

February 22, 2010

U.S. Environmental Protection Agency
Mail Code 6102T
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Washington, D.C. 20460
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Re: National Ambient Air Quality Standards for Ozone,
Docket ID No. **EPA-HQ-OAR-2005-0172**

Dear Sir or Madam:

On January 19, 2010, the U. S. Environmental Protection Agency (EPA) proposed a revision of the National Ambient Air Quality Standard (NAAQS) for Ozone (O₃) (74 Federal Register 2938). EPA is proposing to revise the standard by establishing the 8-hour standard of 0.060 ppm to 0.070 ppm O₃. The Houston-Galveston Area Council (H-GAC) recognizes that this range is based upon EPA's evaluation performed by the Clean Air Scientific Advisory Committee (CASAC).

H-GAC recognizes the need to protect human health and supports EPA's effort to set a primary ozone standard that protects human health with an adequate margin of safety, as required by the Clean Air Act. Once EPA has selected a standard in the 0.060 ppm to 0.070 ppm range, H-GAC recommends that the following be considered for implementation.

Need for more guidance on background levels

The Houston-Galveston-Brazoria (HGB) area includes eight counties that are located in the Texas Gulf region. Background levels of ozone vary significantly in the HGB area. Statistics on background ozone levels in the area remain disputed because of inadequate monitoring in the HGB region, and the lack of a consistent methodology for calculating background ozone levels. H-GAC recommends that EPA provide timely guidance on how background levels will be considered in determining attainment under the new standard.

Regional progress in reducing ozone levels to date

H-GAC and its partners continue to work together to reduce NO_x, and as a result, decrease the opportunity for ozone to form. Because of this essential strategy the HGB area began monitoring at attainment levels under the 8-hour standard of 0.080 ppm in 2009, and continues to do so. Meeting this goal ahead of schedule was accomplished through sizable investments by businesses and industries, and the implementation of several emission reduction programs, strategies, and agreements supported by federal, state and local funds. These programs include, but are not limited to, Voluntary Mobile Emission Reduction Program, Clean Cities / Clean Vehicles, AirCheck Texas Repair & Replacement Assistance Programs, Diesel Emission Reduction Act, Texas Emission Reduction Plans, and Commute Solutions. Our industrial and business partners have made considerable investments to reduce emissions. Consideration should be provided to preserve the capital investments made to achieve previous standards and incentives for implementation of additional emission reductions.

(over)

Added competition for resources

If the NAAQS are strengthened, an increase in the number of areas will be as nonattainment is probable. The HGB region will need increased funding and support from federal and state resources to achieve and maintain attainment. The request increased federal and state resources will come at a time when an increased number of nonattainment areas must compete for the same resources. H-GAC believes that an economic impact study should be done to fully understand the impacts of continued nonattainment, and the increased competition for resources caused by added nonattainment areas.

A disconnect with federal engine standards and the SIP process

Federal rules addressing major sources and mobile sources need to be developed by EPA in a timely way to assist the region in attaining a more stringent NAAQS. H-GAC anticipates that our population growth and the resulting emission increases will outstrip the benefits of technological advancement. Local and state governments are limited in available alternatives to achieve needed reductions without federal assistance. Synchronizing federal standards and the SIP requirements will help in establishing accurate emission reduction goals.

Consideration of workload for local, state, and federal agencies

The modeling that will be required for the HGB area and the added areas designated as nonattainment may overload the local, state, and federal agencies' workload capacity. The HGB region will require assistance at the federal level while establishing legitimate and reachable milestones in the time line.

H-GAC also suggests that EPA examine the benefit of moving to a more comprehensive multi-pollutant planning process. A more comprehensive approach may allow for better planning.

Thank you for the opportunity to comment on this proposal.

Sincerely,

Jack Steele

JS/jbf

Cc: Ms. Susan Lyon Stone, Health and Environmental Impacts Division, EPA