

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

April 11, 2017

Mr. Sean Alteri  
Director  
Division for Air Quality  
Kentucky Department of Environmental Protection  
300 Sower Boulevard; 2nd Floor  
Frankfort, KY 40601

Dear Mr. Alteri,

Thank you for appearing before the Subcommittee on Environment on Wednesday, March 22, 2017, to testify at the hearing entitled "H.R. 806, Ozone Standards Implementation Act of 2017."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Wednesday, April 26, 2017. Your responses should be mailed to Grace Appelbe, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [Grace.Appelbe@mail.house.gov](mailto:Grace.Appelbe@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



John Shimkus  
Chairman  
Subcommittee on Environment

cc: The Honorable Paul Tonko, Ranking Member, Subcommittee on Environment

Attachment

## **Attachment – Additional Questions for the Record**

### **The Honorable John Shimkus**

1. Witnesses noted in testimony that it is unfair that, under current law, local jurisdictions may be subject to penalties for failure to attain standards, even though the failure is due to emissions from sources that are outside the jurisdictions' authority to control.
  - a. To assist with our identifying the problem fully, would you provide examples of the types of emissions or pollutants, natural or anthropogenic, that are outside your state's control and that may impede your ability to reach attainment of air quality standards so as to subject you to fees or other penalties?
  - b. Are there circumstances in your view in which relief from penalties may be provided either to local or to state level jurisdictions?
2. Hearing testimony raised concerns about the quality of modeling data. When promulgating nonattainment designations in air quality control regions, should the Administrator base such designations on modeling predictions that do not incorporate state/local air agency input in lieu of the state's air quality monitoring data?
3. Are there any other considerations we should take into account concerning H.R. 806 that you believe we did not cover sufficiently in the hearing?