



**American Foundry Society
Comments on the U.S. Environmental Protection Agency
Proposed Reconsideration of the National Ambient Air Quality
Standards (NAAQS) for Particulate Matter
Docket ID No. EPA-HQ-OAR-2015-0072**

March 28, 2023

The American Foundry Society (AFS) hereby submits the following comments on the January 27, 2023 U.S. Environmental Protection Agency (EPA) proposed reconsideration of the National Ambient Air Quality Standards (NAAQS) for particulate matter. 88 Fed. Reg. 5558. In this action, EPA has proposed to reconsider EPA's decision in 2020 to retain the existing fine particulate (PM_{2.5}) annual standard of 12 µg/m³ and daily standard of 35 µg/m³. Specifically, EPA is proposing to lower the PM_{2.5} annual standard to a range of 9 to 10 µg/m³ and retain the daily standard of 35 µg/m³. EPA has also requested comments on whether the proposed annual and daily standards should be even lower. Based on the comments below, AFS contends that EPA should withdraw this discretionary regulatory action due to the substantial regulatory confusion it will cause and the excessive regulatory costs and burdens that it will impose on the metalcasting industry and other industries.

Industry Overview

AFS is the major trade and technical association for the North American metalcasting industry. AFS has approximately 7,000 members representing over 2,000 metalcasting firms, their suppliers, and customers. The organization exists to provide knowledge and services that strengthen the metalcasting industry for the ultimate benefit of its customers and society. AFS seeks to advance the sciences related to the manufacture and utilization of metalcasting through research, education, and dissemination of technology. AFS also provides leadership in the areas of environmental, safety and industrial hygiene, government affairs, marketing, management, and human resources for the metalcasting industry.

Metal castings are integral to virtually all U.S. manufacturing activities. In the U.S., castings are used to produce 90 percent of all manufactured durable goods and nearly all manufacturing machinery. The industry is composed of more than 1,750 facilities manufacturing castings made from iron, steel, aluminum, and other alloys that have thousands of applications. In addition to the automotive, construction, and defense industries, other major sectors supplied by the metalcasting industry include agriculture, aerospace, energy exploration and conversion, oil and gas, mining, railroad, municipal/water infrastructure, transportation, and health care.

The U.S. metalcasting industry accounts for \$44.3 billion in direct economic benefit and a total national economic impact of \$110.52 billion. It also provides direct employment for nearly 200,000 men and women and supports nearly 500,000 jobs directly and indirectly. The industry supports a direct payroll of approximately \$11.6 billion and more than \$32 billion including indirect wages. Metalcasting facilities are found in every state, and the industry is made up of predominately small businesses. Approximately 80 percent of domestic metalcasters have fewer than 100 employees.

EPA Should Allow States to Implement the Existing PM_{2.5} NAAQS

The metalcasting industry has been, and continues to be, committed to reducing PM_{2.5} emissions. In fact, contributions of PM_{2.5} emissions from point sources are lower today than in previous years. This is evidence that the existing PM_{2.5} NAAQS has been effective in reducing PM_{2.5}. Before embarking on this proposed reconsideration of the 2020 PM_{2.5} NAAQS, EPA should allow states and industrial sources to fully implement the current standard. The proposed action is premature and would lead to confusing and conflicting requirements by imposing new standards on top of the existing requirements, particularly where facilities have already made, or plan to make, investments in control technology to lower PM_{2.5} emissions consistent with the 2020 PM_{2.5} NAAQS.

Contributions from Smaller and Uncontrolled Nonpoint Sources Are Significant

At the same time that PM_{2.5} emissions from industrial sources are being reduced, the contributions from smaller and uncontrolled nonpoint sources are increasingly significant. For example, wildfires and prescribed fires account for over 30 percent of the primary emissions of PM_{2.5} nationwide. In addition, unpaved dirt roads and bare agricultural soils are also a significant contributor of PM_{2.5}. Controls on stationary industrial and mobile sources alone will not be sufficient to attain the new proposed PM_{2.5} standards. Before adding further burdens on industrial and mobile sources (that are unlikely to attain the more stringent standards), EPA needs to identify how to address these uncontrolled nonpoint sources, and if it is feasible to impose any effective controls.

Proposed Lower PM_{2.5} Limits Are at or near Background Levels

The proposed range of 9 to 10 µg/m³ is at or near background levels for many metalcasting facilities. It is not unusual to find background levels for annual PM_{2.5} in the range of 8 to 10 µg/m³ in many areas. Facilities currently located in attainment areas for PM_{2.5} could easily find themselves in nonattainment with the new more stringent levels and facing the imposition of potentially devastating restrictions with no changes to their operations. Even those facilities that would be in attainment areas would have

significantly less compliance room and would be prohibited from increasing production or expanding operations, regardless of the innovative and effective control measure that they may have in place for PM_{2.5}.

Some critics of EPA's proposed action have indicated that EPA has not gone far enough and should set the annual PM_{2.5} limit at 8 µg/m³ and the daily PM_{2.5} limit at 25 µg/m³. Others have argued that the PM_{2.5} standard should be consistent with the World Health Organization's (WHO) recommendation for an annual PM_{2.5} limit of 5 µg/m³ and a daily PM_{2.5} limit of 15 µg/m³. Standards this low would clearly exceed background levels in most areas and would be unattainable, and could impose crippling restrictions on metalcasting operations and other stationary and mobile sources. EPA must take these potentially devastating impacts on U.S. manufacturing and economy into account before proceeding further with this rulemaking.

EPA's Proposed Action Could Negatively Impact Industrial Sources

Nearly half of the counties in the country could be impacted by the proposed lower standards as more of these counties would be designated as nonattainment areas. This would require new state implementation plans (SIPs) containing stringent control measures and operational restrictions on industry and other sources of PM_{2.5} emissions. Such control measures and restrictions could stifle production and much needed economic growth in these areas. As discussed above, even more stringent control measures and restrictions on stationary and mobile sources would not be sufficient to attain the new proposed PM_{2.5} NAAQS. EPA should not proceed with this rulemaking because it would likely lead to few, if any environmental benefits, and would impose devastating impacts on vital manufacturing and supply chains in the U.S.

EPA's Proposed Reconsideration Is Discretionary

EPA proposed action is a discretionary reconsideration of the Trump Administration's rule to retain the existing PM_{2.5} NAAQS, and is not a regular review of the NAAQS

mandated by the Clean Air Act (CAA). When a NAAQS is more than five years old, EPA is required to review it and set a standard without consideration of costs. Pursuant to the statutorily mandated review, EPA in 2020 issued a PM_{2.5} NAAQS rule to retain the existing annual standard of 12 µg/m³. This current rulemaking is a proposed reconsideration of that 2020 PM_{2.5} NAAQS, and not a statutorily mandated review. Accordingly, the EPA Administrator has wide latitude on what he may consider when undertaking a discretionary review of the NAAQS that is outside the mandatory five-year review cycle. EPA should, therefore, take into account the significant costs and economic disruptions that this rule will impose on regulated sources, assuming that controls on those sources will be able to attain the proposed lower PM_{2.5} NAAQS.

The withdrawal of the 2011 ozone NAAQS reconsideration is precedent to support the use of cost and economic factors to withdraw this proposed rule. The Obama Administration stated that finalizing a new ozone standard at that time was not mandatory and could produce needless regulatory uncertainty and lead to high regulatory costs and burdens. EPA stated that the reconsideration was particularly damaging because of the significant economic challenges at that time. Given that the nation is again facing economically challenging times, EPA should withdraw this proposed reconsideration of the PM_{2.5} NAAQS and proceed with the CAA's mandatory review cycle. This will also allow states and industry to fully implement the existing 2020 PM_{2.5} NAAQS as discussed above.

The proposed reconsideration of the PM_{2.5} NAAQS could have far-reaching implications for states and industrial sources. More of the country would be located in PM_{2.5} nonattainment areas, triggering the need for SIPs containing stringent control measures on industry and other sources of PM_{2.5} emissions. Even in areas where the proposed NAAQS can be met, the new standard would require facilities to demonstrate in their air permit applications that their operations would not threaten attainment of the new limits. As discussed above, the proposed lower PM_{2.5} limits are at, or near, background levels in many areas, and facilities would not have any reasonable room to maintain regulatory

compliance. Accordingly, EPA should withdraw its proposed reconsideration of the PM_{2.5} NAAQS.

State and Local Agencies Raise Concerns

Even those state regulatory officials that support EPA's proposed PM_{2.5} NAAQS have expressed concerns about the difficulty and costs of trying to attain the more stringent standards. According to state and local officials, control options to attain the proposed NAAQS will be limited and very expensive. Many of these agencies have been experiencing challenges to meet the current annual PM_{2.5} standard of 12 µg/m³, so it will be very difficult to meet a tighter limit in the range of 9 to 10 µg/m³. Some of these agencies are also facing lawsuits to require them to act on their area's air quality plans and attainment of the current standards. In addition, the proposed modifications to the PM_{2.5} "monitoring network design criteria" to include environmental justice factors could be cumbersome and expensive to implement. To reduce the additional burdens on state and local regulatory agencies, EPA should withdraw the proposed reconsideration of the PM_{2.5} NAAQS and allow agencies to finalize their implementation of the current NAAQS standard.

Conclusion

AFS appreciates the opportunity to provide these comments on the proposed reconsideration of the PM_{2.5} NAAQS, and looks forward to working with EPA to protect the environment and human health and to minimize the rule's negative impact on the metalcasting industry and other industries. On behalf of AFS, please contact Jeff Hannapel with our AFS Washington office at jhannapel@thepolicygroup.com, if you have any questions or would like additional information about the comments.