



February 5, 2018

Peter Tsirigotis  
Acting Director  
Office of Air Quality Planning and Standards  
Environmental Protection Agency  
C539-01  
Research Triangle Park, NC 27709

**RE: EPA Responses to Certain State Designation Recommendations for the 2015 Ozone National Ambient Air Quality Standards, Docket ID No. EPA-HQ-OAR-2017-0548**

Dear Mr. Tsirigotis:

Western Energy Alliance appreciates the opportunity to comment on the Environmental Protection Agency's (EPA) state and tribal area designation recommendations for the 2015 Ozone National Ambient Air Quality Standards. We are concerned that EPA's timeline for finalizing ozone nonattainment designations will not give the agency sufficient time to ensure an orderly transition to nonattainment through state and federal implementation plans (SIPs/FIPS), which could potentially harm responsible oil and natural gas development in those regions.

Western Energy Alliance represents over 300 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas in the West. Alliance members are independents, the majority of which are small businesses with an average of fifteen employees.

Western Energy Alliance members operate in several regions around the country slated to be designated nonattainment under the 2015 ozone standard. The Alliance takes air quality concerns seriously; our employees and the communities in which we operate are impacted by air quality. As an industry, we're committed to taking meaningful and cost-effective steps to improve air quality. For example, in the Uinta Basin in Utah, we've invested millions of dollars into wintertime ozone research, taken voluntary measures to reduce emissions, participated in numerous scientific studies, and developed emissions inventories with the State of Utah, Ute Tribe, and EPA. We will continue to work with our partners throughout the nonattainment process to bring the nonattainment areas in which we operate back into compliance with federal air quality standards.

Western Energy Alliance supports the comments of the Utah Division of Air Quality, Uintah County, Utah, and Duchesne County, Utah with respect to the proposed nonattainment area boundary being contemplated by EPA in the Uinta Basin. We believe that the State

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and Counties' recommendation that EPA set area boundaries in the most targeted possible way to avoid imposing undue economic hardship on the region is appropriate. We encourage EPA to adopt the State and Counties' proposed boundaries.

We are also concerned that ozone nonattainment will negatively impact our members' ability to obtain necessary air quality permits to continue planned development. In the Uinta Basin, this problem is particularly concerning. Following a nonattainment designation, which EPA plans to complete by April 30, 2018, the Uinta Basin would be without the national Indian Country Minor New Source Review Federal Implementation Plan (FIP) to allow streamlined registration, since it cannot be used in nonattainment areas. The Basin would also lack a reservation-specific FIP, and would therefore be forced into an untested and potentially lengthy and unreliable case-by-case permitting program. We're concerned EPA lacks the resources to process case-by-case permits in a timely fashion, which could in effect bring development in the Uinta Basin to a halt.

Further complicating matters, EPA has not released final classification guidelines for ozone nonattainment or SIP guidelines. Without SIP or classification guidelines, it will be difficult for states and EPA to move ahead with attainment plans. Until EPA can provide the necessary tools to begin addressing nonattainment, a designation provides a significant burden on nonattainment areas without any clear solutions. We support EPA making the nonattainment designation in the Uinta Basin effective in conjunction with action that ensures continuous access to a streamlined permitting mechanism. A designation without such a mechanism would create significant uncertainty and potentially halt development in the region.

Therefore, we request EPA consider allowing use of the National FIP for Tribal minor sources or delaying nonattainment designation effectiveness until it can ensure a smooth transition to nonattainment that provides continuous access to regulatory approval and compliance mechanisms. In areas like the Uinta Basin, we request the Agency align the effectiveness of a nonattainment designation with the finalization and effectiveness of a reservation-specific FIP. Without such a mechanism, nonattainment designations will prove even more economically burdensome and will not offer solutions to ultimately address air quality issues in the affected areas. Thank you for considering this request. We look forward to working with EPA, states, and Indian tribes to improve air quality in nonattainment areas.

Sincerely,



Ryan Streams  
Manager of Regulatory Affairs