



March 17, 2015

**VIA ELECTRONIC FILING**

Environmental Protection Agency  
EPA Docket Center (EPA/DC)  
Mailcode 28221T  
Attention Docket ID No. OAR-2008-0699  
1200 Pennsylvania Avenue NW.  
Washington, DC 20460

**Re: Docket No. EPA-HQ-OAR-2008-0699: Proposed Rule on National Ambient Air Quality Standards for Ozone; Federal Register Vol. 79, No. 242 (Wednesday, December 17, 2014); RIN 2060-AP38**

Dear Sir/Madam:

GPA has served the U.S. energy industry since 1921 as an incorporated non-profit trade association. GPA is composed of 130 corporate members of all sizes that are engaged in the gathering and processing of natural gas into merchantable pipeline gas, commonly referred to in the industry as “midstream activities.” Such processing includes the removal of impurities from the raw gas stream produced at the wellhead, as well as the extraction for sale of natural gas liquid products (NGLs) such as ethane, propane, butane and natural gasoline. GPA members account for more than 90 percent of the NGLs produced in the United States from natural gas processing. Our members also operate hundreds of thousands of miles of domestic gas gathering lines and are involved with storing, transporting, and marketing natural gas and NGLs.

The Gas Processors Association (GPA) appreciates this opportunity to submit comments on the proposed rulemaking “National Ambient Air Quality Standards for Ozone” published at 79 Fed. Reg. 75234 (Dec. 17, 2014). GPA’s general comment is that the ozone standard should not be lowered and should remain at the current 75 parts per billion.

GPA members comply with the current 75 ppb ozone standard. GPA members and their respective natural gas operations would be directly impacted

from a lowering of the ozone standard. If EPA moves forward with this rule, GPA members have a strong interest in it being implemented in an effective and fair manner to ensure that it will not negatively impact commerce and the natural gas midstream sector.

GPA is concerned with the proposed rule for a variety of reasons. First, GPA believes this rule would unnecessarily duplicate recent state and federal regulations underway. Secondly, this rule would change ozone standards before the current standards can be fully implemented. Finally, this rule will severely limit economic growth by vastly increasing the number of nonattainment areas.

## **Background**

On December 17, 2014, EPA proposed stringent new Clean Air Act standards for ozone.<sup>1</sup> Even though the current 2008 standard of 75 ppb has not yet been fully implemented, the proposal considers lowering the standard to a range between 70 ppb to 65 ppb, and is also seeking comments on reducing the standard to 60 ppb.

This is EPA's second attempt in four years to revise the ozone standard. In 2010, EPA proposed to reconsider the current 2008 ozone standard. However, the Obama Administration halted that process, saying it could cause "uncertainty" and noting that it was important to "minimize regulatory costs and burdens, particularly in this economically challenging time."

### **I. Unnecessary Duplication of State and Federal Regulations Already Underway**

GPA supports continuation of the current 75 ppb standard. GPA does not support lowering the standard between 65 ppb and 70 ppb or a lower standard of 60 ppb.

A key driver for GPA's support of a 75 ppb standard is the promulgation of recent state and federal regulations intended to reduce volatile organic compounds (VOC) emissions from the oil and gas sector. These regulations include revisions to the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Subpart HH, and entirely new New Source Performance Standards (NSPS) Subpart OOOO as well as state regulations such as Colorado's "Regulation 7". As these rules target VOC emissions, there should be a positive benefit to non-attainment areas as controls are installed and reductions achieved.

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<sup>1</sup> [79 Fed Reg. 75234.](#)

## **II. Changing Ozone Standards Before Current Standards Can be Fully Implemented**

EPA updated the current ozone standards six years ago. Implementation of these current standards is behind schedule due to EPA effectively suspending their implementation from 2010-2012 while the agency unsuccessfully pursued reconsideration.

EPA's delay has also put state implementation of the 2008 ozone standard well behind the normal schedule. States were not notified of the counties designated nonattainment under the 2008 standard until April 2012 and are currently committing substantial resources towards achieving emissions reductions under current ozone standards.

As states try to catch up with implementing existing ozone standards, EPA is now proposing a new stringent range of standards that would bring large areas of the country into nonattainment. Essentially what EPA is doing is moving the goal posts in the middle of the game.

In addition many western states where GPA members operate have background levels of naturally occurring ozone from vegetation, wildfires, and other sources as well as ozone transported from Asia or Mexico. These Western states may be unable to meet stringent ozone standards even with costly emissions control. In fact, EPA's proposals are so stringent that the Grand Canyon would fail the proposed 70 ppb standard, and Yellowstone National Park would fail the proposed 65 ppb standard according to EPA's own modeling.

## **III. Severely Limit Economic Growth by Vastly Increasing the Number of Nonattainment Areas**

EPA's proposed ozone standard would limit business growth in nearly every heavily populated region of the United States and stall economic growth and the ability to create jobs. A recent study for the Interstate Natural Gas Association of America Foundation found that more than \$640 billion, or about \$30 billion per year, in projected infrastructure expenditures are required over the next 22 years for the combined natural gas and liquids outlook. GPA member companies are investing in our country's energy infrastructure every year. EPA's proposal to lower the ozone standards would severely limit, or in the 60 ppb proposal outright halt, any future investment.

Furthermore, increased costs associated with restrictive and expensive permit requirements would likely deter companies from siting new facilities in a nonattainment area. Nonattainment areas face even more severe requirements that significantly curtail business development.

Companies building a new facility or performing major modifications to certain existing facilities resulting in increased ozone concentrations in or near a nonattainment area will be required to meet the most stringent Clean Air Act standard by installing the most effective emission reduction technology regardless of cost. As well, states are mandated to offset any ozone forming emissions from other existing sources in a nonattainment area. If no party is willing to provide offsets, then the project cannot go forward.

Regardless of whether a business is in a nonattainment area, implementing EPA's proposal will immediately add delays to new economic development.

## **Conclusion**

All GPA members value clean air. We are proud that ozone forming emissions have been cut in half since 1980, leading to a 33% drop in ozone concentrations. The air is getting cleaner, and current ozone standards need an opportunity to work. GPA calls on EPA to retain the existing 75 ppb ozone standards in the final rule allowing the current standards an opportunity to succeed.

GPA hopes that EPA will address and correct the issues we raised. Thank you for allowing GPA to offer input on your proposed ozone standard. If you have questions please contact me at (918) 493-3872 or by email at [mhite@gpaglobal.org](mailto:mhite@gpaglobal.org) or Douglas Jordan, GPA Environmental Committee Chair, at (281) 610-4291 or by email at [douglas\\_jordan@swm.com](mailto:douglas_jordan@swm.com).

Sincerely,

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Gas Processors Association