Nezperce Prairie Grass Growers Association

Pride of the Prairie - We Make Your World Green

October 10, 2016

Director John Tippets
DEQ State Office
1410 N. Hilton
Boise, ID 83706

Re: Air Quality - Docket No. 58-0101-1601 & 58-0101-1604 - Negotiated Rule Making

Director Tippets:

The Nezperce Prairie Grass Growers Association, representing blue grass seed producers in five northern Idaho counties, appreciates the opportunity to comment on Docket No. 58-0101-1601 & 58-0101-1604 and the Department's work through the negotiated rules process. Our growers have continued to follow, comment, participate, and engage in the crop residue program administered by the Department of Environmental Quality (DEQ) since its inception. We have a vested interest in seeing the program continue into the future, and over the past decade, we have valued the willingness of stakeholders to work together to find equitable resolutions.

In discussing the latest proposed rules provided by DEQ, NPGGA supports the proposals specified in Docket No. 58-0101-1601 & 58-0101-1604 as an acceptable path forward. We appreciate the response to the concerns that lack of implementation would significantly hinder production in the upcoming growing season. In that discussion the Board of Directors agreed that it is vital to continue to support a strong Crop Residue Burn Program that addresses the concerns of the environmental advocacy representatives and allows farmers to participate in basic and approved agricultural practices to raise their crops. We also agreed that the proposed state standard of 90% of EPA's revised ozone standard of 70 parts per billion is beneficial. Though the national standard is being tightened, Idaho has consistently fallen well below the ceiling of the standard due to a successful agreement and a program that has taken on the responsibility of weighing both health concerns and the necessities of agriculture.

Early in the process, we had great concern with the segment of the draft proposal that would have tightened the state standard of 75% for $PM_{2.5}$ to 65% of EPA's $PM_{2.5}$ standard (35 $\mu g/m^3$). The Clean Air Act requires EPA set National Ambient Air Quality Standards (NAAQS) and also requires EPA to periodically review and to update those standards as necessary. The circumstances leading to the promulgation of negotiated rules by DEQ and a proposal to revise the state statute after eight years, is due to the revision made by EPA on October 26, 2015, to the Ozone (NAAQS) standard. EPA has initiated the next review of the $PM_{2.5}$ (NAAQS) standard and our concern was with the likelihood that this standard will change in the near future.

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Whether the standard for $PM_{2.5}$ decreases, increases, or stays the same, we did not see the haste or necessity to change the state standard of $PM_{2.5}$ that has been agreed upon to protect health and be well below EPA's standard. We appreciate that this has been reflected and we support keeping the state standard at 75% of EPA's standard for $PM_{2.5}$. It is both logical and equitable to only address the national standards that have changed and we will anticipate being at the table with growers and the environmental advocacy groups to work towards compromise on $PM_{2.5}$ at that time.

The grass growing community has taken comfort and great pride in knowing that there have not been adverse health effects while the state agreement has been in place. Our farmers have always taken ownership of keeping our communities healthy and the Nezperce Prairie Grass Growers Association stands behind a negotiated rule process that allows agreement by stakeholders and the Idaho Legislature to be fostered by DEQ and approved by EPA without interruption to the 2017 crop residue burn season.

Sincerely,

Justin McLeod
President