

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

Ms. Nancy Vehr
Air Quality Administrator
Wyoming Department of Environmental Quality
200 West 17th Street
Cheyenne, WY 82002

Dear Ms. Vehr,

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.

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. My understanding is that EPA's Exceptional Events Rule allows states to exclude certain emissions data from consideration when determining compliance with national ambient air quality standards.
 - a. If EPA fails to take action with respect to an exceptional event petition, does that mean that your state is effectively penalized because those emissions are considered in determining your compliance with the new standards?
 - b. Is the Exceptional Events Rule likely to provide relief to states for emissions exceedances due to wildfires?
 - c. What potential modifications to the exceptional events provisions of the Clean Air Act would you suggest to provide more meaningful relief?
2. 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?
3. Your 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?
4. 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?