

**Comment on the  
*Integrated Review Plan for the National Ambient Air Quality Standards for Ozone*  
*External Review Draft, September 2009*  
FR Doc. E9-25465**

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Thank you for the opportunity to speak today. I am Ted Steichen from of the American Petroleum Institute or “API”. API represents over 400 member companies involved in all aspects of the oil and natural gas industry.

API finds this Draft Ozone Integrated Risk Plan (IRP) does not, in some instances, provide sufficient time for useful public comment. API is also concerned about the recent examples of EPA not being able to meet its NAAQS review schedules. Our written comments highlight these schedule issues as well as process concerns about the review plan.

EPA’s failure to provide time for adequate incorporation of public comments is an issue that has recently occurred with respect to documents that were, and continue to be, critical to the review of the Particulate Matter (PM) as well as the primary Sulfur Dioxide (SO<sub>2</sub>) and Nitrogen Dioxide (NO<sub>2</sub>) National Ambient Air Quality Standards (NAAQS).

Regarding the current PM review, the PM IRP schedule promised the Final Integrated Science Assessment (ISA) to be complete before the 2nd Draft of the Risk/Exposure Assessments (REA). The Final ISA was to be available September 2009 and the 2nd Draft of the REA was to be made public and available for comment two months later in November 2009.

By completing the Final ISA on this schedule, all parties could have been assured that EPA’s final word on the science had been issued in time for the public and the Clean Air Scientific Advisory Committee (CASAC) to review a draft of the Risk Assessment and provide comment.

Instead of following this schedule, EPA has delayed the completion of the Final ISA, and now projects its availability in December 2009. Meanwhile, the 1st Draft of the REA was delayed and not

available until August 2009, and EPA recently decided to forgo a 2nd Draft; therefore the public's only opportunity to comment was on an incomplete risk assessment that isn't based on a complete science record.

PM NAAQS Stage of Review	PM Integrated Review Plan Target Dates <sup>1</sup>	October 2009 Schedule <sup>2</sup>
Final ISA	September 2009	December 2009
2nd Draft of the REA	November 2009	No 2 <sup>nd</sup> Draft; Final now December 2009

API recommends that the U.S. Environmental Protection Agency's (EPA) final version of the Ozone IRP include a schedule that ensures adequate time for appropriate input from affected members of the public and contemplates a process whereby EPA will respond to comments before releasing the next draft or final document on the schedule. The Agency should take every effort to meet the review schedule deadlines and resist altering the plan or omitting review stages.

Thank you again for the opportunity to provide public comment.

<sup>1</sup> *Integrated Review Plan for the National Ambient Air Quality Standards for Particulate Matter*, EPA 452/R-08-004, March 2008, page 17.

<sup>2</sup> *Review of the Particulate Matter National Ambient Air Quality Standards, Schedule and Development of Policy Assessment, Presentation for CASAC PM Panel*, Lydia N. Wegman, Director, and Beth M. Hassett-Sipple, Health and Environmental Impacts Division, OAQPS, US EPA, October 5, 2009, slide 5.

Table 2-1. Proposed Schedule for Development of PM Integrated Science Assessment (ISA) and Review of PM <sub>2.5</sub> and PM <sub>10</sub> NAAQS		
Stage of Review	Major Milestone	Target Dates
Integrated Plan	Literature Search	Ongoing
	Federal Register Call for Information	June 2007
	Workshops on Science/Policy Issues	July 2007
	Prepare Draft Integrated Review Plan	October 2007
	CASAC Consultation	November 2007
	Prepare Final Integrated Review Plan	March 2008
Science Assessment	Prepare First Draft ISA	September 2008
	CASAC/Public Review of First Draft ISA	December 2008
	Prepare Second Draft ISA	March 2009
	CASAC/Public Review of Second Draft ISA	May 2009
	Prepare Final ISA	September 2009
Risk/Exposure Assessments	Prepare Draft Scope and Methods Plan	October 2008
	CASAC Consultation on Scope and Methods Plan	December 2008
	Prepare First Draft Risk/Exposure Assessments	April 2009
	CASAC/Public Review of First Draft Risk/Exposure Assessments	May 2009
	Prepare Second Draft Risk/Exposure Assessments	November 2009
	CASAC/Public Review of Second Draft Risk/Exposure Assessments	January 2010
	Prepare Final Risk/Exposure Assessments	March 2010
Policy Assessment/ Rulemaking	Advance Notice of Proposed Rulemaking (ANPR)	June 2010
	CASAC Review/Public Comment on ANPR	August 2010
	Proposed Rulemaking	January 2011
	Final Rulemaking	October 2011



## Target Dates for Accelerated Schedule

- Final ISA – December 2009
- Final Risk Assessment and Urban-Focused Visibility Assessment – December 2009
- External Review Draft Policy Assessment (PA) – December 2009
  - Will include draft staff conclusions for elements of the primary and secondary standards based on the evidence/quantitative analyses
- CASAC review of External Review Draft PA – January 2010
  - Would provide opportunity for CASAC comment on final RA and UFVA
- Final PA – February 2010
  - Will include final staff conclusions
- Proposed rule – July 2010
- Final rule – April 2011