NESCAUM
www.nescaum.org

Northeast States for Coordinated Air Use Management
89 South Street, Suite 602 Boston, MA 02111
Phone 617-259-2000 Fax 617-742-9162
Paul J. Miller, Executive Director

April 29, 2021

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: National Air Toxics Assessment 2017 Data

Dear Administrator Regan:

The Northeast States for Coordinated Air Use Management (NESCAUM) is writing out of concern that the U.S. Environmental Protection Agency (EPA) may not release an updated National Air Toxics Assessment (NATA) with 2017 data. That update, which was expected this year, would replace the 2014 data in the current version of NATA, which was released in 2018. NATA data are critical to state efforts to identify pollutants, sources, and areas of concern and to explore links between exposures to air toxics and public health. Updated NATA data are particularly critical this year, as states identify disproportionately burdened communities, as directed by recent environmental justice mandates. The accuracy and effectiveness of environmental justice analyses depend on access to recent high quality data.

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 in their states for implementing clean air programs that achieve the public health and environmental protection goals of the federal Clean Air Act.

NATA has played an important role in state air toxics programs in the 19 years since its initial release. Monitoring data alone cannot provide a full picture of air toxics exposures due to the limited number of monitoring sites and pollutants measured. NATA, by contrast, provides modeled concentrations, exposures, and risk data for approximately180 hazardous air pollutants (HAPs) in every census tract in the United States. Moreover, NATA models emissions from a wide range of mobile and stationary source categories, enabling analyses of comparative and cumulative impacts.

States rely on NATA data to inform a variety of essential activities, including:

- Identifying high risk source categories and pollutants;
- Identifying spatial disparities in ambient air toxics concentrations and areas with high cumulative risks from air toxics in the state;

- Responding to questions from residents and elected officials concerning community exposures to air pollutants, especially in areas with particularly vulnerable populations and in areas where monitoring data are not available;
- Developing programs that address high risk source categories and high cumulative risks;
- Evaluating monitoring networks to identify the need for including additional sites and additional pollutants;
- Identifying locations and pollutants for community-scale monitoring studies;
- Refining and correcting emissions information and modeling parameters reported by sources, including solvent coaters, landfills, and ethylene oxide sterilizers;
- Informing analyses of disparate health impacts. For instance, NATA data, along with air monitoring data, were used to identify unusual air pollutant patterns in four areas of New York State with elevated cancer rates as part of that state's 2017 Cancer Research Initiative;
- Providing data on background air toxics concentrations for use in permitting and risk analyses and in establishing state ambient air limits;
- Identifying areas with elevated risks due to emissions from residential wood combustion, tracking changes in those risks over time, and evaluating the efficacy of programs aimed at reducing those emissions; and
- Estimating temporal and spatial variations in risks associated with diesel particulate matter (DPM). The New Jersey Department of Environmental Protection has used NATA ambient air DPM concentrations along with the California cancer risk value for that pollutant to create diesel cancer risk maps, which emphasize the importance of reducing public exposure to DPM.

The need for updated NATA data is especially salient this year, as states undertake analyses to identify areas with disproportionate air pollutant exposures in response to recent legislative environmental justice mandates. Examples of state environmental justice assessments that would be severely hampered if the 2017 NATA data are not released include:

- The New York State Department of Environmental Conservation (NYSDEC) plans to use NATA data in its assessment of impacts in communities disproportionately burdened by air pollution as required by the state's recent Climate Leadership and Community Protection Act. NYSDEC plans to build a tool similar to EPA's EJScreen and California's EJ Screen, which both rely on NATA data.
- NYSDEC will also use NATA data in the cumulative impact environmental justice analyses for permitting electric generation facilities required under NYCRR Title 6, Part 487. Updated information would make this analysis more accurate, due to changes in fuel use over time.

- The New Jersey Department of Environmental Protection would use 2017 NATA to identify potential high-risk impacts of air toxics and to identify estimates of cancer risk as New Jersey develops an environmental justice assessment procedure to implement the mandates in its 2020 environmental justice legislation.
- The Massachusetts Department of Environmental Protection is beginning to develop regulations that require cumulative impact analyses for certain air permits. The 2017 NATA data would aid in the estimation of existing air pollution risk in communities, as required by recently passed legislation.
- The Vermont Department of Environmental Conservation plans to use NATA data, especially data for mobile and areas sources, to help the agency identify areas that may be disproportionally impacted.
- The Rhode Island Department of Environmental Management (RIDEM) is currently conducting an EPA-funded community-scale air toxics monitoring study designed to characterize the impact of the Port of Providence on air quality in nearby neighborhoods, including environmental justice areas, schools, and hospitals. 2017 NATA data would aid RIDEM in the interpretation of monitored results and in subsequent discussions with affected communities.
- The New Hampshire Department of Environmental Services and RIDEM would use the updated NATA data to help identify areas where disproportionate air toxics impacts overlap with areas of concern with respect to race, color, national origin, or income consistent with environmental justice priorities identified by the EPA.

While the 2017 data are already three years old, their release now would be a vast improvement over the 2014 data used in the most recent version of NATA. Note that all previous NATA versions have been released several years after their data year; the two most recent updates, which are based on 2011 and 2014 data, were released in 2015 and 2018, respectively. Members of the public have expressed concern in the past about delays in data availability. A failure to release the 2017 data could further foster unnecessary suspicion that EPA is withholding information from the public.

It is our understanding that EPA has already invested considerable effort in compiling and analyzing the 2017 data. We urge EPA to complete that effort and to release the 2017 as soon as possible. Note also that emissions in 2020, the next year in the three year NATA revision cycle, may have been affected by the pandemic. That fact makes the 2017 data even more essential to the states for distinguishing between long-term trends and short-term perturbations.

NESCAUM would support measures to reduce the time required to release future NATA-like data. We urge EPA to begin to process 2020 data as soon as possible and to investigate procedures that would allow those data to be released in a timelier manner than in the past.

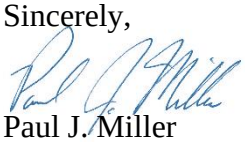
However, it is unreasonable to expect that the 2020 data will be available in time to be useful for states that are currently engaged in assessments of relative and cumulative burdens. Therefore, unless the 2020 data can be released in the next 12 months, EPA should release 2017 data as expeditiously as possible.

If there is a compelling reason why the complete 2017 NATA assessment cannot be released expeditiously, some states may benefit from receipt of portions of those data. For example, data for individual states or data for particularly high-risk, widespread pollutants, like DPM, may help to inform analyses and decision making. However, the utility of such information would be limited. Many states would have difficulty developing comprehensive analyses and presentations like those that EPA has historically provided. Limited data would also compromise the ability to compare impacts of a range of pollutants in one state with those in other parts of the country.

In summary, NESCAUM urges EPA to release a NATA update using 2017 data, in keeping with past releases of NATA updates every three years, while continuing to work towards a timely compilation of 2020 data as they become available. If, for any reason, a full release of a 2017 update is not possible at this time, NESCAUM urges EPA to work with the states and multistate organizations to identify interim alternatives.

Thank you for your attention to this important matter.

Sincerely,



Paul J. Miller
Executive Director

cc: NESCAUM Directors
NESCAUM Air Toxics and Public Health Committee
Peter Tsirigotis – EPA OAQPS
Lynne Hamjian, Cynthia Greene – EPA Region 1
Rick Ruvo – EPA Region 2