

Air Transport Association



September 11, 2009

VIA Electronic Mail

Mary T. Smith
Director, Engineering & Analysis Division
Office of Science and Technology
U.S. Environmental Protection Agency
smith.maryt@epa.gov
1200 Pennsylvania Avenue, NW
Mail Code 4303T
Washington, DC 20460

RE: Request for Extension of Comment Period for Proposed Rule on Airport Deicing Effluent Limitation Guidelines, Docket No. EPA-HQ-OW-2004-0038

Dear Mary,

The Air Transport Association (ATA), Airport Council International - North America (ACI-NA), American Association of Airport Executives (AAAE), National Air Transportation Association (NATA) and Regional Airline Association (RAA) – collectively “The Associations” – appreciate the opportunity to comment on the Proposed Rule, Effluent Limitation Guidelines and New Source Performance Standards for the Airport Deicing Category (“the Proposed Rule”), published on August 28, 2009. The Associations write to jointly request a sixty-day extension of the comment period for the Proposed Rule. Together, the Associations represent the vast majority of the air transportation industry in the United States.¹

The Environmental Protection Agency (EPA) has provided a 120-day comment period on the Proposed Rule, closing on December 28, 2009. The Associations appreciate this significant comment period and, but for its timing, likely would not be requesting this extension. With the

¹ A full description of the signatory associations and their membership is provided in Attachment A.

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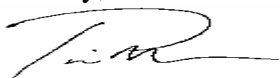
late-August proposal, however, the existing comment period falls squarely within the air transportation industry's peak travel and deicing seasons.

Peak passenger and cargo loads historically have occurred between the beginning of the Thanksgiving holiday and the end of the New Year holiday. This period traditionally requires that the industry, both airlines and airports, have all hands available for duty. Similarly, and of particular concern with respect to our ability to develop comments on a rule that addresses deicing operations, the latter half of the existing comment period falls during months when deicing operations are reaching their annual peak. As a result, we anticipate that under the current schedule many of those industry experts with the greatest experience and knowledge of deicing operations will be unavailable to provide their guidance and insight on the Proposed Rule precisely when their input is most critical.

A sixty-day extension of the comment period will bring the comment period to a close at the end of February. While this date still falls during the deicing season for the airports and airlines, it carries the deadline beyond the peak holiday travel season. With the additional time, key members of our industry will be better positioned to fully consider and articulate comments on the Proposed Rule. Not only will the additional time reduce the burden on the experts in our industry, but access to unhindered industry expertise will benefit EPA by providing for a better-informed process and a more-supportable final rule. Because there is no legal deadline by which a final regulation must be promulgated the Agency has the flexibility to grant this important relief.

The Associations appreciate the opportunity to comment on the Proposed Rule, and we stand ready to work with EPA and to provide EPA with accurate and actionable information on the Proposed Rule. To achieve that end, however, we respectfully request that EPA grant the 60-day extension of the comment period. Thank you for your time and consideration of this request.

Sincerely,



Tim A. Pohle
Managing Director, U.S. Environmental Affairs
Air Transport Association of America, Inc.



Melissa Sabatine
Vice President – Regulatory Affairs
American Association of Airport Executives



Liam Connolly
Director – Industry & Regulatory Affairs



Jessica Steinhilber
Senior Director – Environmental Affairs
Airports Council International – North America



Eric R. Byer
Vice President, Government & Industry Affairs
National Air Transportation Association

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cc: Ephraim King, Director, Office of Science and Technology (king.ephraim@epa.gov)
Eric Strassler, Project Manager, Engineering and Analysis Division
(strassler.eric@epa.gov)

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ATTACHMENT A

DESCRIPTION OF SIGNATORY ASSOCIATIONS

Air Transport Association of America, Inc.

ATA is the principal trade and service organization of the U.S. airline industry, and ATA's airline members and their affiliates transport more than 90 percent of all U.S. airline passenger and cargo traffic. The members of ATA are: ABX Air, AirTran Airways, Alaska Airlines, American Airlines, ASTAR Air Cargo, Atlas Air, Continental Airlines, Delta Air Lines, Evergreen International Airlines, Federal Express, Hawaiian Airlines, JetBlue Airways, Midwest Airlines, Southwest Airlines, United Airlines, UPS Airlines, and US Airways; the associate members are: Air Canada, Air Jamaica, and Mexicana.

Airports Council International – North America

ACI-NA represents local, regional and state governing bodies that own and operate commercial airports in the United States and Canada. ACI-NA member airports enplane more than 95 percent of the domestic and virtually all the international airline passenger and cargo traffic in North America. More than 400 aviation-related businesses are also members of the association.

American Association of Airport Executives

Founded in 1928, AAAE (www.aaae.org) is the world's largest professional organization representing the men and women who work at public-use commercial and general aviation airports. AAAE's 5,000-plus members represent some 850 airports and hundreds of companies and organizations that support the airport industry. Headquartered in Alexandria, Va., AAAE serves its membership through results-oriented representation in Washington, D.C., and delivers a wide range of industry services and professional development opportunities, including training, conferences, and a highly respected accreditation program.

National Air Transportation Association

NATA, the voice of aviation business, is the public policy group representing the interests of aviation businesses before the Congress, federal agencies and state governments. NATA's over 2,000 member companies own, operate and service aircraft and provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air charter, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry providing services to the general public, airlines, general aviation and the military.

Regional Airline Association

Founded in 1975, the Regional Airline Association (RAA) represents regional airlines before legislative and regulatory agencies, and also provides a wide array of technical, educational, and promotional support to regional airlines and their supply company partners. RAA's 34 member airlines operate one half of all U.S. scheduled passenger flights and carry more than one in five domestic passengers. RAA members serve more than 600 U.S. airports, and some 70 percent of those airports depend on regional airlines, exclusively, for their only source of scheduled air service.