



444 East 800 North
Logan, UT 84321

t: 435.752.2111
f: 435.753.7447

U.S. Environmental Protection Agency
Clean Air Scientific Advisory Committee
Ozone Review Panel for the Reconsideration of the 2008 NAAQS
1300 Pennsylvania Ave. NW
Washington, D.C. 20004

February 2, 2011

**Re: Comments for Consideration at the CASAC Teleconferences, February 18 and
March 3, 2011**

Dear Members of the CASAC,

Please accept these comments from the Wyoming Outdoor Council for your consideration as part of your deliberations related to the reconsideration of the 2008 National Ambient Air Quality Standard (NAAQS) for ozone.

On several occasions the CASAC has gone on record unanimously supporting establishment of a primary NAAQS for ozone in the range of 0.060 to 0.070 parts per million (ppm) over an eight-hour averaging period. It has also supported establishment of a unique secondary NAAQS for ozone that is cumulative and extends over the entire growing season. It has expressed these views to the EPA Administrator in letters dated October 24, 2006, March 26, 2007, and April 7, 2008. Most recently the CASAC reaffirmed support for these standards in a letter to the Administrator dated February 19, 2010.

Given the CASAC's prior strong agreement that the science underlying the public health or welfare consequences of exposure to ozone supports establishment of ozone NAAQS in these ranges, we urge the CASAC to maintain this stance as it makes additional recommendations to the Administrator prior to the promulgation of a final rule establishing a new ozone NAAQS. In our view, the only basis for changing these prior positions would be if there was new, peer reviewed, published scientific information indicating the prior positions were incorrect. We do not believe such research exists, so we urge you to maintain your support for a primary NAAQS in the 0.060 to 0.070 ppm range and a secondary standard based on the W126 form, set at a level within the range of 7 to 15 ppm-hours. If anything, new research published since the release of the 2006 Criteria document and the 2007 Staff Paper likely solidifies the scientific basis for establishment of a NAAQS in the ranges the CASAC has previously supported.¹

To the extent the CASAC is now able to recommend more specific ranges to the Administrator that might be desirable; however, we also believe that the Administrator must be given a range to select from so that she can exercise appropriate administrative discretion in selecting a NAAQS that adequately protects public health or welfare. We

¹ See, e.g., Jerret, M., *et al.* 2009. Long-Term Ozone Exposure and Mortality. *N. Engl. J. of Med.* 360(11): 1085-1095.

believe it is appropriate that the CASAC continue to recommend a range for potential NAAQS because we believe this is consistent with its advisory role, and the role of the Administrator in setting the appropriate specific level of a NAAQS.

In support of establishing a primary NAAQS set in the range of 0.060 to 0.070 ppm, we direct you to the comments we submitted to the EPA on this rulemaking on March 5, 2010. These comments should be readily available to the CASAC through the EPA docket number for this action: Docket No. EPA-HQ-OAR-2005-0172. We particularly direct you to Exhibit 1 which was made part of those comments. This was a petition for rulemaking filed by several Wyoming citizens asking the Wyoming Environmental Quality Council to set a State primary ozone standard at 0.065 ppm. This petition outlines in great detail why an ozone standard set at this level is appropriate, although admittedly much of the analysis is based on existing EPA documentation, much of which the CASAC was involved in developing and is well aware of.

Thank you for considering these comments.

Sincerely,

Bruce Pendery

cc: Lisa Jackson, EPA Administrator