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SENT VIA eCOMMENTS:
https://aq.ecology.commentinput.com/?id=FaEigPmWS
Cc: Mr. Anthony Bruma: Anthony.bruma@ecy.wa.gov

Mr. Casey Sixkiller
Director
Washington Department of Ecology
PO Box 47600
Olympia, WA 98504

Dear Director:

The Washington Department of Ecology (Ecology) is in the rule development phase and has proposed draft rule language, "Air Quality in Overburdened Communities Highly Impacted by Air Pollution" (Proposed Rule), to meet the requirements in RCW. 70A.65.020.

This rulemaking is of direct interest to the Simplot Company (Simplot). Simplot is a privately held, vertically integrated agribusiness company based in Idaho. Simplot has made significant business investments in the State of Washington. This includes the processing of potatoes and vegetables, fertilizer operations and a beef cattle feedlot. Some of the facilities are located in areas identified by the Department as "overburdened communities." Thus, this rulemaking is of direct interest to Simplot.

Introduction

Simplot shares the objective of many in the State of Washington: that all residents breathe air that is protective of their health. As Ecology is very aware, ever since the start of the federal Clean Air Act in 1970, both through regulations by EPA and the State of Washington, air

quality in the State of Washington has improved tremendously. This achievement has been made possible by advances in air pollution control technology, including industrial and mobile sources. Furthermore, through an air quality monitoring network, areas of the State of Washington that have not met state or federal air quality standards, additional requirements have been put in place (primarily on industry) to further reduce emissions.

The Proposed Rule has an underlying "thesis" that areas of the State of Washington, despite meeting both federal and state air quality standards, are not protective of public health, and that for these "overburdened communities" there are health impacts that require additional reductions in criteria emissions (especially from industry). Simplot's comments are focused on two aspects of this "thesis."

- The setting of air quality targets.
- The emission reduction strategies to achieve the air quality targets.

Air Quality Targets – Need to Have Rigorous Methodology to Determine Changes Needed for the Protection of Public Health

As stated earlier in this comment letter, the underlying thesis of this rulemaking is that the air quality in these (previously defined) overburdened communities, may not be as protective of public health, as the air quality in neighboring regions. Thus, the air quality (as measured by various criteria pollutants) needs to be equal or normalized among the areas of the state that are identified as "overburdened" and the "non-overburdened".

In 173-448-050, the Proposed Rule provides Ecology two options for setting the air quality targets which is "most protective of public health."

The Proposed Rule though needs to have specific criteria to provide a scientifically rigorous process that evaluates how the air quality in the neighboring region is more protective than the existing federal air

quality standards. As an example, if the annual design value $PM_{2.5}$ concentration in an overburdened community is 8 micrograms per cubic meter (8 µg/m^3), and the neighboring community has a design value for annual $PM_{2.5}$ of 6 µg/m^3, how is Ecology going to determine that the 6 µg/m^3 is more protective of human health as compared to the national standard of 9 µg/m^3? Is Ecology just assuming that "lower must be better" and thus is more "protective of human health"?

EPA goes through a very extensive and rigorous process in establishing national ambient air quality standards. This includes steps such as an integrated science assessment and then a risk/exposure assessment.

Likewise, Ecology needs to have a demonstrable scientific basis for determining that a calculated air quality design value in a neighboring area (i.e., area adjacent to a defined overburdened area) is more protective than the existing national air quality standards.

Simplot recommends that WAC 173-448-050 needs to be amended to include the following:

> (3) (new) To determine whether a calculated or estimated design air quality value in a neighboring community is more protective of public health than National Ambient Air Quality Standards under 40 CFR Part 50, Ecology must:
>
> (a) Conduct a science assessment to gather relevant information and studies;
>
> (b) Conduct a risk and exposure assessment that examines changes in risks and exposures from the National Ambient Air Quality Standards as compared to the calculated or estimated design air quality value in a neighboring community.
>
> (c) Provide a minimum 60-day comment and review period on the science assessment and risk and exposure assessments.

Emission Reduction Strategies and Technologies

If Ecology determines that air quality must be improved in an overburdened community, the Proposed Rule has a major focus and considerable requirements for point sources, or sources that Ecology determines to be “high priority polluters.”

There are two aspects of the Proposed Rule in relation to emission reduction strategies that Ecology needs to consider.

First, non-point sources may be a very significant emission source for the criteria pollutant that Ecology has identified to be reduced.

As an example, the Tri-Cities to Wallula area was identified as overburdened and highly impacted by air pollution (ozone, PM_{10}, and $PM_{2.5}$). This area, based on ambient air quality monitoring data, meets the NAAQS particulate standards ($PM_{2.5}$ and PM_{10}) as shown in Figures 1 and 2.

Figure 1

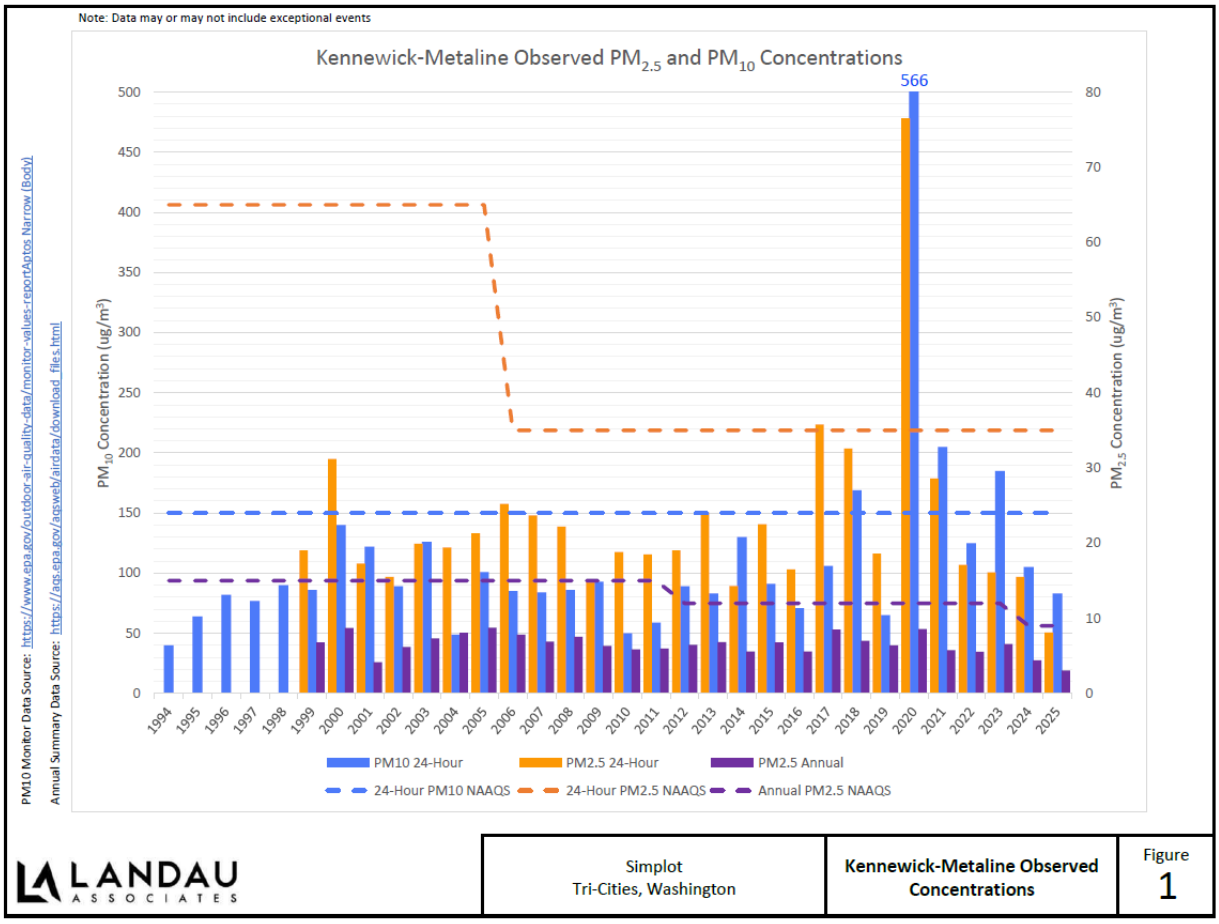
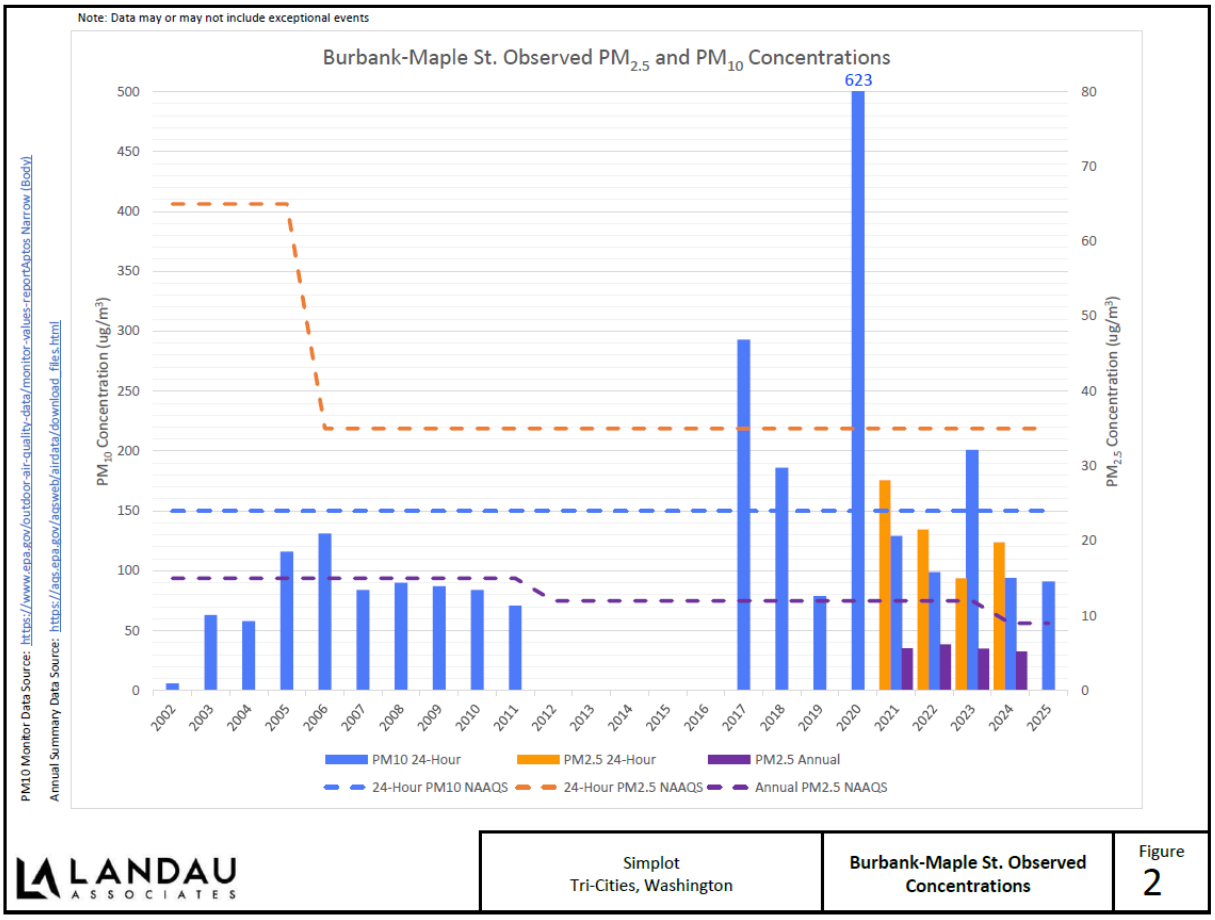

Note: Data may or may not include exceptional events
Kennewick-Metaline Observed PM2.5 and PM10 Concentrations
566
PM10 Concentration (ug/m³)
PM2.5 Concentration (ug/m³)
PM10 24-Hour
PM2.5 24-Hour
PM2.5 Annual
24-Hour PM10 NAAQS
24-Hour PM2.5 NAAQS
Annual PM2.5 NAAQS
PM10 Monitor Data Source: https://www.epa.gov/outdoor-air-quality-data/monitor-values-reportAptos Narrow (Body)
Annual Summary Data Source: https://aqs.epa.gov/aqsweb/airdata/download_files.html
LANDAU ASSOCIATES
Simplot
Tri-Cities, Washington
Kennewick-Metaline Observed Concentrations
Figure
1

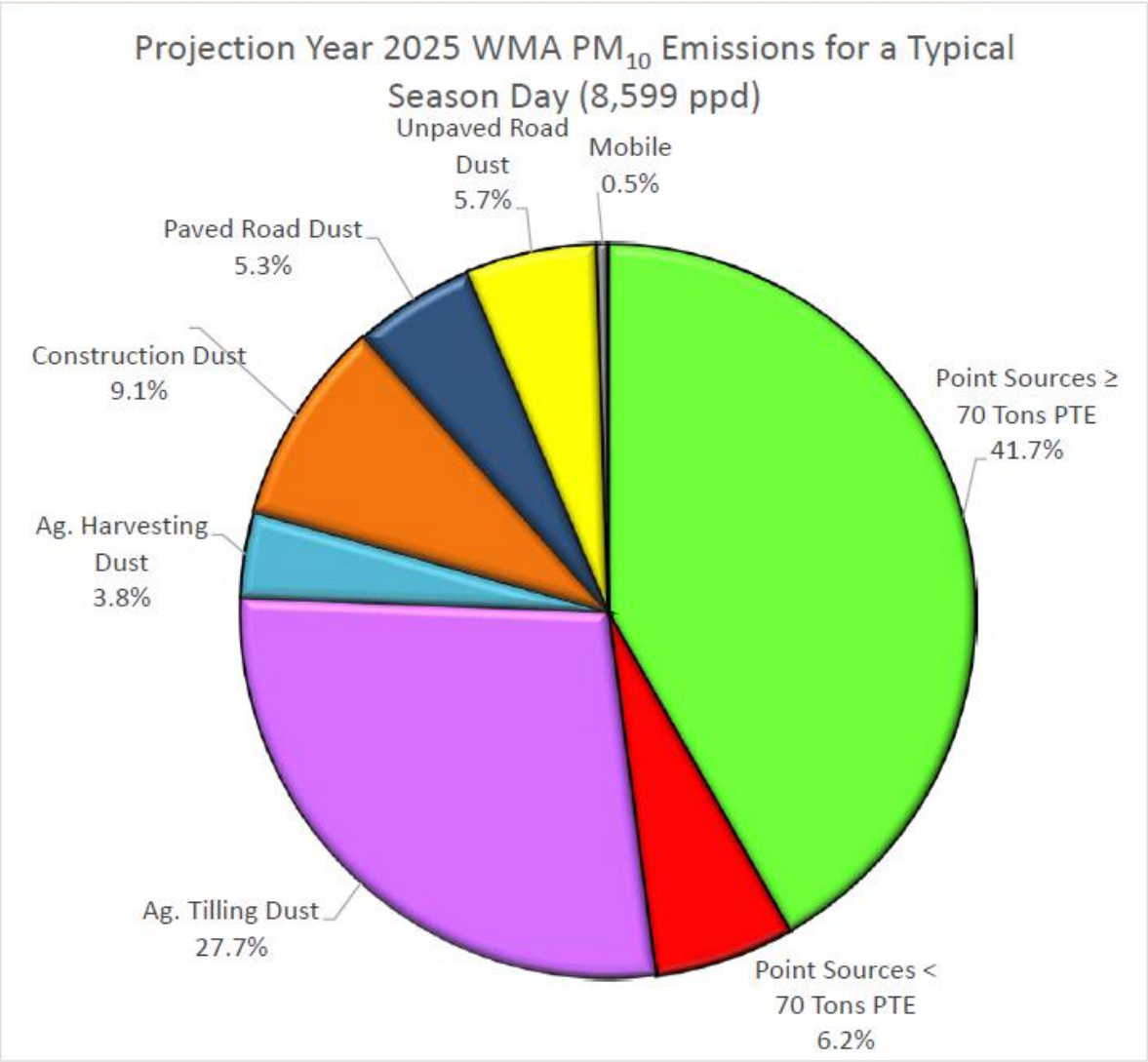
Figure 2



The “spikes” in measured concentrations are due to exceptional events (most common has been wildfires in recent years).

Thus, even though the monitoring data shows compliance with the NAAQS, but if under the Proposed Methodology in 173-448-050 Ecology determines that PM emissions need to be reduced, then emissions will need to decreased to achieve Ecology’s derived air quality target. So, the next step is then looking at the sources of the air pollutant of interest. Continuing with the example of PM_{10} for the Wallula area, Figure 3 shows a projected PM_{10} emission inventory for this area.

Figure 3
PM_{10} Projected Emissions Inventory[1]



[1] Ecology. 2019. Washington State Implementation Plan Revision, Wallula, Washington Second Ten-Year Maintenance Plan for Particulate Matter (PM_{10}).

As Figure 3 shows, approximately 50% of the PM_{10} emissions for this area are non-point sources. Making a significant reduction in point source emissions may not be sufficient (and may not be possible from a technology perspective) to achieve the changes in ambient air quality that Ecology is seeking.

The second aspect of Emission Reduction Strategies that needs to be realized, is that considerable time is needed to implement changes that reduce concentrations of criteria pollutants. As Ecology knows from dealing with non-attainment areas in the history of its air pollution control work, achieving such reductions is a lengthy process.

Simplot recommends that 173-448-060 be modified to a process more akin to how non-attainment areas have been managed. This includes:

- Detailed emission inventories, including non-point sources.
- Identification of potential control strategies, for both point and non-point sources.
- Working with local governments and the local community to address emissions from non-point sources.
- Replacing the "high priority emitters" requirements (eliminate 173-448-070 (2)-(7), 173-448-080, 173-448-090, 173-448-100 and 173-448-110) with point sources demonstrating that they are utilizing Reasonably Available Control Technology (RACT).

Such a process is one that has already demonstrated success in the State of Washington. Ecology should revise 173-448-060 to a process that has known success.

Summary

The State of Washington has made significant progress over the decades improving air quality so that federal air quality standards are being achieved. Those federal air quality standards are based on substantial scientific data to be protective of human health. This Proposed Rule seeks to essentially harmonize air quality across the State, so that all residents "experience" (exposed to) the same level of air quality. This may be a noble objective, but Ecology needs to provide the technical justification that achieving a more stringent air quality standard for parts of Washington is needed for the protection of public health. The Proposed Rule does not provide for this demonstration, and it must.

If Ecology determines that additional emission reductions are needed to meet a new, more stringent air quality standard than the NAAQS, Ecology needs to have a strategy that includes dealing with non-point sources and not one mostly focused on point sources. The proposed rule has extensive requirements for point sources that Ecology believes would need to reduce emissions to meet a "new" air quality standard ("air quality target"). However, reductions in emissions from beyond just point sources will likely be needed. Achieving the desired ambient results (if possible, from a technological perspective) will take considerable time. If such situations arise, Ecology should revise the Emission Strategies part of this Proposed Rule to incorporate the process that has been used for addressing non-attainment areas in the State of Washington. Such a process has a demonstrated record of success.

Please contact me at (208) 780-7365 if you have any questions about these comments.

Alan L. Prouty
Vice President, Environmental & Regulatory Affairs

Cc:
Association of Washington Business
Alliance of Western Energy Consumers
Food Northwest