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Testimony of Joe Osborne
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To the U.S. Environmental Protection Agency
Re: EPA Docket # EPA-HQ-OAR-2009-0491
Federal Implementation Plans to Reduce Interstate
Transport of Fine Particulate Matter and Ozone

Philadelphia, Pennsylvania
August 24, 2010

Good afternoon. I'm Joe Osborne and I'm the legal director of the Group Against Smog and Pollution (or GASP). GASP is a Pittsburgh-based non-profit founded in 1969 to improve air quality in southwestern Pennsylvania. I want to thank EPA for providing this opportunity to speak today. We commend the agency for developing the Clean Air Transport Rule, and we welcome the reductions in PM_{2.5} and ozone the rule will secure. However, from the perspective of those of us living in southwestern Pennsylvania the proposed rule does not go far enough.

Southwestern Pennsylvania is home to the Liberty-Clairton PM_{2.5} nonattainment area, this is a tiny area made up of five municipalities just southeast of Pittsburgh along the Monongahela River. The Liberty-Clairton area has quite possibly the most severe PM_{2.5} problem in the nation. This area also has the unfortunate distinction of being the only place in the eastern half of the United States that will still fail to meet the annual PM_{2.5} standard after the proposed transport rule is fully implemented. This is not acceptable. Over 20,000 people live in the Liberty-Clairton area. So long as we fail to address the area's continued nonattainment, we'll see additional cases of childhood asthma, heart attacks, and premature deaths. These are very real and very grave consequences of our failure to act, and they are completely avoidable.

EPA's reasoning for not addressing the Liberty-Clairton problem in the transport rule is that the area is heavily influenced by local emissions from the nearby US Steel Clairton

Coke Works. In other words, EPA is saying, “it’s a local problem, not a transport problem.” It’s true that the coke works has a huge influence on local PM_{2.5} concentrations. However, long-range transport also plays a significant role in the problem. Based on 2001-2003 data used to develop the 1997 PM_{2.5} state implementation plan for the area roughly 14 µg/m³ of the annual PM_{2.5} measured at the Liberty monitor was emitted by sources other than the coke works. That’s about two-thirds of the total annual measured PM_{2.5} concentration. Nearly 12 µg/m³ originate from sources beyond the area’s long range transport modeling domain—that’s a 150 x 150 kilometer area centered on Liberty-Clairton. So even before accounting for emissions from the coke works, the Liberty monitor is nearly violating the PM_{2.5} annual standard, and the bulk of those 14 micrograms are from sources nowhere near Liberty-Clairton.

EPA cannot use the emissions from the Clairton Coke Works to justify a transport rule that essentially pretends Liberty-Clairton doesn’t exist. Liberty-Clairton’s PM_{2.5} problem is caused by a combination of local and distant sources, and it can only be addressed by achieving reductions from both local and distant sources. The Clairton Coke Works must do its part, upwind sources must do theirs. If the transport rule is finalized in its current form, the local emission reductions currently being developed would not be sufficient to demonstrate attainment of the 1997 annual PM_{2.5} standard until 2017—the absolute latest deadline the Clean Air Act allows.

Maybe the transport rule can’t fully resolve the Liberty-Clairton problem, but it can better address the upwind contribution to nonattainment in Liberty-Clairton by adopting higher SO₂ and NO_x cost thresholds; moving the eight candidate states EPA has identified from group 2 to group 1, and adding Texas to group 2. EPA should also explore the feasibility of establishing caps on ammonia and VOCs, or at least subset of the most reactive VOCs. The benefits of these additional measures wouldn’t be limited to the 20,000 people in Liberty-Clairton, they would also help address other remaining nonattainment and maintenance areas predicted by either the air quality assessment tool or CAMx, and provide a head start on the 2008 ozone standard and the soon-to-be-revised 2006 PM_{2.5} standard. Again, thank you for your time and providing this opportunity to speak. I hope these comments are helpful to EPA as the agency works to finalize the transport rule.