**DEPARTMENT OF ENERGY AND ENVIRONMENT**

**NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD**

# ON TWO PROPOSED OZONE EXCEPTIONAL EVENTS

Notice is hereby given that a public hearing will be held on Monday, February 26, 2024, at 5:30 p.m. The public hearing will be held using teleconferencing, which allows for both a video and voice over internet protocol (VOIP) connection:

https://dcnet.webex.com/dcnet/j.php?MTID=m90505d1764d163c2bed7aa80ed0747a7

Meeting number: 2306 963 3519

Password: NJsMkNyB732

Join by phone +1-202-860-2110

This hearing provides interested parties an opportunity to comment on the Department of Energy & Environment’s (DOEE) two proposed exceptional events for ambient ozone air quality data in the District. The District of Columbia experienced two separate exceptional ozone level events on June 1 and 2, 2023, as well as June 29, 2023, from two different wildfire events. After receiving the public comments and holding a public hearing, DOEE will submit the two proposed exceptional events to the Environmental Protection Agency (EPA) for approval.

On August 3, 2018, the EPA designated the District, as part of the Washington, District of Columbia-Maryland-Virginia Area (Washington Area), as Marginal nonattainment[[1]](#footnote-2) for the 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS) after the promulgation of revised standards established at 0.070 parts per million (ppm). 83 F. The EPA published a final action in the Federal Register on October 7, 2022, stating that the Washington Area failed to attain the 2015 ozone NAAQS standard by the attainment date and reclassifying the Washington Area as Moderate nonattainment. [87 FR 60897](https://www.federalregister.gov/citation/87-FR-60897). On February 1, 2023, the EPA proposed to determine that the Washington Area had clean data for the 2015 ozone NAAQS based on the ozone data from 2019 to 2021. [88 FR 6688](https://www.federalregister.gov/documents/2023/02/01/2023-01973/clean-data-determination-district-of-columbia-maryland-and-virginia-washington-dc-md-va). If the preliminary data for June 2023 exceptional ozone levels are included in the 2021 to 2023 ozone data, then the Washington Area would again violate the 2015 ozone NAAQS. If EPA grants DOEE’s proposed wildfire smoke exceptional events, then the District will not violate the 2015 ozone NAAQS. It is important that the District have a dataset that correctly assesses our yearly ozone concentrations for regulatory and planning purposes. A spike in data can alter the entire dataset..[[2]](#footnote-3) The EPA published a final action in the Federal Register on October 7, 2022, stating that the Washington Area failed to attain the 2015 ozone NAAQS standard by the attainment date and reclassifying the Washington Area as Moderate nonattainment. 87 FR 60897.[[3]](#footnote-4) On February 1, 2023, the EPA proposed to determine that the Washington Area had clean data for the 2015 ozone NAAQS based on the ozone data from 2019 to 2021. 88 FR 6688.[[4]](#footnote-5) If the preliminary data for June 2023 exceptional ozone levels are included in the 2021 to 2023 ozone data, then the Washington Area would again violate the 2015 ozone NAAQS. If EPA grants DOEE’s proposed wildfire smoke exceptional events, then the District will not violate the 2015 ozone NAAQS. It is important that the District have a dataset that correctly assesses our yearly ozone concentrations for regulatory and planning purposes.

DOEE found in our analysis that three ozone exceedances occurred in June 2023, that were the result of unique circumstances directly related to wildfire events. DOEE has conducted analysis of the two exceptional event demonstrations, and they are available on our website at: <https://doee.dc.gov/service/air-quality-exceptional-events>

The first of these wildfire events consisted of two wildfires that occurred concurrently in New Jersey and Nova Scotia, and the second wildfire event was in Quebec, Canada. Both wildfires caused an air quality public health emergency and ozone level exceedances in the District. DOEE found the wildfire events meet the federal exceptional event regulation requirements because the District was unable to mitigate the fire-caused ozone exceedances. If the District excludes ozone data on any one of these three days, the District would have a 2022 design value that met the 2015 Ozone NAAQS. Thus, DOEE proposes EPA exclude the ozone data on June 1 and 2, 2023, that resulted from wildfires in New Jersey and Nova Scotia, and the ozone data on June 29, 2023, that resulted from wildfires in Quebec, from comparison against the ozone NAAQS and other relevant policy-making. DOEE is proposing to exclude data from the McMillan Reservoir monitor during all three days, and the River Terrace monitor only on June 29, 2023.

DOEE seeks public comments on the two proposed exceptional events.

Interested parties wishing to testify at this hearing must submit their name, address, telephone number, and affiliation (if any) to the DOEE Air Quality Division within 30 days of publication of this notice by email to Mr. Joseph Jakuta at AirQuality.Planning@dc.gov or at the following address:

DOEE Air Quality Division
ATTN: Joseph Jakuta: Two Proposed Exceptional Events
1200 First Street NE, Fifth Floor
Washington, DC 20002

Interested parties may also submit written comments to the same DOEE address or the same email by 4:00 pm on the date of the Public Hearing. No comments will be accepted 30 days after publication of this notice.

All questions may be directed to Mr. Joseph Jakuta at AirQuality.Planning@dc.gov or by phone at 202-669-5817.

1. EPA Air Quality Greenbook. District Of Columbia Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants. https://www3.epa.gov/airquality/greenbook/anayo\_dc.html [↑](#footnote-ref-2)
2. Federal Register. Additional Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards. https://www.federalregister.gov/documents/2018/06/04/2018-11838/additional-air-quality-designations-for-the-2015-ozone-national-ambient-air-quality-standards [↑](#footnote-ref-3)
3. Federal Register. Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Areas Classified as Marginal for the 2015 Ozone National Ambient Air Quality Standards. https://www.federalregister.gov/documents/2022/10/07/2022-20460/determinations-of-attainment-by-the-attainment-date-extensions-of-the-attainment-date-and [↑](#footnote-ref-4)
4. Federal Register. Clean Data Determination; District of Columbia, Maryland, and Virginia; Washington, DC-MD-VA Nonattainment Area for the 2015 Ozone National Ambient Air Quality Standard Clean Data Determination. https://www.federalregister.gov/documents/2023/02/01/2023-01973/clean-data-determination-district-of-columbia-maryland-and-virginia-washington-dc-md-va [↑](#footnote-ref-5)