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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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OFFICE OF THE DIRECTOR
OHIO EPA

RECEIVED

REPLY TO THE ATTENTION
R-19J

The Honorable Ted Strickland
Governor of Ohio
77 South High Street
Columbus, Ohio 43215

Dear Governor Strickland:

On July 9, 2007, I sent you a letter informing you of the revised national ambient air quality standards (NAAQS) for fine particle pollution (PM_{2.5}) and requested your recommendations regarding the boundaries for areas that are attaining or are not attaining the revised 24-hour PM_{2.5} standard. In that letter I also explained that, as part of the area designations process, the Clean Air Act requires the Governor of each State to submit to EPA a list of all areas in the State, designating each as "attainment," "nonattainment," or "unclassifiable" with respect to a new or revised air quality standard within one year of promulgation of a new or revised standard. Thank you for providing such recommendations for Ohio. We are now considering your recommendations.

In my previous letter, I also indicated that our designations will be based on the most current monitoring data available (e.g., for final designations in December 2008, 2005-2007 data would be used). As this is the case, I am writing to inform you that two additional areas in Ohio appear to be violating, or potentially contributing to violations of, the 24-hour PM_{2.5} standard based on preliminary 2005-2007 air quality data already submitted to EPA. These areas, and the monitoring sites showing violations, are identified in the enclosed table. The responsible official has until June 30, 2008, to certify that the 2007 air quality data submitted are accurate and complete. At that time, we will be able to confirm whether there is a violation of the 24-hour PM_{2.5} standard for 2005-2007.

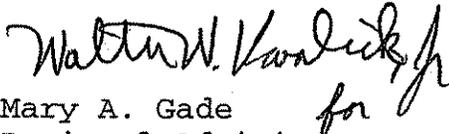
Since such a violation may impact Ohio's area designations, I want to give you the opportunity to provide additional recommendations on area boundaries for the 24-hour PM_{2.5} standard based on this new information. If you wish to do so, please send these additional recommendations to me, with a copy to Cheryl L. Newton, Acting Director, Air and Radiation Division, by

May 30, 2008. The enclosed memorandum provides guidance on the timeline and process for designating areas for the revised 24-hour PM_{2.5} standard.

We plan to announce our intended designations as early as possible, but no later than 120 days prior to promulgating final designations. Following the announcement of intended designations, Governors will have the opportunity to comment on any modification EPA proposes to their recommendations. In accordance with Section 107(d)(1)(B) of the Clean Air Act, we plan to issue final designations by December 18, 2008.

We look forward to continuing to work with you and your staff to develop area designations for the 24-hour PM_{2.5} standard in a timely manner. If you have any questions, please do not hesitate to call me. Your air quality staff may wish to contact Cheryl L. Newton, Acting Director, Air and Radiation Division at 312-353-2212.

Sincerely,



Mary A. Gade
Regional Administrator

cc: Chris Korleski, Director
Ohio Environmental Protection Agency

Enclosures

-- ENCLOSURE --

**Counties in or near Ohio with PM2.5 Monitoring Sites for Which
Preliminary Data Indicate a New Violation of the 24-hour PM2.5
NAAQS in 2005-2007**

AQS PM2.5 Monitoring Site	County	This County Is In or Near
541071002	Wood Co., WV	Parkersburg- Marietta, WV-OH
540110006	Cabell Co., WV	Huntington- Ashland, WV-KY-OH

Technical Explanation

The preliminary estimate of a violation in each case shown is based on 2005-2007 data that have been submitted to the Air Quality Subsystem as of February 1, 2008.

- EPA may not have received all 2007 data by this date, as the deadline for submission is March 30, 2008. However, even if the remaining scheduled monitoring days for 2007 have been completed successfully and the measurements not yet submitted indicate low concentrations, it appears that the 98th percentile concentration from 2007 combined with the 98th percentile concentrations from 2005 and 2006 will result in a violation of the 24-hour NAAQS.
- Some requests for exclusion of data based on the Exceptional Events Rule may still be awaiting EPA concurrence or nonconcurrence; however, even if EPA were to concur with all submitted requests for exclusion of data under the Exceptional Events Rule, the remaining data indicate violations at these sites.
- The estimate assumes that all data submitted to date are correct and will not change; revisions to submitted data could affect the final determination.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 08 2007

OFFICE OF
AIR AND RADIATION

MEMORANDUM

SUBJECT: Area Designations for the Revised 24-Hour Fine Particle National Ambient Air Quality Standard

FROM: Robert J. Meyers *RJM*
Acting Assistant Administrator

TO: Regional Administrators, Regions I-X

This memorandum provides information on the timeline for designating areas for the purpose of implementing the revised 24-hour fine particle (PM_{2.5}) national ambient air quality standard (NAAQS). In addition, this memorandum identifies important factors for States and Tribes to consider in making recommendations for area designations. Please share this information with the State and Tribal agencies in your Region.

The EPA promulgated a revised NAAQS for PM_{2.5} on October 17, 2006 (71 Federal Register 61144). The effective date for the new standard was December 18, 2006. The EPA retained the annual PM_{2.5} standard of 15 µg/m³ and revised the 24-hour PM_{2.5} standard, changing it from 65 µg/m³ to 35 µg/m³. The 24-hour PM_{2.5} standard was revised based on a number of health studies showing that short-term exposure to PM_{2.5} is associated with increased mortality and a range of serious health effects, including aggravation of lung disease, asthma attacks, and heart problems. This memo describes the designation process for the revised 24-hour PM_{2.5} standard. It outlines the next step in developing and implementing emission control programs for attaining and maintaining this standard – a standard that addresses an important public health problem.

Section 107(d) of the Clean Air Act (CAA) governs the process for area designations following the establishment of new or revised NAAQS. Under section 107(d), States are required to submit recommendations to EPA not later than one year after the promulgation of a new or revised standard. Therefore, each State must provide recommendations to EPA by December 18, 2007. Areas should be identified as attaining, or not attaining, the revised 24-hour PM_{2.5} standard, or as not classifiable on the basis of available information. If, after careful consideration of the recommendations, EPA intends to promulgate a designation that deviates from the State recommendation, EPA must notify the State at least 120 days prior to

promulgating the modified designation, and EPA must provide the State an opportunity to comment on the potential modification. The Clean Air Act requires EPA to complete the designation process within two years of the effective date of the standard unless the Administrator finds that additional information is needed to make these decisions. In such a case, EPA may take up to an additional year to make the designations, i.e., no later than three years after the effective date of the standard. While the language of Section 107 specifically addresses States, EPA will follow the same process for Tribes to the extent practicable, pursuant to Sections 110(o) and 301(d) of the Act and the Tribal Authority Rule, or TAR (see 63 FR 7254).

EPA recommends that States and Tribes identify violating areas using the most recent three years of air quality data. In most cases, we expect these to be data from calendar years 2004-2006 that are stored in the EPA Air Quality System (AQS). In general, violations are identified using data from Federal reference method (FRM) and Federal equivalent method (FEM) monitors that are sited and operated in accordance with 40 CFR Part 58, as revised on October 17, 2006 (see 71 FR 61236). Procedures for using these data to determine whether a violation has occurred are given in 40 CFR Part 50 Appendix N, as revised on October 17, 2006 (see 71 FR 61144).

Air quality monitoring data affected by exceptional events may be excluded from use in identifying a violation if they meet the criteria for such an exclusion, as specified in the Final Rule on the Treatment of Data Influenced by Exceptional Events (72 FR 13560). For determining violations of the 24-hour $PM_{2.5}$ NAAQS, States must ensure that any 2004-2006 monitoring data affected by an exceptional event are flagged in AQS by October 1, 2007. Further, documentation to support the determination that the data were influenced by exceptional events must be noticed for public comment and submitted to EPA no later than the submittal of the Governor's recommendation letter on nonattainment areas, which is due no later than December 18, 2007.

EPA believes that, in making their boundary recommendations for nonattainment areas, States and Tribes should evaluate each area on a case-by-case basis. The CAA requires that a nonattainment area must include not only the area that is violating the standard, but also nearby areas that contribute to the violation. Thus, for each monitor or group of monitors that indicate violations of a standard, EPA will establish nonattainment boundaries that cover a sufficiently large area to include both the area that violates the standard and the areas that contribute to the violations. EPA recommends that States and Tribes base their boundary recommendations for violating areas on an evaluation of the nine factors used in the prior $PM_{2.5}$ designations process, as well as on any other relevant factors or circumstances specific to a particular area.

Two attachments provide additional information. Attachment 1 is a time line of important dates in the revised 24-hour $PM_{2.5}$ NAAQS designation process. Attachment 2 includes a list of the nine factors that EPA plans to consider in evaluating and making decisions on nonattainment area boundaries. When determining boundaries in urban areas for the annual $PM_{2.5}$ NAAQS, EPA applied a presumption that the boundaries for urban nonattainment areas

should be based on metropolitan area boundaries as defined by the U.S. Office of Management and Budget. For the PM_{2.5} 24-hour NAAQS, EPA is establishing no such presumption. EPA anticipates that the same boundaries established for implementing the annual PM_{2.5} standard may also be appropriate for implementing the 24-hour PM_{2.5} NAAQS in areas where both standards are violated. Adopting this approach may more easily facilitate overall air quality planning for attaining the suite of PM_{2.5} standards.

Staff in EPA's Office of Air Quality Planning and Standards are available for assistance and consultation throughout the designation process. Questions on this guidance may be directed to Amy Vasu at 919-541-0107, or Rich Damberg at 919-541-5592.

Attachments: 2

cc: Stephen D. Page, OAQPS
Air Division Directors, Regions I-X
Margo Oge, OTAQ
Brian McLean, OAP
Elizabeth Cotsworth, ORIA

ATTACHMENT 1

TIME LINE FOR REVISED 24-HOUR PM_{2.5} NAAQS DESIGNATION PROCESS	
Milestone	Date
Effective date of revised 24-hour PM _{2.5} NAAQS	December 18, 2006
State and Tribal recommendations due for 24-hour PM _{2.5} designations.	December 18, 2007
EPA notifies States and Tribes concerning any modifications to their recommendations.	No later than August 20, 2008 (120 days prior to final designations)
EPA issues final 24-hour PM _{2.5} designations.	No later than December 18, 2008*

* In the event the Administrator has insufficient information to promulgate the designations by December 18, 2008, the date of final designations may be extended up to one year, but no later than December 18, 2009.

ATTACHMENT 2

Factors EPA Will Consider as the Basis for Nonattainment Area Boundaries

EPA believes that certain factors are appropriate to consider in making nonattainment area boundary recommendations and final boundary determinations. EPA will consider these same factors,¹ along with any other relevant information, in evaluating modifications to the boundary recommendations from States and Tribes. EPA recommends that States and Tribes consider the following nine factors in assessing whether to include an area in the designated nonattainment area boundary:

- Emission data
- Air quality data
- Population density and degree of urbanization (including commercial development)
- Traffic and commuting patterns
- Growth rates and patterns
- Meteorology (weather/transport patterns)
- Geography/topography (mountain ranges or other air basin boundaries)
- Jurisdictional boundaries (e.g., counties, air districts, Reservations, metropolitan planning organizations (MPOs))
- Level of control of emission sources

This list of recommended factors is not intended to be exhaustive, and States and Tribes may submit additional information on factors they believe are relevant for EPA to consider. In general, a State's or Tribe's demonstration supporting the boundary recommendation for an area should show that: 1) violations are not occurring in the excluded portions of the recommended area, and 2) the excluded portions do not contain emission sources that contribute to the observed violations. A State or Tribal submittal that only addresses whether monitored violations are occurring in an area will not suffice as the sole justification for designating the boundaries of a nonattainment area.

¹ An explanation of each of these nine factors is provided in Chapter 5 of the Technical Support Document for December 17, 2004 designations and April 2005 modifications, available at: <http://www.epa.gov/pmdesignations/tech.htm>

