



Toledo Metropolitan Area Council of Governments

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March 22, 2010

Docket No. EPA-HQ-OAR-2005-0172
Environmental Protection Agency
Mail code 6102T
1200 Pennsylvania Ave., NW.
Washington, DC 20460

Attention: Docket I.D. No. EPA-HQ-OAR-2005-0172

SUBJECT: COMMENTS OF TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
REGARDING PROPOSED NATIONAL AMBIENT AIR QUALITY STANDARDS FOR
OZONE

The Toledo Metropolitan Area Council of Governments (TMACOG) appreciates the opportunity to submit comments regarding the *Proposed National Ambient Air Quality Standards for Particulate Matter* published in the January 19, 2010 Federal Register. Under this publication, the Environmental Protection Agency (EPA) proposes to implement revised standards for ozone. Specifically, EPA proposes to revise the primary ozone standard to a range of 60-70 parts per billion (ppb), and the secondary standard to a range of 7-15 parts per million-hours (ppm-hours).

TMACOG recognizes and values the efforts of the EPA to protect the public health and welfare of citizens. Over the past ten to fifteen years, ozone levels have dropped significantly for a variety of reasons, including regulatory pressure, technological improvements, cleaner fuels, and public awareness of pollution issues. Cleaner vehicles are now standard in the market. Industries have retrofitted their plants with emission reduction equipment or constructed new, more environmentally friendly facilities. Many cities and counties previously designated as nonattainment have been upgraded to maintenance areas as a result of these changes. Considering this long record of steady improvement, and public support for clean air initiatives, it is the position of TMACOG that the newly proposed range for the primary standard is counter-productive and impractical. We recognize that the Clean Air Act requires EPA to only consider comments related to public health and the science behind it but we contend that public health affects have not been correctly analyzed. We further believe that it is necessary to consider a broader range of impacts when evaluating environmental standards. The proposed new standard could have crippling effects on regions and significantly impact the economies of urban areas.

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Lowering the ozone standard to 60 parts per billion would, according to U.S. EPA's published information, cause 650 of the 675 counties (96%) that contain at least one ozone monitor to be redesignated as nonattainment. Those counties, predominantly in urban areas, would be at a large disadvantage to rural, unmonitored counties. Businesses would have an incentive to develop in rural areas, rather than metered, urban areas. Chicago Mayor Richard M. Daley advanced this argument in 1997 when he said, "[T]he new clean air regulations could encourage suburban sprawl (and thus more cars), while hurting the development of industrial jobs in the cities....Jobs and capital are encouraged to flee to the suburbs and beyond. [I]f a city is having trouble meeting the new standards, a moratorium could be placed on industrial development. Industry moves out, promoting more traffic and suburban sprawl." Our concern is that new and expanding businesses will seek to avoid the law's more stringent permitting requirements in urban areas by relocating to nearby rural areas with less stringent regulations. Any resulting sprawl development could offset any potential reductions from control measures instituted in the urbanized areas.

Another consequence of a drastically lower standard is the likely affect on public health. A loss of jobs from relocating businesses or from staffing cuts would further drive up unemployment rates and increase the number of families without health insurance. Fewer families could afford to receive medical treatment and instead of protecting the health of the public, the law would adversely impact health.

TMACOG recommends continual pressure be applied to reduce ozone, but in smaller increments. We recommend that U.S. EPA set the primary ozone standard at 70 ppb. Overall ambient air quality would continue to improve and metropolitan areas would not be forced to enact restrictive control measures that would heavily impact businesses or local residents. Communities such as ours would still likely fall into nonattainment, however we would have the opportunity to work our way back to attainment without crippling our local economy or facing long-term restrictions on federal funding.

TMACOG urges EPA to consider setting the primary ozone standard to 70 ppb. This will set a more realistic standard for the sustainability of our urban areas.

Sincerely,



Anthony L. Reams
President
TMACOG

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cc State Representatives
OEPA
Local Officials