

November 7, 2019

Administrator Andrew Wheeler
U.S. Environmental Protection Agency (Mail Code 1101A)
U.S. EPA Headquarters, William Jefferson Clinton Building
1200 Pennsylvania Ave. N.W.
Washington, D.C. 20460
Also via email to docket

Re: Request for Public Comment Period Extension for “Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards, External Review Draft” (EPA-452/P-19-002)

Dear Mr. Wheeler,

I am writing on behalf of the [Environmental Protection Network](#) (EPN), an organization of over 450 U.S. Environmental Protection Agency (EPA) alumni volunteering their time to protect the integrity of EPA, human health and the environment. We harness the expertise of former EPA career staff and confirmation-level appointees to provide in-depth analyses and insights into regulations and policies proposed by the current administration that have a serious impact on public health and environmental protections.

EPA has made available for public comment a first draft of the [Integrated Science Assessment \(ISA\) for Ozone and Related Photochemical Oxidants](#), [84 FR 50836 \(Sept. 26, 2019\)](#) and, last week, a first draft of the [Policy Assessment \(PA\) for the Review of the Ozone National Ambient Air Quality Standards \(NAAQS\)](#), [84 FR 58711 \(November 1, 2019\)](#). Embedded in the PA is an “exposure and risk analysis” (Appendix 3D, see 84 FR at 1-10), which in past NAAQS reviews was provided for the Clean Air Scientific Advisory Committee (CASAC) and public comment before a draft PA was released. Comments on these documents are presently due on December 2, 2019, and December 16, 2019, respectively.

Releasing a draft PA before the CASAC and public review of the Ozone ISA is improper. The ISA is the critical document used to identify and evaluate the relevant science that must “accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [ozone] in the ambient air,” Clean Air Act (CAA) section 108(a)(2). Releasing the first draft PA before CASAC and the public can review a first draft of the ISA is not only inconsistent with all past NAAQS reviews and a logically sound sequence of tasks, it runs afoul of Congressional intent as evidenced in Sections 108 and 109 of the CAA. This collapsed process impermissibly mixes policy and scientific considerations, resulting in the kind of confusion EPA and CASAC faced last month in reviewing the draft PA for Particulate Matter.

In addition, 45 days to comment on the PA and its embedded risk analysis is insufficient for properly informed comment, especially since this period overlaps with the review of the ISA. The PA and risk analysis are lengthy and complex documents for which commenters need additional time to assimilate and analyze. The lack of a peer-reviewed ISA makes this reviewing process more difficult. The current comment

period is also insufficient time to take into account the December 3-6 deliberations of CASAC on the first draft ISA.

EPN therefore requests that EPA extend the comment period on the ozone PA and its embedded risk analysis for an additional 45 days so that the comment period is 90 days.

We look forward to your affirmative response to this request.

Respectfully submitted on behalf of the Environmental Protection Network,

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