

To: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov];
Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
From: Hilary Moffett
Sent: Wed 9/6/2017 6:08:51 PM
Subject: State Coalition Ozone Letter
[NAAQS - State Coalition Letter 2017.pdf](#)

Ryan, Samantha, and Mandy,

Attached is a letter signed by 303 organizations in 30 states asking for relief from overlapping ozone standards. Please let me know if you have questions.

Regards,

Hilary

Hilary Moffett

Director, Federal Relations

American Petroleum Institute

202-682-8040 (desk)

612-710-8696 (cell)

MoffettH@api.org

The Honorable Administrator Scott Pruitt
US Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20004

September 6, 2017

Dear Administrator Pruitt:

As associations representing many businesses, both large and small, that employ millions of Americans, and local governments in which those businesses thrive, we are deeply concerned about the harmful impact that the Environmental Protection Agency's (EPA) 2015 rule, to make ozone standards the most stringent ever, could have on the economy. The EPA's current regulations are working, air quality continues to improve, and the United States is leading the world in reducing emissions. Implementation of the new ozone standards could significantly damage the economy by imposing unachievable emissions limits and reduction targets on almost every part of our country, including rural and undeveloped areas. Therefore, we strongly urge you to expeditiously reconsider the 2015 ozone standards.

We all value clean air. The managers and employees of the companies we represent, as well as their families, all breathe the same air. We are proud that emissions of ozone-forming compounds have been cut in half since 1980, leading to a 33% drop in ozone concentrations. Moreover, EPA issued the guidance to states just two years ago to implement the 2008 ozone standards. The country can expect to see even greater reductions in ground-level ozone as states make up lost ground in putting those standards into effect.

Indeed, states and businesses are currently committing substantial resources – both in time and money – towards achieving emissions reductions under those 2008 ozone standards. Despite over three decades of cleaner air and before states can catch up with EPA's delays in implementing existing ozone standards, EPA finalized tighter standards of 70 parts per billion that could bring additional areas of the country into nonattainment. Local communities could face burdens to commercial and industrial activity not only vital to creating jobs, but also to providing tax revenue that supports important local services like public safety and education. Unless addressed soon, the rule's hardship to the American worker could be real and immediate. Furthermore, approximately half of the states across the nation have indicated their concerns with tightening the standards.

If implemented, EPA's stringent ozone standards could limit business expansion in many areas of the United States and risk the ability of U.S. companies to create new jobs. The standards add red tape to companies seeking to grow even in areas that can attain those standards. The Clean Air Act carries even stiffer consequences for nonattainment areas, which can directly impact economic vitality of local communities and make it difficult to attract and develop business. Increased costs associated with restrictive and expensive permit requirements could likely deter companies from siting new facilities in a nonattainment area, making the United States a less attractive place to do business and risking shipping jobs overseas.

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 standards by installing the most effective emission reduction technology regardless of cost. As well, states are mandated to offset any ozone-forming emissions from new projects or projects undergoing major modifications by reducing emissions from other existing sources in a nonattainment area. If no party is willing to provide offsets, then the project cannot go forward. This offset requirement can be a 2-to-1 ratio in certain situations. Nonattainment designation also has profound impact on infrastructure development vital to the business community. Beginning one year from the date of the nonattainment designation, federally -supported highway and transit projects cannot proceed in a nonattainment area unless the state can demonstrate that the project will cause no increase in ozone emissions.

These restrictions do not disappear when an area finally comes into attainment. Instead, former nonattainment areas face a legacy of EPA regulatory oversight. Before a nonattainment area can be redesignated to attainment, EPA must receive and approve an enforceable maintenance plan for the area that specifies measures providing continued maintenance of ozone standards and contingency measures to be implemented promptly if an ozone standard is violated.

Against these economic consequences, scientific uncertainties regarding the benefits of the stringent ozone standards are significant. Indeed, stringent ozone standards may have severe unintended consequences for public health. Studies show that by increasing the costs of goods and services such as energy, and decreasing disposable incomes, regulation can inadvertently harm the socio-economic status of individuals and, thereby, contribute to poor health and premature death. As representatives of businesses providing needed jobs in our communities, as well as the community leaders themselves, we believe these scientific uncertainties should be better explored in order to best allocate resources in a manner that strengthens both the economy and the environment.

The air is getting cleaner and the 2008 ozone standards need an opportunity to work. Therefore, in light of the potential economic hardship, and uncertain benefits related to the stringent ozone standards, we call on EPA to expeditiously reconsider the 2015 ozone standards.

Sincerely,

Alabama Energy Institute
Alabama Petroleum Council
Alabama Pulp & Paper Council
Business Council of Alabama
Manufacture Alabama
Mobile Area Chamber of Commerce
AGC Arkansas
Agricultural Council of Arkansas
ARBEV
Arkansas Asphalt Pavement Association
Arkansas Automobile Dealers Association
Arkansas Environmental Federation
Arkansas Farm Bureau
Arkansas Forest and Paper Council
Arkansas Forestry Association

Administrator Scott Pruitt

September 6, 2017

Page 3

Arkansas Hospitality Association
Arkansas Independent Producers and Royalty Owners Association
Arkansas Oil Marketers Association
Arkansas Petroleum Council
Arkansas Ready Mixed Concrete Association
Arkansas State Chamber of Commerce/Associated Industries of Arkansas
Arkansas Timber Producers Association
Arkansas Trucking Association
Associated Builders and Contractors of Arkansas
Colorado Association of Commerce & Industry
Colorado Association of Mineral Royalty Owners
Colorado Cattlemen's Association
Colorado Dairy Farmers
Colorado Farm Bureau
Colorado Motor Carriers Association
Colorado Petroleum Association
Colorado Petroleum Council
Grand Junction Area Chamber of Commerce
Connecticut Bus Association
Connecticut Business & Industry Association
Connecticut Energy Marketers Association
Connecticut Petroleum Council
Connecticut School Transportation Association
Gasoline and Automotive Service Dealers of America
Associated Industries of Florida
Florida Automobile Dealers Association
Florida Chamber of Commerce
Florida Forestry Association
Florida Natural Gas Association
Florida Natural Gas Vehicle Coalition
Florida Petroleum Council
Florida Propane Gas Association
Florida Restaurant and Lodging Association
Florida State Hispanic Chamber of Commerce
Florida Transportation Builders' Association
The James Madison Institute
Associated General Contractors of Georgia
Georgia Agribusiness Council
Georgia Asphalt Pavement Association
Georgia Association of Convenience Stores
Georgia Association of Manufacturers
Georgia Chamber of Commerce
Georgia Chemistry Council
Georgia Concrete Contractors Association
Georgia Construction Aggregate Association
Georgia Electric Membership Corporation

Georgia Farm Bureau
Georgia Food Industry Association
Georgia Highway Contractors Association
Georgia Mining Association
Georgia Motor Trucking Association
Georgia Oilmen's Association
Georgia Paper and Forest Products Association
Georgia Petroleum Council
Georgia Poultry Federation
Georgia Railroad Association
Georgia Ready Mixed Concrete Association
Metro Atlanta Chamber
Oglethorpe Power Corporation
Chemical Industry Council of Illinois
Grain and Feed Association of Illinois
Illinois Association of Aggregate Producers
Illinois Association of Convenience Stores
Illinois Association of County Engineers
Illinois Coal Association
Illinois Farm Bureau
Illinois Manufactures Association
Illinois Oil and Gas Association
Illinois Petroleum Council
Illinois Petroleum Marketers Association
Illinois Retail Merchants Association
Illinois Trucking Association
Mid-West Truckers Association
Operators Engineers Local 150
Agribusiness LLC
AIM-Accelerating Indiana Municipalities
APPIAN
Association of Indiana Counties
Construction Advancement Foundation of Northwest Indiana, Inc
CountryMark
Greater Elkhart Chamber
H&C Climate Control
Hendricks County Commissioner Matt Whetstone
Indiana Builders Association
Indiana Cast Metal Association
Indiana Chamber of Commerce
Indiana Coal Council
Indiana Electric Cooperatives
Indiana Grocery and Convenience Store Association
Indiana Manufactured Housing Association
Indiana Manufacturers Association
Indiana Motor Truck Association

Indiana Oil and Gas Association
Indiana Petroleum Council
Indiana Petroleum Marketers and Convenience Store Association
Indiana Retail Council
Indiana Utility Shareholders Association
Indy Chamber
Recreation Vehicle Indiana Council
Southwest Chamber
American Council of Engineering Companies of Iowa
Associated General Contractors of Iowa
Iowa Association of Business and Industry
Iowa Engineering Society
Iowa Good Roads Association
Iowa Motor Truck Association
Master Builders of Iowa
Society of Land Surveyors of Iowa
CVR Energy
Kansas Agribusiness Retailers Association
Kansas Chamber of Commerce
Kansas Farm Bureau
Kansas Grain & Feed Association
Kansas Independent Oil & Gas Association
Kansas Manufacturing Council
Kansas Petroleum Council
Renew Kansas Ethanol Association
Maine State Chamber of Commerce
Maryland Chamber of Commerce
Maryland Farm Bureau
Maryland Highway Users Federation
Maryland Motor Truck Association
Maryland Petroleum Council
Maryland Retailers Association
Maryland Transportation Builders and Materials Association
Mid-Atlantic Petroleum Distributors Association
Service Station Dealers of America and Allied Trades *
Tire Industry Association *
WMDA Service Station and Automotive Repair Association
Massachusetts Energy Marketers Association
Massachusetts Petroleum Council
Massachusetts Petroleum Council
New England Convenience Store & Energy Marketers Association
Associated Food and Petroleum Dealers of Michigan
Associated Petroleum Industries of Michigan
Grand Rapids Chamber of Commerce
Michigan Aggregates Association
Michigan Electric and Gas Association

Michigan Farm Bureau
Michigan Infrastructure and Transportation Association
Michigan Manufacturers Association
Michigan Oil and Gas Association
Cooperative Network Minnesota
Minnesota Chamber of Commerce
Minnesota Grocers Association
Minnesota Petroleum Council
Minnesota Trucking Association
MN AgriGrowth Council
MN Petroleum Marketers Association
Associated General Contractors of Missouri
Associated Industries of Missouri
Association of Missouri Electric Cooperatives
Chemistry Council of Missouri
County Commissioners Association of Missouri
Empire Springfield Grocers Association
Mid-America Grocers Association
Mining Industry Council of Missouri
Missouri Asphalt Pavement Association
Missouri Association of Counties
Missouri Chamber of Commerce
Missouri Chapter of Freedom of the Road Riders
Missouri Concrete Association
Missouri Energy Development Association
Missouri Farm Bureau
Missouri Forest Products Association
Missouri Grocers Association
Missouri Limestone Association
Missouri Municipal League
Missouri Petroleum Council
Missouri Petroleum Marketers & Convenience Store Association
Missouri Retailers Association
Missouri Tire Dealers and Retreaders Association
Missouri Transportation & Development Council
Missouri Trucking Association
North East County Commissioners Association of Missouri
North West County Commissioners Association of Missouri
Regulatory Environmental Group for Missouri
SITE Improvement Association
South Central County Commissioners Association of Missouri
South East County Commissioners Association of Missouri
South West County Commissioners Association of Missouri
West Central County Commissioners Association of Missouri
Nebraska Farm Bureau Federation
Nebraska Petroleum Marketers & Convenience Store Association

Nebraska Petroleum Producers Association
Nebraska State Chamber of Commerce & Industry
Nebraska Trucking Association
Business & Industry Association of New Hampshire
New Hampshire Motor Transport Association
New Jersey Petroleum Council
API New York
Carolinas Associated General Contractors (NC & SC)
North Carolina Petroleum & Convenience Marketers Association
North Carolina Petroleum Council
Associated General Contractors of North Dakota
Bismarck-Mandan Chamber of Commerce
Greater North Dakota Chamber of Commerce
North Dakota Petroleum Council
North Dakota Petroleum Marketers Association
North Dakota Propane Gas Association
North Dakota Retail Association
Utility Shareholders of North Dakota
API Ohio
Canton Regional Chamber of Commerce
International Union of Operating Engineers, Local 18
Ohio Aggregates & Industrial Minerals Association
Ohio Chamber of Commerce
Ohio Chemistry Technology Council
Ohio Coal Association
Ohio Contractors Association
Ohio Gas Association
Ohio Grocers Association
Ohio Home Builders Association
Ohio Licensed Beverage Association
Ohio Manufacturers' Association
Ohio Municipal League
Ohio Oil and Gas Association
Ohio Petroleum Marketers & Convenience Store Association
Ohio Trucking Association
Ohio's Electric Cooperatives
Plumbers & Pipefitters Local 396
Southeastern Ohio Oil and Gas Association
Youngstown/Warren Regional Chamber
ARIPPA
Associated Pennsylvania Constructors
Associated Petroleum Industries of Pennsylvania
Chamber Of Commerce For Greater Philadelphia
Greater Pittsburgh Chamber of Commerce
Manufacturer and Business Association
Maritime Exchange for the Delaware River and Bay

Pennsylvania Aggregates and Concrete Association
Pennsylvania Chemical Industry Council
Pennsylvania Coal Alliance
Pennsylvania Farm Bureau
Pennsylvania Food Merchants Association
Pennsylvania Forest Products Association
Pennsylvania Independent Oil and Gas Association
Pennsylvania Manufacturers Association
Pennsylvania Petroleum Association
Pennsylvania Waste Industries Association
The Energy Council of Rhode Island
API South Carolina
South Dakota Chamber of Commerce and Industry
South Dakota Electric Utility Companies
South Dakota Petroleum and Propane Marketers Association
South Dakota Retailers Association
Tennessee Fuel and Convenience Store Association
Tennessee Petroleum Council
Vermont Fuel Dealers Association
Vermont Petroleum Association
Vermont Retail and Grocers Association
American Council of Engineering Companies of Virginia
Associated General Contractors of Virginia
LiUNA! Laborers' Local 11
Precast Concrete Association of Virginia
Thomas Jefferson Institute for Public Policy
Virginia Agribusiness Council
Virginia Automobile Dealers Association
Virginia Chamber of Commerce
Virginia Coal & Energy Alliance
Virginia Farm Bureau
Virginia Forest Products Association
Virginia Forestry Association
Virginia FREE
Virginia Manufacturers Association
Virginia Oil and Gas Association
Virginia Petroleum Council
Virginia Petroleum, Convenience and Grocery Association
Virginia Poultry Federation
Virginia Retail Merchants Association
Virginia Transportation Construction Alliance
Virginia Trucking Association
Associated Builders & Contractors of WI
Cooperative Network of Wisconsin
Midwest Food Products Association
Milwaukee Metropolitan Association of Commerce

Administrator Scott Pruitt

September 6, 2017

Page 9

Wisconsin Transportation Builders Association

Transportation Development Association of Wisconsin

Wisconsin Auto & Truck Dealers Association

Wisconsin Grocers Association

Wisconsin Housing Alliance

Wisconsin Industrial Energy Group

Wisconsin Manufacturers & Commerce

Wisconsin Motor Carriers Association

Wisconsin Paper Council

Wisconsin Petroleum Council

Wisconsin Petroleum Marketers & Convenience Stores Association