

# Interim Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events

## FACT SHEET

### ACTIONS

#### Issuance of Interim Exceptional Events Implementation Guidance

- On May 10, 2013, the U.S. Environmental Protection Agency (EPA) issued interim guidance to help air agencies manage air quality data recorded during “exceptional events.” Exceptional events include natural events such as high winds, wildfires, and volcanic and seismic activities.
- EPA’s interim guidance will ensure that public health is protected, while providing air agencies the flexibility they need to show that monitoring data from these unique events should be excluded for regulatory purposes.
- The interim guidance includes a memorandum and two attachments that clarify key provisions of the 2007 Exceptional Events Rule (EER) and respond to questions and issues that have arisen since the rule was promulgated. The interim guidance also includes examples of approved demonstrations on the EPA’s website at <http://www.epa.gov/ttn/analysis/exeevents.htm>. The attachments to the memorandum include the following documents:
  - The “Interim Exceptional Events Rule Frequently Asked Questions” document (the interim Q&A document) provides interim responses to questions that have arisen since the EPA promulgated the EER.
  - The “Interim Guidance on the Preparation of Demonstrations in Support of Requests to Exclude Ambient Air Quality Data Affected by High Winds Under the Exceptional Events Rule” (the High Winds Guidance document) is a resource for air agencies when flagging data and preparing demonstrations packages for high wind dust events that have affected PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. The interim document applies the provisions of the EER and the general guidance conveyed in the guidance memorandum and in the interim Q&A document to the particular situation of a high wind dust event.

### **Rule Revisions to the 2007 Exceptional Events Rule**

- With the issuance of interim exceptional event implementation guidance, EPA will also pursue revisions to the 2007 Exceptional Events Rule. EPA anticipates proposing these rule revisions in late 2013 or early 2014 and finalizing a revised rule in late 2014 or early 2015.
- As EPA moves forward with a notice and comment rulemaking process, there will be an opportunity for all interested parties, including those that commented during the 2012 public comment period, to raise any issues or concerns.

### **Implementation Guidance to Support Data Exclusion Requests for Wildfire-related Events that may affect Ozone Concentrations**

- EPA recognizes the need for separate guidance to address the preparation of demonstrations to support data exclusion requests for wildfire-related events that may have affected ozone concentrations.
- EPA anticipates developing this guidance within the same timeframe as the Exceptional Event Rule revisions with draft guidance available in late 2013 or early 2014 and a final guidance available in late 2014 or early 2015. EPA expects to provide opportunities for stakeholder input on this guidance.

### **BACKGROUND**

- On March 22, 2007, EPA promulgated the “Treatment of Data Influenced by Exceptional Events; Final Rule” (72 FR 13560) pursuant to the 2005 amendment of Clean Air Act (CAA) Section 319. This rule is known as the Exceptional Events Rule (EER).
- The EER contains definitions, procedural requirements, requirements for air agency demonstrations, and criteria for EPA approval for the exclusion of air quality data from regulatory decisions.
- Since promulgation of the EER, stakeholders have encouraged EPA to develop guidance to clarify expectations and the implementation process.
- EPA first released draft exceptional events implementation guidance documents to state, local, and tribal agencies, and to other parties as requested, in May of 2011.
- EPA incorporated some of the commenters’ feedback into the revised draft guidance documents, which were made available for broad public review in a July 6, 2012, *Federal Register* Notice of Availability (77 FR 39959).

- Today's interim guidance clarifies EPA's intention to provide recommendations and to indicate the EPA's current thinking on exceptional event issues, rather than conveying requirements not already stated in the Clean Air Act and the Exceptional Events Rule. Additionally, the EPA revised the interim guidance materials to correct typographical errors, to make editorial changes to reflect the December 14, 2012, promulgation of the PM<sub>2.5</sub> NAAQS, and to reflect terminology consistent with the ongoing ozone NAAQS review.

#### **FOR MORE INFORMATION**

- For more information on the Exceptional Event Implementation Guidance Materials go to EPA's Web site at <http://www.epa.gov/ttn/analysis/exeevents.htm> or contact Beth W. Palma at 919-541-5432 or [palma.elizabeth@epa.gov](mailto:palma.elizabeth@epa.gov).