



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Memorandum

Date: April 30, 2020

Subject: Review of comment on the Massachusetts Infrastructure State Implementation Plan Requirements for the 2015 Ozone Standard

To: Docket EPA-R01-OAR-2019-0695

Through: John Rogan, Chief, Air Quality Branch, Air and Radiation Division

From: Eric Rackauskas, Air Quality Branch, Air and Radiation Division

EPA received two requests to extend the comment period for this rulemaking until after the COVID-19 crisis is over (documents EPA-R01-OAR-2019-0695-0019 and EPA-R01-OAR-2019-0695-0020). The requests were submitted anonymously via the website <http://www.regulations.gov> during the comment period, which ran from March 13, 2020 through April 13, 2020.

EPA denies the requests for extension because they fail to demonstrate that additional time is warranted. Neither request specifies how the current situation impeded the ability of the commenters or the public at large to review the rule or associated materials. All materials were available electronically in the docket on the regulations.gov website, posted through the normal rulemaking process. In addition, one request asserts that it is "unlawful" for EPA "to continue the regulatory process during the COVID 19 pandemic," but fails to provide any legal support for that position. Similarly, both the requests state that the comment period should run until Massachusetts revokes the "Governor's State Emergency Order" or until the "President revokes his emergency order and declares the public health emergency over," but neither cites any specific provision in any state or federal law, regulation, declaration, or order that would mandate suspending the instant EPA SIP action until the orders are lifted. In sum, EPA denies the requests because they fail to explain why the original 30-day comment period was insufficient or unlawful and fail to demonstrate that additional time is warranted.