



June 9, 2023

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Orutsaramiut Native Village

Ida Norton
Alaska Native Tribal Health
Consortium

Honorable Administrator Michael S. Regan
U. S. Environmental Protection Agency
Docket Center, OAR
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: NTAA comments on the Proposed National Emission Standards for
Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization
Facilities Residual Risk and Technology Review Docket ID No. EPA-HQ-OAR-
2019-0178

Dear Honorable Administrator Regan,

The National Tribal Air Association (NTAA) is pleased to submit this letter to provide comments on the U. S. Environmental Protection Agency's (EPA) Proposed Rules for Synthetic Organic Chemical Manufacturing Industry: Organic National Emissions Standards for Hazardous Air Pollutants. The NTAA is a member-based organization with 156 Member Tribes. The organization's mission is to advance air quality management policies and programs, consistent with the needs, interests, and unique legal status of American Indian Tribes and Alaskan Natives. As such, the NTAA uses its resources to support the efforts of all federally recognized Tribes in protecting and improving the air quality within their respective jurisdictions. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the NTAA may not be agreed upon by all Tribes. Further, it is also important to understand that interactions with the organization do not substitute for Nation-to-Nation consultation, which can only be achieved through direct communications between the federal government and American Indian Tribal Governments and Alaskan Natives.

The NTAA appreciates the opportunity to comment on the proposed rules. The NTAA largely supports the proposal, with some exceptions. The NTAA supports the proposals for the requirements for all subcategories for both major and area sources and new and existing sources. Except for, the room air emissions sources group 2 area source categories for existing sources, where in this case, EPA is proposing option 2 instead of option 1. This option is less effective than option 1 and would be the only subcategory not required to obtain the 99% reduction in emissions. Considering the toxicity of Ethylene Oxide and the impact on surrounding communities we believe that requiring a consistent level of control across the industry is reasonable.



Additional areas for comment:

- The NTAA supports the change in definition of affected source.
- The NTAA supports the removal of the option of complying with the Least Stringent option for the subcategory of ARV facilities at least 10 TPY of EtO.
- The NTAA supports the rationale provided to not allow the use of the “least stringent option” in some of the requirements.
- The NTAA supports requiring the area source Generally Achievable Control Technology (GACT) to obtain Title V permits.
- The NTAA believes that the use of Continuous Emissions Monitoring System (CEMS) should be required to the greatest extent possible over the annual compliance demonstrations. The use of CEMS will support more real-time access to data showing any leaks and issues that can then be resolved more quickly.
- The NTAA supports the proposal to reduce the number of days for initial compliance tests.
- The NTAA supports the removal of outdated and inappropriate test methods.
- The NTAA supports the change in performance test requirements.
- As stated above, CEMS should be emphasized as much as possible including the 15-minute sampling period and daily reporting and making data available to the public.
- The NTAA understands the limitation for requiring fenceline monitoring but would encourage the Agency to require beyond fenceline monitoring throughout the community.

Again, thank you for the opportunity to comment on this important proposal.

In closing, thank you for the opportunity to comment on the Proposed National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review. The NTAA appreciates that these rules will significantly reduce the emissions of Hazardous Air Pollutants and improve the health for communities near these facilities.

Respectfully,

Syndi Smallwood
Chair
Executive Committee, National Tribal Air Association

Cc: Pat Childers, Senior Tribal Program Coordinator, OAR
Carolyn Kelly, Program Manager, NTAA