**Compilation of Individual Panel Member Pre-Meeting Comments on EPA's *Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards (NAAQS) for NOx and SOx: Second External Review Draft (September 2010).* .**

**Comments Received**:

Comments from Dr. Praveen Amar

**Comments of Praveen K. Amar**

## Chapter 3: Considerations of Adversity to Public Welfare

**Charge Question 1. What are the Panel's views on the definitions of adversity that are appropriate to consider in determining what constitutes adversity to public welfare relative to the NOy and SOx secondary standards**

Chapter Three covers three areas of :a) adversity to public welfare, b) application of ecosystem services framework (provisioning, regulating, cultural, and supporting) as a way to address adversity to public welfare, and , c) usefulness of economic valuation approaches to "value"/monetize ecosystem services, when possible. The second draft of the Policy Assessment is a great improvement over the first draft. The definition of adversity used in this document is derived from, and based on, recent applications of the concept by EPA in other recent environmental policy contexts and is quite applicable to ecosystem effects from exposure to ambient levels of SOx and NOy.

The Chapter is much improved in describing the *current* level of ecosystem services as well as *scale* of adversity to public welfare driven by changes to ecosystem services as a function of *changes* in atmospheric deposition of SOx, NOy, and potentially *no changes* (potentially increases) in atmospheric deposition of reduced NHx. The Chapter presents many quantitative estimates in dollars when economic valuation/monetizing were possible. Also, monetized benefits of current status of ecosystem services are clearly presented in many Tables.

Specific Comments on Chapter 3:

It would be useful if public welfare/adversity was more clearly discussed for, and separately allocated to, NOy and NHx (both through atmospheric deposition and through water runoffs) instead of just atmospheric NOy alone. (see page 3-8; TMDL discussion for Chesapeake Bay; this discussion should be more explicit in describing the role of NHx through water discharge and air deposition; please also see Page 3-25, Line 15, nutrient enrichment refers there "only to that due to NOy deposition" ).

For Figure 3-6, the range for high end of N and S deposition (300- 1,337 eq/ha-yr) for the Western U.S. is too large and needs to be sub divided (say, in two or three parts) for finer representation of high-end deposition levels in the West.

Sections 3.3.2 and 3.3.3 on economics framework and its role in defining adversity are very well written.

The Section 3.3.4 on "collective action as an indicator of public preferences" correctly notes the actions and efforts on the part of communities, NGOs, and States to reduce acidity of lakes and streams. This Section overlooks what I believe is the most important action/effort taken so far in the U.S. by the federal government: Title IV of the 1990 CAAA to lower $SO_2$ emissions by 10 million tons per year as well as NOx emissions by 2 mm tpy to address ecosystem acidification. The value of the this national "revealed preference" should be valued/monetized at about $5 billion/year, based on $500/ton of $SO_2$ controlled and should be noted in this section.

Section 3.3.1.1 needs to be written more clearly to make the points it is "trying" to make with references to table 3-2 and 3-3. I found it hard to understand.

Finally, Table 3-6 (page 3-33) needs major improvement in format including column headings.

## Chapter 5: Options for Elements of the Standard

**Charge question 5: What are the Panel's views on staff's revised conceptual framework for the structure of a multipollutant, ecologically relevant standard for NOx and SOx? To what extent does the Panel agree that this suggested structure adequately represents the scientific linkages between ecological responses, water chemistry, atmospheric deposition, and ambient NOx and SOx?**

The revised conceptual framework and structure of the proposed standard (s) is very well-thought out for addressing various components and connections between these components (ecological effects, atmospheric wet and dry deposition, atmospheric concentrations of NOy and SOx, and surface water chemistry), with one major exception noted below. I had made this same point for the first draft of the policy assessment document.

Even though the framework and the structure "takes into account" the reduced ambient NHx and its deposition in designing AAPI (atmospheric acidification potential index) , it does so in a manner such that future control strategies and policy options most probably will not allow EPA to address and require reductions in U.S. ammonia emissions under proposed standard setting structure. Ammonia emissions are currently at about 4 to 5 million tons per year. Emissions of ammonia (which is an unregulated air pollutant) and resulting ammonia and ammonium concentrations and reduced nitrogen deposition levels are only expected to increase by as much as ten percent over the next few decades because of increased food production and increased activity in CAFO sources (confined animal feeding operations) in the U.S.

Notwithstanding my concern about not addressing reduced nitrogen/NHx directly, the proposed structure more than adequately represents the scientific linkages between ecological effects, surface water chemistry, atmospheric deposition, and ambient levels of NOy and SOx.

**Charge Question 6: What are the Panel's views on the appropriateness of considering a single national population of waterbodies in establishing standards to**

**protect against aquatic acidification? What are the Panel's views on consideration of alternative subdivisions of the U.S. to identify the spatial boundaries of populations of waterbodies and acid-sensitivity categories, specifically:**

a) **the use of Ecoregion III areas to aggregate watrebodies?**
b) **the use of ANC to further aggregate Ecoregion III areas into different categories of sensitivity?**
c) **The relative appropriateness of the suggested methods for categorizing spatial boundaries of sensitivity, e.g., one nation, binary sensitive/less-sensitive classes, cluster-analysis based on sensitivity classes, and individual ecoregions?**

The first approach (option 1) that considers the whole U.S. as one unit and provides for a single deposition metric is simple and easy to calculate, but its weaknesses are too many to consider this as the preferred approach (e.g., over protection for the least sensitive areas and under protection for areas that are most sensitive).
The three sub-options under second option seem to have merits. However, they are based on the concept of "Level 3 Ecoregions," which is rather poorly described in the document and I was not sure how this approach divides US into 120+ acid-sensitive categories. A reference is made to Omernik's (1987, 1995) and other works about "the analysis of the patterns and the composition of biotic and abiotic phenomena that affect or reflect differences in ecosystem quality and integrity….." What is not explained is how "hierarchical levels are developed" at various levels (Level I, II, III, and IV (future)).

Between options 2a, 2b, and 2c, the approach based on cluster analysis (option 2b) seems to provide the right balance when compared to approach that is not detailed enough (option 2a) or detailed too much (option 2c).

**Charge Question 9: What are the Panel's views on the revised characterization of the deposition transference ratios (TNOy and T SOx)?**
The policy assessment document proposes to use the output of CMAQ model to calculate deposition transference ratios for both NOy and SOx. The CMAQ hourly predictions at the scale of 12-km grid will be averaged to provide annual transference ratios so as to be consistent with depositional loads derived from ecosystem models. It is not clear how to account for wet and dry deposition of those nitrogen and sulfur species (which ones?) that are not explicitly modeled in the CAMQ. The PAD does note the possibility of large amount of sulfur and nitrogen deposition in the forest ecosystems in the coarser particle mode and that CMAQ's simulations do not account for deposition in the coarse particle mode. It is not clear how big this issue is and how it should/would be addressed.

**Charge Question 10: What are the Panel's views on staff's conclusion that an averaging time of 3 to 5 years is appropriate given the AAPI form of the standard?**

The PAD makes a good case for using the averaging time of three years (Figure 5-22 on the magnitude of coefficient of variation (CV) shows that it is less than 25%, based on CAMQ simulations for the years 2002-2005).

Comments from Dr. Andrzej Bytnerowicz

Andrzej Bytnerowicz

*7. What are the Panel's views on the appropriateness of the critical loads that form the basis for the population assessment to determined deposition metrics?*

Using a concept of Critical Loads is logical and appropriate for development of a secondary (welfare) standard for biological effects of NOx and SOx. This approach links concentrations of the atmospheric oxidized forms of nitrogen and sulfur with N & S deposition and their acidifying effects on aquatic ecosystems. What is important is also a fact that the proposed approach includes reduced forms of atmospheric N as a contributor to acidification of lakes and streams.

*a) What are the views of the Panel on the appropriateness of generalizing the f-factor approach to apply to lakes and streams in the Western U.S. and other portions of the Eastern U.S.*

The purpose of the F-factor is to obtain estimates of the pre-industrial surface water base cation concentrations needed for calculation of critical loads. These values can be obtained from the SSWC and MAGIC models.

At this point I am not able to adequately answer the posed question. Explanation of the problem and graphs illustrating differences between the two approaches do not sufficiently describe and explain the proposed procedures and differences between the two approaches.

I believe this question could be modified to: "Is the proposed methodology for obtaining $BC_o$ values adequately described and what the Panel's opinion on extrapolating the knowledge gained for the Adirondacks lakes and the Southern Appalachian streams to the rest of the US water bodies?"

I hope that during this week discussions the EPA staff will provide additional information and better explanation of this issue.

*b) What are the views of the Panel on the filtering criteria used to remove lakes and streams that are naturally acidic or not sensitive to atmospheric deposition?*

This is a reasonable approach that makes an application of the CL approach for the nation aquatic ecosystems easier to apply and more practical. Application of the first screen (ANC<the target ANC) is logical and clearly described. Use of the second screen (removal of all CL <10 meq/m2/yr should be better justified. The third screen for acid mine drainage and the fourth one for organic acidity are straightforward and make sense.

*8. What are the Panel's views on the suggested methods for determining appropriate values*

*of reduced nitrogen deposition in establishing NOx/SOx tradeoff curves?*

The proposed approach makes sense and utilizes the best available knowledge on levels and distribution of reduced N.

Due to a high $NH_3$ deposition velocity, steep concentration gradients near the $NH_3$ source areas exist. Therefore averaging $N_{red}$ concentrations over larger areas may lead to missing smaller areas where $NH_3$ concentrations may be seriously elevated and with potentially high biological and ecological effects. Therefore option 2 "allow for additional spatial refinement of sensitive areas to reflect the heterogeneity of $NH_x$ deposition" seems to be preferable.

As stated in previous CASAC reviews, a better understanding of spatial and temporal distribution of reduced N, especially $NH_3$, in the US is critical. Efforts should be continued to assure the nation-wide monitoring of $NH_3$ in remote areas.

Additional remark: It would be good to develop a similar methodologies that account for the atmospheric organic N.

*11. What are the Panel's views on the preliminary staff conclusions regarding alternative target ANC levels that are appropriate for consideration and the rationale upon which those conclusions are based?*

Focusing on a range of ANC values between -50 and 50 μeq/L makes sense from a perspective of the expected pH changes, Al toxicity and related biological effects. At values <-50 μeq/L no further damage should occur, while at values > 50 μeq/L no more improvement is expected.

Improved biodiversity of fish populations may continue up to160 μeq/L and therefore the best protection would be achieved at ANC values >100 μeq/L. Considering, however, that such recommendation would be impractical, the proposed ANC 50 μeq/L as a target value seems to be reasonable and should be supported.

*a) In light of the Panel's views on the appropriate definitions of adversity to public welfare (see Chapter 3), what are the Panel's views on the appropriateness of the information related to adversity considered by staff in evaluating alternative target ANC levels?*

Appropriate information has been provided for the aquatic ecosystems. However, I would like to see a better discussion of what the main ANC values considered (20, 50 and 100 μeq/L) would mean to the surrounding terrestrial ecosystems in various eco-zones. That could be discussed for such sensitive indicators and sugar maple and red spruce in the eastern part of the country, and for lichen communities in such areas as Sierra Nevada Mountains in the west.

*12. What are the Panel's views on the approaches considered by staff for assessing alternative target percentages of water bodies for protection at alternative ANC levels?*

This question comes to an issue of toxicity (damage to individual species) versus the biodiversity changes. What should be more important is where or if there is a common denominator for these two approaches? An approach that would provide various levels of protection against toxic effects and biodiversity changes would be most desirable for scientists, managers and decision makers.

Comments from Ms. Lauraine Chestnut

**Lauraine Chestnut**
**Draft comments (October 4, 2010) on second draft Policy Assessment for NOx/SOx Secondary NAAQS**
**Charge Question 1:**
**What are the panel's views on the definitions of adversity that are appropriate to consider in determining what constitutes adversity to public welfare relative to the NOx and SOx secondary standards?**

Overall, the presentation and explanation of available information on losses in ecosystem services and associated economic valuation as a result of NOx/SOx deposition is much improved in clarity and context from the first draft PA.

The link is clear and well-documented between the selected ecosystem effects indicator, ANC, and the welfare effects of lost value of recreational fishing as fish populations (and in some cases whole species) are not sustained in lakes and streams with lower ANC levels. The available quantitative information is well presented and explained (except for a few specific questions noted below). However, more could be done to explain the qualitative links between deposition and lost ecosystem services that are known and documented, but cannot be specifically quantified for a specific amount of deposition.

For example, on page 3-13, changes in biodiversity, which are listed as an ecosystem effect of deposition, are associated with changes in cultural ecosystem services related to the preservation of natural areas (nonuse values) in addition to productivity, recreational viewing and aesthetics services that are listed currently in the text. It is well-established that there is public welfare value to protection and preservation of natural ecosystems in condition that supports the flora and fauna species that are native to the system, even when there is no direct use value. This is evidenced in the state and federal statutes that set aside parks and wilderness areas (noted in the first sections of chapter 3), and in willingness-to-pay study results such as the Banzhaf et al. (2006) study discussed on page 3-29. The text mentions nonuse value several times, but it would be helpful to make explicit that this includes value for the preservation of habitat and biodiversity independent of human use value.

Specific comments/questions in Chapter 3

page 3-9: What is the pollutant referenced in the critical loads shown for Europe?

page 3-11: Add nonuse to ecosystem services listed for water.

pages 3-14 and 3-15: Figure 3-5 includes federal and state public lands according to the legend, but the text on page 3-14 just references Class I areas, which I think are just federal. Please make clear what areas are included in the maps, and what other natural areas may not be included that the public may also care about protecting.

page 3-17, line 20: Ecosystem services provide a framework to characterize and describe how changes in ecosystem function affect public welfare, even if they cannot be specifically quantified.

page 3-18: It is important to recognize and include language that preferences are not just about people's own use and enjoyment of an ecosystem, but also include preservation and bequest value.

page 3-18, second paragraph: Good discussion and explanation of how preferences depend on information.

page 3-25: figure 3-7. It would be helpful for more general audiences to include words such as biodiversity and habitat preservation under cultural services. This is part of "nonuse" services, but I'm not sure most people are aware of this.
page 3-26: It might be useful to reference the language on page 3-22 about the goal of keeping the Adirondack Forest Preserve as "wild forest lands" and "kept in natural conditions." This is a significant motivation behind the public's willingness to pay to prevent the effects of deposition in these areas and is part of what makes the effects adverse to public welfare.
page 3-28: I'm a little confused by Table 3-2. Are these threshold categories mutually exclusive?
page 3-29: Are the results in table 3-3 additive? For example, if a threshold of 100 is met, is the annual value of additional recreational fishing services for NY residents the amount in the bottom row only, or the sum of the 3 rows? If they are all based on a comparison to background, then why are the numbers smaller for the 100 threshold than for the 50 threshold? These numbers reflect just a portion of benefits, as noted in the text, so it is important to include more information in the table title and headings about what they are: recreational fishing services for NY residents.
page 3:30: Same question for table 3-4.
page 3-34: Is there some descriptive information from the REA or the ISA to give a sense of the overall magnitude of the red spruce and maple decline attributable to deposition? The estimates of lost commercial forestry value in the second paragraph are interesting, but are these forests significant timber resources? What can be said to describe the implications of the health of these tree species on the natural habitat and health of the natural ecosystems where these species are prominent? It seems like a more comprehensive story could be summed up here about the loss in services that is linked to deposition, even though specific quantitative valuation is not possible. Perhaps more could be said about the Jenkins et al. (2002) results for avoiding a "significant decline in health" of high elevation spruce in the Southern Appalachians. How does the description of decline in this study compare to what has been linked to current deposition levels? The results indicate substantially greater value than was estimated as commercial forest losses.
page 3-36: Need to say something about how these services are hurt or impaired by eutrophication. The total value of these services is only relevant if something can be said about how they are diminished by the effects of deposition. It is okay if this is only descriptive, but the link needs to be made.
pages 3-40 and 3-41: There is better clarity than in the first draft PA when total values of ecosystem services are presented to give context for the potential effects of deposition. The discussion on page 3-41 is helpful in describing why the CSS and MCF ecosystems are important and how the effects of deposition are likely to diminish the services that these systems provide. Anything that could be added about the extent of the current degradation of these ecosystems dues to deposition would be helpful for understanding whether the effects of current deposition are adverse to public welfare.

**Charge question 4**

**Has staff appropriately acknowledged the potential beneficial effects of nitrogen inputs into nutrient limited ecosystems, while maintaining the focus of the review on preventing the adverse effects in nitrogen sensitive ecosystems?**

It seems to me that the PA is careful now to acknowledge the potential beneficial nutrient effects of N deposition in some systems. This will come up again when it is time for regulatory assessment, because there may be some loss in benefits when N deposition is reduced.

**Charge question 13**

**What are the panel's views on the utility of the additional analyses of co-protection benefits to inform the consideration of alternative levels of the standards?**

The analysis and conclusion in Chapter 6 are important because the decision to focus on the effects of acidification on aquatic ecosystems means that in this current standard setting process, other important effects on ecosystems (documented in the ISA), are not being explicitly taken into account. To the extent that standards set to protect against effects of acidification on aquatic ecosystems also provide some amount of protection against the other effects of deposition, then this provides support that the proposed standards are justified and beneficial.

The analyses reported in Chapter 6 seem adequate for this purpose, but the interpretation of the conclusions could perhaps be broadened. It is clear that standards set to protect aquatic resources from adverse effects of acidification would not fully protect against the effects of deposition on acidification of terrestrial resources and nutrient effects on terrestrial and aquatic resources. However, some partial protection that would be provided could be characterized more fully. For example, the analysis suggests that terrestrial systems located in the same watersheds with acid sensitive aquatic systems would be protected by the deposition levels that would be needed to protect the aquatic resources. So, the question that comes to mind is what do we know about where sensitive terrestrial systems are located relative to sensitive aquatic resources throughout the country. Are they mostly located near one another, or do they occur in completely separate locations in significant amounts? Given the regional nature of ambient NOx and SOx concentrations, how close together would sensitive aquatic and terrestrial resources have to be for protections for one to extend to the other?

Related to this is whether there is benefit to reductions in deposition that are short of the targets for full protection. This depends on whether the dose-response relationships are continuous or substantially nonlinear.

Similar questions come up for the analysis of reductions in N deposition relative to the TMDLs for the Chesapeake watershed. The discussion on page 6-6 shows that N deposition could be higher under an ANC target of 50 than would be allowed given the TMDL target. However, this is the maximum that the N deposition could be if SOx deposition were zero. There is a good chance it would be lower than this. Also, how does this N deposition compare to current levels? How much of the reduction to the target TMDL would be achieved?

**Charge question 24**
**In light of the panel's views on what constitutes adverse effects to public welfare, what are the panel's views on:**

**a) the degree to which current levels of NOy and SOx deposition are adverse to public welfare?**

The case is well made in the PA, based on the information from the REA and the ISA and information added in the PA, that current levels of NOy and SOx deposition are harming sensitive ecosystems to an extent that is adverse to public welfare. A bit more can be done to carry forward the descriptive information about the significance of the current effects that cannot be fully quantified so that the implications for adversity to public welfare are more comprehensive.

**b) target levels of ANC that protect against adversity to public welfare?**

The case seems well supported for a target ANC of at least 50. The wording used to describe the benefits of a target higher than 50 seems unnecessarily cautious. What I understand is that at 50, most sensitive species would survive, but not necessarily thrive. It is certainly clear that loss of an entire species of fish that would otherwise be expected to live in such waters is an adverse effect, so a target of 50 to prevent loss of species is justified. To the extent that the size and robustness of the populations matter to public welfare (and I think there is evidence that they do) then it seems there would be further benefits of an ANC target higher than 50. It may be difficult to quantify the value of this additional benefit, but is it really all that uncertain that there would be some additional benefit?

**c) factors relevant in selecting target percentages of waterbodies to protect?**

This is a tough question. The choice seems a bit arbitrary. It is key that those bodies that are naturally acidic and would not benefit from reductions in deposition have already been excluded. Protecting only half the sensitive water bodies seems clearly like not enough. What percentage of water bodies in the Adirondacks are currently affected? It is already established that current effects are adverse?

**d) alternative standards for NOx and SOx…taking into account target ANC, target percentages of water bodies protected, relevant uncertainties, other factors such as co-protection?**

The question of how to group resources seems an important one that needs to be resolved. At a minimum the split into two categories seems necessary. It is not clear that the benefits of going to the ecoregion level are worth the extra effort. A

key question is whether further disaggregation would put less restriction on locations that are not sensitive—which is the whole reason why something other than a uniform national standard is being developed.

Comments from Dr. Ellis Cowling

# Individual Comments on the September 2010 Second External Review Draft of the Policy Assessment for the Secondary National Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur

Since Chairman Russell has asked that all members of this CASAC NOx/SOx Secondary NAAQS Review Panel:

1) begin by reading all 24 of Lydia Wegman's Charge Questions, then
2) read the whole document "in its entirety,"
3) be sure to give special attention to Charge Question 24, and then
4) concentrate our Individual Comments on our individually assigned Charge Questions and Chapters.

Thus, I have done as Ted asked by:

1) carefully reading all 24 Charge Questions,
2) reading through and making notes on this whole Policy Assessment document,,
3) formulating my thoughts in response to the various subparts of Charge Question 24,
4) working on my specifically assigned Charge Questions which were
   - Charge Questions 2 and 3 in Chapter 4, as well as
   - Charge Question 13 in Chapter 6, and finally by
   - adding some additional more general remarks deriving from my experience as the designated "liaison person" between this NOx/SOx Secondary NAAQS Review Panel and the Integrated Nitrogen Committee (INC) developed within EPA's Science Advisory Board.

## Charge to the CASAC NOx SOx Secondary NAAQS Review Panel (as described in Attachment A in Lydia Wegman's transmittal letter to Angela Nugent dated September 15, 2010)

We ask the CASAC NOx SOx Secondary NAAQS Panel to focus on the charge questions listed below in their review of the second draft Policy Assessment, but we would appreciate comments on any other topics as well. While we have striven to address a number of key issues in this second draft Policy Assessment, there remain important gaps in our analyses and discussions. We have tried to identify these throughout the document. We plan to provide some additional information regarding analyses of alternative target ANC and target percentage of lakes and streams to protect to the Panel prior to the meeting of the Panel on October 6 and 7.

**Charge Question 24. In light of the Panel's views on what constitutes adverse effects to public welfare (see Chapter 3), what are the Panel's views on:**

**a) the degree to which current levels of NOy and SOx deposition are adverse to public welfare based on evidence and risk information, and information on adversity provided in Chapters 2, 3, and 4?**

The ISA and REA for the current review of the NAAQS for oxides of nitrogen and sulfur (as summarized in Chapters 2 and 3) make very clear that current levels (ambient concentrations) of air-borne nitrogen and sulfur compounds (that include not only NOy and SOx, as asked about in this Charge Question, but also include NHx and some as yet poorly characterized organic forms of nitrogen -- which I would abbreviate RHx) – see page 7-35) are now causing significant "disruptions in the structure and function of aquatic ecosystems" in various acid-sensitive regions of the US.

**In this connection please note especially the following paragraphs in Chapter 2 page 2-3:**

> *"The scientific evidence is sufficient to infer a **causal** relationship between acidifying deposition and effects on biogeochemistry and biota in aquatic ecosystems* **(ISA 4.2.2**). The strongest evidence comes from studies of surface water chemistry in which acidic deposition is observed to alter sulfate and nitrate concentrations in surface waters, the sum of base cations, ANC, dissolved inorganic aluminum and pH. **(ISA 3.2.3.2)**. Consistent and coherent documentation from multiple studies on various species from all major trophic levels of aquatic systems shows that geochemical alteration caused by acidification can result in the loss of acid sensitive biological species (**ISA 3.2.3.3**). For example, in the Adirondacks, of the 53 fish species recorded in Adirondack lakes about half (26 species) were absent from lakes with pH below 6.0 (Baker et al., 1990b). Biological effects are linked to changes in water chemistry including decreases in ANC and pH and increases in inorganic Al concentration."

Chapter 3 also makes clear that although the Clean Air Act provides a very broad definition of different kinds of air-pollution-induced "effects" on public welfare, the Act in fact does not define "public welfare" as such, and also does not define "adversity to public welfare." Nevertheless EPA has historically interpreted air-pollution-induced "adversity" to include "disruptions in ecosystem structure and function" that are regarded as important to the people of this country. **This working definition of "adversity" seems very sensible to me.**

Chapter 3 also includes a brief introduction to the concept of "Ecosystem Services" and describes various economic valuation and "Willingness to Pay" (WTP) studies that show very clearly that many citizens of our country are willing to pay the administrative and operational costs of both private-sector and public-sector efforts to decrease the presently ongoing acidification of freshwater lakes and streams in such places as the Adirondack Mountains of New York and New England and the Shenandoah National Park in the eastern US and in acid-sensitive landscapes such as the grasslands of Minnesota and Coastal Sage Scrub (CSS) areas of California.

Chapter 4 makes very clear that the current NAAQS standards for oxides of nitrogen and sulfur are **not** adequate to protect sensitive aquatic and terrestrial ecosystems from

acidification- and nutrient-enrichment effects induced by atmospheric deposition of total reactive nitrogen and sulfur compounds. See especially Chapter 4 page 4-2:

> " … the current standards are not directed toward depositional effects, and none of the elements of the current NAAQS – indicator, form, averaging time, and level – are suited for addressing the effects of [total reactive] N and S deposition. Thus, by using atmospheric $NO_2$ and $SO_2$ concentrations as indicators, the current standards address only a fraction of total atmospheric $NO_X$ and $SO_X$, and do not take into account the effects from deposition of total atmospheric $NO_X$ and $SO_X$. By addressing short-term concentrations, the current $SO_2$ standards, while protective against direct foliar effects from gaseous $SO_X$, do not take into account the findings of effects in the ISA, which notes the relationship between annual deposition of S and acidification effects which are likely to be more severe and widespread than phytotoxic effects under current ambient conditions, and include effects from long term deposition as well as short term."

Thus my response to Charge Question 24a is:

> **Based on the evidence and risk information as well as the information on adversity provided in Chapters 2, 3, and 4, and in light of my professional views about what constitutes adverse effects to public welfare, I conclude that current atmospheric deposition loads of total reactive nitrogen and sulfur (including NOy, SOx, NHx, and probably RHx as well) are causing very substantial and publicly unacceptable adverse effects on public welfare in various parts of the US.**
>
> **I also believe that the AAPI approach currently being developed through the currently proposed and well-integrated "two criteria-pollutant" approach (with acidifying NHx emissions and deposition also being taken "as given") is well grounded in the present state of scientific understanding about acidification effects on aquatic ecosystems.**
>
> **In addition I believe that the present focus on adverse effects in aquatic ecosystems will very likely provide some important co-benefits with regard to decreased adverse acidification effects and decreased nutrient-enrichment effects in sensitive terrestrial and estuarine ecosystems as well as decreased air concentrations of methyl mercury.**

**b) target values for ANC that protect against adversity to public welfare in light of the information presented in Chapter 5 concerning levels of ANC and the ecosystem effects associated with those target ANC levels?**

Thus, my response to **Charge Question 24b** is:

> **I regard the three suggested target values outlined in Chapter 5 for use of ANC as the ecological indicator of choice – 20 µeq/L, 50 µeq/L, and 100 µeq/L – to be very reasonable alternative levels for the Administrator of EPA to use in making**

**her final decisions about the target value of ANC that would be appropriate for various acid-sensitive regions of our country.**

**c) factors relevant in selecting target percentages of water bodies to protect at alternative target ANC levels to protect against adverse effects to public welfare, and weights to place on those factors?**

Thus, my response to **Charge Question 24c** is

**The addendum we received on September23 provided some clarification of "factors relevant in selecting target percentages of water bodies to protect at alternative ANC levels" and some information about "weights that could be placed on these factors" but after careful and repeated rereading of this addendum and other parts of Chapter 5, I still am not able to figure out how to formulate an appropriate response to Charge Question 24c, other than the obvious idea that protecting 90% of the water bodies would be more stringent than protecting 75% of the water bodies, and that protecting only 50% of the water bodies would be even less stringent.**

**d) alternative standards for NOx and SOx that would protect against adverse effects to public welfare based on the AAPI form, and taking into account**
**(i) consideration of target levels of ANC (chapter 5),**

Chapter 5 describes the range of ANC values that are necessary to both understand and then make decisions about protection of freshwater lakes and streams from acidification caused by atmospheric deposition of total reactive nitrogen and sulfur:

- Water bodies with ANC values near or above 100 μeq/L have little or no risk of acidification,
- Water bodies with ANC values between 100 and 50 μeq/L are at progressively increasing risk of acidification,
- Water bodies with ANC values between 50 and 20 μeq/L are at even greater risk of acidification, and
- Water bodies with ANC values of 20 μeq/L or lower already are so acidic that most of them will not support viable populations of fish and many other aquatic biota.

Thus my response to **Charge Question 24d(i)** is:

**The NOx and SOx standards that will be necessary to protect water bodies in an acid-sensitive region of the US will be an inverse function of the ANC values already existing in the population of water bodies that are to be protected – i.e., the lower the existing ANC values in the water bodies to be protected, the more stringent must be the NOx and SOx standards that must be met.**

**In addition, the final SOx standards that are established for each acid-sensitive region that is to be protected will need to be adjusted in part by**

**determinations of the percentage of sensitive water bodies in the region that are to be protected and also by calculations or measurements of the nitrogen-assimilative capacity of the ecosystems that are to be protected.**

**(ii) target percentage of water bodies to protect (chapter 5),**

My response to **Charge Question 24d(ii)** is **essentially the same as my response to Charge Question 24b (above)**

**The addendum we received on September23 provided some clarification of "factors relevant in selecting target percentages of water bodies to protect at alternative ANC levels" and some information about "weights that could be placed on these factors" but after careful and repeated rereading of this addendum and other parts of Chapter 5, I still not figure out how to formulate an appropriate response to Charge Question 24c, other than the obvious idea that protecting 90% of the water bodies would be more stringent than protecting 75% of the water bodies, and that protecting only 50% of the water bodies would be even less stringent.**

**(iii) consideration of relevant uncertainties in AAPI components (chapter 7).**

Chapter 7 provides a very succinct and thorough introduction to many of the still existing uncertainties that are inherent in the AAPI approach to setting welfare-based NAAQS standards for NOx and SOx. As Chapter 7 and both the earlier ISA and REA documents make clear, however, major advances have been made in recent years in decreasing many of the scientific uncertainties that were considered in previous NAAQS reviews for NOx and SOx. Thus, a much more robust scientific foundation has been developed for establishing NOx and SOx NAAQS standards that will diminish the frequency and intensity of nitrogen and sulfur induced adverse effects on the structure and function of ecosystems and on ecosystem services important to public welfare in this country.

These important decreases in scientific uncertainty have resulted from the following developments in recent years:

1) The decision to take a two-criteria pollutant (nitrogen and sulfur) integrated approach rather than to continue to consider NOx and SOx separately,

2) Separating the development of public-welfare-based NAAQS standards from the formerly always dominating public-health-based NAAQS review processes,

3) Including in the AAPI approach to management of acidifying nitrogen and sulfur deposition, both chemically oxidized and chemically reduced inorganic forms of nitrogen (and even recognizing that organic as well as inorganic forms of nitrogen also must be considered) in the current ecosystem-focused secondary NAAQS review process,

4) Considering both acidification effects and nutrient-enrichment effects on whole ecosystems (including interactive effects among all types of plants, animals, insects, and microorganisms) rather than just direct effects on individual species of plants and/or animals,

5) Focusing on nitrogen and sulfur effects on naturally occurring and unmanaged terrestrial and aquatic ecosystems (that include natural grasslands; open range lands; unmanaged coniferous, hardwood, and mixed-species forests; and riverine, estuarine, and coastal ecosystems -- rather than trying also to consider at the same time, air-borne nitrogen and sulfur effects on commercially important plant and animal agricultural production systems and intensively managed commercial forests,

6) Greatly improved mathematical models (especially CMAQ) of spatial and temporal relationships among air emissions of pollutants, meteorological transport phenomena, chemical and physical transformations of airborne nitrogen and sulfur compounds, and wet, dry, and occult (cloud and fog) deposition processes at both high and low elevations,

7) Greatly improved concepts and descriptions of the diversity array of eco-regions that exist across this great continent of ours,

8) Much improved understanding of linkages among bed rock geology, soils, vegetative cover, temperature and moisture-supply gradients, episodic phenomena such as droughts, floods, snow melt processes, physical climate process, and chemical-climate-induced changes in the physical climate,

9) Recognition that our present scientific understanding of nitrogen- and sulfur-induced acidification and nutrient-enrichment processes in aquatic ecosystems is much more thoroughly developed than acidification and nutrient-enrichment phenomena in terrestrial and estuarine ecosystems.

Thus, my response to **Charge Question 24d(iii)** is:

> **Yes, there are still some important uncertainties about how many different categories of sensitivity to aquatic ecosystems should be recognized, how adequately the estimates of chemically reduced forms of nitrogen from the CMAQ air quality model can be trusted, how large the co-benefits for terrestrial ecosystems will be from use of the present AAPI approach with its primary focus on protection of aquatic ecosystems, and in the several kinds of Willingness to Pay (WTP) and other kinds of benefit estimates, but I am confident that these and other sources of uncertainty will continue to decrease during the next few years and that the present scientific foundation is adequate to implement the AAPI approach as soon as final decisions about the indicator, level, statistical form, and averaging time of the proposed NAAQS standard can be resolved.**

**(iv) any other potentially relevant factors, such as levels of co-protection against terrestrial acidification and nutrient enrichment (chapter 6)?**

Chapter 6 contains a very short but persuasive description of the likelihood of significant co-benefits in protection of terrestrial ecosystems from acidification and nutrient enrichment effects from implementation of an AAPI approach aimed primarily at protection for aquatic ecosystems.

Thus, my response to Charge Question 24d(iv) is:

> **Although it is difficult to develop quantitative estimates of the co-benefits that are likely to accrue in terrestrial ecosystems from NAAQS standards designed specifically to diminish adverse effects on aquatic ecosystems in acid-sensitive regions, I believe there is no uncertainty at all that such co-benefits will occur and will not be surprised if these co-benefits turn out to be significant in magnitude.**

---

Let me turn now to the specific Charge Questions that our NOx/SOx Panel Chairman Ted Russell asked me to address:

- Charge Questions 2 and 3 in Chapter 4, and
- Charge Question 13 in Chapter 6.

## Chapter 4: Addressing the Adequacy of the Current Standards

**Charge Question 2. What are the Panel's views on staff's approach to translating the available evidence and risk information and other relevant information into the basis for reaching conclusions on the adequacy of the current standards and on alternative standards for consideration?**

My response to Charge Question 2 is essentially the same as my response to Question 24a:

> **"Chapter 4 makes very clear that the current NAAQS standards for oxides of nitrogen and sulfur are not adequate to protect sensitive aquatic and terrestrial ecosystems against acidification and nutrient enrichment induced by atmospheric deposition of total reactive nitrogen and sulfur compounds.**
>
> **<u>In this connection, please note especially Chapter 4 page 4-2</u>:**
>
> **" … the current standards are not directed toward depositional effects, and none of the elements of the current NAAQS – indicator, form, averaging time, and level – are suited for addressing the effects of [total reactive] N and S deposition. Thus, by using atmospheric $NO_2$ and $SO_2$ concentrations as indicators, the current standards address only a fraction of total atmospheric NOx and SOx, and do not take into account the effects from deposition of total atmospheric NOx and SOx. By addressing short-term concentrations, the current $SO_2$ standard, while protective against direct foliar effects from gaseous SOx, does not take into account the findings of effects in the ISA, which notes the relationship between annual deposition of S and acidification effects which are likely to be more severe and widespread than phytotoxic effects under current ambient conditions, and include effects from long term deposition as well as short term."**

**a) In light of the Panel's views on the appropriate definitions of adversity to public welfare (see Chapter 3), do you agree that the current levels of NOy and SOx deposition are adverse to public welfare?**

**Yes, I do agree that the current levels of NOy and SOx deposition are adverse to public welfare. Once again let me explain my response by repeating parts of my response to Charge Question 24a:**

**Chapter 3 makes clear that although the Clean Air Act provides a very broad definition of different kinds of air-pollution-induced "effects" on public welfare, the Act in fact does not define "public welfare" as such, and also does not define "adversity to public welfare." Nevertheless EPA has historically interpreted air-pollution-induced "adversity" to include "disruptions in ecosystem structure and function" that are regarded as important to the people of this country. Thus EPA's working definition of "adversity" seems very sensible to me.**

**The ISA and REA for the current review of the NAAQS for oxides of nitrogen and sulfur (as summarized in Chapters 2 and 3) make very clear that current levels (ambient concentrations) of air-borne nitrogen and sulfur compounds (including not only NOy and SOx, as asked about in this Charge Question (but also include ambient NHx and some as yet poorly characterized organic forms of nitrogen (see Chapter 7 page 7-35) are now causing significant "disruptions in the structure and function of aquatic ecosystems" in various acid-sensitive regions of the US.**

**In this regard, please note especially Chapter 2 page 2-3:**

*"The scientific evidence is sufficient to infer a* ***causal*** *relationship between acidifying deposition and effects on biogeochemistry and biota in aquatic ecosystems* **(ISA 4.2.2**). The strongest evidence comes from studies of surface water chemistry in which acidic deposition is observed to alter sulfate and nitrate concentrations in surface waters, the sum of base cations, ANC, dissolved inorganic aluminum and pH. **(ISA 3.2.3.2)**. Consistent and coherent documentation from multiple studies on various species from all major trophic levels of aquatic systems shows that geochemical alteration caused by acidification can result in the loss of acid sensitive biological species (**ISA 3.2.3.3**). For example, in the Adirondacks, of the 53 fish species recorded in Adirondack lakes about half (26 species) were absent from lakes with pH below 6.0 (Baker et al., 1990b). Biological effects are linked to changes in water chemistry including decreases in ANC and pH and increases in inorganic Al concentration."

**3. Has staff appropriately applied this approach in reviewing the adequacy of the current standards and potential alternative standards?**

**Yes, I believe that EPA staff has very appropriately noted that:**

**1) the very short-term present secondary NOx and SOx standards (calculated as the arithmetic mean of 1-hour concentrations of $NO_2$ and as the arithmetic mean of 3-hour concentrations of $SO_2$) are wholly inadequate to protect aquatic or terrestrial ecosystems from the long-term cumulative acidifying loads of total reactive nitrogen and sulfur compounds;**
**2) the "indicators" used in the present NAAQS standards do not include all of the acidifying and nutrient-enriching forms total reactive nitrogen and sulfur that are now causing significant adverse impacts on the structure and function of aquatic and terrestrial ecosystems in various acid-sensitive regions of the US.**

**4. Has staff appropriately acknowledged the potential beneficial effects of nitrogen inputs into nutrient limited ecosystems, while maintaining the focus of the review on preventing adverse effects in nitrogen sensitive ecosystems?**

**Yes, in this connection please note the following discussion in Chapter 4 pages 4-44 and 4-45:**
"In certain limited situations, additions of nitrogen can increase rates of growth, and these increases can have short term benefits in certain managed ecosystems. As noted earlier, this review of the standards is focused on unmanaged ecosystems. As a result, in assessing adequacy of the current standards, we are focusing on the adverse effects of nutrient enrichment in unmanaged ecosystems. However, the following discussion provides a brief assessment of effects in managed ecosystems.

Impacts of nutrient enrichment in managed ecosystems may be positive or negative depending on the levels of nutrients from other sources in those areas. Positive effects can occur when crops or commercial forests are not receiving enough nitrogen nutrients. Nutrients deposited on crops from atmospheric sources are often referred to as passive fertilization. Nitrogen is a fundamental nutrient for primary production in both managed and unmanaged ecosystems. Most productive agricultural systems require external sources of nitrogen in order to satisfy nutrient requirements. Nitrogen uptake by crops varies, but typical requirements for wheat and corn are approximately 150 kg/ha-yr and 300 kg/ha-yr, respectively (NAPAP, 1990). These rates compare to estimated rates of passive nitrogen fertilization in the range of 0 to 5.5 kg/ha-yr (NAPAP, 1991).

## Chapter 6: Co-protection for Other Effects Using Standards to Protect Against Aquatic Acidification

**Charge Question 13. What are the Panel's views on the utility of the additional analyses of co-protection benefits to inform consideration of alternative levels of the standard?**

My view is that the additional analyses of co-protection benefits contained in Chapter 6 is a well-reasoned and valuable addition to this Policy Assessment Document. I was especially well-pleased with the following summary paragraph in Chapter 6 page 6-2 and the additional detailed information contained in Tables 6-1 and 6-2 on page 6-3:

"Results of the comparison between the aquatic critical acid load (ANC = 50 μeq/L) and
the terrestrial critical acid loads (Bc:Al 1.2 and 10.0) for the 32 watersheds are presented in **Tables 6.1 and 6.2**. In the 16 Adirondack watersheds, 13 of the 29 lakes had aquatic critical acid loads that were lower (more protective) than the terrestrial critical acid loads when a Bc:Al ratio of 10.0 was used. Based on terrestrial critical acid loads determined with a Bc:Al ratio of 1.2, 21 of the 29 lakes in the Adirondacks had aquatic critical acid loads lower than the terrestrial critical acid loads. More importantly, for the terrestrial critical acid loads determined with a Bc:Al ratio of 10.0, 13 of the 16 lakes in the Adirondacks classified as "highly" and "moderately" sensitive to acidification had aquatic critical acid loads lower than the terrestrial critical acid loads, and all 16 lakes in these two sensitivity classes had critical acid loads lower than the terrestrial loads determined with a Bc:Al of 1.2 The watersheds within the Shenandoah region showed similar results (Table 6.1)."

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Let me turn now to a few general remarks deriving from my experience as the designated "liaison person" serving as a member of both this NOx/SOx Secondary NAAQS Review Panel and the Integrated Nitrogen Committee (INC) developed within EPA's Science Advisory Board.

The first and perhaps most important linkage between the INC and the NOx/SOx Panel was the following "Resolution" developed by the INC and communicated to the NOx/SOx Panel on October 31, 2007:

## Resolution

The current air pollution indicator for oxides of nitrogen, NOx, is an inadequate measure of reactive nitrogen in the atmospheric environment. The SAB's Integrated Nitrogen Committee recommends that inorganic reduced nitrogen (ammonia plus ammonium) and total oxidized nitrogen, NOy, be monitored as indicators of total chemically reactive nitrogen.

The NOx/SOx Panel has accepted this resolution and incorporated NOy as the recommended "indicator" of choice for implementation of the proposed revision of the NOx and SOx Public Welfare based NAAQS standards using the AAPI approach.

The second important linkage between the INC and the NOx/SOx Panel was a presentation in September 2008 by Chairman Russell of the then emerging AAPI

approach, with its incorporation of chemically reduced forms as well as chemically oxidized forms of reactive nitrogen as an "as given" feature of regions of the US to which the AAPI approach could be applied. This novel approach was useful in developing an integrated way of recognizing that chemically reduced inorganic forms of nitrogen (gaseous $NH_3$ and ammonium ion ($NHx^+$) as well as chemically oxidized forms of reactive nitrogen and sulfur ($NOy+SO_2+ SO_4$) are all very important parts of the total acidifying deposition that leads to adverse ecosystem impacts in acid-sensitive regions of the US.

This choice to include NHx "as given" in the AAPI index for ecosystem effects of oxides of nitrogen and sulfur was is an artful means of avoiding the large administrative and probably nearly prohibitive political challenges of trying to designate ammonia and ammonium ion as a seventh Criteria Pollutant and thus including three rather than two Criteria Pollutants in this initial step that EPA is now taking in exploring options for multi-pollutant approaches in air quality management in the US as recommended in the National Research Council's 2004 report on "Air Quality Management in the United States."

The third important linkage between the NOx/SOx Panel and the INC came about during EPA's renegotiation of the original court-ordered deadline for completion of the NOx/SOx NAAQS review process. This change in the court-ordered deadline provided approximately 18 moths of additional time that EPA Staff sorely needed to complete the additional analyses and assessments that we presently have available in this Second External Review Draft Policy Assessment.

The fourth and last important linkage between scientific findings and recommendations from the INC and the findings and recommendation of the NOx/SOx Panel has to do with the magnitude of air emissions from various US sources of the reactive nitrogen and sulfur. As indicated in the attached Table 2 from the June 2010 draft report of the INC, in 2002 the total air emission of reactive nitrogen from industrial and transportation sources totaled about 6.2 Tg of NOx-N compared to agricultural sources that totaled about 3.1 Tg/yr of NHx-N – roughly a two-fold difference in air emissions of total reactive nitrogen from these three major sources.

**Table 1: Nr fluxes for the United States, Tg N in 2002.[a]**

| **Nr inputs to the *Atmospheric* environmental system** | | | **Tg N/yr** | % |
|---|---|---|---|---|
| | $N_2O$-N emissions [1] | | 0.8 | 8 |
| | | Agriculture - livestock (manure) $N_2O$-N | 0.03 | |
| | | Agriculture – soil management $N_2O$-N | 0.5 | |
| | | Agriculture - field burning agricultural residues | 0.001 | |
| | | Fossil fuel combustion - transportation* | 0.1 | |
| | | Miscellaneous | 0.1 | |

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|---|---|---|---|---|
| | $NH_x$-N emissions [2] | | 3.1 | 31 |
| | | Agriculture: livestock $NH_3$-N | 1.6 | |
| | | Agriculture: fertilizer $NH_3$-N | 0.9 | |
| | | Agriculture: other $NH_3$-N | 0.1 | |
| | | Fossil fuel combustion – transportation * | 0.2 | |
| | | Fossil fuel combustion - utility & industry * | 0.03 | |
| | | Other combustion | 0.2 | |
| | | Miscellaneous | 0.1 | |
| | $NO_x$-N emissions [2] | | 6.2 | 61 |
| | | Biogenic from soils | 0.3 | |
| | | Fossil fuel combustion – transportation * | 3.5 | |
| | | Fossil fuel combustion - utility & industry * | 1.9 | |
| | | Other combustion | 0.4 | |
| | | Miscellaneous | 0.2 | |
| | Total *Atmospheric* inputs | | 10.0 | 100 |
| **Nr inputs to the *Terrestrial* environmental system** | | | | |
| | Atmospheric N deposition[b] | | 6.9 | 19 |
| | | Organic N [3] | 2.1 | |
| | | Inorganic $NO_y$-N [4] | 2.7 | |
| | | Inorganic-$NH_x$-N [4] | 2.1 | |
| | *N fixation in cultivated croplands [5] | | 7.7 | 21 |
| | | Soybeans* | 3.3 | |
| | | Alfalfa* | 2.1 | |
| | | Other leguminous hay * | 1.8 | |
| | | Pasture* | 0.5 | |
| | | Dry beans, peas, lentils * | 0.1 | |
| | N fixation in non-cultivated vegetation * [6] | | 6.4 | 15 |
| | N import in commodities *[7] | | 0.2 | 0.3 |
| | Synthetic N *[8] | | 15.1 | 41 |

| | | | | |
|---|---|---|---|---|
| | | Fertilizer use on farms & non-farms | 10.9 | |
| | | Non-fertilizer uses | 4.2 | |
| | Manure N production [9] | | 6.0 | 16 |
| | Human waste N [10] | | 1.3 | 3 |
| | Total *Terrestrial* inputs | | 43.5 | 100 |
| **Nr inputs to the *Aquatic* environmental system** | | | | |
| | Surface water N flux [11] | | 4.8 | |

Also attached please find the following Concluding Statement from the June 2010 draft report from the INC:

## Concluding Statement

Fossil fuel combustion and food production have significantly increased the introduction of Nr (reactive nitrogen) into the US environment and, while there have been tremendous benefits, there are also tremendous damages to the health of both ecosystems and people. Optimizing the benefits of Nr while minimizing its problems will require an integrated nitrogen management strategy that not only involves EPA, but also other federal agencies (e.g., USDA, DOE, NOAA), state agency managers, the private sector, and a strong public outreach [educationally focused] program.

Comments from Dr. Charles Driscoll

**1 October 2010**

**Comments on "Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for NOx and SOx**
**2nd External Review Draft**

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**Executive Summary**

| | |
|---|---|
| ES-3, paragraph 4 | What is meant by balance of base cations? Change to "dissolved inorganic aluminum." |
| ES-3, paragraph 5, line 2 | Change to "depth of soil and surficial deposits" |
| ES-4, paragraph 2, line 4 | ANC of 50 μeq/L |
| ES-4, paragraph 4, line 3 | Change to "may result in nutrient imbalance" |
| ES-4, paragraph 6 | Change to "as trout are eliminated due to acidification" |
| ES-7, paragraph 2 | Why would watersheds with low base-cation weathering be eliminated from consideration? These should be the most acid-sensitive watersheds. |
| ES-10-11, 1st paragraph ES-11 | I don't believe this statement on naturally acidic ecosystems is true. There are surface waters that are naturally acidic due to low rates of base cation supply and/or high inputs of naturally occurring organic acids. However, these systems can also be impacted by elevated inputs of acidic deposition. This is a widespread occurrence in the Adirondack region of New York. These naturally acidic surface waters will exhibit loss of ANC and elevated aluminum concentrations from acidic deposition. |
| ES-13, last bullet | This statement is problematic. Brook trout is not a sensitive species. Maybe the sentence should be |

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| | changed to state "…protection against declines in fitness of <u>less</u> sensitive species (e.g., brook trout, zooplankton) …" |
| | Also, what is meant by "the overall health of aquatic communities may not be impacted." If species are lost, isn't this an impact on the health of aquatic communities? I think this bullet needs to be re-phrased. |
| **Chapter 1** | |
| P 1-9, line 4-6 | Is this sentence correct? Aren't both direct and indirect effects considered in this PA? Also, total deposition is not just particulate forms. This sentence should be re-written. |
| **Chapter 2** | |
| P 2-2, line 8 | This sentence needs to be changed to something like "in some instances <u>unless strongly retained by soil or biota</u>, leach out …" |
| P 2-9 in PnET box | Change last line to "The model can be set to operate on any time set, but is generally run on a monthly time-step. It is applied at the stand to small-watershed scale." |
| P 2-21, line 1 | It might be good to reference Goodale et al. (2010) here. |
| P 2-21, paragraph 2 | The article by Thomas et al. (2010) on nitrogen deposition on northern tree species should be mentioned in this paragraph. |
| **Chapter 3** | |
| P 3-6, line 13-15 | This statement about alkalinity is incorrect. For all intents and purposes, alkalinity and ANC are the same. Often alkalinity involves titration to a fixed pH endpoint (~4.2), while ANC generally involves Gran Plot determination of the equivalence point. The difference between the two is subtle at best. For this document, the two should be used interchangeably. |

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| P 3-9, line 11 | This sentence on the units conversion does not make sense. Sulfur and nitrogen have different molecular weights. Therefore one cannot have a single mass conversion for a nitrogen map (left) and a sulfur map (right). |
| P 3-15, Figures 3-5 and 3-6 | Does the N deposition include $NH_4^+$, is the map total N deposition or $NO_3$ deposition? Please clarify. |
| Page 3-30, line 8 | 100 μeq/L |

**Chapter 4**

| | |
|---|---|
| P 4-1, line 6 | Change to "associated with elevated deposition of $NO_x$ …" |
| P 4-1, line 22 | Change to "nutrients and acid neutralizing capacity …" |
| P 4-2, line 25 | Change to "as the ability of the watershed to counteract acidic inputs is decreased as the supply of acid neutralizing capacity is used more rapidly than can be replaced through geological weathering." |
| P 4-20, line 2 | The text refers to sulfur fields but the figures referenced (Figure 4-5, 4-6) depict $NO_x$ and $NH_x$. Is there a mistake here? |
| P 4-20, line 4 | The text refers to concentration patterns, but Figure 4-4 shows deposition. |
| P 4-20, lines 24, 29 | The text refers to correlation between $NO_x$ and N deposition. Is this $NO_x$ concentrations? If so, this should be clarified. |
| P 4-49, line 27 | Change to "and methyl mercury can be taken up…" |
| P 4-50, line 14-15 | Methylation of mercury occurs in watersheds all over the U.S. (and the world) where conditions are appropriate. Please change this sentence, it is incorrect. |
| P 4-50 | Note there are other linkages between acidification and fish mercury accumulation. Mercury is |

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| | accumulated to a greater degree in aquatic biota as pH and ANC decreases. Dittman and Driscoll (2009) noted that as fish condition increased associated with decreases in acidic deposition, fish mercury concentrations decreased. |
| **Chapter 5** | |
| P 5-8, line 21-22 | Change to "some fraction of the acid neutralizing capacity…" |
| P 5-13 (Figure 5-4b) | I am not familiar with this paper, but the figure does not make sense, why would the ANC curve have different lines for a wet US average year? This figure should be explained or deleted. |
| P 5-15, line 6 | Change to "to neutralize the deposition." |
| P 5-15, line 16 | This definite of steady-state models is horrible. A steady state model is one with time invariant inputs, outputs and pools. This section should be re-written. |
| P 5-17, entire page | The authors are using the term equilibrium incorrectly. Equilibrium is a thermodynamic term. Throughout this page, the word equilibrium needs to be replaced with the word "steady-state" (lines 1, 4, 6, 8, 14, 29, 30). |
| P 5-17, line 16 | There is a problem here with the term critical load. Critical load is a steady-state phenomenon. For a value of critical load that is not at steady-state, the term dynamic critical load or target load should be used. |
| P 5-17, line 24 | Change to "implying that watersheds with greater inherent supply of acid neutralizing capacity respond …" |
| P 5-19, line 7 | Change to "in-lake retention of $SO_4^{2-}$ and N. |
| P 5-19 (around here) | A critical issue needs to be addressed if steady-state models are going to be used. Steady-state models will give relative high values of the level of atmosphere deposition needed to protect ecosystem (critical loads) because they assume steady-state |

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| | conditions. At any reasonable time frame, the dynamic critical load will be much lower. If steady-state models are going to be used a "safety factor" should be applied to account for this discrepancy. |
| P 5-19, Figure 5-5 | Does the trade-off figure consider background deposition? In other words, is the zero deposition value really 0? There is background deposition of S and N that will not be changed by controls of emissions. |
| P 5-21, equation 3 | This equation does not make sense and needs to be explained better. What is the difference between nitrogen uptake and nitrogen immobilization? |
| P 5-23, lines 10, 16 | Change to "as the acid neutralizing capacity of the watersheds increase…" |
| P 5-26, 5-27, line 18-19, Figure 5-7 | The text refers to a map of critical loads, but Figure 5-7 is a map of sites where critical loads have been calculated. |
| P 5-27 | This approach of eliminating low ANC sites seems foolish. These are the most sensitive sites. Why would you throw them out? If you don't want to include these sites, the percentage of the lakes targeted should be relaxed. This would be a more honest, transparent approach rather than throwing out the most sensitive watersheds. Also I would recommend against throwing out the high DOC lakes. High DOC waters can be impacted by acidic deposition. A better approach would be to include these waters and check the DOC concentrations of the waters that would not be protected. Undoubtedly these would include many high DOC waters. |
| P 5-51, Figure 5-18 | I would like some additional explanation of this figure. It appears that the $NH_x$ deposition shifts the "dog-leg" to lower values of N deposition for graphs a and c, but not b. Why? |
| P 5-52, Figure 5-19 | This figure is also difficult to follow. I think I have the sense of it, but a more detailed explanation would be helpful. |

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| P 5-54, line 14 | What is meant by pure nitrogen and sulfur? Do you mean total nitrogen and total sulfur? Please clarify. |
| P 5-54, line 26 | Would better wording be "N and S atoms of $NO_x$ and $SO_x$ removed from the atmosphere, which …" |
| P 5-56, line 8 | Would better wording be "species that affect the health of ecosystems would…" |
| P 5-56, line 25 | Should you specify which lake in the Adirondacks? |
| P 5-58, Figure 5-20 | This figure suggests that T values are relatively invariant for the eastern U.S. Is this correct? If so, this would be important information to clarify. It would also be helpful to explain why this is the case (also discussed in Chapter 7). |
| P 5-65, line 6 | It is important to define what is meant by uptake and immobilization. It also would be helpful to indicate how uptake, denitrification and immobilization are calculated. |
| P 5-66, line 23 | Rather than nitrogen buffering capacity, do you mean nitrogen retention capacity? |
| P 5-66, line 24 | Again this is confusing. Do you mean "when reduced nitrogen deposition exceeds the ability of the ecosystem to retain nitrogen? |
| P 5-66, 2nd paragraph | This paragraph is confusing and needs to be re-worded. The term buffering capacity is not being used properly. There is confusion on distinguishing between nitrogen retention and loss of acid neutralizing capacity. |
| P 5-67, line 3 | Clarify units 50 μeq/L. |
| P 5-70, paragraph ???? | This paragraph is horrible. For example, line 7 indicates that below pH 4.5 ANC appears to be uncorrelated with pH. As at pH values below the equivalence point<br>$ANC = -[H^+]$ this shows what an incorrect statement this is. This paragraph is filled with mis-statements and needs to be completely re-written. |

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|---|---|
| P 5-75, Table 5-10 | Aren't these species listed from most sensitive to least sensitive? See table title. |
| P 5-81, line 13 | How about "as ANC decreases, the probability of very low pH values occurring increases." |
| P 5-82, line 24 | Brook trout is a relatively insensitive fish species. |
| P 5-82, line 25 | How about "When ANC values are <50 μeq/L, the probability of acidic episodes increases substantially." |
| P 5-82, line 30 | How about "At these levels during acidic episodes brook trout populations…" |

**Chapter 5 General Comments (the devil is in the details)**

- How will the probability of lakes to be protected be determined?
- How many sites per region/category will be evaluated?
- How will the time-dependence of recovery be addressed? Critical loads vs. target loads (dynamic critical loads).

**Chapter 6**

| | |
|---|---|
| P 6-1 | This analysis is nice but I am skeptical. There are limited field observations on this. Many soil time series studies over the past 15 years show ongoing depletion of soil exchangeable calcium and magnesium which many waters, particularly in the Northeast, are showing recovery of ANC. This pattern, if true, suggests ongoing soil acidification while surface waters are recovering from acidic deposition. This may also suggest that soil is more "sensitive" to inputs of acidic deposition than surface waters. |
| P 6-4, line 17 | 50 μeq/L |
| P 6-6 | How about a short blurb about co-benefits associated with decreases in fish mercury and wildlife mercury concentrations associated with decreases in sulfate loading and/or increases in surface water pH? |

Chapter 7

| | |
|---|---|
| P 7-13, 7.4.3.2 | It would be helpful and important to discuss why T values are relatively homogenous. |
| P 7-17-7-20, Figures 7-1, 7-4 | Indicate what the lines on the figures represent. |
| P 7-32, line 1 | Change to "as the supply of acid neutralizing capacity of watersheds increases…" |

**References:**

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Comments from Dr. Dale Johnson

Review of "Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for NOx and SOx: Second Review Draft"

Dale W. Johnson
4 October 2010

Charge Question 2: What are the Panel's views on staff's approach to translating the available evidence and risk information and other relevant information into the basis for reaching conclusions on the adequacy of the current standards and on alternative standards for consideration?

Response: The Second Review Draft focuses almost entirely on aquatic effects with the rationale that such effects are better known and better documented than terrestrial effects. This is certainly true. But this raises a question in my mind: is it the purpose of this document to provide evidence to support changing standards, more or less in a lawyerly fashion? Should this be the purpose? Or should the purpose of the document be to examine all the potential pluses, minuses, and potential unintended consequences of changing standards? In short, is this a mission? If so, is the review panel expected to sign on to the mission? These questions came to mind as I considered my response to Charge Question 4: many of the points that I have raised in the past as potential benefits of increased N deposition to forest ecosystems and C sequestration are now moot with the change in focus toward aquatic effects. I reiterate that I am in no way against changing standards to protect aquatic ecosystems, I am only trying to see that the approach to it includes a balanced assessment of the effects of such changes. If EPA does not do it, I am quite sure that someone else will.

Charge Question 2a) In light of the Panel's views on the appropriate definitions of adversity to public welfare (see Chapter 3), do you agree that the current levels of NOy and SOx deposition are adverse to public welfare?

Response: This almost becomes a philosophical issue. It is hard to conceive of an effect of some perturbation that does not have some adverse as well as some beneficial effect to public welfare, with the probable exception of Hg deposition. The example that comes to mind is agricultural fertilization, which is adverse to public welfare when it is done in excess and leads to groundwater nitrate pollution, yet on the other hand, it is certainly adverse to public welfare to preclude fertilization with the resultant substantial decline in crop and food production! There is little doubt that current levels of NOy (combined with NH4) and SOx deposition are having adverse effects on some sensitive ecosystems; how many of such ecosystems can be protected at what cost, and what are the magnitudes and importance of unintended consequences (such as forest ecosystem C balance or crop S fertilization) that might result from such protection, and how does this compare to the benefits of protecting these sensitive ecosystems? The question becomes one of assessing the balance between these two effects, and, while recognizing the considerable

uncertainties in some unintended consequences, I do feel that further discussions along such lines will add considerable credibility to this document.

Charge Question 4: Has staff appropriately acknowledged the potential beneficial effects of nitrogen inputs into nutrient limited ecosystems, while maintaining the focus of the review on preventing adverse effects in nitrogen sensitive ecosystems?

Response: The staff acknowledged at various places in the document that some benefits of N deposition might occur in very limited circumstances in commercial forests. They do not mention the C balance issue, which could occur in any forest, although the inclusion of Climate in Table 3-1 implies this, and is certainly of more practical relevance than" Climate Control" or "Regulating Climate" as is now shown in the table. While dismissing the potentially positive effects of N fertilization in non-commercial forests, the staff does, however, spend a considerable amount of time considering exactly the same phenomenon in non-commercial forests of the southwestern US where increased growth probably provides unwanted fuel for the next wildfire. I find this to be unbalanced. In general, however, any benefits of N (or S) deposition to terrestrial ecosystems is far less relevant in this document than in previous ones in that the staff has limited their scope largely to aquatic effects, none of which (to my knowledge) are beneficial. The wording in the Executive Summary regarding the ISA is correct (p. 1-9, lines 7-9) in that "The ISA highlights the ecological effects ….. to sensitive ecosystems other than commercially managed forests and agricultural lands…" Thus, the consideration of any potential benefits to ecosystems which by definition are "sensitive" (implying sensitive to negative effects) becomes moot, irrelevant, and dismissable. However, I would note that the first part of the quote from the Clean Air Act in page 2-1, lines 7-9, does not necessarily dismiss any benefits, but simply addresses effects. It does indeed mention damage to property, etc in the middle part of the quote, but the beginning and end do not specify that only negative effects be considered (although this may well have been what was intended). In a nutshell, if the scope of this effort is now limited to aquatic effects, then the issue of potential benefits becomes nearly irrelevant. It is not irrelevant, however, in the larger scheme of things where C balance effects of N deposition are now being hotly debated in the literature and sure to come up at some later time if new standards are proposed.

Charge Question 11: What are the Panel's views on the preliminary staff conclusions regarding alternative target ANC levels that are appropriate for consideration and the rationale upon which those conclusions are based?

The ANC levels at which negative effects on aquatic systems occur appear to be well established and I see no problem with considering alternate target ANC levels in this context. The premise of the section on alternate levels of ANC does not directly assess whether a given AAPI standard will or will not achieve a certain target ANC because of uncertainties, but presumes that the target ANC levels are reached and discusses them in that context (p. 5-69, lines 9-16). I confess to some degree of confusion as to the logic in some of this section, for example, the discussion of alternative target ANC's and timing

on p. 5-85, lines 2-8. Clarification of this logic would help this reader. I would also point out that the capacity (change in soil) and intensity (change in soil solution) considerations raised before should enter into this discussion, as changes in the intensity factor could be very rapid in response to changes in deposition whereas changes in the capacity factor could be as slow as envisioned here, if indeed they occur at all (for example, it seems very unlikely that soil exchangeable acidity will decline and base saturation will increase in response to a decrease in acid deposition inputs – soils in humid environments would not likely become more basic with time, but only continue to acidify at a slower rate). I also confess to some confusion as to the derivation of the DL factors discussed on page 5-88 and 5-89 – if they were explicitly defined by other than the general terms used here, I missed it, and these terms are not in the list of abbreviations and acronyms up front.

Charge Question 11 a) In light of the Panel's views on appropriate definitions of adversity to public welfare (see Chapter 3), what are the Panel's views on the appropriateness of the information related to adversity considered by staff in evaluating alternative target ANC levels?

Here I have nothing further to add in addition to what was stated above.

Charge Question 12: What are the Panel's views on the approaches considered by staff for assessing alternative target percentages of water bodies for protection at alternative ANC levels?

Again, it is not clear how this was done – the DL factors, which clearly are numerical indices of some kind, are not defined in pages 5-88 and 5-89, and thus I am unable adequately address this question. If they were defined (preferably in the form of equations) elsewhere, that should at least be clearly referenced here, and preferably formally defined again. It is unclear to me how the $DL_{\%eco}$ terms in Tables 5-12 and 5-13 were derived, and yet it seems to be a critical element of the assessment. This needs to be more clearly described.

Other Specific Comments

Table 1-1: It would probably be better to use SI units here, as nearly all journals demand these days.

p. 1-9, lines 7-8: I do not understand why ag systems and commercial forest systems should be left out.

p. 2-1, line 24: need a space between "9" and "of"

p. 2-2, lines 13-28: Again, the intensity effects need to be included here – that is, introduction of strong acid anions such as sulfate and nitrate to an already acid soil (and acid soils do occur in nature, without any air pollution effects), then acidification of waters can occur instantly without any change at all in base saturation.

p. 2-5: Some discussion of natural acidification processes by natural carbonic and organic acids and by plant uptake should be discussed here. The uninitiated may erroneously conclude that acid soils only occur in the presence of air pollution.

p. 2-19, lines 20-21: This statement seems to fly in the face of other statements later on which say that there it too much uncertainty in terrestrial effects and therefore the document will concentrate on aquatic effects.

pp. 2-21 through 2-23: As I have said in many previous reviews, I believe some mention of the C balance issues as related to N deposition deserves a mention here.

p. 3-7: What about DOE? They have funded a considerable amount of ecological research, including air pollution research.

p. 3-11: Table 3-1 is incomplete. Soils not only provide the service of nutrient cycling, they also provide filters for providing clean water (or, in some cases, provide pollution to clean water). And where are the timber values for forests in here? It is NOT implied only in crops, because there are still forest products removed from National Forests these days, even though their primary purpose is no longer for timbering. The vaguest of all is Climate and especially Climate Control? "Regulating" climate? I did not realize we had that technology yet. What should really be shown here is C balance considerations, but I am aware that the authors are very loathe to do this.

p. 3-25, lines 14-19: Again, potential beneficial effects, for example for C sequestration, are not necessarily limited to managed ecosystems.

p. 3-89 through 3-41: So while potential beneficial effects of N enrichment are summarily dismissed as irrelevant, three full pages are spent on the negative, fire related effects of N enrichment. Certainly the fire effects are very valid ones, that is not the point – it is a matter of selective emphasis on only the negative.

p. 4-2, line 25: Again, acidification of waters can take place in minutes as mobile strong acid anions enter an acidic soil.

p. 4-39, lines 10-16: and D) C sequestration, which can benefit national C balance if permanent and be of benefit, or cause enhanced fire danger in drier systems and thus be extremely negative.

p. 4-45, lines 28-30: This is parsed out very specifically, but is not completely true, as potential benefits can accrue even in unmanaged systems, as stated above.

p. 5-16, lines 4-5 and page 5-7, lines 1-6: These sections clearly point out the problems with steady-state models which assume that base cation flux is equal to soil weathering rate. This simply cannot be true because if it were, soils would never acidify. Acid soils are found all over the world, including in pristine, unpolluted areas.

p. 5-23: CL is not in the list of acronyms

p. 7-7, lines 3-15: This section has me lost. I am unclear as to what is being said here.

p. 7-32, lines 8-13: The real source of uncertainty here is in the assumptions and premises upon which these calculations are based. This source of uncertainty has not been quantified (and perhaps cannot be quantified).

p. A-5, lines 6-11: Nearly all of these assumptions is false. 1. Steady-state conditions never exist, as is well recognized by nearly all ecologists these days. 2. Nutrient cycling effects on soils are profound, often far more important than inputs by deposition and outputs by leaching. 3. N inputs by N-fixation are still greater on a global scale (last time I looked) than those of air pollution (although N fixation is more spotty). 4. I will not contest. 5. Some sesquioxide rich soils can absorb sulfate for a very very long time.

p. A-5, equation 7: This equation and the premises upon which it is based clearly point out the problems with steady-state models which assume that base cation flux is equal to soil weathering rate. This simply cannot be true because if it were, soils would never acidify. Acid soils are found all over the world, including in pristine, unpolluted areas.

p. A-5, line 26: Where is equation 5?

Comments from Dr. Myron Mitchell

**Draft Comments from Myron J. Mitchell**
**on**
**Second External Review Draft:**
**Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for NOx and SOx**

Two important areas that need to be addressed are:

1) **Treatment of sulfur in the AAPI**. There is no consideration in the AAPI formulation of internal (soil) sulfur sinks (e.g., soil sulfate adsorption) or sulfur sources (organic S mineralization, S mineral weathering, sulfate desorption). It is assumed that watershed sulfur outputs equal sulfur inputs in deposition. Mitchell[1] et al. (2010, Biogeochemistry) found that watersheds that had previously had substantial portions of atmospheric S input that from 1985 through 2002 that internal sources contribute 1–6 kg S $ha^{-1}$ $year^{-1}$. This would equal 6 to 37 meq/$m^2$/year. This contribution is substantial when compared to various analyses provided in the document (e.g., figures 5-15, 5-18, 5-19, etc.). Not including this internal sulfur source will result in an underestimate in the amount of reduction for nitrogen and sulfur deposition needed to meet target loads. Other studies in North America and Europe have also emphasized the importance of internal sulfur sources.

2) **The reliance on the CMAQ model** with respect to providing estimates of deposition input is important to clearly link this effort by EPA with effects. The importance of the CMAQ output for developing this secondary standard clearly suggests that more effort is needed by EPA in the evaluation of the CMAQ output. This should evaluation should be a high priority for EPA in monitoring and research efforts.

My other comments are given below.

**Executive Summary**

Page(s)

ES-8 The term Neco used in the figure has not been defined prior to its use.

[1]Mitchell, M.J., G. Lovett, S. Bailey, F. Beall, D. Burns, D. Buso, T. A. Clair, F. Courchesne, L. Duchesne, C. Eimers, D.Jeffries, S. Kahl,, G. Likens, M.D. Moran, C. Rogers, D. Schwede, J. Shanley, K. Weathers and R. Vet. 2010. Comparisons of Watershed Sulfur Budgets in Southeast Canada and Northeast US: New Approaches and Implications. Biogeochemistry (Available on Line).

ES-9 The sentence "Snowmelt can release stored N deposited throughout the winter" is conceptually not correct. The vast majority of N released is nitrate that has been generated microbially within the soil, not atmospherically deposited N in the snowpack.

**Chapter 1: Introduction**
[no questions]

**Chapter 2: Known or Anticipated Ecological Effects**
[no questions]

**Chapter 3: Considerations of Adversity to Public Welfare**

3-15 to16 It would be useful to indicate in figure legends 3-5 and 3-6 that it is assumed that all the N and S deposited are converted to nitrate and sulfate respectively for calculation eq/ha/yr.

3-28 Table 3-2 needs further clarification. It is not completely clear why the lake count is 0 for years 2005 for all ANC thresholds.

3-29 For Table 3-3 include within the table legend a replacement of "present" with "Year 2007".

3-37 In Table 3-7, a delineation of the arrows used in the value column needs to be provided.

1. What are the Panel's views on the definitions of adversity that are appropriate to consider in determining what constitutes adversity to public welfare relative to the NOx and SOx secondary standards?

The Chapter does a good job of describing the various attributes of diversity with particular emphasis on those areas expected to be most sensitive to NOx and SOx effects in the USA. The impact of the Chapter could be improved by a summary section that clearly indicates which of the adversity components will be the primary focus of the proposed standards.

**Chapter 4: Addressing the Adequacy of the Current Standards**

4-5 line 4 This sentence needs to be changed from "oxidized nitrogen" to "reactive nitrogen"–as it currently is written it excludes reduced forms of N including ammonium.

4-15 In describing the issues related to the differences between the rural (e.g., CASTNET) and urban deposition monitoring sites, it is clear that there is a disconnect. Would it be appropriate to recommend that a unified network is needed that includes both rural and urban sites?

4-17 to18 Certainly there is justification for using CMAQ as a predictor of deposition. It is somewhat curious, however, that NADP is used for wet deposition and CMAQ is for dry deposition. Certainly, there are more problems associated with the estimates of dry deposition than those for wet deposition. However, to gain more confidence in the CMAQ predictions it would be very important to compare the NADP (measurements) and CMAQ (predictions) for wet deposition. This type of comparison is needed to confirm that "CMAQ promotes analytical consistency and efficiency across analyses of multiple pollutants" and "CMAQ provides a consistent platform incorporating the atmospheric and deposition species of interest over the entire United States".

4-18 The issues related to scaling up in time the CMAQ estimates of hourly estimates needs to be discussed.

4-21 to 36 It would be very helpful to use the same color ranges for each gases pollutants for comparing estimates from CMAQ, CASTNET and SLAMS. Also, there is very limited discussion on the differences in the results associated with these different monitoring networks. For example, there appear to be major differences in CMAQ (Figure 4-11) and CASTNET (Figure 4-13) sulfate concentrations with respect to the absolute values and spatial distribution.

2. What are the Panel's views on staff's approach to translating the available evidence and risk information and other relevant information into the basis for reaching conclusions on the adequacy of the current standards and on alternative standards for consideration?

The general information is certainly contained within this document and other supporting information such as within the ISA and REA, but the actual linkages of evidence and the translation to the generation of the standards could be improved.

a) In light of the Panel's views on the appropriate definitions of adversity to public welfare (see Chapter 3), do you agree that the current levels of NOy and SOx deposition are adverse to public welfare?

b)

Yes, the evidence is sufficient that the current levels of NOy and SOx deposition are adverse to public welfare in some systems which are particular sensitive to acidification and or N addition causing nutrient enrichment.

3. Has staff appropriately applied this approach in reviewing the adequacy of the current standards and potential alternative standards?

Yes, the approach is valid, but more attention to the linkages between evidence and the generation of the standards would be helpful.

4. Has staff appropriately acknowledged the potential beneficial effects of nitrogen inputs into nutrient limited ecosystems, while maintaining the focus of the review on preventing adverse effects in nitrogen sensitive ecosystems?

The current balance is appropriate in the context of the standard and the protection of sensitive systems.

**Chapter 5: Conceptual Design of an Ecologically Relevant Multi-pollutant Standard**

| | | |
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| 5-5 | lines 5-6 | This statement is not correct. The vast majority (>95%) of the nitrate released during episodic snowmelt is derived from the forest floor and mineral soil and <u>not</u> from the snow. A possible rewording could be as follows: Snowmelt results in the mobilization to drainage waters of nitrate most of which has been generated within the forest floor and mineral soil. This release of this nitrate can result in episodic acidification. Literature citations would include (Kendall, 1998, Tracing Nitrogen Sources and Cycling in Catchments, Book Chapter; Piatek et al., 2005, WASP; Campbell et al. 2006, J. Geophys. Res.). |
| 5-5 | lines 7-8 | The statement that "inputs of nitrogen and sulfur from snowpack and atmospheric deposition" suggests that snowpack N and S is not derived from atmospheric deposition. Change to "inputs of nitrogen and sulfur from atmospheric deposition". |
| 5-12 | 18 | Lien et al. 1992 not in References. |
| 5-28 | lines 10-22 | This section is difficult to follow. Inclusion of a figure illustrating the issue associated with the skewness of the distribution of critical loads would be helpful so that the reader does not need to go ahead to section 5.3.2.7 to understand the issue. |

5-33 Figure 5-9 is very difficult to read. The numerical designations of ecoregions especially in the dark blue areas are not readable.

5-45 Figure 5-13. In its present form it is difficult to distinguish differences between the one nation versus binary categorization.

5-55 lines 26-29 The statement "Due to lack of direct measurements, no performance evaluations of CMAQ's dry deposition calculation can be found; however, the current state of MCIP is the product of research that has been based on peer-reviewed literature from the past two decades (EPA, 1999) and is considered to be EPA's best estimate of dry deposition values" is rather weak and suggests that effort is needed to further evaluate CMAQ using available information. This issue comes up a number of times in the document (e.g., page 5-64, lines 23-25).

5-56 lines 22-28 The time unit for these depositions and ratios needs to be provided. Is this a yearly interval?

5-57 In showing these coefficient of variation values in Figure 5.22, it is difficult to see the actual values and respective ranges in the Adirondack and Shenandoah case study areas. Instead of stating that "values are relatively small", it would be better to provide the means and standard error of the means of these ratios.

5-58 In Figure 5-20, for sulfur deposition/concentration, how is marine sulfur accounted for? For sulfur it seems somewhat curious that there is a change in the isopleths a substantial distance into the Atlantic Ocean. I would expect the difference if it includes marine components would be more related to the coastal outline. For this figure, the deposition component needs a time unit as previously stated.

5-61 to 70 I am concerned with the treatment of sulfur in the AAPI. There is no consideration in the formulation of sulfur sinks (e.g., soil sulfate adsorption) or sulfur sources (organic S mineralization, S mineral weathering, sulfate desorption). Mitchell et al. (2010, Biogeochemistry) found that watersheds that had previously had substantial portions of atmospheric S input that from 1985 through 2002 that internal sources

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| | contribute 1–6 kg S $ha^{-1}$ $year^{-1}$. This would equal 6 to 37 meq/$m^2$/year. This contribution is substantial when compared to various analyses provided in the document (e.g., figures 5-15, 5-18, 5-19, etc.) |
| 5-84 | lines 12-23 In considering issues related to recovery there is a need to not only consider the issues related to weathering of base cations, but also to internal generation of the mobile nitrate and sulfate anions. Particularly for sulfate this sulfate will likely result in substantial delays in recovery in those systems with net losses of soil sulfur and low levels of base cation weathering. |

5. What are the Panel's views on staff's revised conceptual framework for the structure of a multipollutant, ecologically relevant standard for NOx and SOx? To what extent does the Panel agree that this suggested structure adequately represents the scientific linkages between ecological responses, water chemistry, atmospheric deposition, and ambient NOx and SOx?

> The conceptual framework for a multipollutant, ecologically relevant standard for NOx and SOx is sound with considerable support from the scientific literature on how the generation of strong mobile acids result in the acidification of soils and water.

6. What are the Panel's views on the appropriateness of considering a single national population of waterbodies in establishing standards to protect against aquatic acidification?

> Although having a single national population of waterbodies makes is more facile to explain the standard, the problems associated with under protecting sensitive systems and overprotecting insensitive systems necessitates having a system with more spatial resolution.

What are the Panel's views on consideration of alternative subdivisions of the U.S. to identify the spatial boundaries of populations of waterbodies and acid-sensitivity categories, specifically:

a) the use of Ecoregion III areas to aggregate waterbodies ?

> This seems to be a reasonable approach that takes advantage of the extensive information on various ecosystem components including both abiotic and biotic components.

b) the use of ANC to further aggregate Ecoregion III areas into different categories of sensitivity?

The use of ANC is consistent with the overall emphasis on the standard to protect sensitive surface waters from further acidification and have deposition that will allow those water bodies that have been deleterious impacted by acidic deposition to recover as indicated by increasing ANC values.

c) the relative appropriateness of the suggested methods for categorizing spatial boundaries of sensitivity, e.g. on nation, binary sensitive/less-sensitive classes, cluster analysis based sensitivity classes, and individual ecoregions?

7. What are the Panel's views on the appropriateness of the critical loads that form the basis for the population assessment to determined deposition metrics?

The use of critical loads has been found to be a useful approach for looking at spatial and temporal aspects of acidification. This concept was originally applied to Europe and more recently has been extended to other regions including North America.

a) What are the views of the Panel on the appropriateness of generalizing the f-factor approach to apply to lakes and streams in the Western U.S. and other portions of the Eastern U.S.

The application of the f-factor is a useful approach for evaluating the potential for mineral weathering to contribute to the generation of base cations and enhance acid neutralization.

b) What are the views of the Panel on the filtering criteria used to remove lakes and streams that are naturally acidic or not sensitive to atmospheric deposition?

Yes, it is reasonable to exclude 1) lakes that likely has low ANC values (e.g. < 50 :eq/L), 2) CL < 10 meq/$m^2$/yr and for which pre-industrial ANC values could not be calculated, 3) waters affected by acid mine drainage (>400 :eq/L $SO_4^{2-}$ twice or more than expected by atmospheric deposition and 4) waters with >10 mg C/L DOC to exclude those systems dominated by organic acids.

8. What are the Panel's views on the suggested methods for determining appropriate values of reduced nitrogen deposition in establishing NOx/SOx tradeoff curves?

The presentation of the NOx/SOx tradeoff curves is difficult to follow since the linkages between the various components in the various figures and tables are not always consistent (e.g. Table 5-7 versus Figure 5-12). Also it would be most helpful to keep the axes lengths the same in plots within the same figures for comparisons (e.g. Figure 5-15). I am somewhat concerned with respect to the sulfate portion of the curve on how systems are handled in which sulfate losses in drainage waters is not in balance with sulfur deposition. We know that for a number of sites in the United States that there can either be net retention or net

loss of sulfur. These imbalances can be substantial especially under conditions of decreasing atmospheric sulfur deposition.

9. What are the Panel's views on the revised characterization of the deposition transference ratios (TNOy and TSOx)?

Implicit in the use of such an aggregated deposition ratio is that the relative portion of the chemical species in deposition remain constant both with space and time. I don't believe that there is strong evidence suggesting that this is the case. At a minimum some error analyses associated with this assumption is needed.

10. What are the Panel's views on staff's conclusion that an averaging time of 3 to 5 years is
appropriate given the AAPI form of the standard?

There should be consideration of not only looking at the averages, but also the minima and maxima for the period of examination. Care will need to be taken on issues related to the water regimes among these years and whether there were droughts or other extreme events such as freezing rain all of which could have a substantial impact on N and S drainage losses and resultant effects on ANC.

11. What are the Panel's views on the preliminary staff conclusions regarding alternative target ANC levels that are appropriate for consideration and the rationale upon which those conclusions are based?

The use of alternative ANC levels is appropriate and based upon sound science that has shown different levels of sensitivity of various biotic taxa with respect to sensitivity to low ANC.

a) In light of the Panel's views on the appropriate definitions of adversity to public welfare (see Chapter 3), what are the Panel's views on the appropriateness of the information related to adversity considered by staff in evaluating alternative target ANC levels?

The information provided is adequate for showing at least some of the major concerns that are documented with respect to public welfare.

12. What are the Panel's views on the approaches considered by staff for assessing alternative target percentages of water bodies for protection at alternative ANC levels?

This approach is useful in providing a range of water bodies to be covered with respect to these alternative ANC levels. This also provides flexibility with respect to the administrator regarding choices for protection, overall protection of public welfare and costs for implementation of the standard.

**Chapter 6: Co-protection for Other Effects Using Standards to Protect Against**

**Aquatic Acidification**

13. What are the Panel's views on the utility of the additional analyses of co-protection benefits to inform consideration of alternative levels of the standard?

This discussion is helpful in showing the linkage of protection between terrestrial and aquatic components of watersheds and emphasizes as indicated elsewhere in the document that in general the projection of sensitive aquatic resources results in terrestrial protection with the aquatic resources being more sensitive to deposition. One issue, however, that needs some consideration is that the time frames for the recovery are substantially different from aquatic and terrestrial components with a greater time lag expected for terrestrial systems.

**Chapter 7: Evaluation of Uncertainty and Variability in the Context of an AAPI standard, including Model Evaluation, Sensitivity Analyses, and Assessment of Information Gaps**

14. What are the Panel's views on the following:

a. The degree to which the chapter appropriately characterizes the potential role of information on uncertainty, sensitivity, and variability in informing the standards?

| | |
|---|---|
| 7-4 | lines 13-15 The document states that "Confidence regarding the fundamental science supporting causal determination about the effects of acid deposition, and the translation of those efforts into ecosystem services and values is less amenable to quantification". Even though it is difficult, providing even some approximate evaluations would be helpful. Some of this uncertainty may be substantial and having uncertainly analysis focus on those components for which the calculations are more facile may result in a misunderstanding of the impact of the proposed standard on human welfare. |
| 7-6 | lines 14-17 In addition to the uncertainties associated with the estimate of catchment supply of base cations via weathering the exclusion of sulfate dynamics (or possibly considering a range of internal S supply) will have a major impact on uncertainty especially associated with future recovery. |
| 7-8 | lines 13-23 Some further elaboration of the Banzhaf survey would be helpful. |

b. The appropriateness and completeness of the evaluation of CMAQ model performance and sensitivity to critical inputs?

| | |
|---|---|
| 7-10 to 24 | The inclusion of comparisons of CMAQ and CASTNET |

results (i.e., Figures 7-1 to 7-7) are very helpful. The discussion related to the limitations of CMAQ (page 7-10, lines 15-26) are insightful and should be useful in providing future modifications of CMAQ.

7-12 line 1 Is it appropriate to utilize a manuscript in preparation (e.g., Dennis and Foley, 2010) for this document?

7-3 lines 12-27 It is indicated that "sensitivity of CMAQ derived deposition transformation ratios to changes in emissions and treatment of chemistry" is not yet completed. This should be a high priority for EPA.

7-12 lines 1-7 Do these results suggest that CMAQ needs to be changed such that precipitation estimates are derived from actual measurements versus modeled estimates. Isn't this approach more similar to that employed by the Canadian AURAMS model?

c. The utility of the analyses of temporal and spatial variability in the deposition transference ratios (TNOy and TSOx)?

7-13 The terms "stiff" and "stiffness" are introduced. Is the use of these terms identical to "invariate"? In indicating that the absolute values remain "stable", it is difficult to ascertain how these relative large ranges of ratios will affect the overall results in using mean Ts and Tn values.

7-14 This comparison to emission change over time is for only two years (2005 and (2030) and is highly dependent on assumptions of changes in emission sources. What were the underlying assumptions of these changes? Do the range in values in Figure 7-12 show the differences based upon these assumptions?

7-16 lines 14-26 With the continual evolution of CMAQ and likely changes in the predictions of AAPI, will there be problems in the standard itself being affected by changes in CMAQ?

7-27 to 28 For Figures 7-11 and 7-12, the figure legend needs to include a description of the statistical values (mean, ranges, confidence intervals, ??) associated with these box-and-whisker plots.

15. What are the Panel's views on the insights provided by the AAPI sensitivity analysis including: a. The evaluation of elasticities of response?

b. The multivariable ANOVA analysis?

7-30 It is challenging to use the results provided in Appendix A and see how the various analyses are used in this evaluation. A summarization is needed on the relative sensitivities of the various parameters that make up the AAPI. An important result is provided by the statement that emphasizes the need to focus on the uncertainties of the non-atmospheric inputs, including base cation weathering and runoff rates. As indicated previously some inclusion of internal generation of sulfate is also needed. An important outcome of this analysis should to show the parameters of the AAPI have the most and least confidence. Such information should be used in driving research and monitoring efforts by EPA.

16. What are the Panel's views on the discussion of uncertainty in the critical loads models including MAGIC and SSWC?

These descriptions of uncertainty for the model calculations for MAGIC and SSWC are adequate. A more quantitative term than "moderate' should be used in describing the uncertainty in SSWC (Page 7-32, line 15). The development of the information in Table 7-2 is helpful in summarizing the uncertainty associated with the AAPI.

7-33 to 34 For Figures 7-14 and 7-15 within the figure legend it needs to be indicated that these MAGIC model simulations.

17. What are the Panel's views on the areas for future research and data collection outlined in this chapter, on relative priorities for research in these areas, and on any other areas that ought to be identified?

The AAPI needs to include some estimates of the role of internal sulfur sources in contributing to sulfate in drainage waters. The absence of including this factor will result in an underestimate of the deposition required to achieve a desired level of ANC.

**Chapter 8: Monitoring**

8-1 to 18 The most critical aspect of monitoring is that there needs to be a more explicit linkage between the monitoring networks and the evaluation and further refinement of the CMAQ model. This interplay between the monitoring and modeling efforts will help ensure that both the monitoring and modeling are most relevant to the environmental issues being addressed.

18. What are the Panel's views on using an open inlet to capture all particulate size fractions for the purpose of analyzing for sulfate?

This should be the focus of a research question versus an overall modeling component.

What is your opinion on using existing CASTNET filter packs as a future Federal reference method for sulfate?

This has considerable advantages with respect to spatial and temporal patterns since the CASTNET network has been in place for a number of years and includes a generally good representation of sites across the US.

19. What are the Panel's views on requiring measurements of ammonia and ammonium to assist implementation of the standard?

There is a clear need to expand monitoring to include measurements of ambient ammonium and ammonium concentrations. This reduced form of nitrogen is a major component of nitrogen deposition for many sites including those within areas with intensive agricultural activities.

20. What are the Panel's views on having a subset (e.g., 3-5 sites) of monitoring stations in different airsheds that measure for the major NOy species; nitric acid, true NO2, NO, PAN and p-NO3?

This could be an important research question.

**Chapter 9: Conclusions**

21. What are the Panel's views on the overall characterization of uncertainty as it relates to the determination of an ecologically-relevant multi-pollutant standard for NOx and SOx?

The current document does a commendable job in showing were some of the major uncertainly lies with respect to the development of a multi-pollutant standard. Areas that should be targeted for improvement include a more complete evaluation of the CMAQ predictions and the consideration of additional processes, especially internal sulfur sources in the AAPI.

22. What are the Panel's views on the following:

a. The insights that can be gained into potential alternative additional secondary standards (using the AAPI form) by considering:

I. Information from studies on the relationship between mortality in aquatic organisms and pH and ANC?

ii. Information from studies on the relationship between fish health and/or biodiversity metrics and pH and ANC?

iii. Information on the relationship between pH, Al, and ANC?

iv. Information on target ANC levels identified by states and regions, as well as other nations?

Each of these sources of information both separately and taken together provide a compelling case on the relationships between ANC and other water quality metrics that are associated with biotic health of waters. The findings from these different studies all provide a rather unified picture suggesting appropriate ANC values to be the target for the standard.

b. The appropriate role of qualitative and quantitative characterizations of uncertainty in developing standards using the AAPI form?

c. The role of considerations regarding the relationship of the standard to:

I. the time trajectory of response, e.g. when specific ANC levels are likely to be realized given a specific level of the AAPI?
ii. the likelihood of damages to aquatic ecosystems due to episodic acidification events given a specific target for chronic ANC?
iii. the levels of co-protection for terrestrial ecosystems against acidification effects and the for aquatic and terrestrial ecosystems against effects of excess nutrient enrichment?

There may be some problems associated with the time trajectory of the response due to the understanding and ability to model the relative contribution of net N uptake and net S loss from the terrestrial portion of the system. Any factor (e.g. changes in climate, $CO_2$ concentration in the atmosphere) could have important effects on the time trajectory.

23. What are the Panel's views on Staff's conclusion that the existing secondary standards for NOx and SOx should be retained to provide protection against direct adverse effects to vegetation due to gas phase exposures?

There is no reason not to retain these existing standards since these concentration levels will likely be substantially greater than those associated with join NOx and SOx standards.

24. In light of the Panel's views on what constitutes adverse effects to public welfare (see Chapter 3), what are the Panel's views on:

a) the degree to which current levels of NOy and SOx deposition are adverse to public welfare based on evidence and risk information, and information on adversity provided in Chapters 2,3, and 4?

b) target values for ANC that protect against adversity to public welfare in light of the information presented in Chapter 5 concerning levels of ANC and the ecosystem effects associated with those target ANC levels?

c) factors relevant in selecting target percentages of waterbodies to protect at alternative target ANC levels to protect against adverse effects to public welfare, and weights to place on those factors?

The information provided substantiates that the current levels of NOy and SOx deposition are producing adverse effects to the public welfare. The target values selected for ANC are congruent with current scientific understanding with respect to which ANC values and any resultant change are most sensitive to biotic components. Selecting a target subset of waterbodies to be protected by alternative target ANC values is a useful approach.

d) alternative standards for NOx and SOx that would protect against adverse effects to public welfare based on the AAPI form, and taking into account

- consideration of target levels of ANC (chapter 5),
- target percentage of water bodies to protect (chapter 5),
- consideration of relevant uncertainties in AAPI components (chapter 7), and
- any other potentially relevant factors, such as levels of co-protection against terrestrial acidification and nutrient enrichment (chapter 6)?

It may be important to consider alternate standards especially for protecting those systems where nutrient enrichment (e.g. western U.S.) is a substantial effect associated with N deposition.

Comments from Mr. Richard Poirot

**Comments on 2nd Draft Policy Assessment for Secondary SOx & NOx NAAQS**, R. Poirot

**5. What are the Panel's views on staff's revised conceptual framework for the structure of a multipollutant, ecologically relevant standard for NOx and SOx?**

The revised conceptual framework for the structure of the multi-pollutant secondary standard has been substantially improved from the first draft policy assessment. The inherently complex framework is more clearly presented and more carefully justified, with revisions that are directly responsive to previous review comments.

**To what extent does the Panel agree that this suggested structure adequately represents the scientific linkages between ecological responses, water chemistry, atmospheric deposition, and ambient NOx and SOx?**

The proposed structure adequately reflects the current state of scientific understanding of the complex linkages between ambient concentrations of SOx and NOx, wet and dry deposition of these and other acidifying pollutants (i.e. NHx), environmental processing of these deposited S and N compounds, resultant changes in surface water chemistry, and subsequent ecological effects.

**6. What are the Panel's views on the appropriateness of considering a single national population of waterbodies in establishing standards to protect against aquatic acidification?**

Use of a single national population of water bodies as the basis for selecting (a percent of water bodies to be protected from reaching or maintaining a specific minimal ANC component of) a national standard has the "advantage" of "simplicity". But a large fraction of national surface waters are located in areas where underlying soils, bedrock and other local environmental factors effectively preclude adverse acidification effects from past, current, and expected future deposition rates of S and N, while other water bodies are extremely sensitive to effects from relatively low rates of S and N deposition. Use of a single national population and associated percentage level of protection unnecessarily disregards the large regional variations in inherent sensitivity to acidification, and is likely to lead to under-protection in some areas and over-protection in others (or both).

Since there are various methods and data available to allow refined estimates of inherent sensitivity to be calculated on a regional basis, and since many other location-specific environmental variables are included in the calculation of compliance with the proposed standard, it makes sense (I think – but need more info) to consider protection in the more refined context of the populations of water bodies at risk from acidification effects.

**What are the Panel's views on consideration of alternative subdivisions of the U.S. to identify the spatial boundaries of populations of waterbodies and acid-sensitivity categories, specifically:**

**a) the use of Ecoregion III areas to aggregate waterbodies ?**

Not my area of expertise, but this seems like a reasonable approach, and possibly one that could be considered for refining secondary NAAQS for these and other criteria pollutants in the future. Off hand, it seems like using 120+ different Ecoregion III categories for aggregating water bodies is unnecessarily complex. However, it also appears that there are reasonably ways to simplify, group or sort these many categories into a much smaller number of Ecoregion subsets which are inherently sensitive (or most sensitive) to acidification, and which would make for a more efficient standard better focused on protecting those systems at greatest risk.

**b) the use of ANC to further aggregate Ecoregion III areas into different categories of sensitivity?**

This seems like a logical (almost obvious) metric for sorting/grouping the Ecoregion categories. If only we could just use the readily measured direct ANC indicator of effects as the NAAQS indicator…

**c) the relative appropriateness of the suggested methods for categorizing spatial boundaries of sensitivity, e.g. on nation, binary sensitive/less-sensitive classes, cluster analysis based sensitivity classes, and individual ecoregions?**

I don't have a strong opinion on the relative appropriateness of these alternative approaches. None of them seems inappropriate. Off hand, I think I like the cluster analysis approach, for its inherent scientific merit, its direct focus on sensitivity, and the relative simplicity of a 5-class grouping scheme (especially for the initial roll-out of an extremely complex NAAQS).

However, I also don't think that the advantages/disadvantages/ consequences of the various options (2a, b, c, d) are presented here with sufficient clarity to allow an informed choice by the Administrator (or by me anyway). Hopefully, these options can be presented, discussed and illustrated more clearly in the final PA document, and staff might propose and defend a preferred option. For example, the page 5-50 statement (and associated figures) that "In option I, the Adirondack air quality is slightly out of attainment for a 75%-tile deposition metric based on a CL at ANC=50. In option 2a, the Adirondack air quality is out of attainment for the curve for the sensitive areas, but in attainment for the less sensitive areas." helps convince me that option 2a is preferable to option 1. But I don't have a similar feel for the relative strengths or weaknesses of the other options.

**8. What are the Panel's views on the suggested methods for determining appropriate values of reduced nitrogen deposition in establishing NOx/SOx tradeoff curves?**

Since reduced nitrogen in the air or in (dry) deposition is not currently measured, and not currently considered as a regulated component of the NAAQS, but does contribute to the acidifying (and N enrichment) effects of SOx and NOx deposition, I think it's reasonable to estimate its location-specific deposition with CMAQ. At the same time, there is also a

need to verify and refine the CMAQ estimates with direct measurements, especially for $NH_3$.

I also strongly support the proposed approach to consider NHx as a temporally varying, location-specific component of the AAPI calculation. This is a scientifically preferable approach to the previous proposal which would have considered NHx deposition as a fixed constant. If NHx increases, larger reductions in SOx and NOx would be required, and conversely, if NHx decreases, SOx and NOx reductions would be lower.

**9. What are the Panel's views on the revised characterization of the deposition transference ratios ($T_{NOy}$ and $T_{SOx}$)?**

So far as I can tell, the (CMAQ) methods for calculating these deposition transference ratios are the same as they were in the last draft PA, but are described, illustrated and evaluated more clearly in the current document. These transfer functions are logically conceived, but seem like such critical elements of the proposed standards, which are uncomfortably dependent entirely on CMAQ model performance. The illustrations (Figures 5-20 – 5-22) showing the spatial characteristics are helpful, and the illustrations (Figures 7-11 and 7-12) showing that the transfer functions remain stable over time with large changes in emissions add some confidence. Although since the model chemistry is fixed, S and N species totals are conserved, and meteorology held constant, highly variable modeled results would not be expected. Some additional confidence might be provided by comparing CMAQ estimates of dry and total deposition (wet is already shown) at selected CASTNET sites in recent years, and perhaps breaking out the Figure 7-3 performance for $TNO_3$ into separate figures for particulate nitrate (which deposits inefficiently) and $HNO_3$.

One additional analysis that might be informative would be to calculate and evaluate a modified $T_{NOY}$ function (call it $T_{NOY*}$) that would be based on CMAQ modeled total N deposition as a joint function of CMAQ $HNO_3$ and $pNO_3$ (separate coefficients could be derived for each species). This empirically derived relationship would be no more of a "black box fudge factor" than the current $T_{NOY}$ calculation (ratio of CMAQ estimate of total N deposition to CMAQ estimate of NOy). Potential benefits of this approach are that it would be less dependent on CMAQ's ability to accurately predict and apportion all the separate NOy components (with their widely different deposition velocities); it can be applied (as can the sulfur $T_{SOX}$ function) to currently available and relatively low cost CASTNET measurement data; and the measured species would directly represent major components of dry N deposition, compared to NOy, which has no relationship ($R = 0.067$ in Figure 4-21) without benefit of the black box CMAQ conversion. In evaluating whether this alternative approach is "close enough" to the original TNOY, both calculations could be compared to both the CMAQ estimates and CASTNET (+ NADP) measurements of total N deposition.

**12. What are the Panel's views on the approaches considered by staff for assessing alternative target percentages of water bodies for protection at alternative ANC levels?**

As indicated previously, I think the alternative approaches seem reasonable, and that the objective should be to focus as tightly as possible on protecting water bodies that are inherently sensitive to acidification, without adding too much complexity to the regulatory metric. It might also be recognized in this case that a metric that provided some "over-protection" in areas less sensitive to aquatic acidification might provide added protection for terrestrial ecosystems or against nitrification and would unavoidably improve visibility and reduce mortality and morbidity associated with $PM_{2.5}$ concentrations.

**13. What are the Panel's views on the utility of the additional analyses of co-protection**
**benefits to inform consideration of alternative levels of the standard?**

This seems like a reasonable concept to explore in more detail, although I don't really see any discussion of this in Chapter 6. It seems clear from the analysis that there are areas – without surface waters or with relatively insensitive surface waters where adverse affects on terrestrial ecosystems are expected – and for which adding a "co-protection" element to the standard would provide added benefits. If other welfare effects of SOx and NOx – such as on materials damage and visibility had been considered in this review, the co-protection benefits would have been substantial.

**14. What are the Panel's views on the following:**
**a. The degree to which the chapter appropriately characterizes the potential role of information on uncertainty, sensitivity, and variability in informing the standards?**

The additional information and discussion uncertainty, sensitivity, and variability in Chapter 7 is extremely helpful, and represents a major improvement to the previous draft PA.

**b. The appropriateness and completeness of the evaluation of CMAQ model performance and sensitivity to critical inputs?**

While various CMAQ model performance evaluations have been presented elsewhere, the model performance evaluations and sensitivity analyses presented here are most helpful. Since $pNO_3$ and $HNO_3$ have such different deposition velocities and are measured separately in CASTNET, it might be informative to show comparisons of the separate modeled species and CASTNET measurements, and perhaps also for the CMAQ and CASTNET estimates of dry deposition of the separate $pNO_3$ and $HNO_3$ species, as well as for the CMAQ and CASTNET estimates of TNO3 dry deposition.

**c. The utility of the analyses of temporal and spatial variability in the deposition transference ratios ($T_{NOy}$ and $T_{SOx}$)?**

I have a hard time understanding what the spatial variability in these transfer ratios actually means, though it is comforting to see that the patterns seem relatively "smooth" rather than abrupt. Is there is seasonal or diurnal variability in these ratios that might give us a better feeling for what's really going on inside the model (and in the atmosphere)? I wonder if it would be informative to see maps analogous to Figure 5-20 which separately showed the ratios of S conc to S wet dep and S dry dep, and of N conc

to N wet dep and N dry dep. Maps showing the ratios of S and N deposition to S and N emissions (perhaps aggregated on a state by state basis) could also be interesting…

The illustrations of the relative absence of temporal variability are comforting, as it is key to have stable regulatory metric which is linearly responsive to emissions changes over time. Some (any) discussion which helped explain the causes and implications (if any) of some of the spatial or temporal variations would be helpful.

**17. What are the Panel's views on the areas for future research and data collection outlined in this chapter, on relative priorities for research in these areas, and on any other areas that ought to be identified?**

I thought this section of Chapter 7 was especially well done, and well supported by the preceding discussions. A chapter like this should become standard practice in future NAAQS reviews!

**18. What are the Panel's views on using an open inlet to capture all particulate size fractions for the purpose of analyzing for sulfate? What is your opinion on using existing CASTNET filter packs as a future Federal reference method for sulfate?**

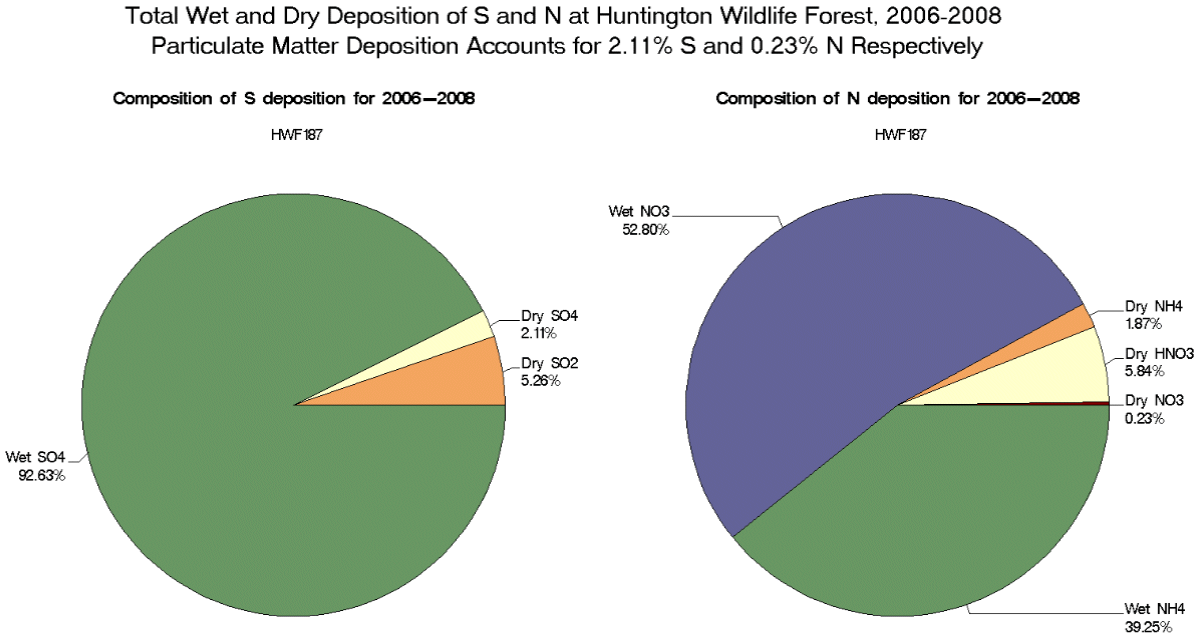
I don't oppose these proposals, although I think the case is somewhat overstated, especially in relation to aquatic acidification effects. A major concern is that this would require exclusive use of CASTNET methods or network and preclude use of fine fraction sulfate measurements which are more abundant, and not demonstrably grossly inferior. Conversely, there's no reason not to include a similar open inlet approach for $pNO_3$, for which coarse particle deposition may be especially important for N deposition contributions to nutrient enrichment of coastal estuaries. I also think an argument could be made to consider CASTNET $HNO_3$ and $pNO_3$ as an (interim) alternative to continuous NOy measurements (more detail on this below and in #9 above).

Some counterpoints to the open faced sulfate proposal:

- Away from coastal areas with coarse sea salt or arid or agricultural areas with windblown dust, (and especially in the remote humid, high elevation areas where acidification occurs) there is relatively little coarse sulfate (or coarse nitrate) period.
- The particle cut size characteristics of the open faced collectors have not been well characterized, nor is any information provided on what (small) fraction of the open faced S or N sample is composed of more rapidly depositing coarse mode particles. You need to add a fudge factor, which you could do just as well using fine fraction data.
- Open-faced collectors may take in fog or cloud water. In addition, since coarse particles tend to be alkaline, additional artifacts may occur as gaseous $SO_2$ or $HNO_3$ reacts with the alkaline coarse material collected on the sample filter.
- Sulfate and nitrate in coarse mode particles which are formed in the air (and are not sampling artifacts) typically result from reactions of acidic S and N gases and alkaline crustal material or sea salt. Consequently, these particles carry their own cations and represent uniquely well buffered forms of S and N deposition.
- Lastly, the total fractions of S and N depositions from particulate matter – especially in the higher elevations where acidification is an issue – is not very large. Below are the 2006-08 estimates of total S and N deposition for the Huntington Forest CASTNET site (relevant to

deposition in the Adirondack case study area). Total particulate sulfate and nitrate were estimated to account for 2.1% and 0.2% of the total S and N deposition respectively.

As indicated above, I'm not opposed to the proposal to specify an open faced FRM or even the CASTNET filter pack for $pSO_4$, but think it could also be specified for $pNO_3$ (assuming problems with loss of volatile $NO_3$ during summer sampling can be corrected), but also think accommodations could be made (FEM) to accommodate use of fine fraction $SO_4$ and $NO_3$ data (with adjustments) to avoid being too prescriptive at this early stage of the NAAQS process, to mandate a compliance network (CASTNET) which is not operated by states but by EPA contractors (funded by $ taken from state monitoring pots), or – in combination with the proposed continuous NOy indicator – to require deployment of a costly new network which may not be currently feasible, or which might indefinitely delay implementation of the NAAQS.




**19. What are the Panel's views on requiring measurements of ammonia and ammonium to assist implementation of the standard?**

$NH_3$ and $NH_4$ measurements would be useful for implementing the sample both directly, to quantify an unregulated but varying element of the compliance metric, and indirectly, to help evaluate and improve emissions inventories and CMAQ model performance. $NH_4$ measurements are currently available from CASTNET and (urban) CSN networks, and could conceivably be added to IMPROVE. $NH_3$ measurements are currently very sparse but would be useful – and have added relevance to better understanding sources and trends of $PM_{2.5}$, regional haze, and sources and effects of N deposition on nutrient enrichment. However, I'm not sure current methods have been sufficiently well developed and evaluated for use in routine network operations.

**20. What are the Panel's views on having a subset (e.g., 3-5 sites) of monitoring stations in different airsheds that measure for the major NOy species; nitric acid, true NO2, NO, PAN and p-NO3?**

Conceptually this is a good idea and can be (and needs to be) justified for reasons beyond just compliance with the proposed NAAQS (for acidification effects). Possibly some of these measurements could be added to existing (or planned) rural NCore sites. NOy, NO and $pNO_3$ (fine fraction), $SO_2$ (continuous) and $SO_4$ (fine fraction) are currently measured at these sites. Add a CASTNET sampler and you've got $HNO_3$, Open faced (vs fine) $SO_4$ and $NO_3$ (so you will know the coarse fractions), and comparative $SO_2$ by filter pack and continuous analyzer. Adding true $NO_2$ would be an excellent addition at some sites (I understand there's a photolytic unit currently applying for FEM status), and this would allow calculating NOy minus (NO, $NO_2$, $pNO_3$, $HNO_3$)…

However, while I support the need for these kinds of more detailed measurements at a few sites in a "clustered network" approach, I'm not sure they can be or should be justified just to determine compliance with this secondary NOx/SOx standard or for evaluation and improvement of model performance just for this standard alone. Along similar lines, I'm not sure a large new network of continuous NOy analyzers (at new, remote rural sites) can be justified (or can be afforded, or could be maintained by shrinking numbers of state personnel). I'm uncomfortable with the relatively vague picture of how these new measurements would be conducted. Will this be a state-operated network (like NCore), an enhanced CASTNET network (operated by EPA contractors), an enhanced IMPROVE network – or some combination of the above?

I think a reasonably good argument could be made to specify CASTNET filter pack methods (possibly with some tweaks such as adding $NH_3$ passive sampler) as the basic monitoring approach, as it does capture the key species – albeit over longer averaging times but which are plenty short enough for the long-term 3-5 year standard. As indicated in the response to question 9 above, I think an alternative $T_{NO3*}$ N deposition transfer function could be developed that would calculate total (CMAQ modeled; or CASTNET + NADP measured) NOx deposition as a function of $HNO_3$ and $pNO_3$. If these calculations performed reasonably well, it would allow use of existing and relatively low cost data, use measurements which actually relate to deposition (NOy does not, without a huge assist from the model), and minimize the reliance on complex internal CMAQ calculations. Using this approach, a slightly expanded CASTNET filter pack network might become the initial compliance network, with new CASTNET samplers at a limited number of rural NCore or IMPROVE sites. Continuous NOy could be added to a few of these sites (NCore sites have continuous NOy and $SO_2$, as well as fine particle $SO_4$ and $NO_3$), but should not be required in a large new network. More exotic measurements such as true NO2, PAN, continuous nitric acid, etc should be considered at only a very few "Level 1" type sites.

**23. What are the Panel's views on Staff's conclusion that the existing secondary standards for NOx and SOx should be retained to provide protection against direct adverse effects to vegetation due to gas phase exposures?**

I agree that existing single-pollutant secondary standards for $NO_2$ and $SO_2$ should be retained to protect against direct effects to vegetation due to gas phase exposures.

**24. In light of the Panel's views on what constitutes adverse effects to public welfare (see Chapter 3), what are the Panel's views on:**

**a) the degree to which current levels of NOy and SOx deposition are adverse to public welfare based on evidence and risk information, and information on adversity provided in Chapters 2,3, and 4?**

I believe the evidence and risk information provided in previous chapters indicates that environmental damage has occurred and continues to occur as a result of cumulative and continuing SOx and NOx deposition, and that these effects, including acidification of aquatic and terrestrial ecosystems and nutrient enrichment, represent adverse effects on public welfare.

**b) target values for ANC that protect against adversity to public welfare in light of the information presented in Chapter 5 concerning levels of ANC and the ecosystem effects associated with those target ANC levels?**

ANC is an appropriate environmental indicator of effects from acidification on aquatic ecosystems, and the target levels of ANC being considered - about 50 µeq/L - would represent an appropriate target level that – if attained – could be expected to substantially reduce the adverse welfare effects due to aquatic acidification. A somewhat higher ANC target of say 75 or 100 µeq/L would provide a greater degree of protection for both aquatic and terrestrial ecosystems, although the degree of protection is co-dependent on the target ANC and the target percentage of water bodies (in what sensitivity class or classes) for which the target ANC is to be attained.

**c) factors relevant in selecting target percentages of waterbodies to protect at alternative target ANC levels to protect against adverse effects to public welfare, and weights to place on those factors?**

Since there can be large variability in the inherent sensitivities of water bodies to acidification effects among different regions and within individual regions, it seems logical to consider protecting a target percentage of lakes from the populations which are potentially susceptible to acidification. The proposed use of Ecoregion III classifications clustered into 5 groups on the basis of ANC seems like an appropriate accommodation of scientific detail without adding unnecessary complexity. As indicated previously, I had a hard time understanding the implications of the different proposed options for selecting target percentages of water bodies for protection. Comparison of the various metrics applied to case study regions where there are sensitive and insensitive lakes which are chemically well characterized would be a useful way to judge the appropriate combinations.

**d) alternative standards for NOx and SOx that would protect against adverse effects to public welfare based on the AAPI form, and taking into account**

- **consideration of target levels of ANC (chapter 5),**
- **target percentage of water bodies to protect (chapter 5),**
- **consideration of relevant uncertainties in AAPI components (chapter 7), and**
- **any other potentially relevant factors, such as levels of co-protection against**

**terrestrial acidification and nutrient enrichment (chapter 6)?**

As indicated above, I suggest considering a modification ( $T_{NOY*}$) to the N deposition transfer function such that it would not require extensive new measurements of continuous NOy. I'm not sure it would work well enough, but think it could be considered.

Considering the relatively long time frames associated with acidification and recovery, and also considering that there is no pre-specified time frame for attaining secondary standards, some consideration might be given to standards which require reasonable rates of progress over time toward increasing ANC levels (APPI levels) in water bodies (watersheds) with low ANC levels.

Comments from Dr. Armistead Russell

Initial Review of 2nd Draft of the NOx-SOx Secondary Policy Assessment
Individual Comments
Armistead (Ted) Russell

EPA staff is to be complemented for this work towards developing a Policy Assessment document (PAd or PA) that can be used to support the promulgation of an ecologically-relevant, combined NOx-SOx standard. The PA has evolved considerably since our last review, and the 2nd draft shows that a significant amount of work and additional thought have gone in to its further development. This undertaking demonstrates just how complex it may be to develop multipollutant standards. They are also to be complemented for addressing CASAC's prior comments. They have gotten very far addressing a very complex issue. However, the current document is noticeably not as informative as desired. It is difficult to get the "big picture" of the impacts of choosing different elements of the potential standard. There is little doubt in my mind that this is the most difficult PA (or equivalent document) that I have reviewed.

In the current document, having a clear and comprehensive description of the AAPI is key, as well as the associated components of the AAPI, how the AAPI would be applied, and the consequences of various decisions about the AAPI level, ecoregions and percent of lakes protected, and this makes Chapter 5 a key chapter. At present, however, it does not provide the material needed for someone to read the document and get a clear understanding of all of the concepts, and the tremendous complexities, without a significant amount of work. In part, more data (or distillations of the data) are needed to give the reader an idea of just how big and varied are the various quantities that are being used (e.g., distributions of key variables used to compute the AAPI). Second, sample calculations could be shown. A particular weakness is a demonstration of how the fraction of lakes protected interacts with the choice of ANC. The skeleton is there, but not enough. For example, a more complete demonstration of what went in to making Table 5-12 would be very useful. (Also, as is true in a number of places, some of the variables are not defined or ambiguous, e.g., $DL_{\%ECO}$: is it for NOy+S (I think) or N+S). How do the calculated $DL_{\%ECO}$'s compare with the current estimate of its level? How, specifically, do you find the sites protected from ANC<20 in this case? Further, it would be of interest to see a distribution of $DL_{\%ECO}$ current vs. distributions of $DL_{\%ECO}$ at one of the candidate control levels (e.g., ANC 50, %Prot.=75), along with a description of the decrease in $DL_{\%ECO}$ (again, potentially a frequency distribution). (Figs. A11,16 & 20 are informative, but not as so). It might be even more insightful if a spatial distribution of the control levels were able to be shown (again as % reduction in $DL_{\%ECO}$). It may be necessary to have a set of assumptions for developing that spatial map, and those should be clearly described. It is difficult to see how the administrator and CASAC can provide their best guidance on the level of the standard without further understanding of the level of control that would likely be required to meet various combinations of the level/form/ecosystem choices made to specify the standard. In terms of advising the Administrator, one of the sections that should be strengthened is the one on the approach to defining/choosing ecosystems. While this section is substantial, it was difficult to distill.

I appreciate the chapter on uncertainties. In this analysis, more than those conducted for other standards, the uncertainties in the modeling have to be put forth in a very transparent fashion because those uncertainties impact directly on the translation of the estimated depositional flux to the monitored quantity. They are not small. The magnitude of such uncertainties (e.g., in the transfer ratios) should be quantitative or semi-quantitative. Having an "unknown" for that uncertainty is a weakness of the current document, and indicates an area needing intense assessment. Air quality modeling uncertainty is important to the overall viability of the approach, impacting not only the transfer ratio, but also the estimated $NH_3$ flux.

The Executive Summary does provide a reasonable overview of the rest of the PA, and is a valuable component of the PA. However, it does suffer from the same elements from which the rest of the PA suffers (e.g., see above for discussions of what is needed to bolster Chapter 5). It also suffers from trying to overly simplify the complexities of the proposed approach. In particular, the AAPI equation really should be included, with explanations of the origin and importance (including magnitude) of each term. Symbols should be defined and figures should have explanatory captions. I would add more headings to show the steps in the conceptual design of an ecologically-relevant standard. I would also note that **at this time** the secondary standard is most strongly supported by the demonstrated relationship between ambient NOx and SOx and aquatic acidification. Like Chapter Five, there is a need to provide more information as to the consequences of making various decisions about the choice of components of the standard.

It is interesting that this PA does not include staff recommendations as to a range of AAPI, % protected or choice of ecosystem approach for the standard (i.e., the elements of the standard upon which we are supposed to give guidance). Similar information has been provided in prior reviews, and that information has been very useful to assess the reasoning behind the choices. As part of our review, it would have been very helpful to see similar information, particularly from people who have been intimately immersed in doing the analyses. This is particularly true given the complexity and novelty of the approach. Further, having only had a rather limited time to review the PA magnifies the problem.

Comments from Dr. David Shaw

***Policy Assessment for the Review of the Secondary NAAQS for NOx and SOx (Second External Review Draft)***
***September 2010***
***EPA-425/P-10-008***

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**General Comments**

This draft demonstrates a marked improvement over the first draft and I feel it is responsive to many of the CASAC member comments. The addition of details with models and uncertainties has resulted in a more informative document.

While this assessment seems to touch on the need for meaningful data from other regions, and it is more specific about what parameters need to be measured to guage the standard, it does not address the resources needed to expand air monitoring into these other regions. I must emphasize the need for data. While this proposed NAAQS is innovative and I appreciate the efforts being made to identify an appropriate NAAQS, it is also model dependent and because of that, it calls for commitments to get better data for future analysis. I am concerned that the USEPA is taking steps towards ranking model data higher than monitored ambient data, and I want to ensure that this is not the direction which NAAQS will take. I believe that real ambient data should be considered in higher regards than model data.

I feel that the PA is a report that should be more readable and user friendly than the highly technical ISA and REA, and in that vein I suggest that it be clear what each indicator represents. For example, the ANC for lakes is relatively easy to measure and therefore represents a large amount of available data, but it doesn't represent streams. In addition, ANC data is typically a summer target which leaves us dependent on models to estimate or adapt for year round use. As a result, I suggest that when ANC is discussed in the broad context, it should be prefaced as lake surface water ANC, not to be confused with stream ANC levels which were not evaluated. On that same note, I suggest that the base cation to aluminum ratio (Bc/Al) be specified as soil water.

*Flexibility*

There is limited data in regions that currently do not have sufficient monitoring data or modeling efforts to characterize their own sensitive ecosystems at this point. Therefore, I suggest that sufficient flexibility be build into the policy to allow for future monitoring/modeling efforts and characterization.

*Models & Data*

There are several issues with a heavy reliance modeling. There are differing levels of uncertainties associated with each of the models (thank you for including the updated document on 9/23/2010). One example of these uncertainties is that it is very difficult to assess the dry deposition estimates in CMAQ. As a result, how much confidence do we have in the $NO_x/SO_x$ transference ratios which are based on modeled deposition?

The PA states that the current monitoring networks (IMPROVE, CASTnet, and NADP/NTN) are not adequate to cover all sensitive areas while Chapter 5 suggests that CMAQ will be used to help develop the spatial patterns needed to create the NAAQS. Without sufficient measurements of ambient $NO_y$ and $SO_2$ in sensitive areas is a serious limitation, again leading to the conclusion that a clear commitment be developed to provide adequate data.

**Specific Comments**

Brook trout is listed as a sensitive species, it is generally not. I suggest using a more general term like fish which is more accurate. This is also comparable to zooplankton which is not specific either.

ES 12 bullet 1. The statement "at least as protective" does not seem to be appropriate. The secondary standard should is held separate to be protective of human welfare. We most likely will identify different areas of the nation which have different sensitivities. Perhaps something could be added at the end of the sentence to say in the nation, and more protective than the current standard in several parts of the US.

ES- 10 figure caption, delete stream since this model is based on lakes only.

ES 12 bullet 2. Specify lake surface water ANC.

ES 12 bullet 3. Specify soil water Bc/Al values

ES-13 bullet 4. Change to "Less protective against species mortality during acidification episodes"

ES-13 bullet 6. Change may to will. Substitute "fish" for brook trout, because brook trout are not generally considered a sensitive species.

9-18 line 13 change 'may' to 'would'; change 'brook trout' to 'fish'.

A-31-32 Alkalinity section. Text and table need more explanation.

A-34 Line 8. Simplify the explanation, something to the effect that in glaciated areas, the parent material over the bedrock (e.g. glacial till) has been deposited miles from its origin. The soils develop from these parent materials and can be very different from the bedrock.

B-4 Table 1. Suggest identifying the lakes by name, instead of or in addition to their ID number. This would improve the readability and connect the reader to the landscape feature. Likewise with naming the Shenandoah streams (Table 2). Same for Tables 6, 7, 8 & 9.

B-11. Line 29. Change ‘lakes” to ‘streams’.