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March 17, 2015

EPA Docket Center

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Via email: A-andR-Docket@epa.gov

Re: Docket ID No. EPA-HQ-OAR-2008-0699, Proposed National Ambient Air Quality Standards for Ozone

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to comment on the proposed rule, *National Ambient Air Quality Standards for Ozone* (79 FR 75233, December 17, 2014). NACWA represents the interests of nearly 300 public wastewater treatment agencies, which treat and reclaim a majority of the wastewater generated each day throughout the nation. The processes used at these publicly owned treatment works (POTWs) generate biogas and biosolids which, when combusted, are among the most carbon-neutral fuels available. The wastewater treatment process also requires NACWA members to own and operate combustion equipment that may include boilers, internal combustion engines, and sewage sludge incinerators (SSIs), which use a variety of fuels.

EPA has proposed to update both the primary and secondary ozone standards to protect public health and welfare, respectively. The standards would be set to 8-hour standards within a range of 65 to 70 parts per billion (ppb). However, the current range of 75 ppb has not been fully implemented yet, and a more stringent standard would have negative impacts on POTWs' operations and their ability to use biogas and biosolids as renewable fuel sources.

POTWs provide a vital service to protect public health and the environment and have little flexibility to change their operations. POTWs are required by law to meet the requirements of their discharge permits and have little control over the wastes that they must treat. Utility operators cannot compromise their environmental responsibilities and must operate specific equipment to achieve the proper and required treatment of wastewater. In addition to Clean Water Act obligations, many POTWs operate SSI units that are subject to federal Clean Air Act emission standards promulgated in March 2011. These standards are mandating the installation of air pollution control equipment on the SSI units. These regulations are in addition to the other federally promulgated regulations that apply to internal

combustion engines and boilers that may be at wastewater treatment plants. The economic burden of additional controls on air emissions for the incinerators, internal combustion engines, boilers, and other equipment used at wastewater treatment plants will jeopardize the ability of utilities to perform their required function while maintaining affordable rates for the communities that they serve.

The additional use of emissions controls will create a disincentive to use biogas and biosolids as a renewable energy source. Bioenergy from waste-derived biogas and biosolids-derived fuels converts potentially harmful greenhouse gas emissions from methane to a carbon-neutral form. This is an important, environmentally-protective function, since methane has a global warming potential that is 23 times that of carbon dioxide. Use of biogas and biosolids also replaces fossil fuels as an energy source. Since these renewable energy projects often have only marginal economic benefits, the advanced or experimental control technologies that would be required, regardless of cost, in non-attainment areas to meet the proposed standards would likely make these projects financially unfeasible. POTWs may then decide to manage the biogas they produce simply by flaring it, eliminating this carbon-neutral energy source.

NACWA recommends that EPA maintain the current ozone standard of 75 ppb. Lowering the standard is not a necessary outcome of EPA's review process, and the level can be re-examined in the next review cycle. It is more realistic to lower the standard once the current standard has been met by most of the non-attainment regions, demonstrating that this standard can be met with available technologies.

Thank you for your consideration of these comments. Please contact me at 202-533-1836 or cfinley@nacwa.org if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Cynthia A. Finley". The signature is fluid and cursive, with the first name "Cynthia" being the most prominent part.

Cynthia A. Finley, Ph.D.
Director, Regulatory Affairs