

November 7, 2014

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
Mail Code: 2822T
1301 Constitution Avenue, N.W.
Washington, DC 20460
Attention: Docket ID No. EPA-HQ-OAR-2013-0619

Re: Revisions to Ambient Monitoring Quality Assurance and Other Requirements Rule

Dear Administrator McCarthy:

The Northeast States for Coordinated Air Use Management (NESCAUM) offer the following comments on the U.S. Environmental Protection Agency's (EPA's) Proposed Rule, published in the Federal Register September 11, 2014 and entitled "Revisions to Ambient Monitoring Quality Assurance and Other Requirements" (79 FR 54356-54395). NESCAUM is the regional association of air pollution control agencies representing Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

Overall, we support the agency's objective for this rule of clarifying and codifying existing practices and removing requirements that are no longer useful. Specific comments on the proposed rule follow.

We support the changes EPA is proposing that reduce the operating burden on State air agencies, including:

- Reducing data certification requirements for FRM and FEM monitors at SLAMS or SPM sites (58.15(a), 79 FR 54377)
- Removing data reporting requirements for daily temperature and pressure from PM2.5 FRMs (58.16(a), 79 FR 54377)
- Removing the requirement for lead monitoring at non-source NCORE sites after 3 years of data (Part 58 Appendix D, Section 3(b), 79 FR 54395)
- Removing the requirement for PM-coarse speciation at NCORE sites (58 Appendix D, Section 3(b), 79 FR 54395)
- Removing the quality assurance requirements for PM_{10-2.5} monitors (58 Appendix A Sections 3.2.6, 3.2.8, 3.3.6, 3.3.8, 4.3; 79 FR 54365)

Part 58.10, Annual monitoring network plan and periodic network assessment

Approval of annual network plan by the EPA Regional Administrator

Section 58.10 (a)(1) states that the submitted plan shall reference and address any public comments (79 FR 54376). While we recognize that the public has a right to review and comment on any aspect of the network monitoring plan, the design criteria for the network must comply with specific federal monitoring implementation regulations and adhere to good engineering principles. Within these constraints, it may not be possible to also satisfy every public comment in its entirety. The EPA must not withhold approval of the network monitoring plan if the plan meets all applicable regulations and adequately addresses substantive public comments. This section also states “The Regional Administrator may require the submission of additional information as needed to evaluate compliance with applicable requirements of part 58 and its appendices.” This provision is duplicative of other regulatory requirements and inappropriately provides the potential for quality assurance plans, standard operating procedures, and other documentation that have already been approved by EPA to be subjected to a second level of approval and public comment. It is too open-ended in scope and would allow for large variability between EPA regional offices in terms of what State air monitoring agencies are required to submit. State monitoring agencies already have to certify that data submitted to AQS meet appropriate Part 58 requirements. A simple affirmation of that should be sufficient for approval of annual network plans.

Partial approval of annual network plan by the EPA Regional Administrator

In the Preamble discussion of this section (79 FR 54360), EPA indicates that the Regional Administrator can partially approve an annual network plan. No guidance, process, or mechanism for resolving unapproved sections is provided in the proposed rule. While partial approval of network plans has provided a work-around for some regions and agencies in the past (e.g., near roadway sections of the plan), it is not an appropriate strategy for the longer term. The Regional Administrator and the State monitoring agency should work cooperatively towards an approvable plan and such approval should be based on the merits of the network description and proposed changes. The assessment need not consider resources or other external factors, but the plan, of necessity, has to be based on such constraints. It is the obligation of both parties to find a workable plan for implementing changes in a timely manner. The provision for Regional Administrators to approve plans while noting technical deficiencies is appropriate, assuming those deficiencies are related to required elements of the plan.

Part 58.12, Operating schedules

Reduction to 1 in 6 day sampling for some SLAMS and STN manual PM monitors

NESCAUM states agree that flexibility is needed in specifying operating schedules both for the SLAMS manual PM_{2.5} monitors and the Speciation Trends Network (STN) manual PM_{2.5} speciation monitors, as described in sections 58.12(d)(1)(ii) and 58.12(d)(3), 79 FR 54377. It is often preferable to reduce operating schedules from 1 in 3 to 1 in 6 days at existing manual PM

monitoring sites rather than to reduce the size of the network by closing the lowest reading sites. For the manual PM2.5 samplers, the EPA should consider both the annual and daily network design values when considering if a specific monitor can be operated on a reduced schedule. A reduced schedule should be considered if both the annual and daily design values are or become less than two-thirds of the NAAQS concentrations.

Requirement for daily PM2.5 sampling at design value sites within 5% of the 24-hour NAAQS

NESCAUM states support this requirement and the clarifications to the existing regulation regarding when changes from or to daily sampling are to be implemented, as described in sections 58.12(d)(1)(iii) and (iv), 79 FR 54377. Daily PM2.5 sampling is resource intensive, however, and there is concern related to limited resources in situations where an agency may be required to change a monitor to daily sampling. Future changes to the 24-hour PM NAAQS are one example where this requirement could become effective at one or more sites in a network, creating an increased burden on the state agency unless additional support is provided.

Part 58.14, System modification

This section clarifies that the “network modification plan” to address and implement the findings of the State air monitoring agency’s 5-year network assessment is a required component of an annual network plan, not a separate network plan submission process (79 FR 54377). The network assessments were intended to provide a mechanism to periodically conduct an objective review of an agency’s network and also provide an opportunity for agencies to identify new priorities that could be implemented if resources and other factors allowed. It would be preferable for agencies to conduct the 5-year network assessment, and then each year use that to inform the changes they put into their Annual Network Plans as opposed to committing to all changes in a “network modification plan” due one year after the assessment. This would allow agencies to base their implementation of the assessment on available resources and changing monitoring priorities.

Part 58 Appendix A, Quality Assurance Requirements for SLAMS and SPM Used in Evaluation of NAAQS

Requirement for reporting QMP and QAPP submission dates to AQS

A new AQS reporting requirement is added in sections 2.1.1 and 2.1.2 (79 FR 54378-54379) for Quality Management Plan (QMP) and Quality Assurance Project Plan (QAPP) documents. This requirement is an unnecessary burden to State air monitoring agencies because the EPA regional offices get these reports and the information is available to the public on the EPA AMTIC web site.

Lowering of Quality Control (QC) check concentrations and relating QC checks to ambient concentrations.

EPA is proposing to lower the concentration for the required 1-point QC check to concentrations that are “related to” the mean or median of the ambient concentrations measured at a site or within a network (Appendix A, Section 3.1.1, 79 FR 54380). The QC check concentration should be related to the objective of the monitor. If a monitor is source-related (SO₂ for example), the QC check concentration should be near the NAAQS. For NCORE sites where concentrations of SO₂ are usually very low, a lower QC check concentration is appropriate. However, in many cases the 5 ppb concentration needed to meet the requirements of this section would be technically challenging to implement in a routine monitoring network with automated calibration systems, and may require new calibration equipment and gas standards. In addition, at these very low concentrations, the uncertainty of the analyzer’s baseline response (“zero”) could be a dominant factor in the reported QC check data. For these reasons we recommend that the requirement for the lowest level SO₂ QC check be between 10 and 20 ppb. Implementing the lower O₃ and possibly NO₂ concentrations required by this section may require additional equipment for some agencies. For O₃, a second QC check concentration near the NAAQS would be needed; this represents an increased burden for State air agencies. A single QC check near the O₃ NAAQS should be sufficient. The requirement to routinely calculate the mean or median concentrations and adjust QC check concentrations in the network is another additional burden. While we acknowledge the value of characterizing monitor performance at the lower concentrations often measured at non-source oriented sites, we request that EPA be less prescriptive and provide more flexibility to State air monitoring agencies in determining the QC check concentrations to be used.

Part 58 Appendix B, Quality Assurance Requirements for PSD Air Monitoring

The elements of Appendix B are similar to Appendix A, and our comments above apply to both of these Appendices.

Conclusion

In general, we support the changes, clarifications, and codification of existing practices in this proposed rule. We are most concerned about changes that increase the burden on State air monitoring agencies that are already operating with substantially limited resources, and request that EPA consider this issue when finalizing these regulations. If you have any questions about these comments, please contact George Allen of my staff at 617-259-2035.

Sincerely,



Arthur N. Marin
Executive Director

Cc: NESCAUM Directors

NESCAUM Monitoring and Assessment Committee
Chet Wayland, EPA/OAQPS
Lew Weinstock, EPA/OAQPS
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