

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



March 30, 2004

U.S. Environmental Protection Agency
Air Docket
Mail Code: 6102T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Attention Docket ID No. OAR 2003-0053

Re: Connecticut DEP Comments on Proposed Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Interstate Air Quality Rule)

Dear Docket Administrator:

The Connecticut Department of Environmental Protection (DEP) appreciates the opportunity to comment on the U.S. Environmental Protection Agency's (EPA's) proposed rulemaking, entitled *Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Interstate Air Quality Rule or IAQR)* (69 Fed. Reg. 4566, Jan. 30, 2004). DEP further appreciates EPA's efforts to move forward this long awaited rule. Unfortunately, as currently constructed the IAQR is neither stringent nor timely enough to address the health-based air quality requirements of our State.

Connecticut supports the concerns raised by the Northeast States for Coordinated Air Use Management (NESCAUM) and the Ozone Transport Commission (OTC) in their oral testimonies and written comments on the IAQR. Connecticut respectfully incorporates these comments by reference herein. As Connecticut has successfully demonstrated in our section 126 petition, we are unable to meet the 1-hour ozone National Ambient Air Quality Standard (NAAQS) without significant and timely upwind emission reductions. The transport of emissions from upwind states overwhelms the positive affect of our local control measures. This position is further solidified by the increased stringency of the 8-hour ozone standard. Put quite simply, Connecticut will not be able to meet the 8-hour ozone NAAQS unless upwind reductions occur sooner and deeper than proposed by EPA in the IAQR. As a result of Connecticut's long-term non-attainment of the ozone NAAQS, the public health of millions of Connecticut's residents will be placed in continued jeopardy. The IAQR is therefore an insufficient public policy response to this public health problem. EPA should adopt the OTC recommendations, which phase in more stringent emissions caps sooner than EPA's current proposal. We would also support a reassessment of the effectiveness of the program after the first phase of its implementation.

With respect to fine particulate matter (PM_{2.5}), Connecticut remains concerned that the IAQR suggests New Haven will be designated a non-attainment county for the annual average PM_{2.5} NAAQS for both the 2010 and 2015 base cases. Connecticut disagrees with EPA's assessment

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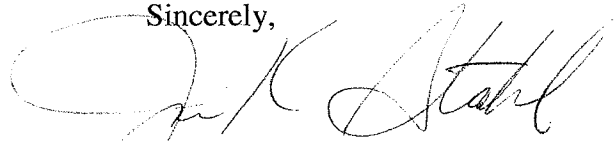
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based on an in-depth evaluation of our statewide monitoring network that indicates the air quality measurements from a single monitor in New Haven are anomalous and not representative of community exposure. Therefore as Connecticut stated in a letter dated February 10, 2004, to EPA Administrator Leavitt, while the monitor could be used to determine compliance with the 24-hour NAAQS, it should not be used to determine compliance with the annual NAAQS. Furthermore, data from all other monitors in New Haven County indicate PM_{2.5} levels are well below the annual NAAQS. Connecticut hopes that EPA is not prejudging the Section 107 designation process under the guise of the IAQR.

Connecticut appreciates the opportunity to comment on the proposed IAQR and urges EPA to reconsider time frames and emission reduction targets of ozone precursors as well as your position on the attainment status of New Haven. Furthermore, Connecticut urges EPA to act upon the comments submitted by NESCAUM and OTC in order to strengthen the environmental and public health benefits of the IAQR. If you or members of your staff have any questions regarding this letter, please do not hesitate to contact Anne Gobin, Chief, Bureau of Air Management at 860-424-3026.

Sincerely,



Jane K. Stahl
Deputy Commissioner

cc: Robert W. Varney, Regional Administrator (EPA New England)