



June 29, 2020

U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Docket No. EPA-HQ-OAR-2015-0072, EPA Guidance; Review of the National Ambient Air Quality Standards for Particulate Matter

On behalf of the more than 8,000 members of the American Road and Transportation Builders Association (ARTBA), we respectfully offer comments on the U.S. Environmental Protection Agency's (EPA) April 30 *Federal Register* notice of proposed action on the review of the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM).

ARTBA brings together all facets of the transportation construction industry to responsibly advocate for infrastructure investment and policy that meet the nation's need for safe and efficient travel. ARTBA's membership includes private and public sector members that are integral to the planning, designing, construction and maintenance of the nation's roadways, waterways, bridges, ports, airports, rail and transit systems. Our industry generates more than \$500 billion annually in U.S. economic activity and sustains more than 4 million American jobs.

ARTBA members undertake a variety of activities that could be directly impacted by any change in EPA's NAAQS for PM. Under the Clean Air Act (CAA), EPA must review NAAQS for six different pollutants, including PM, every five years. NAAQS compliance is a particularly important issue for the transportation construction sector as counties which do not meet CAA standards can have federal highway funds withheld. These funds are important to areas aiming to improve air quality through transportation improvements which ease congestion.

ARTBA agrees EPA should retain the current PM NAAQS. EPA's decision to retain the current PM NAAQS is supported by acknowledging progress has already been achieved as well as expected air quality improvements from previously approved initiatives.

Regulations do not operate in a vacuum. EPA's own data indicates overall concentrations of the pollutants monitored through the NAAQS, including PM, have dropped "significantly" since 1990 and "[d]uring this same period, the U.S. economy continued to grow, Americans drove more miles and population and energy use increased."

EPA's decision also promotes both public health and economic stability. Tightening PM standards despite their current effectiveness could result in the withholding of federal highway funds in areas forced out of compliance with new standards. This, in turn, would have negative effects on both employment and development for impacted counties where transportation

improvements are delayed or cancelled. In many instances, these federal-aid projects are intended to improve demonstrated public safety threats. Once completed, transportation improvements can reduce congestion and improve air quality. Such improvements will not be realized if projects cannot go forward.

Overall, EPA must reform how NAAQS are reviewed. Local officials need some sense of predictability in order to develop long-range transportation plans to achieve emissions reduction goals. In many instances, counties are focusing on addressing existing NAAQS and any additional changes to the standards are akin to “moving the goalposts in the middle of the game.” If counties are to effectively comply with current NAAQS, new requirements will only serve to hamper these efforts by opening the door to possible litigation and sanctions potentially resulting in the withholding of federal funding for transportation improvement projects. A complete analysis of potential NAAQS revisions should also include the effects of the potential for increased unemployment, reduced congestion relief and weakened public safety. The NAAQS process should be reformed with a view towards maximizing results while minimizing excessive regulatory requirements.

In conclusion, ARTBA thanks EPA for supporting retention of the current PM NAAQS. With air quality already improving, further regulation is not necessary and, perhaps, thought should instead be given to altering existing requirements in a manner which would reduce regulatory burdens without sacrificing the success which has already been achieved. We look forward to continuing to work with the EPA towards achieving cleaner air through efforts which strike the proper balance between environmental protection and our nation’s infrastructure needs.

Sincerely,

A handwritten signature in black ink that reads "David Bauer". The signature is written in a cursive, flowing style.

David Bauer
President & C.E.O.