

November 28, 2018

Mr. Aaron Yeow
Designated Federal Officer to the Clean Air Scientific Advisory Committee (CASAC)
U.S. Environmental Protection Agency
1300 Pennsylvania Avenue, NW
Suite 31150
Washington, DC 20004

Via e-mail: yeow.aaron@epa.gov
Submitted to Docket ID No. EPA-HQ-OAR-2018-0279

Re: Release of Draft Integrated Review Plan for the Ozone National Ambient Air Quality Standards

Dear Mr. Yeow:

The Northeast States for Coordinated Air Use Management (NESCAUM) offer the following comments regarding recent changes to several aspects of the National Ambient Air Quality Standards (NAAQS) review process that are being implemented for the current ozone review. These comments also touch upon similar issues with the on-going particulate matter NAAQS review. The U.S. Environmental Protection Agency (EPA) presented these changes in the *Draft Integrated Review Plan for the Ozone National Ambient Air Quality Standards* as noticed in 83 Fed. Reg. 55163 (November 2, 2018).

NESCAUM is the regional association of air pollution control agencies representing Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. Our member state agencies have the primary responsibility within their states for implementing clean air programs that achieve the public health and environmental protection goals of the federal Clean Air Act.

NESCAUM is concerned with recent EPA decisions that limit the breadth of informed scientific expertise available to the Clean Air Science Advisory Committee (CASAC) as it performs the ozone and particulate matter NAAQS reviews. We are also concerned with EPA's "streamlining" efforts that compress NAAQS review documents and discard iterative draft review opportunities, further hindering a more fully informed CASAC review of potential changes to a NAAQS.

Under Clean Air Act §109(d), EPA is charged by Congress with reviewing and revising, as appropriate, NAAQS for "criteria" air pollutants every five years in order to protect public health and welfare. In its periodic reviews, EPA must ensure under Clean Air Act §108(a)(2) that the criteria used in deciding whether to revise a NAAQS "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air, in varying quantities."

Congress' direction to EPA that its NAAQS reviews must consider the "latest scientific knowledge" and encompass "all identifiable effects on public health and welfare" clearly entails the need for scientific expertise spanning a diverse range of human health and environmental endpoints. With the large body of science potentially relevant to a NAAQS review, no small group of individuals, including the seven members of CASAC, can realistically have all the required expertise to competently perform NAAQS

reviews without access to additional knowledge resources. This is not a critique of CASAC, but an objective recognition that many areas of expertise are needed to provide an informed basis for recommendations on a future NAAQS.

Providing this informed expertise has historically been done through a “panel” of approximately 20 additional scientists that augment the expertise of the CASAC members. This approach goes back at least 30 years.¹ EPA, however, has recently disbanded the particulate matter NAAQS review panel and ceased formation of the ozone NAAQS review panel. This is perplexing in light of the demonstrated historical success in using such expertise, and the clear need for it. NESCAUM requests that the EPA reconstitute the disbanded particulate matter NAAQS panel and restart the discontinued ozone NAAQS panel formation process. Without this needed expertise, the EPA risks undermining the scientific integrity of any future NAAQS decision, and threatens the credibility of CASAC as an informed venue capable of performing its tasks under the Clean Air Act.

NESCAUM also has concerns on the structure of the current ozone NAAQS review process. The October 2018 External Review Draft of the *Integrated Review Plan for the Review of the Ozone National Ambient Air Quality Standards*² includes a projected timeline for completion of the review in Table 1-1 (page 1-9). This timeline is dramatically accelerated from the typical duration of NAAQS reviews over the last two decades, allowing for only one draft of the Integrated Science Assessment (ISA) and combined Risk and Exposure Assessment (REA) / Policy Assessment (PA) documents. Past reviews have almost always required a second draft of these documents to be considered by the CASAC to be sufficient for use in the NAAQS review process. It has not been unusual for the CASAC to request a third draft of some documents, especially the ISA, as in the previous ozone NAAQS review. While a combined REA/PA document is sometimes done when there is a relatively limited amount of new research related to the NAAQS under consideration and no change to the standard is anticipated, this is not the case for the current reviews for both particulate matter and ozone.³

NESCAUM recommends the agency allot more time in the review schedule to allow CASAC to request a revised draft of a review document, and that the review documents are appropriately sequenced so that the CASAC (and the public) have the full benefit of reviewed scientific information that will inform recommendations on subsequent policy choices. For example, the agency should not assume combining the REA with the PA into one document is appropriate for this review cycle.

In summary, EPA should revisit and reconvene panels of experts in the appropriate scientific disciplines to provide CASAC and the public with more robust expertise on the current state of the science relevant to NAAQS reviews. Furthermore, EPA should maintain the historical sequencing of supporting NAAQS

¹ See, e.g., U.S. EPA, *Report of the Clean Air Scientific Advisory Committee (CASAC), Review of the NAAQS for Ozone: Closure on the OAQPS Staff Paper (1988) and the Criteria Document Supplement (1988)*, U.S. EPA, Science Advisory Board, EPA-SAB-CASAC-89-019 (May 1989). Available at [https://yosemite.epa.gov/sab/sabproduct.nsf/7608249E902C67B185257328004CD2AD/\\$File/NAAQS+FOR+OZO+NE++++CASAC-89-019_89019_5-22-1995_233.pdf](https://yosemite.epa.gov/sab/sabproduct.nsf/7608249E902C67B185257328004CD2AD/$File/NAAQS+FOR+OZO+NE++++CASAC-89-019_89019_5-22-1995_233.pdf) (accessed November 26, 2018).

² Available at [https://yosemite.epa.gov/sab/sabproduct.nsf/0/E18E92A94AF87D6C852582BB004CDF75/\\$File/O3-IRP-draft-Oct2018-ForRelease-Oct31-2018.pdf](https://yosemite.epa.gov/sab/sabproduct.nsf/0/E18E92A94AF87D6C852582BB004CDF75/$File/O3-IRP-draft-Oct2018-ForRelease-Oct31-2018.pdf) (accessed November 26, 2018).

³ See, e.g., Di, Q., *et al.* “Air pollution and mortality in the Medicare population.” *New England Journal of Medicine* 376.26 (2017): 2513-2522. DOI: 10.1056/NEJMoa1702747; Di, Q., *et al.* “Association of short-term exposure to air pollution with mortality in older adults.” *JAMA* 318.24 (2017): 2446-2456. DOI: 10.1001/jama.2017.17923.

review documents, with sufficient opportunity for review of each document draft, to provide a strong step-wise foundation ultimately leading to the policy assessments.

Thank you for consideration of our concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul J. Miller".

Paul J. Miller, Ph.D.

Deputy Director and Chief Scientist

cc: NESCAUM directors
EPA Regions 1 & 2