

**Local
Government
Advisory
Committee**



October 22, 2014

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The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator McCarthy:

The Local Government Advisory Committee (LGAC) appreciates the ability to have early engagement in the Office of Air and Radiation's planning process and commends the EPA on setting out a flexible, long range plan. The Committee also appreciates the priorities set forward to make our air healthier and to assist our communities in growing more sustainable and resilient to climate change.

The LGAC also encourages the EPA to consider all of the impacts, particularly affordability for small and disadvantaged communities. The LGAC is especially concerned with the health of environmental justice (EJ) communities near industrial facilities, power plants, landfills, and oil and gas operations. The LGAC wants these EJ communities to be given greater consideration in reducing harmful and toxic emissions and in building climate resiliency and sustainability.

The LGAC has the following recommendations.

Program Guidance NAAQS

The LGAC fully supports EPA's work to achieve and maintain compliance with the NAAQS: the 2012 annual and 24-hour primary and secondary PM_{2.5} standards; the 1997 annual and 2012 24-hour primary and secondary PM₁₀ standards; the 2008 lead standard; 2008 ozone standards; the 2010 primary and 1996 secondary NO₂ standards; the 2011 CO standard; and the 2010 and 1973 SO₂ standards. The LGAC also recommends that the EPA continue its review of the NAAQS and all aspects of implementing the NAAQS.

The LGAC fully supports EPA's efforts on the Advance programs to encourage participating entities to address ground-level ozone and particle pollution, including options to consider clean energy as part of efforts to address air quality and climate change.

The LGAC also encourages the EPA to fully implement the good neighbor provision of the Clean Air Act, especially for air pollutants where interstate transport is a concern.

The LGAC encourages the EPA to work with the Land Management agencies to finalize the EPA Policy to Address Air Quality Impacts from Prescribed Burns.

The LGAC also supports the EPA's efforts to develop a new source performance standard for residential wood heaters.

National Ambient Air Quality Standards

The LGAC recommends adding under HQ Activities, Regional Office Activities and State and Local Activities "*Continue implementing the January 2014 NACAA-ECOS-EPA SIP Reform Workgroup Commitments and Best Practices for Addressing the SIP Backlog*" so that EPA can clear the existing SIP backlog before the end of 2017.

Air Toxics Program

The LGAC commends the EPA on their workplan to regulate emissions of toxic air pollutants from a published list of source categories. The LGAC particularly notes the Urban Air Toxics Strategy which will provide critical information and training to states and communities through documents, websites, and workshops on tools to assist communities in conducting assessments and identifying risk reduction strategies for air toxics. The LGAC also supports the agency to help environmental justice communities to address air toxics concerns. Along with this, the LGAC further notes the potential benefits to implement community-based air toxics programs that address outdoor, indoor, and mobile sources, including areas near schools and areas with potential EJ concerns. The LGAC further recommends the EPA work with states to assess and address the combined impact of multiple sources of air toxics, encouraging voluntary reductions of air toxics from indoor and outdoor sources including residential wood smoke.

Mobile Source Programs

The Committee endorses adding "In coordination with the U.S. Department of Transportation, develop and propose, by March 2015, the next phase of GHG emission standards and fuel efficiency standards for medium-and heavy-duty vehicles, consistent with the President's February 18, 2014 directive."

Effective Use and Distribution of STAG (State and Tribal Assistant Grant) Funds:

The Committee appreciates the \$15 million increase in grants to state and local air pollution control agencies and also the proposed \$24.3 million for the President's Climate Action Plan for

fiscal year 2015. However, the Committee is concerned by the proposed \$9 million cuts from the core programs of state and local air pollution control agencies. These core programs include monitoring and emissions inventory activities which are essential to pollution regulation.

Ambient Monitoring

The Committee recommends that the EPA along with local government, continue to prioritize purchasing and installing new air pollution monitoring equipment within the next several years. The Committee acknowledges that resources are scarce and therefore believes this process might involve divesting from existing monitoring sites. However, in the past, state and local agencies attempting to decrease monitoring sites have been met with resistance from the EPA. Additionally state and local agencies have faced difficulty replacing and maintaining equipment.

The Committee believes that the EPA should allow state and local agencies more flexibility in making changes to their monitoring systems especially to address near roadway pollution and near oil refinery fence lines. The LGAC is particularly concerned about the disproportionate, adverse impacts of air pollution to disadvantaged and EJ communities. Flexibility could give state and local agencies the ability to place monitors strategically to address these high risk vulnerable communities.

The Committee opposes the shift in funding for PM 2.5 monitoring from Section 103 to Section 105 authority. Under Section 105 authority, state and local agencies would have to provide a 40% match which not all agencies can afford. Therefore, local agencies that cannot afford matching grants may have to halt monitoring at some sites.

The Committee also notes that state and local agencies will face additional monitoring requirements to address near-road NO₂ and industrial emissions of air toxics. This would require either starting up new monitoring sites or expanding and should therefore be sufficiently funded under Section 103 authority.

Diesel Emission Reduction Act (DERA)

The Committee recommends funding be allotted to the Diesel Emission Reduction Act (DERA) as its fund was completely eliminated under the President's budget request. Additionally, any future DERA grants should be funded through an EPA account other than the STAG account as much of the DERA funds are not provided to state and local governments.

Program Guidance: Effective Use and Distribution of STAG Funds

The Committee is also concerned by the disproportionately small portion of STAG funds allocated to the Southeastern agencies. The agencies in this area receive about 12% of the national air program STAG funds despite accounting for one-fifth of the U.S. population and experiencing tremendous population and industry growth in recent decades.

Greenhouse Gas Reporting

The LGAC supports EPA's Greenhouse Gas Reporting Program which requires reporting of GHG data and other relevant information from large sources and suppliers in the U.S. The

Program collects data on where GHG emissions sources are and this information improves the ability of local entities to make informed policy, business, and regulatory decisions.

Reducing Asthma Triggers

The LGAC fully supports the EPA's Indoor Environment Asthma Program aimed at ensuring environmental controls are integrated into asthma care at all levels. The EPA identified reduction of asthma disparities as a national environmental justice priority. The LGAC recommends this education program be made accessible to local stakeholders to take effective action and replicate best practices to improve health outcomes for children and others with asthma.

The LGAC recommends that these educational materials be available for health care providers on asthma trigger management strategies, building community capacity to deliver comprehensive asthma care and be provided in multi-languages and targeted at communities at risk.

Radiation Protection

The LGAC recommends that EPA continue to work with Nuclear Regulatory Commission to monitor nuclear plants, particularly after refueling. The LGAC believes this will help to minimize the health risks that are associated with radioactive gas plumes and which primarily affect children and vulnerable populations.

In summary, the LGAC appreciates the opportunity to provide early input into the EPA's Office of Air's National Program Management Guidance. The LGAC looks forward to a final version and the opportunity to provide further input.

Sincerely,



Mayor Bob Dixon
Chair



Commissioner Carolyn Peterson
Chair, Air, Climate and Energy
Workgroup