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From: Streett, Mary/[O=MSXBP/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS]
Sent: Fri 12/08/2016 8:25:24 PM (UTC)
Subject: FW: From Greenwire -- AIR POLLUTION: Western governors blast ozone 'exceptional event' reg changes
WGA Ozone Letter August 11 2016.pdf

From: Stout, Robert
Sent: Friday, August 12, 2016 3:38 PM
To: Minge, John C
Cc: Morrell, Geoff; Ellis, Joe; Streett, Mary; Sidoti, Elizabeth; Stutz, Rachel; Wood, Dana A.; Smith, Chris D; Freestone, Benjamin N; Sitomer, Gabrielle; van Hoogstraten, David Jan; Nolan, James
Subject: FW: From Greenwire -- AIR POLLUTION: Western governors blast ozone 'exceptional event' reg changes
Importance: High

John:

Redacted - First Amendment

Bob Stout

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Vice President & Head of Regulatory Affairs
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From: Williams, Lance
Sent: Friday, August 12, 2016 2:48 PM
To: Stout, Robert
Cc: Chen, Matthew
Subject: FW: From Greenwire -- AIR POLLUTION: Western governors blast ozone 'exceptional event' reg changes

FYI

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From: matthew.chen [mailto:matthew.chen@eenews.net]
Sent: Friday, August 12, 2016 2:28 PM
To: van Hoogstraten, David Jan; Miner, Robert; Williams, Lance
Subject: From Greenwire -- AIR POLLUTION: Western governors blast ozone 'exceptional event' reg changes

AN E&E PUBLISHING SERVICE

AIR POLLUTION: Western governors blast ozone 'exceptional event' reg changes

Sean Reilly, E&E reporter

Published: Friday, August 12, 2016

The Western Governors' Association is mounting a last-ditch bid to rework proposed changes to U.S. EPA's exceptional events regulations in light of stricter ozone standards.

The latest draft of EPA's proposal is under review by the Office of Management and Budget. Before the final version is set in place, "it is vital that EPA recognize the inadequacy of [Clean Air Act] mechanisms states have at their disposal to account for ozone-contributing factors outside state control and develop a more workable framework," the bipartisan group said in a [letter](#) yesterday to EPA Administrator Gina McCarthy.

The group also sent the letter to Brian Deese, a senior White House adviser on climate and energy issues, and Howard Shelanski, head of OMB's Office of Information and Regulatory Affairs, which has had the proposal since late June. EPA hopes to publicly release the final version next month ([Greenwire](#), June 23).

Agency officials, who unveiled the densely technical package of proposed changes late last year, have plugged it as one option for helping states address high levels of naturally occurring background ozone.

That subject assumed newfound prominence following the agency's decision last October to lower the ambient air quality standards for ozone from 75 parts per billion to 70 ppb.

Mountainous parts of the West sometimes approach that threshold because of background ozone stemming from stratospheric intrusions and other factors; a newly released study covering Colorado's northern Front Range area found that 17 percent of summertime ozone on average was locally produced ([Greenwire](#), Aug. 9).

But while the current version of the exceptional events guidelines has been on the books since 2007, EPA has rarely used its authority to effectively waive violations of air quality standards, and state regulators complain of the time and expense needed to make a case.

The proposed changes are geared toward streamlining that process. Based on the public comments received, however, EPA finds itself squeezed between states and industry groups that want it to go further and environmentalists objecting that its original proposal is already too lax.

In yesterday's letter, the Western Governors' Association, which covers 19 states from the West Coast to Texas, urged "a more holistic approach" that would allow states to combine "multiple ozone-contributing factors" to prove a single exceptional events demonstration. Instead of having to differentiate between and quantify various sources of background ozone, they wrote, "the focus would be on showing that these sources, rather than controllable man-made emissions, are the

principal contributing factor" to an exceedance of air quality standards.

Ground-level ozone, formed by the reaction of volatile organic compounds and nitrogen oxides in sunlight, is an irritant that can trigger asthma attacks and make it harder for those with emphysema to breathe.

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