

United States Senate
WASHINGTON, DC 20510

May 14, 2014

Mr. Michael Vince
Air Permits Division
Louisiana Department of Environmental Quality
President, Association of Air Pollution Control Agencies
Office of Environmental Services
P.O. Box 4313
Baton Rouge, LA 70821-4313

Dear Mr. Vince:

As President of the Association of Air Pollution Control Agencies (AAPCA), we are seeking your input, as well as input from officials of your member states, on the Environmental Protection Agency's forthcoming rulemaking on national ambient air quality standards (NAAQS) for ozone. If EPA lowers the existing health standard for ozone, currently set at 75 parts per billion (ppb), to a point between 60 to 70 ppb—a range previously recommended by the Clean Air Scientific Advisory Committee (CASAC)—then your states will face significant new restrictions on their ability to grow economically, attract new businesses, and create jobs. Further, EPA's own analysis shows little or no health improvements and, in fact, *increases* in mortality in some parts of the country from lowering the standard.¹

On May 28, CASAC is scheduled to convene a teleconference to review and finalize letters providing its advice to the EPA Administrator on the quality and rigor of EPA's evaluation of the science of ozone's impacts on public health and welfare. This teleconference will also be the precursor for CASAC's recommendation to the Administrator on the appropriate range of a potentially new, more stringent, and likely more burdensome, ozone standard.

Given that, under the Clean Air Act, you and the state officials in your organization will be largely responsible for demonstrating and coming into attainment with new standards, your views on the CASAC process, EPA's evaluation of the science, as well as EPA's ozone rulemaking, will be critically important to the outcome of a final rule. Therefore, we would respectfully ask for your responses to the following questions:

1. Is the CASAC process open and transparent? Does the process enable CASAC to sufficiently consider all viewpoints on the science of ozone and its impacts on public

¹ United States Environmental Protection Agency, "*Health Risk and Exposure Assessment for Ozone, Second External Review Draft*" (February 3, 2014).

health and welfare? Are there specific changes you would recommend to make it more open to the public, and more conducive to scientific inquiry and debate?

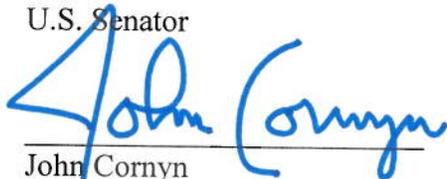
2. Has CASAC and EPA adequately considered the practical problems involved in lowering ambient concentrations of ozone in some areas beyond regional background levels?
3. Are you confident, based on the record thus far, that CASAC and EPA will arrive at conclusions that accurately reflect the current state of all scientific research on the effects of ozone? What actions could CASAC and EPA take to improve confidence that they are basing their decisions on appropriate scientific research?
4. In your view, is CASAC required by the Clean Air Act to report on economic impacts when it advises the Administrator on *implementing*—as opposed to setting—a new standard? As the CAA reads, CASAC “*shall* also...advise the Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standards.” Do you agree that having CASAC provide advice to the Administrator in this regard would assist you and your states in developing implementation plans to meet a new standard?
5. Please describe some of the practical and economic difficulties your states could face in implementing new measures to meet a more stringent ozone standard.

Thank you for your consideration. Please provide responses to the foregoing questions by May 23, 2014.

Sincerely,



David Vitter
U.S. Senator



John Cornyn
U.S. Senator



Jeff Sessions
U.S. Senator



Tim Scott
U.S. Senator



James M. Inhofe
U.S. Senator