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Frances Eargle, DFO

January 18, 2017

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 consistently engage with the Environmental Protection Agency on a wide variety of topics. Through this partnership, concerns and needs of local communities come to light and are able to be appropriately addressed. The LGAC would, once again, like to thank you for providing the opportunity to make comments on the Proposed Requirements for Implementing the 2015 Ozone Standards.

The LGAC also encourages the EPA to consider all of the impacts of this rule, particularly affordability for small and disadvantaged communities. The LGAC is especially concerned with the health of vulnerable populations and environmental justice (EJ) communities, including children, senior citizens, and those with compromised health, near industrial facilities, power plants, landfills, and oil and gas operations. The LGAC wants these communities to be given greater consideration in reducing harmful and toxic emissions and in building climate resiliency and sustainability. In the March 2015 Letter on the National Ambient Air Quality Standards for Ozone, the LGAC made specific reference to at-risk groups who are in danger of both short and long term exposure to this type of air pollution. It is of utmost importance to protect those communities, and others across America from these risks. The LGAC fully supports the new ozone limits in order to provide for these communities.

Additionally, the LGAC is very concerned about international and local transport emissions of ozone, especially for our border, environmental justice, and rural communities that are affected by the quality of air from Mexico and Canada, as well as the increased emissions from truck traffic around border crossings in the US. The LGAC appreciates the calculations regarding this issue and the effect on attainment/nonattainment status, but the deeper concern is the health impacts that affect our populations, often vulnerable and at-risk, who reside in these areas where the states/communities may do their best to lower ozone concentrations but the problem may continue to be generated elsewhere.

The LGAC agrees with the “general approach” in which the new regulations retain the majority of provisions and timeframes from 2008. This method provides the most assistance for states and localities in meeting their goals as well as understanding the methodology behind the new ozone and emission limits. The LGAC believes a plan should be sufficiently clear and detailed in order to help states understand and work within the newly added sections. It is through this

type of work that the EPA builds and promotes partnerships with states, tribes, and local governments.

The LGAC supports "Option 1," as it provides for the most clarity, consistency, and efficiency, including the vital anti-backsliding provisions. These provisions are critical; since the ozone limit has become more stringent, "Option 1" may achieve compliance in a timelier manner. The LGAC believes that "Option 2" allows for a number of different calculation methods, and can thus lead to confusion and miscommunication in managing the ozone limit, especially in cases of cross-state situations.

The LGAC greatly appreciates the amount of considerations given for fires on wild lands and prescribed burns. Further, the LGAC approves of the EPA's approach on nonattainment, as well as reasonably available control measures, as being considered outside of the regulatory framework for such fires. The LGAC firmly believes that this is a largely complicated issue, and acknowledges the impacts of climate change on fires, the consideration of prescribed burns, and the efforts to minimize various air hazards if a burn occurs. In a March 2015 Letter to the Administrator on the National Ambient Air Quality Standards for Ozone, the LGAC also mentioned the importance of prescribed wildfires in the management of air pollution. In that letter, the LGAC called for the partnership of the EPA with the U.S. Department of Agriculture and Department of Interior in order to carry out the National Cohesive Wildlife Fire Management Strategy.

As always, the LGAC greatly appreciates the EPA's commitment to working in partnership with states, tribes, and local governments in the implementation of healthier ozone standards. The LGAC strongly believes that as new standards and proposed requirements are implemented, the EPA will continue to maintain their historical partnerships with states, tribes, and local communities to ensure that these standards are put into place, also taking into consideration unique local and regional situations, in a flexible and cost-effective manner that enables these communities to flourish, especially those who may otherwise be at an increased risk, including environmental justice and small, rural communities. The LGAC looks forward to continued partnership and involvement as an EPA advisory committee in order to promote the concerns and needs of local communities in the protection of human and environmental health.

Sincerely,



Mayor Bob Dixon  
Chairman



Carolyn Peterson  
Chairwoman, Air, Climate and  
Energy Workgroup



Commissioner Robert Cope  
Chairman, Small Community Advisory  
Subcommittee (SCAS)



Dr. Hector Gonzalez  
Chairman, Environmental Justice  
Workgroup