Congress of the United States

Washington, DC 20510

September 27, 2016

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy,

We write to express our continued and serious concerns about the 2015 Ozone Standard of 70 parts per billion (ppb) and its effect on the state of Arizona.

In addition to contributing to economic strain while providing negligible health benefits, the new ozone standard harms Arizona by forcing the state to regulate ozone emissions that are beyond its control. Arizona's ability to comply with the 70 ppb ozone standard is significantly impacted by the influx of contributing emissions from international and interstate transport, vehicles, and natural sources. As you know, these emissions fall well outside the jurisdiction and control of the state of Arizona and would unfairly penalize our communities and businesses.

For example, the Yuma Metropolitan Area will be designated by the Environmental Protection Agency (EPA) as a "nonattainment area" with regard to the 2015 Ozone Standard. Yet, according to the EPA's National Emission Inventory (NEI), industrial or commercial sources in Yuma are responsible for producing only 0.2 percent of volatile organic compounds (VOC) and a mere 5 percent of the nitrogen oxide (NOx) emissions in its metropolitan area. The NEI reflects that the vast majority of VOCs generated in Yuma are from natural sources, while vehicles regulated by the EPA are the significant contributing source for the NOx emissions generated there. In fact, by the EPA's own admission, the predominant sources of Yuma's ozone emissions are Mexico and California, not the commercial and industrial sources that will bear the financial and regulatory burdens of this "nonattainment area" designation. This appears to be contrary to the intentions of the standard.

Nine of the ten counties in Arizona that monitor for ozone are in serious jeopardy of exceeding the 2015 Ozone Standard, especially if dry meteorological conditions persist over the next three years. Even if these counties could qualify for various exceptions, it would not make a difference. The counties would still be in a perpetual nonattainment status until the contributing sources, including those which originate internationally, in another state, or naturally, are mitigated.

International and interstate air pollution transport is of paramount concern to Arizona. Under the agency's legislative authority, what if any practical mechanism is available to the Western United States to address these significant issues in a meaningful way? We urge you to avoid moving forward in a manner that is guaranteed to cause irreparable harm to Arizona's economy by

requiring even further emission offsets and more stringent permitting requirements for major sources while offering negligible benefit to public or environmental health.

Sincerely,

Jeff Flake
United States Senator

John McCain
United States Senator

Trent Franks
Member of Congress

David Schweikert
Member of Congress

Paul Gosar
Member of Congress

Martha McSally
Member of Congress

Matt Salmon
Member of Congress