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October 5, 2026

Dr. James W. Boylan
Air Protection Branch
4244 International Parkway, Suite 120
Atlanta, Georgia 30354

Re: PM2.5 Exceptional Event Demonstrations

Dear Dr. Boylan:

On September 4, 2026, the Georgia Environmental Protection Division (EPD) opened a public comment period regarding “its intent to submit final Exceptional Event Demonstrations to the U.S. Environmental Protection Agency (EPA) for 18 event days. Georgia EPD is required to post draft Exceptional Event Demonstrations for a 30-day public comment period as part of the exceptional event regulations (72 FR at 13560).” The comment deadline is October 5, 2026. The Midwest Ozone Group (“MOG”)¹ is pleased to provide comments² in support of these proposed demonstrations.

¹ The members of the Midwest Ozone Group include: Ameren, American Electric Power, American Forest & Paper Association, American Iron and Steel Institute, American Wood Council, Appalachian Region Independent Power Producers Association, Associated Electric Cooperative, Berkshire Hathaway Energy, Big Rivers Electric Corp., Citizens Energy Group, City Water, Light & Power (Springfield IL), Cleveland Cliffs Inc., Council of Industrial Boiler Owners, East Kentucky Power Cooperative, ExxonMobil, Hoosier Energy REC, Inc., Indiana Energy Association, Indiana-Kentucky Electric Corporation, Indiana Municipal Power Agency, LGE/ KU, Marathon Petroleum Company, Monongahela Power Company, National Lime Association, North American Stainless, Nucor Corporation, Ohio Utility Group, Ohio Valley Electric Corporation, Olympus Power, Steel Manufacturers Association, and Wabash Valley Power Alliance.

² These comments were prepared with the technical assistance of Alpine Geophysics, LLC.

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 that may impact on their facilities, their employees, their communities, their contractors, and the consumers of their products. 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 development of transport rules (including exceptional events demonstrations, implementation of NAAQS standards, nonattainment designations, petitions under Sections 126, 176A and 184(c) of the Clean Air Act ("CAA"), NAAQS implementation guidance, the development of Good Neighbor State Implementation Plans ("SIPs"), the development of greenhouse gas and Mercury and Air Toxics Standards Rules and related regional haze issues. MOG Members and Participants own and operate numerous stationary sources that are affected by air quality requirements including the ozone NAAQS.

I. Regulatory Background

When amending the CAA in 2005, Congress intended to provide regulatory relief for NAAQS nonattainment resulting from exceptional events negatively affecting air quality that were outside of a state's control. That concern led to enactment of provisions specifically establishing the process by which EPA could exclude air quality monitoring data directly related to an exceptional event. See CAA Section 319 (42. U.S.C. § 7619). Subsequently, EPA promulgated the exceptional events rule. 40 C.F.R. § 50.14.

A state requesting data exclusion under the exceptional events rule must demonstrate "to the Administrator's satisfaction that such event caused a specific air pollution concentration at a particular air quality monitoring location." 40 C.F.R. § 50.14(a)(1)(ii). That demonstration must include the following:

- (A) A narrative conceptual model that describes the event(s) causing the exceedance or violation and a discussion of how emissions from the event(s) led to the exceedance or violation at the affected monitor(s);
- (B) A demonstration that the event affected air quality in such a way that there exists a clear causal relationship between the specific event and the monitored exceedance or violation;

(C) Analyses comparing the claimed event-influenced concentration(s) to concentrations at the same monitoring site at other times to support the requirement at paragraph (c)(3)(iv)(B) of this section. The Administrator shall not require a State to prove a specific percentile point in the distribution of data;

(D) A demonstration that the event was both not reasonably controllable and not reasonably preventable; and

(E) A demonstration that the event was a human activity that is unlikely to recur at a particular location or was a natural event.

40 CFR 50.14(c)(3)(iv).

The requesting state must also comply with pre-request requirements, which include notifying EPA of the intent to request exclusion, flagging data to be excluded, engaging in public comments, and implementing mitigation measures. See 40 C.F.R. § 50.14(c)(2)(i); 40 C.F.R. § 50.14(c)(3)(v); 40 C.F.R. § 51.930. In short, there are three core statutory elements: (1) a clear causal relationship; (2) a showing that the event was not controllable, and (3) a showing that the event was human activity unlikely to recur at a particular location or was a natural event.

Depending on the circumstances of a particular exceptional event, a particular tier of evidence is required to provide a compelling case to EPA to exclude data under the Exceptional Events Rule. In instances where a state provides sufficient evidence to showcase that a given event is indeed an irregularity, EPA will make a concurring determination and issue an exclusion of that specific event from the dataset. 40 C.F.R. 50.14(c)(2)(ii).

EPA has recognized that particular events are exceptional and that states may request to exclude them from the dataset, given that a sufficient evidentiary standard is met. *Id*; see generally, 81 Fed. Reg. 68,216. EPA's guidance on wildfire events that may influence ozone concentrations outlines a tiered approach for addressing the clear causal relationship element within a wildfire/ozone demonstration as follows:

Tier 1 clear causal analyses should be used for wildfire events that cause clear O₃ impacts in areas or during times of year that typically experience lower O₃ concentrations, and are thus simpler and less resource intensive than analyses for other events. Tier 2 clear causal

analyses are likely appropriate when the impacts of the wildfire on O₃ levels are less clear and require more supportive documentation than Tier 1 analyses. Tier 3 clear causal analyses should be used for events in which the relationship between the wildfire and the O₃ exceedance or violation is more complicated than the relationship in a Tier 2 analysis, and thus would require more supportive documentation than Tier 2 analyses.

EPA, *Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations* (September 2016) at 4.

MOG notes that EPA's 2016 rule and guidance on exceptional event demonstrations represent but one interpretation of what is required under CAA Section 319. Many commenters on the 2016 EPA guidance for ozone exceptional event demonstrations from wildfires criticized the guidance for its prescriptive nature and the burdens it imposes on states, which burdens actually discourage the development of demonstrations. In reference to these requirements, MOG does not endorse them as the best approach to implementing this crucial statutory provision but, rather, emphasizes that EPD's compliance with these requirements in the draft exceptional event demonstrations for these three areas further supports their prompt approval. MOG supports further changes to the 2016 rule and related guidance to affirm EPA's role in conducting multi-state analyses of exceptional events, simplify the required demonstrations, and allow greater discretion in how evidence is produced and assessed.

II. EPD Exceptional Event Demonstrations

The three proposed exceptional events demonstrations address exceptional events requirements for 18 total event days at three monitors. Specifically, the demonstrations cover exceptional events on 06/05/2023, 06/11/2023, 06/17/2023, 07/29/2023, and 06/03/2025 at the Forest Park, GA, monitor, 06/05/2023, 06/06/2023, 06/11/2023, 06/17/2023, 06/28/2023, 08/21/2023, 08/22/2023, 08/24/2023, 08/25/2023, 06/02/2025, 06/03/2025, and 06/04/2025 at the Gwinnett Tech, GA, monitor, and 06/03/2025 at the Fire Station #8, GA, monitor.

The exceptional events demonstration for the Fire Station #8 monitor in Atlanta involves three event days, two in 2023 and one in 2025. The two 2023 event days were submitted by EPD in prior demonstration requests and deferred because they were not deemed regulatorily significant and the 2025 event day is a new request. Significantly, with EPA concurrence on these three event days, the 2023-

2025 design value of the Fire Station #8 monitor is reduced from 9.2 $\mu\text{g}/\text{m}^3$ to 9.0 $\mu\text{g}/\text{m}^3$.

The exceptional events demonstration for the Gwinnett Tech monitor in Lawrenceville, Georgia, involves 22 different event days from 2023-2025 that qualify for exclusion under the exceptional events rule. EPD notes that 10 of the event days were submitted in a previous demonstration and were either concurred with or deferred because they were not deemed regulatorily significant, and the remaining 12 are new. As is the case with the Fire Station #8 demonstration, with EPA concurrence on these 22 event days, the 2023-2025 design value of the Gwinnett Tech monitor is reduced from 9.3 $\mu\text{g}/\text{m}^3$ to 9.0 $\mu\text{g}/\text{m}^3$.

The exceptional events demonstration for the Forest Park air monitoring site in Forest Park, Georgia, involves 11 different days from 2023-2025 that qualify for exclusion under the exceptional events rule. EPD notes that six of the event days were submitted in a previous demonstration and were either concurred with or deferred because they were not deemed regulatorily significant, and the remaining five are new. As is the case with the Fire Station #8 and Gwinnett Tech demonstrations, with EPA concurrence on these 11 event days, the 2023-2025 design value of the Forest Park air monitoring site is reduced from 9.2 $\mu\text{g}/\text{m}^3$ to 9.0 $\mu\text{g}/\text{m}^3$.

The proposed demonstrations address such remaining factors as a narrative conceptual model describing the events as not reasonably controllable and not caused by human activity and satisfy requirements related to notification of the public of the events and participation of the public in the submission of these requests. The demonstrations also include a number of analyses that support a clear causal relationship. The analyses provide evidence that emissions from wildfires were transported to the sites, evidence that wildfire emissions affected the monitors, and comparisons of the event-related concentration to historical concentrations.

The monitors and episode days that are carefully addressed in the proposed EPD demonstrations are far from the only ones that have influenced air quality during those time frames. Many ozone monitors in the same area also observed 8-hour average ozone concentrations at significantly elevated levels on the same exclusion dates, as well as on days around these dates. Multiple states have submitted $\text{PM}_{2.5}$ exceptional events demonstrations for the 2023 through 2025 period, and identified the wildfires originating to the northwest of their region from Canada as the cause of the exceedances, which corroborates the analyses in these $\text{PM}_{2.5}$ exceptional events demonstrations. Therefore, exceptional events

demonstrations submitted by other agencies provide additional weight of evidence supporting these PM_{2.5} exceptional events demonstrations.

III. Conclusion

MOG supports the proposed exceptional events demonstrations. While it is clear that approval of these exceptional events demonstrations would be enough to bring these monitors into attainment with the PM_{2.5} NAAQS, MOG also urges EPD to follow-up on these demonstrations with similar exceptional events demonstrations for additional days as appropriate for both attainment, bump-up, permitting, and PSD action across the state. This action would not only improve the design values in the area covered by the current demonstrations but would also likely improve the design values in other areas in the state. In doing so, EPD would assure that air quality monitoring data affected by exceptional events would be removed from future consideration.

Very truly yours,



Edward L. Kropp
Legal Counsel
Midwest Ozone Group