

November 24, 2008

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EPA Docket Center (2822T)  
Docket ID No. EPA-HQ-OAR-2008-0008  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Sir/Madam:

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to comment on the proposed National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (Epichlorohydrin Elastomers Production, Hypalon™ Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, and Styrene Butadiene Rubber and Latex Production); Marine Vessel Loading Operations; Mineral Wool Production; Pharmaceuticals Production; and Printing and Publishing Industry, which were published in the *Federal Register* on October 10, 2008 (73 *Federal Register* 60432). NACAA is the national association of air pollution control agencies in 53 states and territories and over 165 metropolitan areas across the country.

Our concerns with the proposal are primarily related to elements of the risk assessment methodology on which the U.S. Environmental Protection Agency (EPA) based its decision that no further controls are needed for the affected source categories. NACAA believes that if the methodology is not sound, EPA cannot properly determine whether the Maximum Achievable Control Technology (MACT) standards truly resulted in adequate risk reduction. The following includes our concerns and recommendations relative to this proposed rulemaking.

Property-line Concentrations

In assessing the cancer risks related to the source category, EPA used long-term concentrations affecting the centroid of the census block. This analysis dilutes the effect of sources' emissions by estimating the impact at the centroid, rather than at the property line. Census blocks can be large geographically, depending on the population density, so the maximum point of impact can be far from the centroid, including at or near the property line where people may live or

work. Further, even if the area near the property line is not developed, over time homes and businesses could locate closer to the facility. While it is possible that population distribution is homogenous over a census block, this assumption is not necessarily accurate in considering the predicted impacts from a nearby point source. Accordingly, NACAA recommends that the impact from all of the sources in a source category be calculated based on concentrations at the property line and beyond and take into account the maximum exposed individual.

### Actual Emissions

In evaluating residual risk, EPA considered actual reported emissions instead of potential or allowable emissions. Since facility emissions could increase over time for a variety of reasons, and with them the associated impacts, EPA should consider the risks based on potential or allowable emissions. We believe EPA's analysis, based on actual emissions from a single point in time, underestimates the residual risk from a source category. Further, the major source hazardous air pollutant (HAP) thresholds are based on maximum potential-to-emit, as opposed to actual emissions, and air agencies issue permits based on potential emissions. Limiting the scope of a risk evaluation to actual emissions would be inconsistent with the applicability section of Part 63 rules. We recommend that EPA conduct residual risk assessments using up-to-date data on potential or allowable emissions. This is necessary to fully understand the potential public health implications for a source category.

### Acute Exposure

NACAA does not endorse the use of Acute Exposure Guideline Levels (AEGLs) to address acute exposures in the residual risk assessments. These limits were developed for accident release emergency planning and are not appropriate for assessing daily human exposure scenarios. In the December 2002 EPA document, "A Review of the Reference Dose and Reference Concentration Processes", EPA states that the primary purpose of the AEGL program is to develop guidelines for once-in-a-lifetime, short-term exposures to airborne concentrations of acutely toxic chemicals. They are not meant to evaluate the acute impacts from routine emissions that occur over the life of a facility. Unlike the reference concentrations for chronic exposures, the AEGLs do not include adequate safety and uncertainty factors and cannot be relied upon to protect the public from the adverse effects of exposures to toxic air pollutants. The use of AEGLs in residual risk assessments is not appropriate and does not ensure that public health is adequately protected from the acute impacts of HAP exposure. NACAA believes the California RELs are more appropriate than the AEGLs to use for assessing acute health impacts and recommend that EPA reassess the risks using the RELs.

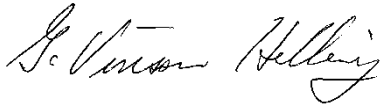
### Formaldehyde

The assessment based the chronic risk estimates for formaldehyde on a unit risk factor of 5.5 E-09, published in 1999 by the Chemical Industry Institute of Technology Centers for Health Research, which is an industry-sponsored entity. EPA should have used the approved Integrated Risk Information System (IRIS) value, 1.3 E-05, which is much more protective of public health

and has been used consistently in the past. IRIS is typically EPA's first choice for dose-response information the agency needs and should be used in this assessment.

Thank you for this opportunity to provide NACAA's comments. Please contact us if we can provide additional information.

Sincerely,



Vinson Hellwig  
Michigan  
Co-Chair  
NACAA Air Toxics Committee



Robert Colby  
Chattanooga, Tennessee  
Co-Chair  
NACAA Air Toxics Committee