



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**MAR 18 2019**

REPLY TO THE ATTENTION OF:

Laurie Stevenson, Director  
Ohio Environmental Protection Agency  
50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Dear Ms. Stevenson,

This letter responds to the Ohio Environmental Protection Agency's (Ohio EPA's) submittal, dated May 31, 2017 and revised on November 15, 2017, requesting that the U.S. Environmental Protection Agency concur with the Ohio EPA's request to exclude data associated with exceptional event claims for ozone and particulate matter data influenced by Canadian wildfires near Fort McMurray, Alberta in May of 2016. EPA concurs with your request.

EPA promulgated the Exceptional Events Rule, which allows for the exclusion of air quality monitoring data influenced by exceptional events from use in determinations of exceedances or violations of the national ambient air quality standards (NAAQS). At this time, these areas that were included in Ohio EPA's request were redesignated as attainment, and the data requested for exclusion currently does not have regulatory significance. However, EPA wanted to be responsive to your request, and to maintain national consistency, EPA evaluated the package with the Office of Air Quality Planning and Standards. Throughout this review, EPA maintained contact with Ohio EPA.

In 2016, EPA revised the Exceptional Events Rule found in sections 50.14 and 51.930 of 40 CFR parts 50 and 51. See "Treatment of Data Influenced by Exceptional Events," 81 FR 68216 (Oct. 3, 2016). After careful consideration of the information provided, EPA concurs, based on the weight of evidence, that the state has made the demonstrations referred to in 40 CFR 50.14(a)(2), (b)(1) and (b)(4). In addition, the state has met the schedule and procedural requirements in section 50.14(c) with respect to the same information.

EPA has reviewed the documentation provided by Ohio EPA for exceedances on the dates of May 24 and May 25, 2016, at ozone monitors in Cleveland and Cincinnati, and a PM<sub>2.5</sub> monitor in Cleveland. Although the data requested for exclusion in Ohio EPA's demonstration does not currently have regulatory significance, EPA's concurrence is consistent with its concurrence of all other Fort McMurray wildfire demonstrations that satisfied the 2016 Exceptional Events Rule criteria. Those demonstrations included several that did not have regulatory significance at the time of concurrence, and EPA's action recognized the unique level of multi-state coordination that went into preparing demonstrations for this large-scale regional event that affected many jurisdictions. The basis for our concurrence is set forth in the enclosed technical support

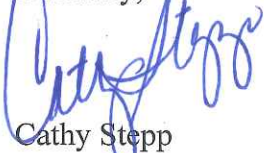
document. My staff has entered “concurrency flags” for these data into EPA’s Air Quality System data repository.

EPA’s concurrence is a preliminary step in the regulatory process for actions that may rely on the dataset containing the event-influenced data and does not constitute final agency action. If EPA takes a regulatory action that is affected by exclusion of the data, EPA intends to publish notice of its proposed action in the Federal Register. EPA’s concurrence and accompanying technical support document will be included in the record as part of the technical basis for that proposal. When EPA issues that regulatory action, it will be a final agency action subject to judicial review.

AQS ID	Parameter	Date(s)
39-035-0034	ozone	05/24/16, 05/25/16
39-035-5002		05/24/16, 05/25/16
39-055-0004		05/24/16, 05/25/16
39-085-0003		05/24/16, 05/25/16
39-093-0018		05/24/16
39-017-0018		05/24/16
39-017-9991		05/24/16
39-035-0065	PM <sub>2.5</sub>	05/24/16

If you have any questions or wish to discuss this matter further, please have your staff contact Edward Nam, Director, Air and Radiation Division, at (312) 353-2192 or [nam.ed@epa.gov](mailto:nam.ed@epa.gov).

Sincerely,



Cathy Stepp  
Regional Administrator

Enclosure