

**COMMENTS TO THE
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGARDING
THE PROPOSED RULES REVISING
THE GROUND LEVEL OZONE STANDARDS
PROMULGATED IN MARCH 2008
Docket No. EPA-HQ-OAR-2005-0172**

Preface:

The Southeast Missouri Regional Planning Commission (the Commission) has a forty one year history of serving as a forum for the seven counties of Bollinger, Cape Girardeau, Iron, Madison, Perry, St. Francois and Ste. Genevieve in Missouri, and all of the communities within these counties, to address problems and issues of common interest. The Commission was directly involved in the process undertaken in 2008 through 2009 during which the Missouri Department of Natural Resources (MoDNR) developed staff recommendations regarding the designation of nonattainment areas under the ground level ozone standard promulgated in March 2008. This involvement included contracting professional technical support for preparation of technical analyses, preparing a formal position paper, and testifying at the Missouri Air Conservation Commission.

Subsequent to MoDNR staff recommendations being submitted to EPA, the Regional Planning Commission's Air Quality Committee worked to develop a Clean Air Action Plan for the region. This committee included a broad range of stakeholders from local government, small business, big business, citizens groups and educational institutions. This Clean Air Action Plan was adopted by the Commission in October 2009 and, at this time, has received formal Resolutions of Support from all seven County Commissions and the largest cities in the region. Ongoing contacts are underway and it is confidently anticipated that all communities will provide such Resolutions of Support within the next few months.

These prefatory remarks are presented to establish the agency's *bona fides* in this area. We believe we have legitimate standing then to offer the following comments.

Comment:

The position of the Southeast Missouri Regional Planning Commission, through these comments presented and adopted at the February 23, 2010 meeting of the Board of Directors is as follows:

The proposal to reduce the 8-Hour Ground Level Ozone Standard from .075 parts per million (75 parts per billion) is premature and the standard should be left at the existing .075 parts per million.

Rationale:

1. The Clean Air Act requires that standards for the six “criteria” air pollutants (ozone, particulate matter, nitrogen oxides, carbon monoxide, sulfur dioxide and lead) be established at a level “requisite to protect the public health with an adequate margin of safety” and that secondary standards be established at a level “requisite to protect public welfare,” which includes effects on vegetation, soils, water, wildlife, buildings, national monuments, and visibility.

It is the position of the Southeast Missouri Regional Planning Commission that these guidelines were met with the standard promulgated in March 2008, and any adjustment of the standard is premature.

2. In its proposed revisions to the 8-Hour Ground Level Ozone Standard, EPA acknowledges “several areas cannot reach attainment by use of only known controls....” Correspondingly, EPA developed cost estimates based on technology that currently has not been established.

3. Based on the 8-Hour Ground Level Ozone standard promulgated in March 2008, a good number of rural areas have been designated nonattainment. As such, many of these areas have established “action plans” to come into attainment, based on *existing* technology.

4. Based on results of technical analyses coordinated by the Regional Planning Commission, as well as MoDNR’s own studies, nonattainment readings at monitors within southeast Missouri are directly linked to the matter of pollution transport. Therefore, we believe that the approach utilized in the past to achieve air quality improvements in urban areas will need to be modified to address the unique conditions of rural areas.

5. As noted above, it is the position of the Regional Planning Commission that the proposal to reduce the 8-Hour Ground Level Ozone Standard from .075 parts per million (75 parts per billion) is premature. Correspondingly, we believe that revising the ozone standard at this time – only two years following promulgation – will negatively impact the country’s economy and result in further job loss.

Summary:

Promulgation of the Ground Level Ozone Standard in March 2008 resulted in many rural areas of Missouri (and indeed the country) becoming nonattainment. This circumstance brought a new level of awareness, as well as a “call to action,” to the seven counties within the Regional Planning Commission’s district. To come into attainment with the ozone standard of 75 parts per billion, a Clean Air Action Plan was thus prepared and formally adopted by the Commission and all seven County Commissions.

We believe that the proposal to revise the 8-Hour Ground Level Ozone Standard from .075 parts per million (75 parts per billion) is premature and will result in undue hardship not only for the nation’s industries, but for the nation’s Cities, Counties, and States.