



Aug. 15, 2010

Air and Radiation Docket and Information Center  
U.S. Environmental Protection Agency  
Mailcode: 2822T  
1200 Pennsylvania Ave. NW  
Washington, DC 20460

*RE: Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards, Second External Review Draft June 2010, Docket ID No. EPA-HQ-OAR-2007-0492*

To Whom It May Concern:

The North Dakota Stockmen's Association (NDSA) is an 81-year-old trade association representing more than 2,800 beef cattle producers in North Dakota. We write to express serious concerns about the possibility that the Environmental Protection Agency (EPA) may revise the PM10 NAAQS to a level nearly twice as stringent as the current standard. We do not believe such a revision is warranted by science, and urge you to keep the current standard.

The current standard of  $150 \mu\text{g}/\text{m}^3$  was set conservatively low based on historically flawed health studies. In fact, in the 2006 final PM NAAQS rule, EPA acknowledged itself that it was set to be cautious, not on clear evidence that this level was necessary to protect against adverse public health effects. This is especially true for the type of rural coarse PM that predominates on agricultural operations.

On July 8, 2010, EPA published in the Federal Register the second draft Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standard. In that document, EPA staff concluded that, depending on the emphasis placed on the evidence and uncertainties, the Administrator would be justified in either retaining the current PM10 NAAQS or in revising it in the range of  $65\text{-}85 \mu\text{g}/\text{m}^3$ , a level that is approximately twice as stringent as the current standard. If EPA were to adopt a level from  $65\text{-}85 \mu\text{g}/\text{m}^3$ , many more non-attainment areas than currently exist would require designation, and agricultural operations would be economically devastated, since controlling dust to such a level would be highly costly, if not impossible, in many areas of the United States.

In addition, contrary to EPA assertions, a PM10 NAAQS in the range of 65-85  $\mu\text{g}/\text{m}^3$  with a 98<sup>th</sup> percentile form is not equal to the current standard of 150  $\mu\text{g}/\text{m}^3$  with a 99<sup>th</sup> percentile form. While they may be equal in some eastern urban areas of the U.S., they are not equal in agricultural areas, where rural dust dominates. Such a revised standard would effectively target rural areas and would result in widespread non-attainment areas throughout rural America. If EPA is intending to continue protection at the same level as the current PM10 level, then it should retain the current standard and not revise both the level and the form with an analysis indicating the level of protection will remain the same. We urge the EPA to give serious consideration to the significant economic hardship a revised standard would cause to rural agricultural areas and family farmers and ranchers when making this important decision.

The key evidence relied on by EPA for suggesting a lower level for the PM10 standard is flawed. Dust storm studies relied on by EPA had PM10 levels many times higher than even the current 150  $\mu\text{g}/\text{m}^3$  and are therefore not a reliable basis on which to base a decision to reduce the standard.

Finally, EPA's acknowledgement that the science on coarse PM is so uncertain that it is unable to conduct a quantitative risk assessment further supports retention of the current standard, not this dramatic, unsubstantiated change.

Thank you for your consideration of these comments.

Sincerely,

Julie Ellingson  
Executive Vice President  
North Dakota Stockmen's Association