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NMA Coarse PM Comments

I attach the National Mining Association's (NMA) comments on the EPA's coarse PM NAAQS proposal. The comments submitted to the docket contain numerous exhibits; however, I direct you attention in particular to exhibits, labeled "G" and "H" and "I."

Exhibit G was prepared by Gale Hoffnagle. Gale headed the primary association of air pollution control professionals, the Air Pollution Control Association, is a Certified Consulting Meteorologist, and one of the most experienced experts in the country on modeling and measuring air pollutants. His comments address whether the ambient monitoring data for PM10-2.5 used in the epidemiologic studies on which EPA relies to support its coarse proposal are adequately representative of the exposure of those suffering various morbidity or mortality effects to serve as the basis for any conclusion that the exposure and effects are linked. His conclusion is that the ambient monitors for PM10-2.5 are representative of only limited areas around the monitor, and thus not representative of the large urban areas for which the epidemiologic data are collected.

Gale also addresses the equivalence issue and whether the form of the standard EPA has chosen in the proposal helps ameliorate compliance difficulties for sources whose PM10 emissions are dominated by the coarse (PM10-2.5) fraction. His conclusions, generally, are 1) it is not possible to establish a coarse standard that is equivalent to PM10 due to the wide variation in the fine and coarse PM fractions of PM10 in different parts of the country; and 2) because the standard is significantly more stringent for sources of fugitive dust, the 98% form makes little difference in terms of a source's ability to comply.

Exhibit H was prepared by Dr. Jonathan Borak of Yale University School of Medicine, an expert in toxicology, epidemiology and occupational health exposure to pollutants. Dr. Borak's comments provide a thorough, detailed review and analysis of the scientific rationale and basis, as well as the underlying studies, on which EPA relies to support its coarse PM recommendation. He concludes that there is no basis to justify regulating of PM10-2.5, "only arguments and hypotheses that mainly reflect biological plausibility rather than empirical findings. That general lack of evidence persists even at exposure levels substantially higher than those considered health relevant in the Proposed Coarse PM NAAQS."

Dr. Borak's comments, combined with EPA's own admissions concerning the weak and inadequate scientific basis supporting a standard and its subsequent reliance on the notion of equivalence to an invalid 1987 PM10 standard, makes it pretty clear that, despite EPA's best efforts, the case simply isn't there to support a coarse PM standard for ambient exposure. Further, even if one were to ignore the serious flaws in the studies purporting to link coarse PM to health endpoints, Gale Hoffnagle's work demonstrates that the monitors of PM10-2.5 do not represent urban areas for which the epidemiologic studies cited to support the proposal were performed. As Gale's comments point out, this limitation alone renders the ambient air basis for the epidemiologic results incorrect and inappropriate.

For these and other reasons discussed more fully in our comments, we do not believe that there is a sound or adequate basis for the adoption of a coarse PM NAAQS.

Exhibit I provides a snapshot of the various federal and state laws and regulations that require the control of fugitive dusts at mine sites. Critics of the administration's proposal allege a "roll-back" of requirements to control coarse PM. This is simply not the case. Coarse PM emissions from mining operations will continue to be subjected to pervasive regulation requiring the use of control technologies, and best management practices, regardless of whether they are separately subjected to a NAAQS requirement.

Please contact me if you have any questions.

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