

August 08, 2018

Jeffrey Crawford
17 State House Station
Augusta, ME 04333

Re: Comments on the removal of certain portions of the State of Maine from the Ozone Transport Region (OTR) pursuant to Clean Air Act Section 176A(a)(2)

Dear Mr. ~~Crawford~~^{Jeff}:

I want to start by saying that I am in full support of this petition to remove portions of the State of Maine from the OTR. This is truly a success story that underscores the importance at interstate cooperation to resolve air pollution problems that are not necessarily the result of any one state's pollutant emissions; and of the Act's "good neighbor" provision that requires states to examine whether pollution generation in their state contributes to poor air quality in another, and underlying principle in the creation of the OTR.

As you know, I was the former Director for the Bureau of Air Quality Control (the Bureau) (1987 – 1995). As such, I was directly and intimately involved in the development of the Clean Air Act Amendments of 1990 (the Act), working with then Senator George Mitchell, the primary sponsor of these amendments and the Senate staff that was finalizing the Act. Much of the work that I was involved in was the development of approaches to reduce the long-range transport of air pollution that was the primary factor then (and now) causing Maine's ozone non-attainment.

As expected, our early efforts at implementing many of the provisions of the Act met with strenuous opposition from the regulated community and cries of not enough regulation from environmental activists. One of the most difficult implementation issues involved the establishment of annual automotive emission tests (CarTest), a requirement that was unfortunately abandoned by our State Legislature. Unfortunate, because automotive emissions were one of the major sources of NOx and VOC emissions, and our failure to move forward with its implementation created added burdens and higher costs on other sources of these ozone precursors.

However, I am proud to have worked with many of the very people who are now leading the Bureau, including Marc Cone, now Director of the Bureau, and the many talented,

hardworking and professional staff who have strived long and hard to achieve the significant and positive air quality improvement now seen in the ambient air quality monitoring data.

You, indeed, all Mainers should be proud of the Bureau and its work to attain ambient ozone air quality standards especially because those standards have become more stringent over the past 25 years.

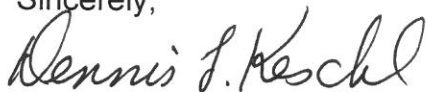
Ambient air quality testing and modelling that you have provided in your petition supports the fact that "home grown" ozone is not the source of our problem. We have long known that our ozone problem was "upwind", a fact that led to our self-identification as the "tailpipe of the Northeast." Consequently, this petition would relieve many areas of the state of the burden that suppress economic development due to the higher costs imposed by these regulations.

This is not the first request to relieve us from unnecessary burdens imposed by our membership in the OTR...nor should it be the last. The Act foresaw that downwind states would, as the implementation of controls on upwind states took effect and reduced the impact on their air quality, seek to leave the OTR so that they could provide for economic growth while maintaining the ambient air quality standards. That is why Section 176A(a)(2) was written and why such onerous regulations required by membership in the OTR were acceptable to downwind states such as Maine.

I applaud the Bureau's hard work and persistence in doing what is right for our State and its people.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Dennis L. Keschl".

Dennis L. Keschl

Former Director of the Maine Bureau of Air Quality Control