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Via electronic mail

March 13, 2014

**Subject: Comments to CASAC on the Ozone NAAQS Policy Assessment**

Dear Chairman Frey and CASAC Panel Members,

We are writing regarding our concerns over the Environmental Protection Agency's (EPA) reconsideration of the 2008 National Ambient Air Quality Standard (NAAQS) for ozone in the range of 60 parts per billion (ppb) to 70 ppb.

Lowering the standard to 70 ppb – or even lower – could cause nearly the entire country, and all of Indiana, to be in “nonattainment”.<sup>1</sup> It is so stringent that even remote wilderness areas would be in non-compliance, including the Grand Canyon and Yellowstone National Parks.

The science that the EPA is using to justify moving to this lower standard is also questionable. For example studies that linked higher ozone levels to respiratory problems did not take into account factors, such as smoking that could impact health. Additionally, just this year, a federal court also upheld EPA's decision that that the current standard of 75 ppb protects human health with a margin of safety, therefore putting into question the value of lowering the standard below 75 ppb.

Not only do we question the science that EPA has used to support the reduction of the standard, but it would also unnecessarily cause severe economic impacts to our community and to Indiana. Changing these standards can have real impact on the nation's economy. The last time EPA considered tightening the ozone standards, even President Obama told EPA to stop working on the standards, citing the importance of reducing regulatory burdens and regulatory uncertainty, particularly as the economy continues to recover. We cannot afford to add to the economic pain of people who are already at risk of losing their health care and other employment benefits for their families. Furthermore, we cannot put our communities at risk of losing local tax revenue to fund schools, police and fire departments, and other essential services.

Given the severe economic impact that this could cause our state and the inconclusive health benefits of a lower standard, we respectfully request that CASAC recommend an ozone range that includes 75ppb within the range of a new standard. We believe this approach would better serve the interests of the public and support our nation's continued economic recovery.

Sincerely,

/s/

J. Nathan Noland

Alcoa Generating Inc., Warrick ♦ Alliance Coal, LLC ♦ Black Panther Mining, LLC ♦ Five Star Mining, Inc. ♦ Natural Resource Partners, L.P. ♦ Peabody Energy ♦ Peabody Midwest Mining, LLC ♦ Solar Sources, Inc. ♦ Sunrise Coal, LLC Templeton Coal Company ♦ Triad Mining, Inc. ♦ Vectren Fuels, Inc. ♦ Vigo Coal Company