

March 11, 2021
(corrected date)

Submitted via [email: holly.kaloz@epa.ohio.gov](mailto:holly.kaloz@epa.ohio.gov)

Holly Kaloz
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: Wildfire Exceptional Events Demonstration for
Ground-Level Ozone in the Cincinnati 2015 Ozone
Nonattainment Area.

Dear Ms. Kaloz:

These comments are offered on behalf of the Midwest Ozone Group in response to the public notice of the Ohio Environmental Protection Agency (OEPA) February 2021 draft “Wildfire Exceptional Events Demonstration for Ground-Level Ozone in the Cincinnati 2015 Ozone Nonattainment Area.” The exceptional events demonstration addresses the June 20, 2020 ambient ozone monitoring data at the Lebanon ozone monitor in Warren County, Ohio in the Cincinnati, OH-KY 2015 ozone nonattainment area.

MOG is an affiliation of companies and associations that draws upon its collective resources to seek solutions to the development of legally and technically sound air quality programs.¹ MOG's primary efforts are to work with policy makers in evaluating air quality policies by encouraging the use of sound science. MOG has been actively engaged in a variety of issues and initiatives related to the development and implementation of air quality policy, including the assessment of exceptional events, the development of transport rules, NAAQS standards, nonattainment designations, petitions under Sections 126, 176A and 184(c) of the Clean Air Act (“Act”), NAAQS implementation guidance, the development of Good Neighbor state implementation plans (SIPs) and related regional haze and climate change issues. MOG Members and Participants own and operate numerous stationary sources that are affected by the air quality ozone design values for Ohio including the implication of those results to upwind states under the Good Neighbor Provisions of the Clean Air Act. MOG seeks the development of technically and legally sound air pollution rules and actions that may impact their facilities, their employees, their contractors, and the consumers of their products.

¹ The members of and participants in the Midwest Ozone Group include: American Electric Power, American Forest & Paper Association, American Wood Council, Ameren, Alcoa, Appalachian Region Independent Power Producers Association (ARIPPA), ArcelorMittal, Associated Electric Cooperative, Big Rivers Electric Corp., Citizens Energy Group, Cleveland Cliffs, Council of Industrial Boiler Owners (CIBO), Duke Energy, East Kentucky Power Cooperative, ExxonMobil, FirstEnergy, Indiana Energy Association, Indiana Utility Group, LGE / KU, Marathon Petroleum, National Lime Association, Ohio Utility Group, Olympus Power, and City Water, Light and Power (Springfield IL).

The importance of recognizing and addressing Exceptional Events has and continues to be an issue of importance to MOG as a key element of achieving appropriate NAAQS nonattainment implementation at the local level as well as emissions reduction obligations of upwind states under the Good Neighbor Provisions of the Act. This is not the first time MOG has addressed the need to recognize and consider exceptional events and their impact on Ohio. MOG has offered comment in response to the proposed Illinois Exceptional Events Demonstration of December 21, 2020. On January 31, 2018, MOG offered comments to EPA's response to certain state designation recommendations for the 2015 ozone NAAQS. 83 Fed. Reg. 651 (January 5, 2018). In those comments MOG had analyzed all the monitors in Ohio and the other states that were impacted by May and June 2016 Exceptional Events. MOG noted that data from monitors related to exceptional events initially had not been excluded from the designation analyses. This resulted in higher design values which would cause unnecessarily stringent, inaccurate nonattainment designations but also higher future year predictions of ozone concentrations. These situations could lead to inappropriate expectations relative to the need for unnecessary additional local and upwind emissions reductions to "make up for" these naturally occurring impacts on ozone concentrations which are allowed to be excluded.

The OEPA demonstration addresses Section 319 of the Act and the related Exceptional Events Rule at 40 CFR 50.14. The Exceptional Events Rule promulgated in pursuant to Section 319 of the Act provides, "criteria and procedures for the Governor of a state to petition the Administrator to exclude air quality monitoring data that is directly due to exceptional events from use in determinations by the Administrator with respect to exceedances or violations of the national ambient air quality standards [(NAAQS)]." The OEPA demonstration addresses the impact of plumes from Arizona wildfires adversely affected ozone data at the Lebanon ozone monitor in Warren County, Ohio. Wildfires occurred across Arizona throughout June 2020. The Ohio monitor was affected by smoke transported from Arizona wildfires on June 20, 2020. The demonstration appropriately urges that the data for this date be excluded from regulatory determinations.

The OEPA exceptional events demonstration tracks EPA's regulation. Ohio provides 15 scientifically and technically based findings and evidence demonstrating the adverse air quality impact of the exceptional events on the Lebanon ozone monitor. This draft demonstration serves as an example to other states as they assess their regulatory obligation to address the impact of the Arizona Wildfires and other similar exceptional events on the performance of their ozone monitors. MOG supports the submittal of this demonstration to EPA.

OEPA notes the ". . . exclusion of the June 20, 2020 ozone data may allow the Cincinnati, OH-KY 2015 ozone nonattainment area (Cincinnati NAA) to be eligible for one-year extension of the attainment date for the 2015 ozone National Ambient Air Quality Standard (NAAQS). . . . Exclusion of the June 20, 2020 ozone data would reduce the preliminary 4th high concentration for the Lebanon monitor (39-165-0007) from 71 ppb to 70 ppb thereby bringing all Cincinnati nonattainment (NAA) monitors below the threshold necessary to meet the criteria, as provided in CAA section 181(a)(5) and 40 Code of Federal Regulations (CFR) 51,1107, to qualify for a 1-year attainment date extension for the 2015 ozone NAAS." Draft Designation at p. 4. MOG

applauds OEPA in its assessment of the significant role Exceptional Events play in implementation of the CAA.

OEPA observes that the EPA-developed Tier 2 analysis to identify clear causal relationship is problematic relative to wildfire impacts and the comparison of the fire emissions to the fire's distance to the monitor (Q/d analysis). It is suggested that EPA's criterion of a Q/d > 100 tons/km is not determinative as evidenced by past EPA decisions dismissing its analysis. OEPA comments that, "It should be noted that in *none* of the eastern U.S. exceptional events demonstrations approved by EPA in the past few years and reviewed for comparison to this analysis has the demonstration come close to meeting the Q/d threshold of 100 tons/km." MOG observes the OEPA demonstration inclusive of several analytical steps is a thorough assessment of the impact by the Exceptional Event on the nonattainment monitor. As there is growing evidence that the impacts of wildfire can be long in range, additional assessment by EPA is appropriate concerning the validity of Tier 2 thresholds, which are of questionable technical merit when considered in the context of this demonstration. MOG appreciates that, as a result of the inadequacy of EPA's Q/d analysis criterion, OEPA augmented the demonstration with Tier 3 analyses. Included in the OEPA analyses are assessments of meteorological conditions, upstream and measured ozone concentrations, satellite images, NOAA Hazard Mapping and AQI data, CALIPSO retrievals, regional upwind measurements of unusually high ozone concentrations, HYSPLIT model forward and backward trajectory analyses, satellite images of transport, and PM2.5/CO/NOx measurements impacted by wildfire smoke plume, PM 2.5 speciated data, and similar day analysis.

MOG appreciates the opportunity to review the OEPA Exceptional Events demonstration and urges that the affected data be excluded from the determination of design values for the subject air quality monitors.

Very truly yours,

Kathy G. Beckett

Kathy G. Beckett
Legal Counsel for the
Midwest Ozone Group