commenter submitted a number of legal arguments regarding why addressing international emissions are important and required under the CAA.
  - One commenter stated, in effect, that upwind states are not absolved of the obligation to make reasonable reductions even in the presence of influence from international emissions.
  - One commenter stated, in effect, that 179B addresses international emissions and that one should not “rewrite” this concept for transport under 110.