

Comments sought by EPA on Proposed Ozone Rule:

Primary Standard

1. Comment on alternative standard levels below 0.065 ppm, and as low as 0.060 ppm.
2. The EPA is taking comment on both the Administrator's proposed decision to revise the current primary O3 standard, including on her considerations and proposed conclusions based on the scientific evidence, exposure/risk information, and CASAC advice.
3. Comment on the potential approaches to viewing the scientific evidence and exposure/risk information that could support a conclusion that the current standard is requisite to protect public health with an adequate margin of safety.

Secondary Standard

4. Comment on proposed conclusion " that air quality in terms of a three-year average seasonal W126 index value, based on the three consecutive month period within the O3 season with the maximum index value, with daily exposures cumulated for the 12-hour period from 8:00 am to 8:00 pm, within the range from 13 ppm-hrs to 17 ppm-hrs would provide the requisite protection against known or anticipated adverse effects to the public welfare. "
5. Comment on proposed revision of the level of the current secondary standard to within the range of 0.065 to 0.070 ppm.
6. "The EPA also solicits comments on the alternative approach of revising the secondary standard to a W126-based form, averaged over three years, with a level within the range of 13 ppm-hrs to 17 ppm-hrs."
7. "The EPA additionally solicits comments on such a distinct secondary standard with a level within the range extending below 13 ppm-hrs down to 7 ppm-hrs."
8. "The EPA solicits comments on retaining the current secondary standard without revision, along with the alternative views of the evidence that would support retaining the current standard."

AQI

9. "The EPA is proposing to set an AQI value of 50, the breakpoint between the good and moderate categories, at 15 ppb below the value of the proposed standard, i.e. to within a range from 49 to 54 ppb. The EPA is taking comment on what level within this range to select, recognizing that there is no health message for either at-risk or healthy populations in the good category."

Data Selection, Monitoring and Handling

10. "The EPA invites public comment on the scientific validity of combining data across O3 monitors, and the merits of the proposed approach for combining data across multiple O3 monitors at a site."
11. "The EPA invites public comment on the merits of the proposed process for approving site combinations in order to obtain valid design values for the O3 NAAQS."

12. "The EPA invites public comment on the merits of using zero instead of 1/2 MDL for the 8-hour average data substitution test."
13. "The EPA invites public comment on the merits of the proposed procedure for determining daily maximum 8-hour average O₃ concentrations, and the merits of the proposed daily validity criteria."

Exceptional Events

14. "The EPA invites comment on these proposed changes, shown in Table 9, to the exceptional event data flagging and documentation submission deadlines for future new or revised NAAQS, including any revised O₃ NAAQS promulgated in 2015."

Monitoring

15. "The EPA solicits comment on the proposed changes to the required O₃ monitoring seasons."
16. Comment on "whether the revised seasons could be implemented beginning January 1, 2016 for all monitors or for a subset of monitors, such as those currently operating year-round or on a schedule that corresponds to the proposed O₃ season."
17. The EPA seeks comment on the network design revision ..., the requirement for PAMS measurements at NCore sites in O₃ nonattainment areas, and the removal of current multi-site PAMS network design requirements.
18. "The EPA also solicits comment on whether, instead of requiring PAMS measurements at all NCore sites in nonattainment areas, we should instead adopt one of the other options discussed above, for example, using both attainment status and population thresholds, that may result in a fixed PAMS monitoring network that is either smaller or larger than what will result from the proposed requirement."
19. "The EPA is requesting comment on the proposed requirement for hourly VOC sampling [at PAMS sites] as well as the range of alternatives that might be appropriate in lieu of a strict requirement."
20. "The EPA solicits comments on whether the proposed implementation schedule is practicable, or whether additional time would be warranted for installation of new PAMS sites, the development of Enhanced Monitoring Plans, or other specific new PAMS requirements."

New FRM and analyzer requirements

21. "The EPA solicits comment on the proposal to retain the existing O₃ FRM measurement principle and amend it to include the NO-CL variation as well. Comments are also solicited on the nature and adequacy of the proposed revised FRM."
22. "...new, "lower range" performance limit requirements are proposed for O₃ analyzers...The EPA solicits comment as to whether the proposed changes are reasonable, appropriate, beneficial, and achievable without undue burden."

Implementation

Note on p.490: "...in this section, the EPA solicits comment on several issues that the agency anticipates addressing in future guidance or regulatory actions to assist with implementation of the revised O3 NAAQS. Because these issues are not relevant to the establishment of the NAAQS, and the CAA does not require that the EPA provide implementation rules or guidance for each revised NAAQS, the EPA does not expect to respond, nor is the agency required to respond, to these comments in the final action on this proposal. However the EPA expects these comments will be helpful as future guidance and regulations are developed."

23. "The EPA solicits comment on these infrastructure SIP submittal timing considerations, and specifically on challenges that would justify needing 18 additional months to complete the submission of an infrastructure SIP for the secondary standard."
24. "If the EPA were to establish a distinct secondary standard, there would be unique implementation issues to consider. These could include issues related to, but not limited to, PSD implementation, nonattainment area classification thresholds, attainment planning, and conformity demonstrations. These issues would be addressed in future implementation rules and guidance, as necessary. The EPA solicits comments on the specific kinds of implementation-related issues (with examples, where possible) that air agencies and affected sources would face if a separate and distinct secondary standard is established."
25. "The EPA solicits comment related to establishing area designation boundaries for the proposed revised primary and secondary NAAQS, including any relevant technical information that should be considered by the EPA and the extent to which different considerations may be relevant to establishing boundaries for a distinct secondary NAAQS."
26. "The EPA invites preliminary comment on all aspects of the designation process at this time, which the EPA will consider in developing that guidance."

Air Permitting

27. "The EPA is proposing and taking comment on adding a grandfathering provision to EPA's regulations at 40 CFR 51.166 and 52.21 that would apply specifically to two categories of PSD permit applications that are pending when the EPA issues the revised O3 NAAQS..."
28. "If appropriate, the EPA may consider establishing a surrogacy policy that would allow a source to make the PSD-required demonstration of compliance with a distinct secondary O3 NAAQS solely through a demonstration of compliance with the primary NAAQS...The EPA seeks comment on this potential approach as well as any other options that should be considered for showing compliance with any revised primary and secondary O3 NAAQS."

Background ozone

29. "The EPA welcomes comment on any of these issues related to O3 background and implementation..." (exceptional events exclusions, rural transport areas, international transport)