

December 7, 2018

Andrew Wheeler, Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attention: Docket ID Nos. EPA-HQ-OAR-2018-0195 and EPA-HQ-OAR-2018-0196

Re: Request to Extend Comment Periods and Hold Additional Hearing

Dear Acting Administrator Wheeler:

The Northeast States for Coordinated Air Use Management (NESCAUM) is writing to request 45-day comment period extensions for the proposed rule *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces* [83 Fed. Reg. 61574 (November 30, 2018)] and for the advance notice of proposed rulemaking (ANPRM) *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces* [83 Fed. Reg. 61585 (November 30, 2018)]. Additionally, NESCAUM requests that EPA hold a second public hearing in mid-January so there is sufficient time for states to obtain management approval for comments and travel to a public hearing. NESCAUM is the regional association of air pollution control agencies representing Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.¹

1. Request to extend the comment period on proposed rule to 90 days

NESCAUM respectfully requests that the 45-day deadline to comment on the proposed rule for *New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces* [83 Fed. Reg. 61574 (November 30, 2018)] be extended by an additional 45 days to provide a 90-day comment period. The proposed rule contains provisions that will affect states' emission reduction plans. EPA's revised Regulatory Impact Analysis requires extensive review and the timing of the comment period surrounding holiday periods significantly restricts the ability of interested parties to develop informed and thoughtful comments. Obtaining management approvals through government agencies often takes 14-21 days, leaving state agencies only a few weeks to analyze data and prepare comments. The requested extension is critical to ensure that our member state agencies, as well as other stakeholders, have adequate time to fully assess and comment on the three regulatory scenarios under consideration for central heating appliances, three regulatory scenarios under consideration for space heaters, and the proposed changes for pellet fuel standards. At least 90 days is needed to provide a meaningful opportunity for informed public comment.

2. Request to extend the comment period on ANPRM to 120 days

NESCAUM respectfully requests that that the 75-day deadline to comment on the ANPRM for *New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces* [83 Fed. Reg.

¹ Any views or opinions expressed in this letter may not necessarily reflect those of individual NESCAUM states.

61585 (November 30, 2018)] be extended by an additional 45 days to provide a 120-day comment period. The proposed rule requests comments on ten specific areas, all with provisions that will significantly affect states' emission reduction plans. The breadth of this request will require careful consideration by interested commenters. The potential implications are large, and it will take considerable time to fully assess the relative merits of alternative approaches to cost-benefit analyses underpinning the rulemakings, as well as to assess how any changes may affect various State Implementation Plans.

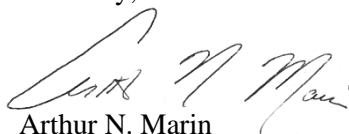
Considering its broad call for input, significant impact on public health, and the requirement for parallel development of comments on the proposed rule *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces* [83 Fed. Reg. 61574 (November 30, 2018)], a comment period of only 75 days is too short to give our states and the public a meaningful time window for review and comment. We therefore request an additional 45 days to provide a full 120-day comment period.

3. Request to hold an additional hearing

NESCAUM also respectfully requests that EPA hold a second hearing in a central location with at least a minimum of 45 days notice. The Federal Register details EPA's intent to hold a hearing on the proposed rule in Washington, DC on December 17, 2018 [83 Fed. Reg. 61574 (November 30, 2018)]. The timing of this hearing provided only ten working days for state and local agencies to prepare testimony and obtain the required travel approvals. In many states, a minimum 30-day notice is required for out-of-state travel. In light of this notice's significant implications for public health and the potential for significant increases in local, near-source exposures, it is imperative that EPA provides adequate time for states to participate in this hearing. The timing of this hearing makes broad participation impossible.

In summary, a 90-day comment period for the proposed rule, a 120-day comment period for the ANPRM, and a second public hearing are needed to provide our states and the public with a meaningful and reasonable opportunity to comment on EPA's actions related to the *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces*. This request is made in recognition of the volume and complexity of the proposed rulemaking dockets and the potential impacts on air quality and public health. Thank you for your consideration of our request.

Sincerely,



Arthur N. Marin
Executive Director

cc: NESCAUM State Air Directors
Bill Wehrum, Assistant Administrator EPA OAR
Dave Conroy, EPA Region 1
Richard Ruvo, EPA Region 2