

U.S. ENVIRONMENTAL PROTECTION AGENCY

Zoom Virtual Public Hearing

EPA's Proposed Supplemental Federal "Good Neighbor  
Plan" Requirements for the 2015 8-Hour Ozone National  
Ambient Air Quality Standards

9:00 a.m. to 3:00 p.m.

Wednesday, August 21, 2024

U.S. Environmental Protection Agency

Region 7

11201 Renner Blvd

Lenexa, KS 66219

LIST OF EPA PANELISTS:

SESSION ONE:

William "Will" Stone, Chair

Lance Avey

Gerald "Jerry" McIntyre

SESSION TWO:

William "Will" Stone, Chair

Lance Avey

Gerald "Jerry" McIntyre

P R O C E E D I N G S

SESSION ONE

CHAIRPERSON STONE: Good morning. This is Will Stone, with EPA Region 7. Please bear with us while we make sure we have everything we need to begin. The webinar this webinar is being recorded.

CHAIRPERSON STONE: Good morning. Can everyone hear me? I guess. Our...

MR. MCINTYRE: I can hear you, Will.

CHAIRPERSON STONE: Thank you, Jerry. I think we'll just go ahead and get started then... see here.

Welcome and thank you for attending today's virtual hearing. My name is Will Stone, and I'm an environmental engineer with the EPA's Region 7 Air and Radiation Division. I will be chairing this session of the hearing. During today's hearing, we will take comment on the EPA's Air Plan Disapproval; Missouri; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards Proposed Rule.

At this time, I would like to invite our two other panelists for this session to introduce themselves. Panelist two.

MR. AVEY: My name is Lance Avey. I am the Air Planning Section Supervisor in EPA's Region 7 Air and Radiation Division.

MR. MCINTYRE: Hello. My name is Jerry McIntyre. I am an environmental engineer within the EPA's Region 7 Air and Radiation Division.

CHAIRPERSON STONE: Thank you, Lance and Jerry. Before we begin. I'd like to go through a few ground rules and housekeeping items to make today's hearing run smoothly. First, the EPA is committed to an environment of mutual respect and safety. We will not tolerate harassment, discrimination, intimidation, inappropriate language, and images or sustained disruption of the public hearing. The EPA expects everyone participating in this hearing, including registered speakers, attendees, and those of us on this panel, to conduct themselves in a respectful and civil manner. We will monitor and moderate this virtual event to ensure that common standards of decency are upheld.

Please note, by registering for this event you are agreeing to abide by the ground rules virtual hearing.

Okay, let's move on to how today's hearing will work. The agenda includes the name of all registered speakers, and the approximate time they can expect to speak. We will do our best to stick as close to that time as possible. If you have joined us through Zoom, please keep the chat box open. It is at the bottom of the screen. We'll put the names of the next speaker in the chat box. We also may use the chat to communicate directly to you during the hearing. I will call on each speaker when it is their turn. Let me apologize in advance for any mispronunciations. When I call on

you to speak, please unmute your line. If you are joining us via Zoom, that is a button the lower left of your screen. If you were joining us by phone, you can mute and unmute yourself by pressing Star 6, and to raise your hand, press, Star 9.

Please state your first and last name, and spell it for the record. When providing testimony, speakers must let us know if they wish to use video so that we can enable that. This hearing will be recorded and transcribed so that it can be included in the record of comments on this rulemaking action and placed in the docket.

Each speaker will have 5 minutes to give comments. After 4 minutes have passed, we will post a 1-minute warning in the chat. When your 5 minutes are up, it is time to stop. To be fair to everyone, we are going to strictly enforce the 5-minute limit.

If you have additional feedback you'd like to share, you may submit it to the docket established for public comment until September 20<sup>th</sup>, 2024. Please follow the docket, as EPA may extend the public comment.

We encourage you to also submit a written copy of your testimony. Submit your comments, identified by Docket ID No. EPA-R07-OAR-2021-0851, to the Federal Rulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from <https://www.regulations.gov>. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential

Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

We are here to mainly listen to you today; however, occasionally a panel member may ask questions to clarify your comments. When you are finished speaking, please remain on the line until I am able to confirm that there are no further clarifying questions from our panel. Once we are done, please re-mute your line. I will then call for the next speaker, and so on. If time allows, we may be able to add additional speakers to our agenda today. If you are interested in being added to the list of speakers, please use the Q&A function to indicate that you wish to be added. Our logistics team will monitor the Q&A and add you to today's agenda if there are any time slots available. You can also raise your hand if you are having difficulty with the Q&A or unable to use it. Today's hearing consists of 2 sessions. If there are no additional speakers, we may close a session 1 hour after the last

pre-registered speaker has testified. We also may take short breaks throughout the day, as needed. Thank you again for taking the time today to share your comments on the EPA's proposal. Let's get started.

Our 1st speaker today, according to the agenda, is Alexia Prosperi. Has Alexia joined as an attendee? Are we? I don't see her. Okay, I'll just type that. Alright, I'll give... give Alexia another minute or so to join and if I don't see her I will...

Oh, I guess I... I according to the agenda, let's just wait until 9:15 because that's what we put on the agenda. So, I'm going to mute my line until 9:15.

Okay, thanks. Thanks for your patience. I'm asking again if Alexia Prosperi has joined us and is ready to offer testimony. I'm looking in the Zoom attendees, and I don't. I don't see her, or I don't see this person's name. To my knowledge, no one has joined by phone. If you are trying to speak right now and having difficulty and you're on the phone, you can hit Star 9 to raise your hand. If you're in Zoom, you can raise your hand at the bottom of the screen. Please do so now, if you are trying to speak.

I'm going to go ahead and move on to the next to the next speakers that we had in the...that we have on the agenda that we posted publicly. The next name of on the agenda, posted publicly is Aaron Basham. Aaron, if you wish to give testimony now you can raise your hand and come off mute.

MR. BASHAM: Okay. Can you hear me?

CHAIRPERSON STONE: We can hear you, Aaron.

MR. BASHAM: Yes, I don't have any public testimony. Thank you.

CHAIRPERSON STONE: Thank you, Aaron. And because we have published the agenda, as I mentioned earlier, I'm going to go... Just going to call on the next person on the list and put their... put this person's name in the chat.

Nicole Weidenbenner, if you would like to give testimony this morning you could come off mute and offer your testimony. Or, like Aaron, you could indicate that you do not wish to.

MS. WEIDENBENNER: I have no testimony today. Thank you.

CHAIRPERSON STONE: Thank you. Thank you, Nicole.

Give me a moment, folks. I have to find this portion of the my script.

We do not have any more registered speakers. If you are interested in registering to speak, please use the Q&A function to indicate that you wish to be added. Our logistics team will monitor the Q&A. and add you to today's agenda. If there are any time slots available.

If you are joining us by phone, you can raise your hand by pressing Star 9. Our logistics team will add you to today's agenda if there are any time slots available. At this time, we will begin...We will... We will wait for 15 minutes from... I mark it as 9:19. And if we don't have any speakers, we may adjourn this session or take a break. We will continue to monitor this chat, the Q&A and look for raised hands for the next 15 minutes. Thank you.



(RECESS)

CHAIRPERSON STONE: Thanks everyone for waiting. At this time, I'm going to ask if anyone, any of the attendees, would like to come off mute and speak, offer testimony. Please raise your hand using the Zoom or hit Star 9 to raise your hand if you're on the phone.

Again, I...from what I can tell through the Zoom functionality, I don't see any attendees who are on the phone. They all seem... You all seem to be using Zoom.

Okay, we've given it some time here, and it seems that none of the current attendees are planning to speak at this time. So, we are going to take a recess. We are planning to recess until 10:30. At that time we'll come back and listen for 15 more minutes, if no one is willing to speak, and then our plan now, if there are no speakers, at 10:30, and by 10:45, we will adjourn the morning session. So, thanks everyone for attending I am going to share my slide.

Course I've lost the share button. There's share. I've got hearing slides. Let's see here. Guys able to see the slide? Did I do that right? Go ahead and hit share?

All right. Thanks, everyone. We will return at 10:30.

(RECESS)

CHAIRPERSON STONE: Hey, welcome back everyone from the break. As you'll recall, my name is Will Stone, and I'm an environmental engineer with EPA's Region 7 Division of Air and Radiation. And I'm

I've been the chair for this for this morning session. We still have our panelists, Lance Avey and Jerry McIntyre, watching the Zoom with me this morning, and we are still record, or we are resumed recording.

At this time, I am, as I mentioned before, I am looking to see if we have received any requests to speak. I don't see any hands up right now, or any messages from our attendees. We have no further registered speakers who I've not called on today. Two of the speakers we called on, came, came off, kindly came off mute to let us know that they had no testimony, and the 3rd one has not joined the Zoom, as far as I can tell.

So, I'm going.. We're going to proceed with waiting another 15 minutes to see, to give folks an opportunity to join the Zoom and offer testimony. If at the end of that 15 minutes we don't, we don't hear from anyone, I am going to adjourn the morning session, and we will resume at 1 pm. That's central daylight time. Thank you.

(RECESS)

CHAIRPERSON STONE: All right, it's almost 10:45. It is now 10:45, according to my clock. At this time, I don't see any raised hands or messages in the Q&A indicating that attendees wish to offer testimony. Do my, the do my other panelists agree with that? Jerry or Lance? Are you able to confirm that? Jerry is confirming by nodding.

Mr. MCINTYRE: Yes, Will, I can confirm.

CHAIRPERSON STONE: Thank you, Lance. Thank you, Jerry. At this time, I'm going to close the morning session, and as we mentioned in the agenda and is on the website, we will be coming back at 1 pm. Thanks, everyone who participated this morning, and we will see you at 1 pm.

(LUNCH RECESS)

SESSION TWO

CHAIRPERSON STONE: Alright. It's now 1 pm by my watch and my computer... my computer, which is the time we said we would return from break. So. Good afternoon. Welcome back from break. My name is Will Stone. I am an environmental engineer with EPA's Region 7 Division of Air and Radiation. I am the chair for the remainder of the session... for the remainder of the session of today's hearing on the EPA's Air Plan Disapproval; Missouri; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards Proposed Rule. At this time, I would like to invite our 2 other panelists to introduce themselves.

MR. AVEY: My name is Lance Avey. I am the Air Planning Section Supervisor in EPA's Region 7 Air and Radiation Division.

MR. MCINTYRE: Hello. My name is Jerry McIntyre. I am an environmental engineer within the EPA's Region 7 Air and Radiation Division.

CHAIRPERSON STONE: Thank you both. If you have questions about today's hearing, or are interested in registering to speak, please use the Q&A function to indicate that you wish to be added our logistics team will monitor the Q&A and add you to today's agenda if there are any time slots available. If you are joining us via phone, you can raise your hand by pressing Star 9. Our logistics team will add you to today's agenda if there are any time slots available.

CHAIRPERSON STONE: Please note, by registering for this event you are agreeing to abide by the ground rules of the virtual hearing that includes rules of behavior. The EPA is committed to an environment of mutual respect and safety. The agency will not tolerate harassment, discrimination, intimidation, inappropriate language, and images, or sustained disruption of the public hearing event and meeting. The EPA expects all participants, including panelists, registered speakers, and attendees, to conduct themselves in a respectful, professional and civil manner. We will monitor and moderate this virtual event to ensure that common standards of decency are upheld. A quick reminder about providing testimony when I call on you to speak. Please unmute your line when providing testimony. Speakers must let us know if they wish to use video so that we can have that enabled. Please state and spell your name for the record. Each speaker will have 5 minutes to give comments. After 4 minutes have passed, we will post a 1-minute warning in the chat. When your 5 minutes are up, it is time to stop. This public hearing will be recorded. At this time, we have no speakers registered for the afternoon session so, I will... I will call on... I see that we have 3 attendees in addition to the 6 panelists. According to Zoom, I don't see anyone on the phone. Although if Zoom is not functioning, perhaps I'm not seeing that. If anyone who can hear me would like to speak, please use the raise hand function in Zoom or hit Star 9 or use the Q&A function within Zoom to let us know that you wish to speak.

I'm not seeing any raised hands at this time or any Q&A. We will go ahead and give it a.... We will monitor this... the Zoom call here for 15 minutes giving people a chance who may be late from coming back from the 1 pm break an opportunity to speak. So, starting at 1:04pm. We'll give it 15 minutes. Thank you.

(RECESS)

CHAIRPERSON STONE: Alright. Folks, it is 1:19 pm, that's 15 minutes from when I believe that I asked. I said that we would wait and see if there were more folks interested in offering testimony or speaking at this time. We have not seen a hand up in the Zoom Meeting, nor have we seen anything in the Q&A chat box. So we are going to take break again. We're going to recess, and we will resume the hearing at 2 pm Central. I'll go ahead and share... I have a have a slide for that. Guess we can put in the ...see. Wait a minute... Let me...let's put in the chat. Resuming at 2 pm CDT. And I will put... I will share my slides. See? Indicating 2 pm, and are you seeing it correctly? This one? Alright. Thanks everyone, and we'll see you at 2 pm.

(RECESS)

CHAIRPERSON STONE: Okay, everybody. Good afternoon. A reminder that this, this hearing is being recorded. You all recall I am Will Stone from EPA Region 7, Division of Air and Radiation and I am the chair for the remainder of the session of today's hearing on the EPA's Air Plan Disapproval; Missouri; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality

Standards Proposed Rule. We still have Jerry McIntyre and Lance Avey as our panelists. We... and we have no more scheduled speakers for the afternoon session. I'm looking at the attendee list these are the same attendees, I believe, we've been seeing most of the day. And they are not scheduled to speak. But I will ask again. If anyone who can hear me is interested in speaking, go ahead and indicate your interest by using the Q&A button or the Q&A function within Zoom or press, Star 9 if you are on the phone or raise your hand in Zoom and we will get you added to the agenda here. And I'll go ahead and wait a minute here to give folks an opportunity to do that.

(PAUSE)

CHAIRPERSON STONE: Alright, I believe. In. In. In my judgment, that was sufficient time to raise your hand or use the Q&A function. I see nothing in the chat, the Q&A, or hand raised. I think my panelists concur with me. So, I... I'm going to suggest that we wait for 15 minutes, and we will see if... we'll see if any... We'll just give folks 15 minutes to decide if they want to speak, and if at that time we still have no speakers, then we'll take another recess. Thanks.

(RECESS)

CHAIRPERSON STONE: ...and is up. Oh, excuse me. I'll say it again because the recording is now happening. The 15 minutes that we all that we agreed to wait are up. I am looking to see if for raised hands, chat messages, or Q&A indicating that an attendee

wishes to offer testimony and I am not seeing it. Jerry, is that?  
Do you agree?

MR. MCINTYRE: Yes, I agree, Will.

CHAIRPERSON STONE: Thank you, Jerry. Lance, do you agree?

MR. AVEY: I agree.

CHAIRPERSON STONE: All right. Well, the Panelists agree with me, that we're not seeing anyone offering to comment or give testimony right now, so I will move that we...We will recess again till 2:45 pm...and at 2:45 we will return... typing... recess until 2:45 pm CDT. We'll recess until then, and at that point we'll do our 15 minutes like we normally do, and if we still have no commenters or people offering testimony, then at 3 o'clock we will adjourn the hearing, as we said in the notice and on our website. So, thanks everyone. And we'll see you at 2:45 pm.

(RECESS)

CHAIRPERSON STONE: Thank you, Mike. All right. It's nearly 2:45. We'll just. We'll wait till 2:45 to begin asking for more speakers again. Alright, I... I show 2:45 on the dot here. Again, this is Will Stone. I'm the chair of this hearing. I'm with EPA Region 7, Division of Air and Radiation. We have no scheduled speakers for this time period. It is 2:45 in the afternoon, as we mentioned, which means 15 minutes until 3 pm. Which is time. This hearing will adjourn. We will wait. I will... We will look... Wait here for those 15 minutes and wait and see if anyone raises their hand or uses the Q&A box to indicate they would like to offer testimony



or comments. So, with that, I'm just going to go back on mute and turn my video off until 3 pm. But in the meantime, we will monitor for Q&A and raised hands. Again, if you're on the phone, remember to dial Star 9 to raise your hand. Thank you.

(RECESS)

CHAIRPERSON STONE: Good afternoon. Welcome back. It is 1 minute until 3:00, according to my watch, and I will wait until 3:00 to conclude the hearing. Appreciate everyone's patience today. All right, by my watch and my computer, I see it's 3 pm Central daylight time, so let me begin the adjournment process.

My name is Will Stone. I'm an environmental engineer within the EPA's Region 7 Division of Air and Radiation. And I've been chairing this hearing session. We do not have any more registered speakers. At this time, I want to thank my fellow panelists and everyone took time out of their schedules to listen to today's hearing on our Air Plan Disapproval; Missouri; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards Proposed Rule. You can continue to submit comments on this proposal through September 20<sup>th</sup>, 2024. Please follow the docket, as EPA may extend the comment period. This hearing is now adjourned.

