

Written Comments

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RONNIE McDONALD
BASTROP COUNTY JUDGE

October 25, 2010

Ms. Margie McAllister
Texas Commission on Environmental Quality
MC-164
Post Office Box 13087
Austin, Texas 78711-3087

RECEIVED

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AIR QUALITY
DIVISION

RE: Comment on Nonattainment Designations

Dear Ms. McAllister:

Bastrop County is a rural county located east of Austin, Texas. 2008 population estimates for our entire county were 73,491. Our County is also one of 5 in the Austin-Round Rock Metropolitan Statistical Area, the potential area of a nonattainment designation. As such, Bastrop County has actively participated in voluntary clean air efforts including being a signatory on the 1-hour Ozone Flex Plan, the Early Action Compact and the 8-hour Ozone Flex Program. In addition, Bastrop County regularly participates in programs of the Clean Air Coalition and Clean Air Force. These are all monumental steps for a county with a population less than 80,000. These voluntary programs have proven successful, with Central Texas' design-value for ozone decreasing from 90 parts per billion in 1999 to 75 ppb in 2009.

In March of this year, I sent a letter to Administrator Jackson of the EPA, indicating my Court's desire to keep the primary and secondary standards for Ozone at the 2008 level of 75 parts per billion, that the EPA consider transport and background Ozone levels in the new standard and that a lower standard than the transport and background levels is completely unachievable. Further, we requested that the Early Action Compact/ voluntary emissions reduction model continue to be supported by the EPA and be an allowable compliance option.

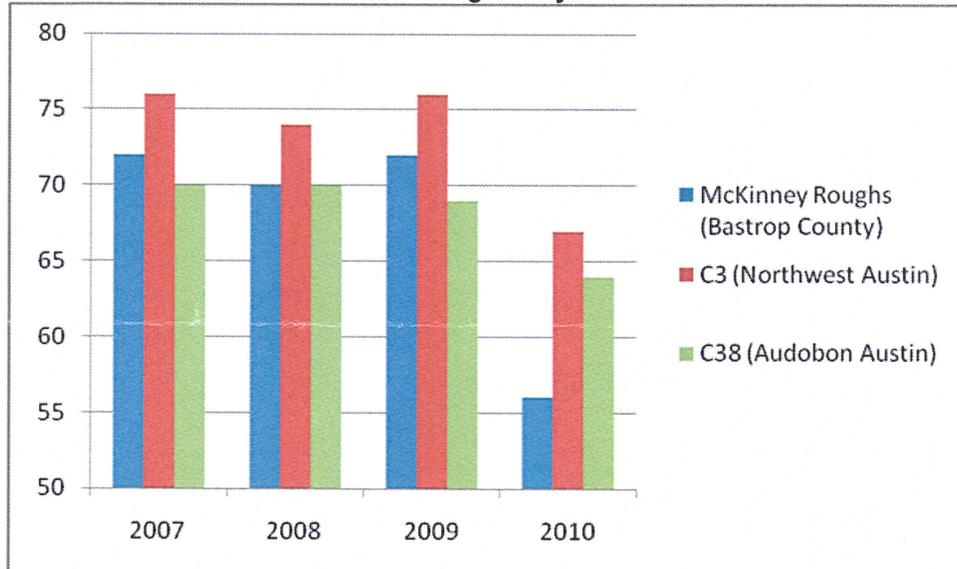
I understand that, though the EPA is not expected to release the new Ozone standards until later this year, the comment period on potential nonattainment designations for the TCEQ ends November 8. This letter has been prepared with the expectation that the 2008 standard of 75 parts per billion will remain in effect.

As you know, the EPA has historically considered nine factors in determining nonattainment area boundaries. Of those nine, the following six, in Bastrop County's opinion, do not meet the criteria for a non-attainment designation.

Air Quality data

There are currently no regulatory monitors in Bastrop County. There is, however, a Capital Area Council of Government monitor in the Lower Colorado River Authority park McKinney Roughs. This monitor is located in an activity center of the park and is close to SH 71. Figure 1 below shows the difference in 4th highest Ozone readings for the two regulatory monitors in the Austin area and the one monitor in the Bastrop County area.

Figure 1: 4th Highest Ozone Readings in Bastrop County and Two Austin Regulatory Monitors



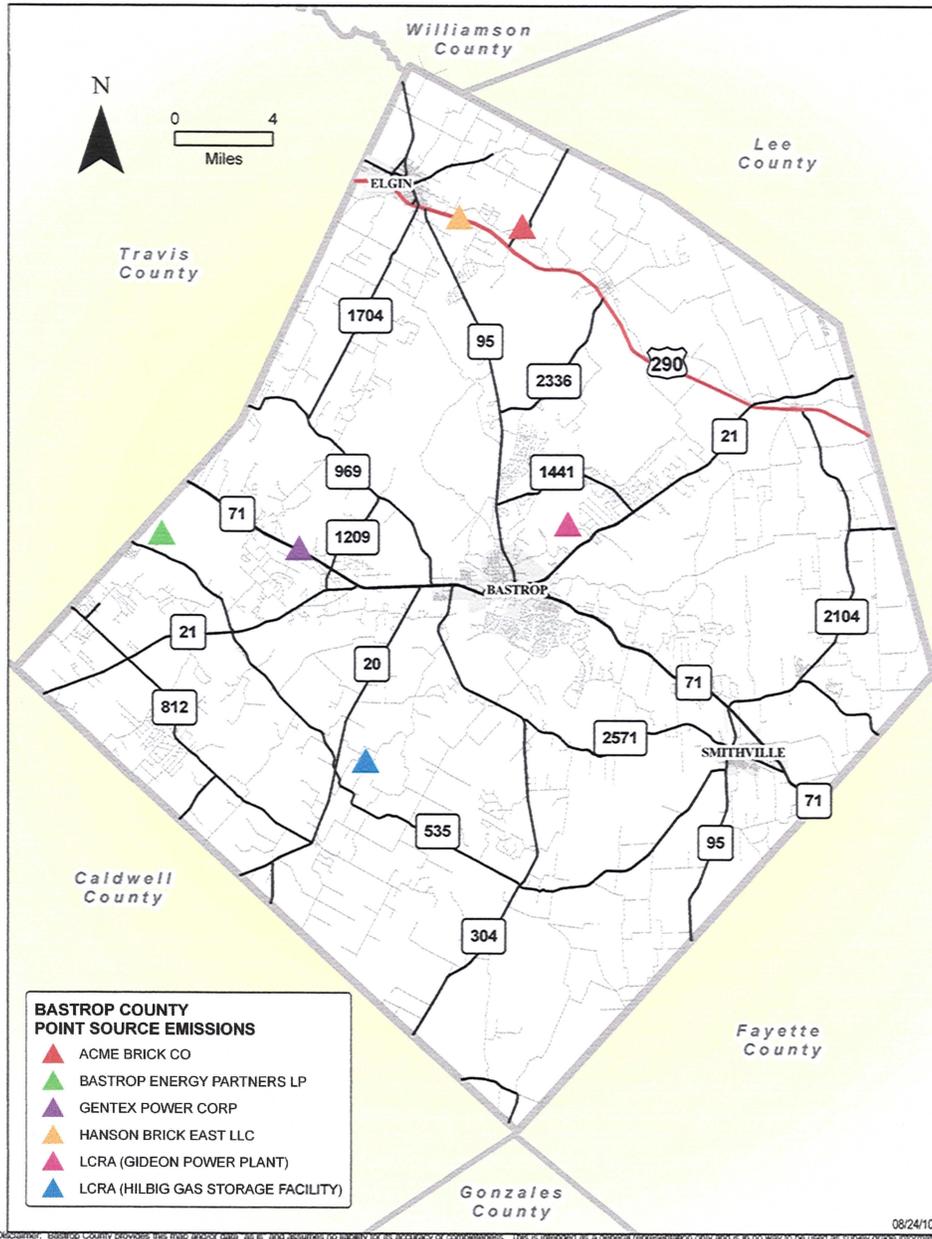
Data Source: Texas Commission on Environmental Quality

While it is understood that the 2010 Ozone season is not yet complete and therefore data could change, please note that, on average, the 4th highest reading for Ozone in Bastrop County is 92% of the 4th highest reading for the Austin C3 monitor and 98% of the 4th highest reading for the C38 monitor. In addition, the Bastrop County 4th highest reading is always below the 2008 standard of 75 parts per billion.

Emissions data

There are currently only six significant stationary sources in Bastrop County. Figure 2 explains that two are brick manufacturing facilities, three are power production facilities and one is a gas storage facility.

Figure 3: Locations of Stationary Sources in Bastrop County



Disclaimer: Bastrop County provides this map "as is" and assumes no liability for its accuracy or completeness. This is intended as a general representation only and is in no way to be used as survey grade information.

Figure 2: Stationary Emissions Sources in Bastrop County

| COMPANY | SITE | CO TPY | NOX TPY | PM2.5 TPY | SO2 TPY | VOC TPY |
|--------------------------------|-----------------------------|-----------|------------|--------------|------------|------------|
| ACME BRICK CO | ELGIN PLANT | 96.78 | 28.89 | 0.12 | 107.65 | 24.20 |
| BASTROP ENERGY PARTNERS LP | BASTROP ENERGY CENTER | 33.51 | 268.96 | 24.48 | 4.92 | 17.12 |
| GENTEX POWER CORP | LOST PINES 1 POWER PLANT | 72.56 | 209.51 | 59.78 | 7.47 | 14.06 |
| HANSON BRICK EAST LLC | HANSON BRICK ELGIN FACILITY | 34.67 | 10.24 | 19.74 | 88.47 | 3.11 |
| LOWER COLORADO RIVER AUTHORITY | SIM GIDEON POWER PLANT | 23.82 | 736.43 | 46.33 | 3.44 | 37.21 |
| LOWER COLORADO RIVER AUTHORITY | HILBIG GAS STORAGE FACILITY | 0.82 | 0.64 | 0.05 | 0.00 | 23.33 |

Data Source: Capital Area Council of Governments

In addition to a relatively small number of facilities (neighboring Travis County, for example has seventeen sites) the facilities are widely dispersed throughout the County. Figure 3 is a map which shows the locations of the aforementioned facilities.

Population density

Bastrop County has an estimated density of 84.3 people per square mile. Bastrop County is defined as rural by the United State’s Department of Agriculture Office of Rural Development, in that all throughout the County there is not a city or town over 50,000 in population and it has no urbanized area. Clearly, such a low rate of density does not support a non-attainment designation.

Figure 4: Population Density of Five Counties in Austin- Round Rock MSA

| | Land area (without water) in square miles | Estimated Census population July 1, 2009 | Estimated density per square mile of land area in 2009 |
|-------------------|--|---|---|
| Bastrop County | 888.35 | 74,876 | 84.3 |
| Caldwell County | 545.73 | 37,810 | 69.3 |
| Hays County | 677.87 | 155,545 | 229.5 |
| Travis County | 989.3 | 1,026,158 | 1037.3 |
| Williamson County | 1,122.77 | 410,686 | 365.8 |

Data Source: US Census and Capital Area Council of Governments

Traffic and commuting patterns

Of 560,011 regional work trips which occur in the Capital Area Council of Government area, only 3.6% are generated by Bastrop County and only 1.5% are distributed to Bastrop County. Figure 5 demonstrates that the Bastrop County is a minor player in the region’s commuter traffic.

Figure 5: Traffic and Commuting Patterns for Bastrop County

| County of Residence: | County of Work: | | | | | |
|-----------------------------|------------------------|-----------------|-------------|---------------|-------------------|--------------------|
| | Bastrop | Caldwell | Hays | Travis | Williamson | Outside MSA |
| Bastrop | 5,941 | 121 | 443 | 11,756 | 1,115 | 602 |
| Caldwell | 228 | 2,107 | 1,896 | 4,584 | 429 | 181 |
| Hays | 157 | 338 | 15,086 | 18,731 | 1,214 | 454 |
| Travis | 1,098 | 365 | 6,175 | 312,300 | 21,631 | 1,658 |
| Williamson | 98 | 126 | 1,277 | 86,670 | 41,938 | 1,097 |
| Outside MSA | 731 | 85 | 508 | 5,776 | 1,861 | 11,234 |

Data Source: Capital Area Council of Governments

Jurisdictional boundaries

Thus far, I have explained how air quality data, emissions data, population density, and traffic and commuting patterns in Bastrop County have a far smaller impact on the Austin-Round Rock MSA and on air quality than the three large counties to our West. It is clear, that in this case, the jurisdictional boundary for nonattainment should not be drawn to include Bastrop County.

Level of control of emission sources

Bastrop County voluntarily participates in regional air quality compacts. As mentioned earlier, Bastrop County has actively participated in voluntary clean air efforts including being a signatory on the 1-hour Ozone Flex Plan, the Early Action Compact and the 8-hour Ozone Flex Program. The County adopted a Memorandum of Agreement with the TCEQ to reduce idling and has extensively participated in air quality improvement programs. At this point, there are few additional things, if any, that Bastrop County could implement to control emissions sources. Reductions in Bastrop County's Ozone levels will ultimately need to come from a cleaner fleet of cars in the United States and a reduction in transport emissions.

Thank you for the opportunity to comment on potential non-attainment designations. I request that you consider Bastrop County's recommendation that we not be included in a non-attainment designation. Bastrop County will continue to work with our regional and local partners on voluntary measures aimed at reducing the Ozone load in our area. If you should have any questions regarding this letter please do not hesitate to contact me at 512.332.7201.

Sincerely,

A handwritten signature in black ink that reads "Ronnie McDonald". The signature is written in a cursive, flowing style.

Ronnie McDonald
Bastrop County Judge

cc: Senator Glen Hegar
Representative Tim Kleinschmidt
County Commissioner Lee Dildy
County Commissioner Clara Beckett
County Commissioner John Klaus
County Commissioner Willie Piña
Mayor Terry Orr, City of Bastrop
Mayor Marc Holm, City of Elgin
Mayor Mark Bunte, City of Smithville

TRANSPORTATION AND NATURAL RESOURCES
JOSEPH P. GIESELMAN, EXECUTIVE MANAGER



411 West 13th Street
Executive Office Building
P.O. Box 1748
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(512) 854-9383
FAX (512) 854-9436

June 15, 2010

Texas Commission on Environmental Quality
MC-164
Post Office Box 13087
Austin, Texas 78711-3087

Re: Public Meeting
EPA's proposed 2010 ozone air quality standards,
Potential ozone nonattainment area boundaries and designations

TCEQ Air Quality Division:

On March 19, 2010 Travis County offered formal comments to the United States Environmental Protection Agency (USEPA) regarding proposed rule changes for the National Ambient Air Quality Standards for Ozone. A copy of that letter is attached. The following excerpts from that letter represent the position of the Travis County Commissioners' Court with respect to potential ozone nonattainment area boundaries and designations.

“Background

Travis County, Texas is one of five counties within the Austin-Round Rock Metropolitan Statistical Area (MSA). The U.S. Census Bureau estimated 2008 population of the MSA as 1,652,602 people. The MSA experienced a 32% percent change in population between 2000 and 2008. The MSA is the fourth largest in Texas. Travis County is the fifth most populous county in Texas. The U.S. Census Bureau estimated a 2008 county population of 998,543 people with a percent change in population of nearly 23% between 2000 and 2008.

...

A Metropolitan Area Designation is Essential.

When it developed non-attainment designations in 2009, the State of Texas determined that 78% of nitrogen oxide emissions in the MSA are from mobile sources. Significant work, school, and leisure commuting within the counties of this MSA occur on a daily basis. Urbanization beyond the central core of the region is proceeding at some of the fastest rates in the United States. Therefore,

Travis County strongly recommends that a non-attainment designation for the Austin Round Rock MSA under the upcoming primary ozone standard include a metropolitan area designation. A single county non-attainment designation would be inappropriate because it would undercut the ability of the region to achieve success, before the implementation even started. It will be essential to the success of control strategies to reach attainment that all significantly contributing geographic areas be included, as used by USEPA historically. At a minimum, the most populous counties on the IH-35 corridor (Williamson, Travis, and Hays) should be included if non-attainment is determined for the MSA.”

This position has not changed.

Travis County will offer additional formal comments on nonattainment area boundaries and designations within the comment period posted by TCEQ.

Yours truly,

A handwritten signature in black ink, appearing to read "Jon A. White". The signature is fluid and cursive, with a prominent flourish at the end.

Jon A. White

Travis County Environmental Officer
Director, Natural Resources & Environmental Quality Division
Travis County Transportation & Natural Resources Department

Enc.

Travis County Commissioners Court

SAMUEL T. BISCOE
County Judge

RON DAVIS
Commissioner, Pct. 1

SARAH ECKHARDT
Commissioner, Pct. 2

KAREN L. HUBER
Commissioner, Pct. 3



MARGARET J. GÓMEZ
Commissioner, Pct. 4

Travis County Administration Building, 314 W. 11th, Commissioners Courtroom, 1st Floor, Austin, Tx 78701

March 19, 2010

Docket No. EPA-HQ-OAR-2005-0172
EPA, Mail Code-6102T

1200 Pennsylvania Avenue
NW, Washington D.C. 20460

Regarding: Comments on National Ambient Air Quality Standards For Ozone,
Docket ID EPA-HQ-OAR-2005-0172

Travis County appreciates this opportunity to comment on the proposed USEPA rule changes for the ozone National Ambient Air Quality Standards. We support the USEPA's commitment to further protect public health and the quality of ecosystems and agricultural production. Travis County offers the attached comments on the proposed rule, unanimously approved by the Travis County Commissioners Court on March 9, 2010. These comments are supplementary to comments presented on behalf of Travis County by Environmental Officer Jon A. White and Environmental Quality Program Manager Thomas Weber on February 2, 2010 at the Houston EPA Public Hearing.

Travis County has been, and will continue to be dedicated to improving air quality in Central Texas. We urge the USEPA to set the standard at a level to protect public health with an adequate margin of safety while increasing the opportunities for jurisdictions to succeed in attaining the standard within a reasonable time frame.

STB/jw

Enclosure

Comments to U.S. Environmental Protection Agency on Revisions to National Ambient Air Quality Standards for Ground-level Ozone

Background

Travis County, Texas is one of five counties within the Austin-Round Rock Metropolitan Statistical Area (MSA). The U.S. Census Bureau estimated 2008 population of the MSA as 1,652,602 people. The MSA experienced a staggering 32% percent change in population between 2000 and 2008. The MSA is the fourth largest in Texas. Travis County is the fifth most populous county in Texas. The U.S. Census Bureau estimated a 2008 county population of 998,543 people with a percent change in population of nearly 23% between 2000 and 2008.

Actions to Date and Commitment to Further Action by Regional Efforts

Travis County is a signatory of three voluntary agreements to reduce harmful air emissions in the MSA. These agreements were executed to proactively address ozone conditions while the MSA is in near nonattainment status. These actions resulted in the MSA maintaining attainment even while the primary National Ambient Air Quality Standard (NAAQS) for ozone became more stringent. These early action efforts have proven effective, as evidenced by the area's design value decreasing from 90ppb in 1999 to 75ppb in 2009. Travis County will continue to promote and implement additional emission reduction strategies through specific regional efforts to improve public health and the environment.

Revision of the Ozone Standards is Appropriate

Travis County commends the USEPA commitment to further protect public health and the quality of ecosystems and agricultural production. Travis County strongly supports USEPA's commitment to establishing a standard based on science. Based upon an independent review by USEPA's Clean Air Scientific Advisory Committee (CASAC), a primary standard of 70 ppb meets the federal Clean Air Act requirement to protect public health with an adequate margin of safety. A standard set at 70 ppb will protect public health while increasing the opportunities for jurisdictions to succeed in attaining the standard within a reasonable time frame. We strongly encourage USEPA to set the primary standard at 70 ppb, to continue researching the health effects associated with setting the ozone standard at 60 ppb, and to include this research in future NAAQS decision-making.

Transport From Out-of-Region Emission Sources.

This MSA is adversely affected by both interstate and intrastate transport from sources beyond the control of jurisdictions in the MSA. Monitoring data and research have verified two phenomena experienced by our MSA. First, during consistent synoptic-scale weather cycles associated with multi-day high ozone episodes affecting Central Texas, (i.e. cycles affecting the entire Gulf Coast region), background ozone concentrations commonly build up region-wide to a level equivalent to 80-85% of the observed area's 8-hour maximum (65 to 75 ppb). Secondly, significant upwind point source emissions from specific coal-fired electric generation facilities have been documented by a Baylor University study published in 2006 to contribute 5 to 20 ppb ozone to this MSA on days when wind conditions are just right. Therefore, high background levels from transported emissions make it unlikely that the MSA will be able to demonstrate attainment even with additional control strategies for this area, until transported emissions from other areas are addressed.

The following implementation-related recommendations should be considered by the USEPA before requiring attainment by a MSA demonstrated to be affected by transport.

1. Attainment dates should be determined in recognition of the time needed for implementation and for achievement of maximum emissions reductions due to federal mobile source engine standards, federal controls on stationary sources such as Clean Air Interstate Rules (CAIR), as well as, State and local State Implementation Plan (SIP) rules on upwind urban areas of influence.
2. It will be extremely difficult for Travis County and other areas to meet a standard of 60 – 65 ppb in the immediate or short-term future. An unrealistic expectation may discourage voluntary or even regulatory solutions by requiring jurisdictions to set the adopted standard as the immediate goal. If the USEPA does not select 70 ppb as its standard, Travis County strongly encourages the agency to use its flexibility and establish interim target concentrations for reducing the ozone standard by increments tied to the reductions in emissions achieved by measures beyond the control and upwind of local areas.

Specifically, the USEPA would require the MSA to develop and implement a short-term, phase one plan to achieve a design value of 70 ppb. Then, the MSA would be responsible for developing and implementing a second phase plan to achieve a design value of 65 ppb. Finally, a third phase (if necessary due to a standard more stringent than 65) would require the MSA to develop and implement a final plan to achieve the established NAAQS promulgated by USEPA through this rule making. Travis County suggests a phase-in period of five years for all phases, or longer if reductions in emissions from upwind sources that affect this MSA would take longer for the State and USEPA to control. Such phasing in of incremental emission reductions could be considered in a reasonable further progress plan. We expect that this approach or one similar to it would encourage efforts rather than placing a focus on litigating or seeking an overturn of the standard.

3. Prevention of Significant Deterioration (PSD) permitting rules need to require an evaluation of downwind ozone impacts using photochemical grid modeling. It is recommended that both state and federal permitting rules and policies be revised or clarified to implement this requirement on point source emission proposals. The rules and policies should also require a denial or modification of the permit application if contributions to ozone levels cannot be sufficiently minimized or mitigated to avoid adverse health impacts or violations of the NAAQS in the affected region or downwind area.

Of principal concern to Travis County and many stakeholders and other jurisdictions in the MSA are emissions from coal-fired electric generation sources upwind of the MSA. Current emissions and future, additional emissions that have been permitted by the State of Texas under USEPA oversight will contribute nitrogen oxides to this MSA and reduce the ability of the MSA to meet the primary ozone standard under your consideration.

USEPA Must Pursue More Stringent Vehicle Engine and Fuel Standards

The USEPA is strongly encouraged to continue establishing standards for vehicle engine emissions, engine fuel efficiency, and gasoline and diesel fuel that provide greater reductions in nitrogen oxides and volatile organic carbon emissions. Cleaner engines and fuel are critically important in a MSA where 78% of nitrogen oxides originate from mobile sources. Significant advances in air quality in this MSA have resulted from national standards that have been phased in over time. Consideration should be given to additional standards that are technically feasible and practical to implement at this time and tailored to as many vehicle types as possible within the universe of on-road and off-road vehicles. Federal standards implemented nationwide over time will have a much broader, positive impact on ground-level ozone than a patchwork of individual strategies by State or local actions. This initiative led by USEPA is an essential and complementary strategy to reach ozone concentrations that are safe and healthy.

The Form of the Primary Standard Needs to be Revised

The USEPA reconsideration does not include a proposal to revise the form of the primary NAAQS for ozone. Travis County believes USEPA should consider setting the annual design value based upon either the:

- 1) fourth highest 8-hour average value during the ozone season exclusive of exceedances that are caused by easily predicted weather patterns that transport interstate and intrastate emissions of ozone into the MSA; or

- 2) seventh highest 8-hour average value during the ozone season.

This recommended approach would potentially aid this area in maintaining its attainment status under a revised NAAQS of 70 ppb. At first glance, USEPA might discount such an approach as less protective of human health. However, Travis County believes designating this MSA as nonattainment will provide no greater pollutant reduction benefits and will not, in and of itself, remedy ozone levels to the safe levels we all aspire to reach. Nonattainment and a SIP will result only in added attention and reduction of emissions that local jurisdictions, industry, and citizens can control in this area. If the costly medicine of a SIP will not cure the ailment, then why take the medicine? If Travis County was more confident that the USEPA was implementing immediate strategies to address interstate and intrastate transport from sources beyond the control of jurisdictions in the MSA, this recommendation would not be necessary.

A Metropolitan Area Designation is Essential.

When it developed non-attainment designations in 2009, the State of Texas determined that 78% of nitrogen oxide emissions in this MSA are from mobile sources. Significant work, school, and leisure commuting within the counties of this MSA occur on a daily basis. Urbanization beyond the central core of the region is proceeding at some of the fastest rates in the United States. Therefore, Travis County strongly recommends that a non-attainment designation for the Austin Round Rock MSA under the upcoming primary ozone standard include a metropolitan area designation. A single county non-attainment designation would be inappropriate because it would undercut the ability of the region to achieve success, before the implementation even started. It will be essential to the success of control strategies to reach attainment that all significantly contributing geographic areas be included, as used by USEPA historically. At a minimum, the most populous counties on the IH-35 corridor (Williamson, Travis, and Hays) should be included if non-attainment is determined for the MSA.

Voluntary Compliance Efforts

Travis County asks USEPA to consider Early Action Compacts as a tool for meeting the upcoming ozone NAAQS. The MSA has an exemplary record of developing and implementing successful voluntary emission reduction initiatives. Concerted leadership by jurisdictions in the MSA, and with support from the Texas Legislature, the Texas Commission on Environmental Quality and the USEPA, the MSA has successfully developed and implemented three Memorandums of Agreement (MOA) to voluntarily implement measures sufficient to ensure continued attainment of the ozone NAAQS: the 1-hour Ozone Flex Plan, the Early Action Compact (EAC), and the 8-Hour O3 Flex Program. Some of the measures implemented include a costly vehicle inspection and maintenance program in the two most populous counties of the MSA, locally enforced heavy vehicle idling limits, power plant emission reductions, and almost 200 measures selected and implemented by local governments. The MSA is implementing the 8-Hour O3 Flex Program and its commitments in compliance with the MOA as overseen by State officials.

Voluntary compliance efforts such as the EAC have proven effective and should be an available option for areas that may violate the proposed more stringent ozone standard. These efforts result in emissions reductions sooner than would occur under the traditional nonattainment process. They also promote greater buy-in from elected officials and citizens in the local areas. Local areas can help tailor an emissions reduction plan that works for the areas' specific circumstances. Costly, prescribed regulations that are not always suited to local needs can then be used only when appropriate. As in the EAC, the traditional nonattainment process could be required if the voluntary efforts are not successful, with no delays in the traditional nonattainment process.

Reduce Error of Monitoring Data.

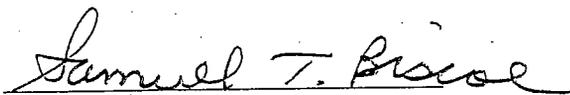
The reliability of ozone data obtained from air monitoring equipment is insufficient for the purpose of non-attainment designations under the proposed standard. The USEPA quality assurance specifications currently allow the accuracy of regulatory monitoring equipment to have an error range of +/- five (5) ppb. It is our understanding that error can be reduced by more frequent calibration of monitoring equipment. Therefore, Travis County urges the USEPA to establish more stringent quality assurance protocols in this rule making. The USEPA and the State of Texas must devote adequate resources to more frequently verify the accuracy of the monitoring equipment through calibration and other available protocols. Based upon the health effects documentation of the USEPA presented with the proposed standards, the costly consequences of nonattainment, and the proximity of this area's ozone concentrations to the standard, it is crucial to more accurately measure air quality conditions.

Compliance with the Secondary Ozone Standard.

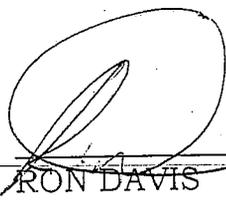
Travis County has viewed the proposed Secondary Ozone Standard with interest. We concur with the goal for more protection of ecosystems, vegetation, and agricultural crops. For instance, Travis County and its partners invest millions of dollars annually to preserve and enhance the vegetative habitat (forested land) of federally endangered species in this area. The following specific implementation concerns need to be addressed:

1. We recommend and urge the USEPA to eliminate gaps in the air monitoring network that exist in non-urban areas of Texas and elsewhere. We noted in the Fact Sheet accompanying this proposal that an additional three non-urban monitoring locations per state were proposed by the USEPA in a separate rule making. Three non-urban locations is an inadequate number for a state of the size of Texas. It is essential that a monitoring network measure the air quality conditions in areas where these non-urban and non-human receptors exist.
2. Allow for full two year designation schedule for secondary standard to provide time for full evaluation of all aspects of impacts on public welfare and to provide sufficient time for comments.

3. The secondary NAAQS for ozone should be set at the upper end of the CASAC-recommended range, at 15 ppm-hours. This level was deemed satisfactory to protect the public welfare from adverse impacts. A more stringent level is not recommended until the USEPA and States address monitoring gaps that exist in non-urban areas, create and gain experience with implementation processes, and further research is completed.



SAMUEL T. BISCOE
COUNTY JUDGE



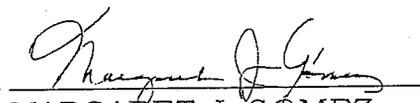
RON DAVIS
Commissioner, Precinct 1



SARAH ECKHARDT
Commissioner, Precinct 2



KAREN L. HUBER
Commissioner, Precinct 3



MARGARET J. GOMEZ
Commissioner, Precinct 4

Ms. McAllister
Texas Commission on Environmental Quality
MC-164, PO BOX 13087
Austin, TX 78711-3087

Dear Ms. McAllister:

As a spokesperson for concerned citizens in Bastrop County, we would like to open a dialog about the proposed private airport, Central Texas Airport (CTA). On Monday, citizens attended the Commissioners Court to express concerns over environmental and safety issues with this project. Our group is also concerned about the way County Commissioners granted the 381 Agreement with developer Jim Carpenter. As citizens of Bastrop County we are troubled at the manner this agreement was reached, and are distressed about the impact this CTA complex would have on our community, and our quality of life. We request an environmental impact study, **before** any construction begins, and the results of the study become available to the community. We are aware that Texas Department of Health monitors studies related to the environment before permits are attained. Would TDH or another state agency monitor this study?

Here are some issues we have identified:

1. Pollution - air, water, noise, land, fish, birds and general wildlife -- and the lack of commitment for specific actions to preserve these resources in our community.
2. Safety – Location of the proposed airport.
 - Proposed Runway - positioned with a flight pattern that extends toward/over the Bastrop ISD new Cedar Creek High School .
 - Engine Failure – this area is on a bird migratory route as well as a natural habitat abundant with fowl and wildlife. (Has there been consideration of a problem with engine trouble/failure as a result of ingesting birds into air traffic engines due to the high volume of birds?)
 - Proposed airport is surrounded by 20 neighborhood subdivisions.
3. FAA advised that they have no authority over a privately owned airport. Their jurisdiction is limited to checking for violations of new air traffic interfering with an established air traffic pattern.
 - According to the CTA website, they estimate the air traffic volume at 250 planes per day.
 - The CTA website states that it has no plans for an Air Traffic Control Tower.
 - Does this mean “uncontrolled” air traffic, at a rate of, *by their own estimation*, approximately one flight every 6 minutes, 24/7?
4. Flood Plain location -
 - Parts of the proposed airport are located within known flood plain designated areas.
 - Is it possible for an individual to petition FEMA, and have the flood plain area changed? It was our impression that flood plain areas are based on history.
5. Mining & Mineral Extraction
 - The CTA website advised they were going to be mining for minerals and gravel for the construction of the airport and landscaping.
 - Will information about required Permits be available to the citizens for mining and drilling?
 - Can we request a study **before** such mining/drilling to determine the impact on the environment, i.e. ground water, dust, wildlife etc.?

6. Water (Ground and Surface)

- According to the plan, a diversion of 2 tributaries (#28 & #29) will be re-routed into a retention pond. From the plans we've review, this would also include diverting water under the runway. Once again, do we know the impact on the environment?
- Plans show rain water washing over a mile long runway that will be emptying almost directly into the Colorado River, along with all the pollutants and debris from the runway. There is no mention of plans to monitor the runoff.

7. Chemicals (Jet Fuel & Oil)

- Plans for aircraft hangers and repair & maintenance facilities would likely include hazardous chemicals – what plans are in place to monitor/regulate these?
- Sale of fuels – safety concerns over storage, transportation and possible leakage.

8. Industrial Site & Retail

- Since Bastrop County currently has no zoning ordinances/restrictions in effect, who would regulate the building codes and impact on the community.
- The CTA website estimates employment for 43,000 people, which presents issues regarding, traffic, parking, resources, and utilities – including water and sewer systems.

9. Public Notice – To date, there has been no Public Notice or Hearing to advise Bastrop County citizens of the proposed airport/industrial complex to the area by the Commissioners Court.

Ms. McAllister, thank you for taking the time to listen to our concerns. We are troubled by the lack of information shared with the community about this project, which has the appearance of a deliberate action by the County Commissioners.

The CTA web site contains much information about the proposed project; however, it is void of specific details. The web site boasts a “Green” project that can be tested in a real world environment. Bastrop citizens do not want to be a testing ground... especially at the risk of our beautiful and peaceful natural habitat versus what sounds like a commercial Environmental Dead Zone!

Mr. Carpenter has visions of grandeur with this massive project, including adding 43,000 jobs into the community, however, he has not shared specific plans to accommodate this new population in the surrounding areas. We have been advised that neither Bastrop County, nor TXDOT, have funds to improve roadways that would be required to accommodate this type of industrial growth. Mr. Carpenter advises that “they are going to build a private road that attaches to FM1704 crossing FM 969, and extend it across CTA *private property* to the river where they will build a bridge going over the river to a neighborhood subdivision, to Hwy 71.” This would result in additional traffic adding to an already congested area. Who would monitor/regulate a private bridge built over the Colorado River?

In response to this additional drain on utilities, specifically water and proposed sewer systems, Mr. Carpenter’s statement that he would “start off with a septic system” provides insight to his lack of understanding of the potential requirements for waste.

When Judge McDonald signed the “nonattainment designation” request there were issues that were apparently over looked or not explained. Although Bastrop is a rural county now, the proposed airport complex would change that drastically. We are currently one of the fastest growing counties in the state, which obviously equates to more people, cars, and trucks. Judge McDonald writes that “Reductions in Bastrop County’s Ozone levels will ultimately need to come from a cleaner fleet of cars in the United States and a reduction in transport emissions.” By Judge McDonald’s request that “we

not be included in a non-attainment designation,” we are concerned that he may be compromising the pollution levels to accommodate the rise in levels that will inevitably result from the new proposed airport. While we applaud the efforts made by the Commissioners to lower the ozone count in 2009, the increase of activity expected from the proposed CTA project would negate these commendable efforts.

We understand that Judge McDonald signed the request for being removed from the non-attainment designation agreement on October 25, 2010, which you should have received. We respectfully request that you consider the above concerns and questions regarding the environmental and safety impact on Bastrop County before making a final decision.

If you have any questions regarding this, please contact me at the number below, or by email at [redacted e-mail address].

Respectfully,

Stan Simpson
190 Lazy River Lane.
Elgin, TX 78621
(512) 581-3913 home
(512) 218-5520 work

November 21, 2010

Ms. Margie McAllister
Texas Commission on Environmental Quality
MC-64
Post Office Box 13087
Austin, Texas 78711-3087

RECEIVED
NOV 23 2010
AIR QUALITY
DIVISION

RE: Judge Ronnie McDonalds "Comment on Nonattainment Designations" of October 25, 2010.

Dear Ms. McAllister:

I am respectfully requesting that Judge McDonald's request to have Bastrop County not be included in a non-attainment designation be fully investigated before any action is taken.

Recently, the Bastrop County Commissioners Court entered into a 381 Agreement which facilitates a developer to construct the Central Texas Airport/Eco-Merge/Green Corporate Centers complex located one-half mile from the Colorado River. This facility will house a runway capable of landing multi-engine cargo aircraft of the 737-class, and six-and-one-half million square feet of light-industrial manufacturing space.

The developer, Carpenter & Associates, has indicated that the airport may accept as many as 84,000 flights annually, with re-fueling, maintenance, and other aviation-related services available. Additionally, several light-industrial companies have publicly announced intentions to locate there for production of LED and other electronic components. This complex is expected to draw from 20,000 to 86,000 ground-vehicle trips daily, depending upon the ever-changing projections of Carpenter & Associates.

I find Judge McDonalds request for non-inclusion into the new standards to be inconsistent with the fact that the planned complex will undoubtedly add tremendous amounts of Ozone and other emissions and particulates to an area that already ranks near the top of measured non-attainment sites.

I am confident that TCEQ possesses more data resources concerning jet-engine, VOC, LED manufacturing, and vehicle emissions than our group does, so for brevity, I have not included these data.

Sincerely,



Tom Thompson
226 Woodway Drive
Elgin, TX 78621
512 321-6642

Subject: "Ozone Statement for TCEQ Meeting On 6-23-10"

EPA recently announced that it intends to reduce the present 75 Parts per Billion (ppb) ozone standard to a level between 60 ppb and 70 ppb. By the end of this year the Texas Commission on Environmental Quality (TCEQ) will designate the cities and counties that do not meet the new limit and are classified as non attainment. The present ozone level in the Corpus Christi area is about 69 ppb. A standard below that will cause Nueces and San Patricio counties to be classified non attainment.

Weather conditions that favor ozone formation are long warm days with bright sunlight and calm winds that allow the ozone to concentrate in the area. Those conditions are more likely to occur in the Corpus Christi area in September, October and November although they can occur anytime from May 1 to November 30. Unfortunately, during high ozone days the wind direction is usually from the Northeast following the coastline from Houston. Extensive air testing indicates on high ozone days about 60 ppb of our ozone is actually being transported here from the Houston area which has high ozone levels. A standard of 60 ppb would require our area to eliminate all of its ozone emissions. A standard of 65 ppb would require us to eliminate 50 percent of our emissions. The technology does not exist to make those reductions.

Our ozone levels have steadily declined from about 84 ppb in 1996 to 69 ppb in 2009. The reductions in emissions have been accomplished both by mandatory controls for point sources and voluntary reductions of all sources. Representatives of the City and all stakeholders formed the Corpus Christi Air Quality Committee. The goal of the committee was to reach a flexible attainment agreement with EPA that would allow the area to implement a plan to make voluntary emission reductions to keep the area in attainment. So far EPA Region VI has not agreed to continue the flexible attainment agreement after it reduces the ozone limit.

Non attainment would result in a rigid State and EPA mandated program to take drastic, costly measures in a scientifically futile effort to reduce emissions and reach attainment. EPA and TCEQ should recognize that most of our ozone comes here from other areas and exempt this area from non attainment classification.

Author: Ralph Coker
15246 Main Royal Drive
Corpus Christi Texas 78418

Bio: Ralph Coker is a retired refinery plant manager and co-chair of the chamber of commerce infrastructure committee.

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JUL 14 2010

AIR QUALITY
DIVISION

Ms. Ann E. Smith
1005 Meadowbrook Drive
Corpus Christi, TX 78412

Ms. Margie McAllister
Air Quality Division, Chief Engineer's Office
PO Box 13087, Mail Code 164
Texas Commission on Environmental Quality
Austin, Texas 78711-3087

RECEIVED
JUL 14 2010
AIR QUALITY
DIVISION

Subject: Federal Clean Air Act – New Air Quality Standards

Dear Ms. McAllister:

It is time that EPA and TCEQ protect the health of the people of Texas as industrial pollution is causing great harm to the unborn, the young, the working class citizens and the economy of this Coastal Bend. It is time to raise the current standards for air quality--ozone, carbon monoxide, particulate matter and others. These current standards are too low, and besides have not been properly enforced due to the influence of big business that puts profit before human health.

Corpus Christi where I live would be in non-attainment if the rules were enforced here. I suffer from asthma and other persons I know suffer from COPD. Yet, a proposed electric power plant by Chase Power Co. that will burn petroleum coke is in the works at TCEQ to be built on our Corpus Christi Ship Channel. This is the only plant that is proposed to be built in a populated area. I am concerned, not just for myself, but for the people confined to nursing homes and medical facilities and schools in the area of the proposed Las Brisas.

The only way for these types of plants to be controlled is enforcement and to raise the standards for ozone, carbon monoxide, lead, mercury, particulate matter. We all are dependent on clean air and water and therefore dependent on our state and national agencies to control pollution. Please make sure that Texas stays within the boundaries.

Sincerely yours,



Ann E. Smith

Copy to SOAH ALJ Judges for Case # 85013 and EPA

*Please hold the hearing in Corpus Christi,
Thanks,
Ann*

TCEQ Briefing on new EPA ozone standard implementation

Corpus Christi, Texas
06/23/2010

Statement prepared by

Dr. Kuruvilla John
University of North Texas, Denton



Monitoring and modeling support provided by
Ms. Saritha Karnae and Dr. Neelesh Sule
Texas A&M University - Kingsville



Background

The city of Corpus Christi has been an active participant in air quality planning activities along with Texas Commission on Environmental Quality (TCEQ) and the United States Environmental Protection Agency (EPA). In the past ozone concentrations measured within the urban airshed were close to exceeding the ozone National Ambient Air Quality Standards (NAAQS) set by the United States Environmental Protection Agency. Thus, with the funding made available by the Texas Legislature, the city of Corpus Christi collaborated with local businesses, industries, Texas A&M University-Kingsville (TAMUK) and Texas A&M University - Corpus Christi (TAMUCC) to identify and implement voluntary emission reduction measures, monitor ozone levels, develop emissions inventory, assess the impact of emission reductions on local air quality using photochemical models and develop public awareness. A Flexible Attainment Region (FAR) Agreement was developed in 1996 and subsequently an O3Flex Agreement was developed in 2002 with the support and guidance of TCEQ and the EPA for further voluntary emission reductions.

In this report, an overview of the current state of science in air quality monitoring and modeling is provided. The current air quality status in Corpus Christi urban airshed in light of the current and the proposed new National Ambient Air Quality Standard (NAAQS) for ozone is provided in this report. In addition, a summary analysis of the trends in the monitored ozone levels along with the emissions of ozone precursor gases is also provided. Finally, a detailed analysis of the impact of transported levels of ozone using mathematical modeling tools is provided.

Ambient air quality monitoring

Corpus Christi urban airshed is defined by the US Census Bureau as a three-county region and it is home to major petrochemical industries located along a busy ship channel. TCEQ maintains and operates two compliance grade continuous ambient monitoring stations (CAMS) 04 and 21 measuring the ozone levels within the urban airshed. In addition, Texas A&M University –Kingsville (TAMUK) has setup three research grade monitoring stations in Nueces and San Patricio counties as a part of the “Rider 8: Corpus Christi Near Non-Attainment Air Monitoring Project (2001 – 2002)”. These included: (1) an upwind site at the waste water treatment plant in Aransas Pass (CAMS 659), (2) a downwind site located at Violet road, near Robstown (CAMS 664), and (3) an urban site at the municipal water pumping station on Holly Road (CAMS 660), south of South Padre Island Drive (SPID). For a better assessment of air quality in San Patricio county, especially the impact of local and regional transport of air pollution and to capture the spatio-temporal characteristics of pollution, three additional research grade monitoring stations were setup by TAMUK as a part of a Supplemental Environmental Project (SEP) awarded by TCEQ. These included: (1) Ingleside site (CAMS 685) - located at water pumping station on highway 361 in between Sherwin Alumina plant and DuPont/Oxychemical PVC production plant in Ingleside, (2) Odem site (CAMS 686) - located in the water pumping station of Odem county, operated by San Patricio municipal water district in a rural location northwest of Corpus Christi, and (3) Taft site (CAMS

687) - located at the water pumping station in Taft operated by the San Patricio municipal water district. Figure 1 shows the geographical location of all available ozone monitoring sites within the Corpus Christi urban airshed. Each of these sites is currently equipped with a continuous ozone analyzer, weather sensors for continuous measurement of meteorological parameters. The sensors measure five minute averages and these are collected and stored using dataloggers. In 2006, the dataloggers were upgraded with TCEQ LEADS compatible software and since then the data collected at each of these monitoring site is made available on TCEQ's website to general public and other stakeholders.

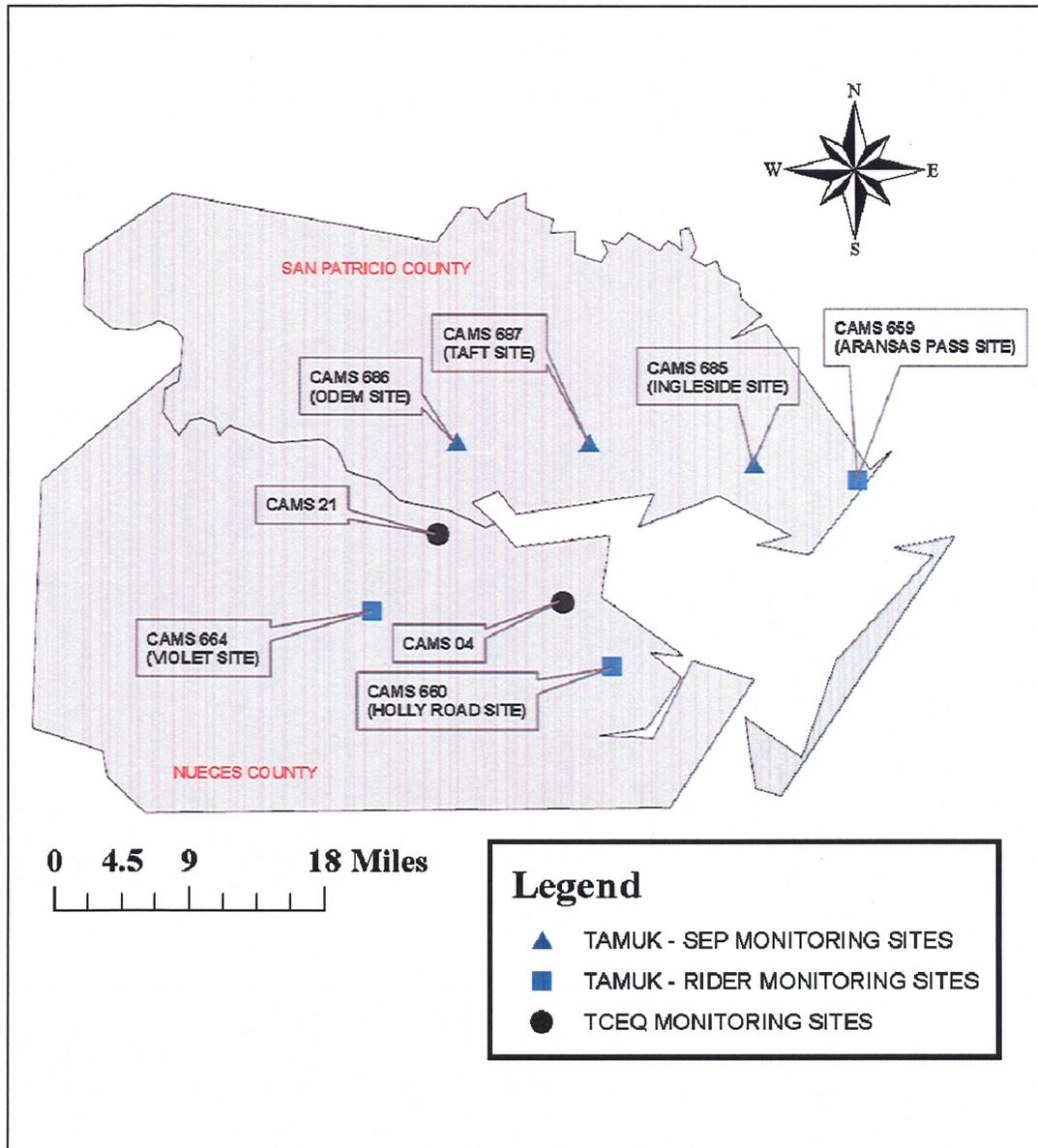


Figure 1. Locations of air monitoring sites in the Corpus Christi urban airshed

Design value trend analysis

As per the ozone NAAQS set by the U.S. EPA under Clean Air Act (CAA) of 1997 the three year average of fourth highest eight hour ozone concentration should not exceed 0.08 ppm. However considering additional scientific studies conducted by the National Center for Environmental Assessment on the impacts of ozone on health and environment, EPA revised the ozone NAAQS to 0.075 ppm effective May 27, 2008. Thus, to evaluate the attainment status of the local urban airshed based on the current NAAQS, a design value trend analysis was performed using the ozone concentrations measured at the regulatory sites of CAMS 04 and 21 during 2002 through 2009 as shown in Figure 2. An overall decreasing trend is noted at both CAMS 04 and 21 with the area currently in attainment of the existing NAAQS. However, if the standards are further tightened to say 0.06 ppm, the area could potentially fall into non-attainment.

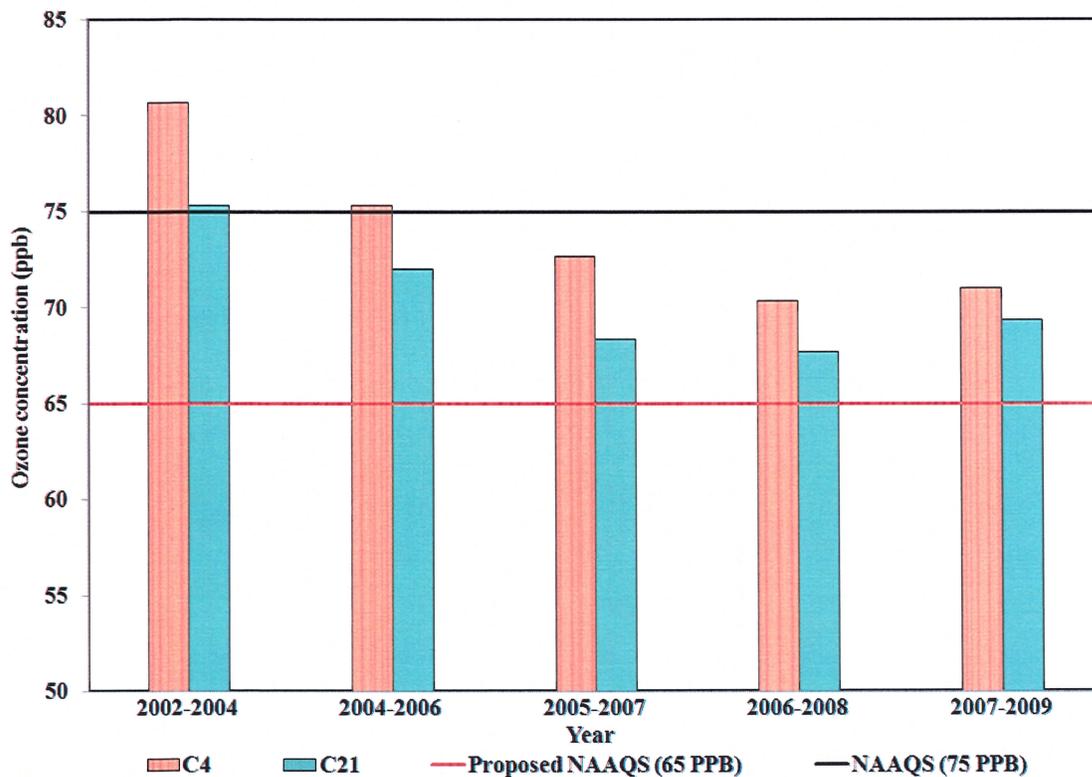


Figure 2. Design value trends observed in the Corpus Christi region during 2002 - 2009

The region is currently in attainment under the existing NAAQS for ozone, however considering the new proposed standard of 65 ppb the region will be in non-attainment. The design values for 2007 through 2009 at the research grade monitoring sites were observed to range between 67 and 75 ppb, with the highest level recorded at the upwind monitoring site in Aransas Pass (CAMS 659). Thus, additional analysis was performed to study the influence of transport of pollutants into the urban airshed. Statistical analysis on exceedance days was performed to study the seasonal distribution of the high ozone days observed at CAMS 04 and CAMS 21 during 2002 through 2009.

Figures 3 and 4 show the exceedance days observed at CAMS 04 and 21 considering the current (75ppb) and proposed (65ppb) NAAQS. As seen in Figures 3 and 4 the frequency of exceedance days has a bimodal distribution with maximum high ozone days occurring in September with predominant north and northeasterly winds followed by October and May dominated by south and southeasterly winds.

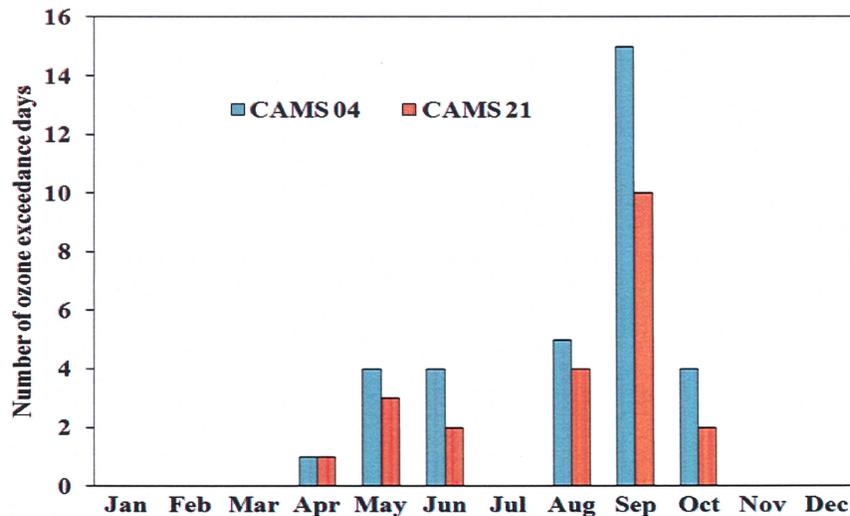


Figure 3. Frequency of exceedance days observed at CAMS 04 and CAMS 21 during 2002 through 2009 under the current NAAQS (>75 ppb)

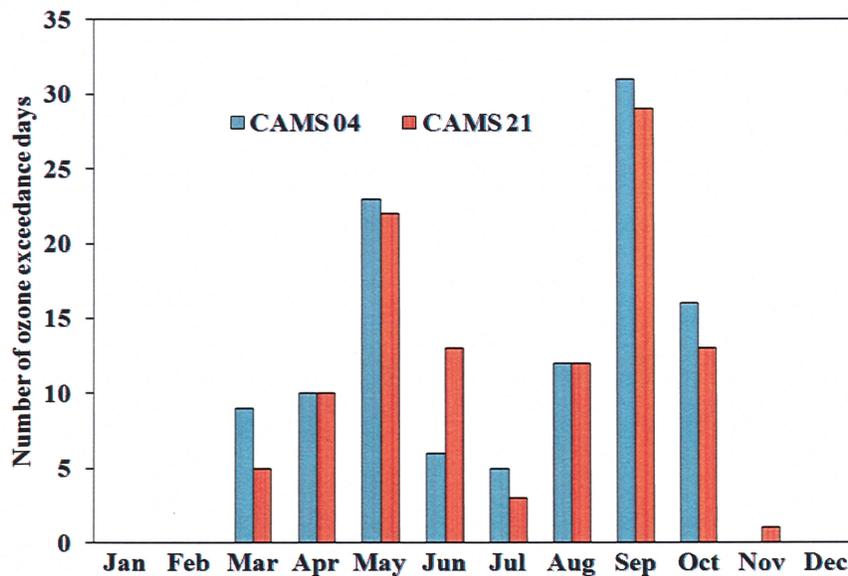


Figure 4. Frequency of exceedance days observed at CAMS 04 and CAMS 21 during 2002 through 2009 as per the proposed NAAQS (65 ppb)

The influence of transported pollution on high ozone days

Days with daily maximum ozone concentration exceeding 75 ppb were identified as episode days and a back trajectory analysis was performed to study the prevailing meteorological conditions influencing the pollution levels in Corpus Christi. A three-day backward trajectory analysis was performed using NOAA's HYSPLIT model during recent high ozone days observed in 2008 and 2009 at CAMS 21 and CAMS 659. The results are shown in Figures 5 and 6. Significant air parcel transport over large distances was noted on these episodic events. During these high ozone days, the 3-day back trajectory analysis revealed that a continental air mass traveled over industrialized and densely urban regions of Texas, Louisiana and beyond and transported pollution into the Corpus Christi urban airshed. The polluted air mass mixed with local emissions to cause high ozone levels in the region.

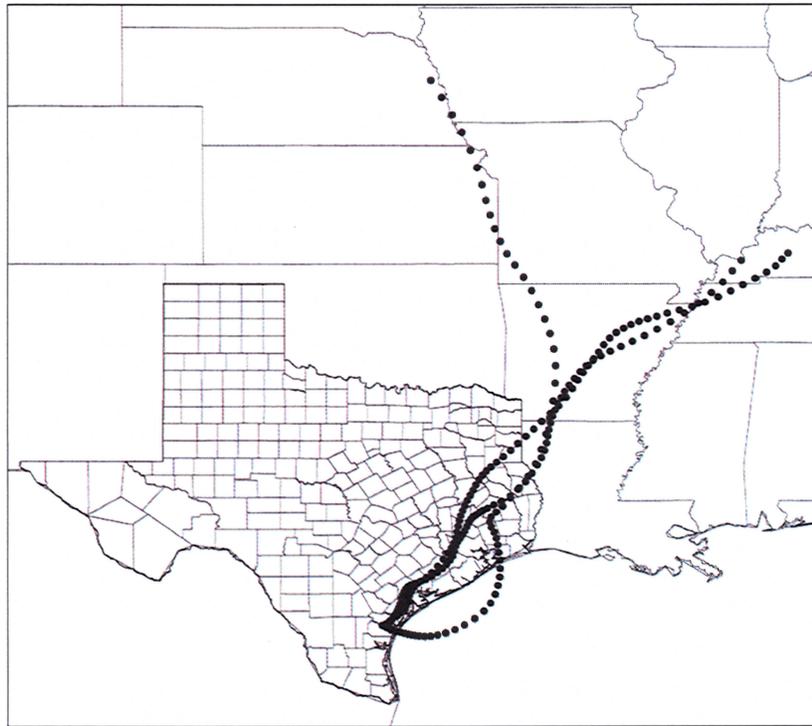


Figure 5. Three day backward trajectories of recent high ozone days with maximum eight hour ozone concentration exceeding 75 ppb at CAMS 21 during 2008 and 2009

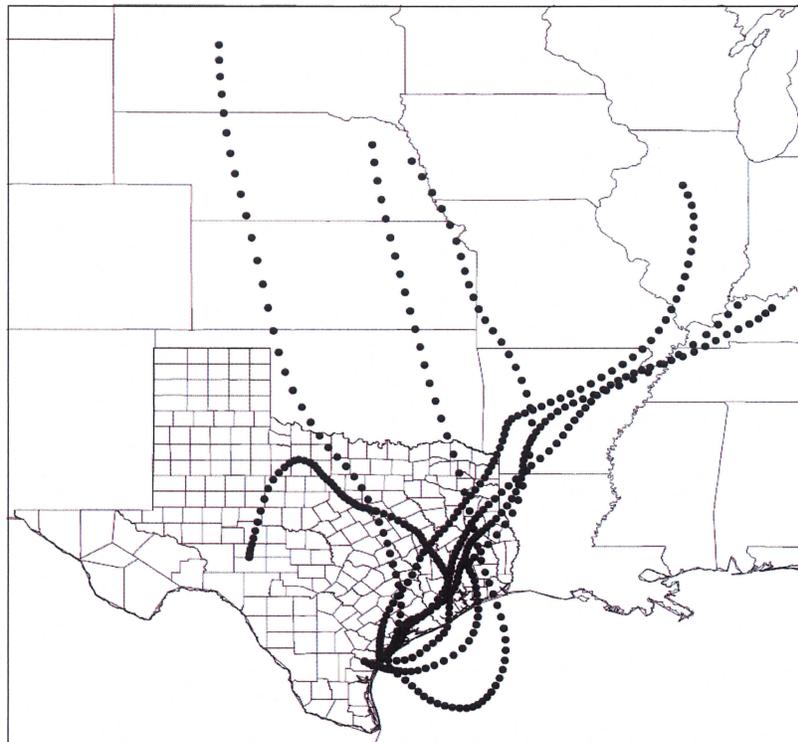


Figure 6. Three day backward trajectories of high ozone days with maximum eight hour ozone concentration exceeding 75 ppb at CAMS 659 during 2008 and 2009

Emissions inventory trend

The air quality research group at TAMUK has been actively involved in refining the emissions inventory for the Corpus Christi urban airshed as an integral part of the TCEQ funded Rider 13 & 8 air quality research and planning activities. The 2002 and 2005 emissions inventory were developed by refining the 1999 National Emissions Inventory and enhancing local minor point sources, small stationary sources, compressors from oil and gas facilities, fugitive emissions from pipelines, and offshore oil and gas platforms. The refined emissions inventory also included commercial and military aircrafts, ships, barges, and marine vessels, locomotives and switch engines, railroad tank cars, other military sources, commercial and industrial engines, agricultural equipment, construction equipment and water-based pleasure craft engines in the non-road category.

The National Emissions Inventory (NEI) maintained by EPA shows an interesting pattern of emission reductions in certain categories and significant increases in other categories. The NEI data is reported below in Table 1 for the Corpus Christi urban airshed for 2002 and 2005. The contribution of local anthropogenic emission sources of ozone precursors (NO_x and VOC) are highlighted in the pie charts as shown in Figure 7.

Table 1. Summary of 2002 and 2005 emissions of NOx and VOC in the Corpus Christi urban airshed

| 2002 Emissions (ton/yr) | | | | | | |
|-------------------------|--------|----------|--------|--------|-----------|--------|
| Pollutant | Area | Non-Road | Point | Onroad | Biogenic* | Total |
| VOC | 11,061 | 4,071 | 7,635 | 6,817 | 19,354 | 49,032 |
| NOx | 3,540 | 8,279 | 21,270 | 12,405 | 1,679 | 56,286 |
| 2005 Emissions (ton/yr) | | | | | | |
| Pollutant | Area | Non-Road | Point | Onroad | Biogenic* | Total |
| VOC | 11,572 | 5,563 | 6,413 | 5,534 | 19,354 | 47,453 |
| NOx | 13,892 | 24,840 | 13,892 | 10,487 | 1,679 | 54,603 |

Emissions obtained from EPA's NEI online

* Biogenic emissions data was obtained from TCEQ and is only available for 2002

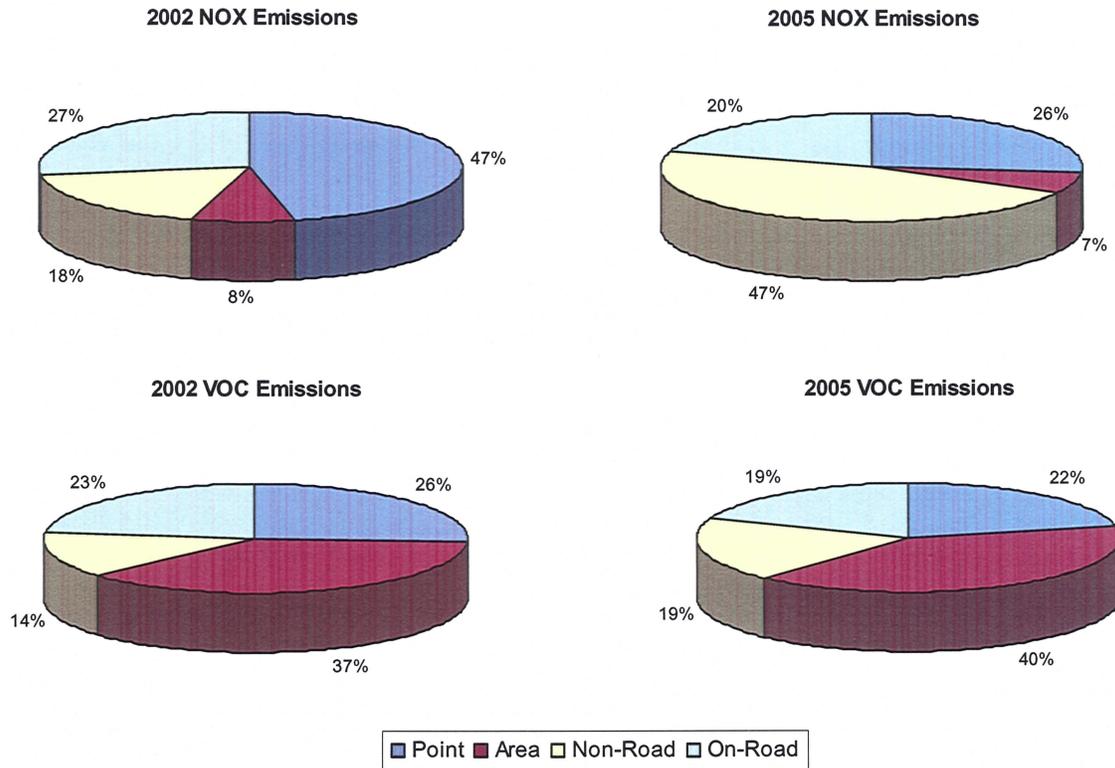


Figure 5. Pie chart showing percent contribution of each source category towards anthropogenic NOx and VOC emissions during 2002 and 2005

From Table 1 and Figure 7 it is observed that in 2005 there was a sharp increase in NOx emissions from area and non-road source category and also a sharp decrease in the NOx emissions from point and on-road source categories. Overall, a 7.3% decrease in 2005 NOx emissions was observed between 2002 and 2005. The changes in VOC emissions were relatively smaller as compared to NOx emissions. Overall, a 5.2% decrease in 2005 VOC emissions was observed when compared to 2002.

Photochemical modeling of ozone

A base case model based on the high ozone episode of September 8-16, 2002 was developed using a photochemical model Comprehensive Air quality Model with extensions (CAMx). Model performance evaluations were performed and the model performed well as per EPA guidance. The base case model was then used to assess the impact of various emission sources and evaluating the impact of voluntary emission reduction measures implemented within the Corpus Christi urban airshed.

Impact of voluntary emission reductions

In 2001, EPA issued guidelines for new program called O3 Flex plan in an attempt to encourage voluntary emission reductions to continue to keep an area in attainment of ozone standards. Local entities of the Corpus Christi urban airshed including the Port Industries of Corpus Christi, the Port of Corpus Christi and local small businesses implemented various voluntary emissions reduction measures to reduce the emissions of ozone precursors and improve the overall ambient air quality. These emission reductions have been implemented. The net impact of these voluntary emission control strategies was studied using a photochemical modeling system. Overall, the O3Flex plan contributed to a decrease of about 0.1 ppb in the surface ozone concentrations.

After the implementation of the 8-hour standard, a new 8-hour O3Flex agreement was developed for the Corpus Christi region. TCEQ and EPA have been working closely with the local stakeholders in the urban airshed region of San Patricio and Nueces counties to plan and implement voluntary measures appropriate to the community needs to continue to improve air quality in the region and keep the region in attainment under the 8-hour ozone standards. Table 2 below shows the emission reduction estimates generated by the implementation of voluntary control strategies based on the new 8-hour O3Flex agreement. These voluntary controls were applied to the updated 2002 emission inventory to study its impact on the ozone concentration in the Corpus Christi urban airshed.

Table 2. Emission reductions from voluntary control measures in Corpus Christi Airshed under new 8-hour O₃Flex Agreement

| Voluntary Control Strategy | VOC (tons/year) | NOx (tons/year) |
|-----------------------------------|------------------------|------------------------|
| Stage I Vapor recovery | 776 | |
| 7.8 RVP Gasoline | 622 | |
| TERP Reductions | | 33.4 |
| Graphic Arts BACT | 57 | |
| Dry Cleaning | 226 | |
| Furniture Manufacturing BACT | 170 | |
| Auto Refinishing BACT | 11 | |
| Sand Blasting/Painting BACT | 20 | |
| Marine Loading Controls | 2538 | |

The impact of the reduced emission anticipated by the voluntary emission reduction measures of O3Flex on the ozone levels measured within the CCUA was investigated using a photochemical model for a 2002 base case. The modeling results of these reductions indicated that the net impact of the O3Flex strategies contributed to a reduction of 0.12 ppb (see Figure 3) in the ozone concentration within the Corpus Christi urban airshed.

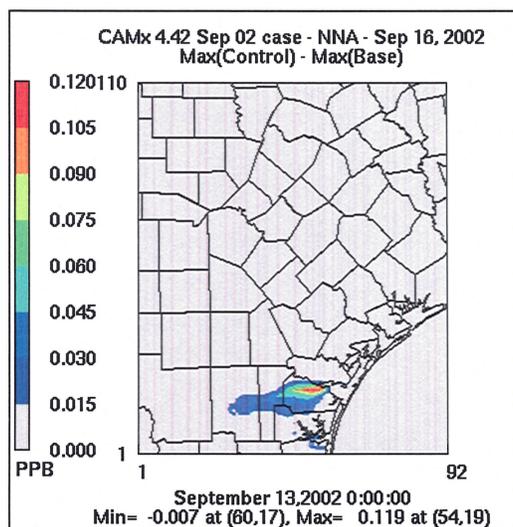


Figure 6. Spatial distribution of daily maximum 8-hour ozone concentration differences between base and control (adding emissions purported to be reduced by O3-flex plan) case simulated in the 4-km grid on September 8-16, 2002

Modeling the impact of ozone transport

The impact of transport of elevated levels of ozone on the Corpus Christi urban airshed was evaluated using CAMx, a base case photochemical model, developed for the high ozone episode during September 8-16, 2002. The modeling results showed the maximum 8-hour ozone at the northern boundary of Corpus Christi urban airshed ranged from 72 – 82 ppb with an average of 77 ppb or 0.077 ppm. The modeling system was then used to simulate the ozone levels without any anthropogenic emissions within the urban region in order to assess the impact of ozone transport into the region. Results from the zero-out emissions in Corpus Christi are shown in Figure 9. The prevailing wind direction during this high ozone episode was from the north-northeast. Despite no local emissions, the model simulated the transport of elevated ozone plumes from upwind areas that significantly increased the local ozone exceedances in Corpus Christi.

A similar trend was observed during the analysis of the monitoring data at the compliance grade monitoring sites CAMS 04 and CAMS 21 for the period of 2006-2009. The measured 8-hour average ozone concentration of 74 ppb or 0.074 ppm was observed during the high ozone days. The upwind research grade monitoring site – CAMS 659 (Aransas Pass) maintained by TAMUK also measured 8-hour average ozone

concentration of 74 ppb or 0.074 ppm during 2006-2009 high ozone days. The days with elevated ozone concentrations were associated with meteorological conditions bringing air masses down the coast from the northeast. Regional transport from highly industrialized and urban areas of Texas and from similar regions located in the neighboring states significantly contributed to the ozone levels locally.

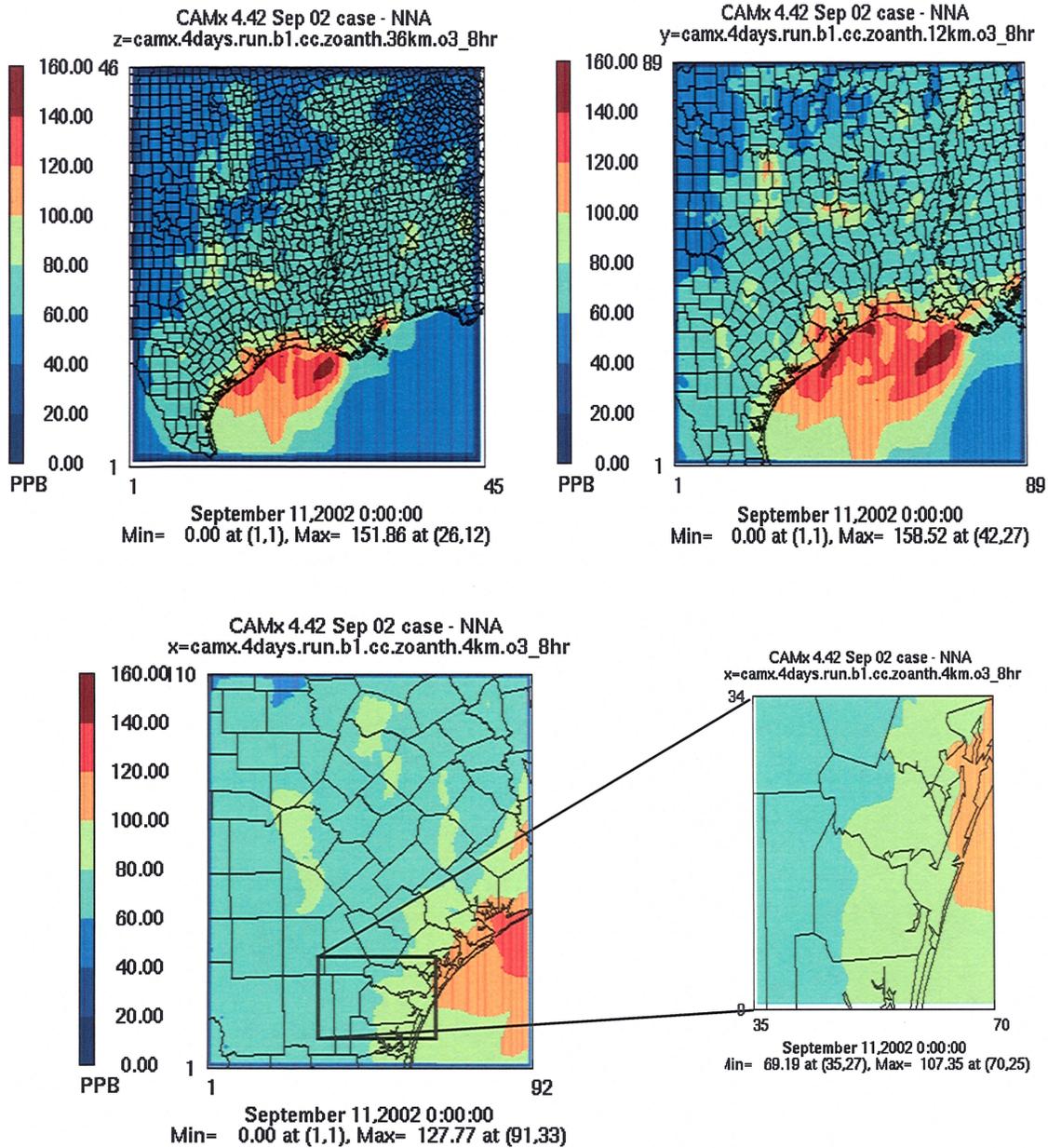


Figure 7. Impact of zero-out anthropogenic emissions for the Corpus Christi urban airshed using the September 2002 base case model



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AUG 25 2010

AIR QUALITY
DIVISION

Houston-Galveston Area Council

Office of the Executive Director

August 17, 2010

The Honorable Bryan W. Shaw, Ph.D.
Chairman
Texas Commission on Environmental Quality
P.O. Box 13087, Mail Code 100
Austin, TX 78711-3087

RE: Comments on non-attainment boundaries for 2010 revisions to the federal ozone standard

Dear Commissioner Shaw:

At its meeting today, the Houston-Galveston Area Council (H-GAC) Board of Directors voted to recommend that the Houston-Galveston-Brazoria (HGB) nonattainment area remain eight counties under the proposed National Ambient Air Quality Standard (NAAQS) revision. The U.S. Environmental Protection Agency (EPA) expects to issue ozone standards by August 31, 2010 which will include an 8-hour primary ozone standard in the range of 0.060 and 0.070 parts per million (ppm). The Board of Directors may amend or make further comments once EPA issues the final standards.

Based on 2005 Census estimates and Clean Air Act provisions, EPA may consider adding Austin, Matagorda, San Jacinto, and Walker counties to the HGB nonattainment region. Based on our review of EPA guidance, from March 2000, H-GAC finds that no additional counties should be added to the existing HGB nonattainment area. Industrial emissions are limited since the counties are primarily agricultural with two counties having significant national forest land. According to Texas State Data Center projections, the counties will remain rural with modest population increases or decreases expected through 2020. Furthermore, few significant emission control measures could be effectively implemented because all four counties are subject to vehicle fuel standards. Commuters from the four counties who travel into the current nonattainment region make up less than one percent of total commuters.

There is a valid concern regarding permitting of major new point or stationary sources located adjacent to the nonattainment area and the impact these new sources may have on overall air quality region wide. This becomes an even larger concern as the range of the proposed new ozone standard is approaching background levels for ozone and may call for additional data and analysis of impacts on the nonattainment area.

The Honorable Bryan W. Shaw, Ph.D.

August 17, 2010

Page 2 of 2

Under the 2008 eight hour ozone standard the H-GAC Board of Directors recommended that the Houston-Galveston-Brazoria nonattainment area remains eight counties for the same reasons listed above. Without additional guidance the H-GAC Board of Directors continues to recommend that the HGB nonattainment boundaries remain unchanged under the proposed ozone NAAQS revision. We hope you consider these comments as you formulate your recommendations to the Governor.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Steele', with a stylized flourish extending to the right.

Jack Steele

cc: Buddy Garcia, Commissioner, TCEQ
Carlos Rubinstein, Commissioner, TCEQ
Margie McAllister, Air Quality Division, TCEQ



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JUN 17 2010

AIR QUALITY
DIVISION

Houston Regional Group

P. O. Box 3021

Houston, Texas 77253-3021

713-895-9309

<http://texas.sierraclub.org/houston/>

June 8, 2010

Ms. Margie McAllister
Air Quality Division,
Chief Engineer's Office
Texas Commission on Environmental Quality
P.O. Box 13087, MC 164
Austin, Texas 78711-3087

Dear Ms. McAllister,

Enclosed are the comments of the Houston Regional Group and Lone Star Chapter of the Sierra Club (Sierra Club) regarding the new proposed ozone standard and the boundaries for Texas non-attainment areas.

1) The Sierra Club is concerned about important protected forests and other natural ecosystems that exist near Houston and other non-attainment areas. Sam Houston National Forest, Big Thicket National Preserve, and San Bernard National Wildlife Refuge (Columbia Bottomlands Ecosystem) all are potentially affected by the harmful effects of ozone.

The Sierra Club urges TCEQ to monitor within or near these protected areas so it is determined what ozone concentrations (secondary ozone standard) occur in these ecosystems. Protection of these areas from harmful levels of ozone ensures their continued beneficial ecological functioning for humans. Some of these free beneficial ecosystem functions include production of oxygen, storage of carbon, provision of wildlife habitat, watershed protection, and ground and surface water cleansing.

2) The Sierra Club is very supportive of the projected non-attainment area maps that show more counties included in the combined metropolitan statistical areas. These expanded non-attainment areas are necessary since ozone is a very large regional or even a state-wide problem that can only be addressed in large-scale geographic areas that are controlled with one regulatory method.

3) With regard to transport in Texas, because of its large size much of the background ozone that people refer to is probably created in non-attainment or attainment areas by sources of air pollution and then transported as background ozone or ozone precursors to other non-attainment areas. For the past 34 years the Sierra Club has seen the TCEQ and its' predecessor agencies narrowly define non-attainment areas and their boundaries. It is time to think about a

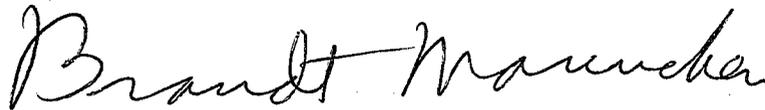
"When we try to pick out anything by itself, we find it hitched to everything else in the universe." John Muir

regulatory scheme that is region-wide (like all of East Texas east of Interstate 35) or state-wide.

Although we do get transport from other states the large number of industrial sources that emit ozone precursors, nitrogen oxides and volatile organic compounds, in both attainment and non-attainment areas (like lignite fired coal plants), create the conditions for much of the transport of ozone and its precursors that is considered background but really is generated within the State of Texas. It is time to start treating Texas as one ozone non-attainment area or we will continue to expose Texans to unhealthy air that will affect their health and welfare.

The Sierra Club appreciates this opportunity to comment. Thank you.

Sincerely,



Brandt Mannchen
Air Quality Issue Chair
Lone Star Chapter of the Sierra Club
Chair, Air Quality Committee
Houston Regional Group of the Sierra Club
Lone Star Chapter
5431 Carew
Houston, Texas 77096
713-664-5962
brandtshnfbt@juno.com



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

November 8, 2010
NOC-TX-10022102
STI: 32781732
PFN: W12.02, W02
Page 1 of 2

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AIR QUALITY
DIVISION

Ms. Margie McAllister, MC 164
Air Quality Division
Chief Engineer's Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Comments on Nonattainment Boundaries for Proposed 2010 Revisions to the National Ambient Air Quality Standard for Ozone

Dear Ms. McAllister,

The STP Nuclear Operating Company (STPNOC) appreciates the opportunity to provide comments on potential boundaries for ozone nonattainment areas related to the U.S. Environmental Protection Agency's (EPA) proposed 2010 revisions to the National Ambient Air Quality Standard (NAAQS) for ozone. EPA guidance establishes a presumptive boundary for evaluating the geographic boundaries of an ozone nonattainment area. Specifically, Matagorda County is included in the presumptive boundary for the Houston-Galveston-Brazoria (HGB) ozone nonattainment area. STPNOC operates a nuclear power steam-electric generating facility located in Matagorda County, Texas and submits the following comments regarding establishment of Texas nonattainment areas under EPA's proposed 2010 federal ozone standard.

STPNOC supports actions protective of the public health and safety that are based on sound scientific data and principles. STPNOC urges the Texas Commission on Environmental Quality (TCEQ) to base recommendations for nonattainment area boundaries on valid actual monitoring data for the areas considered. Matagorda County is adjacent to the HGB nonattainment area. Matagorda County should not be designated as a nonattainment area based solely on its physical proximity to the Houston-Galveston-Brazoria (HGB) nonattainment area. No valid data indicates that Matagorda County contributes to the NAAQS ozone nonattainment status of the HGB area. Matagorda County currently attains all national ambient air quality standards including ozone. Matagorda County is a predominantly rural area with a relatively low population. Total county population increases are expected to be modest through 2040 with the projected total county population remaining below 50,000¹. Industrial and mobile emissions originating from the county are limited². No actual ambient ozone data is available for the county. Therefore, we believe that there is insufficient basis for adding Matagorda County to the HGB nonattainment area.

¹ Texas State Data Center and Office of the State Demographer. *2008 Methodology for Texas Population Projections*. <http://txsdc.utsa.edu/cgi-bin/prj2008totnum.cgi>, February 2009.

² Texas Commission on Environmental Quality. *Preliminary 2008 Emissions Inventory submitted to the United States Environmental Protection Agency June 2010 under the Consolidated Emissions Reporting Rule covering certain Texas counties*. <http://www.tceq.state.tx.us/assets/public/implementation/air/sip/hgb/EI2008CERR.pdf>, as viewed on TCEQ website on November 3, 2010.

NOC-TX-10022102
STI: 32781732
PFN: W12.02, W02
Page 2 of 2

Thank you for your consideration of these comments when you provide your recommendations on potential boundaries for ozone nonattainment areas to the Governor. If there are any questions regarding these comments, please contact me at 361-972-8328 or via e:Mail at sldannhardt@stpegs.com or Ms. Peggy Travis of my staff at 361-972-8573 or via e:Mail at pltravis@stpegs.com.

Sincerely,



Sandra L. Dannhardt
Environmental Manager

PLT/plt

From: Tammy Cromer-Campbell <tammy@tccphoto.com>
To: MMCALLIS@tceq.state.tx.us
Date: 7/15/2010 4:51 PM
Subject: OZONE COMMENTS

Please note that my comments are from
WE CAN WORKING EFFECTIVELY FOR CLEAN AIR NOW (founded in 2000)

New EPA Ozone Standards

The new EPA OZONE standards are great for public health and would save 65 premature deaths (1) in the area according to a LNJ article dated 4/22/01 titled "Group Aims to Avoid Violations, fix ozone problems."

Everybody is concerned with transport from state to state. When the new ozone standard is enacted, all states will have to comply. so logic would have it the transport numbers would go down.

East Texas is unique with it's air quality. Environ studies show that North East Texas' problems are four point sources: TXU's Martin Lake Power Plant, Monticello Power Plant, AEP's Pirkey Power Plant, and Eastman Chemical. The trees are not the problem. It is polluting industry.

While I will agree that our ozone numbers have gone down for NETX, there is plenty of room for it to come down even more. Martin Lake is number one in mercury emissions according to a 2007 study by the Environmental Integrity Project and AEP's Pirkey power plant is number one in mercury emissions per kilo watt hour. I mention mercury because with stricter standards, then the mercury emissions will come down too. Wouldn't that be great for our area. Cheers to the EPA for protecting public health !!!

Tammy Cromer-Campbell
TCC PHOTO | GALLERY & PRODUCTIONS
207 N. Center St. | Longview, TX 75601
903.236.4686 | tammy@tccphoto.com

<http://www.tccphoto.com>
<http://www.tccphotogallery.com>
<http://www.fruitoftheorchard.com>

A Green Dot Award Winner and National Women's History Project's Women Taking the Lead to Save Our Planet



**RICHARD ANDERSON
HARRISON COUNTY JUDGE**

HARRISON COUNTY COURTHOUSE
200 WEST HOUSTON, ROOM 315
MARSHALL, TEXAS 75670
TELEPHONE (903) 935-8401 • FAX (903) 935-4853



August 29, 2002: Background Ozone

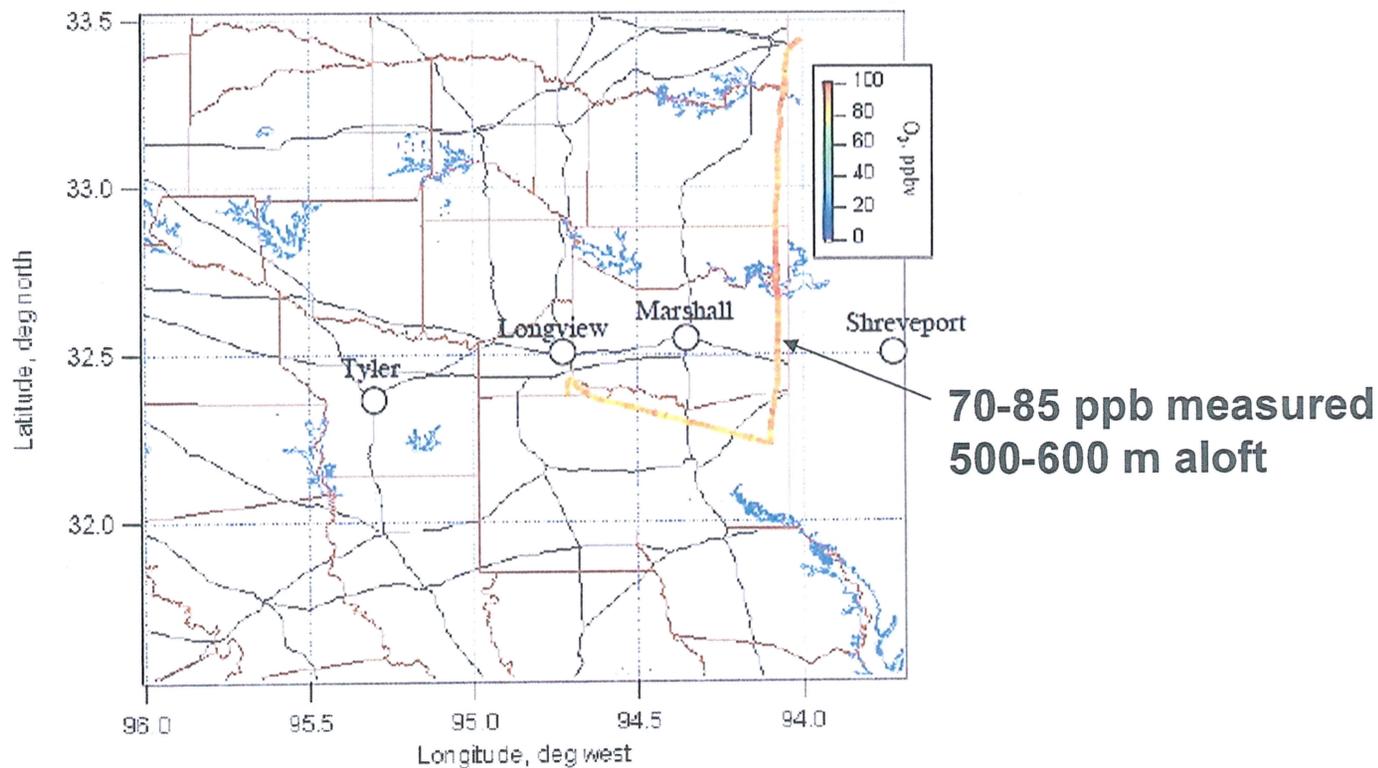


EXHIBIT TO
MADISON STATEMENT

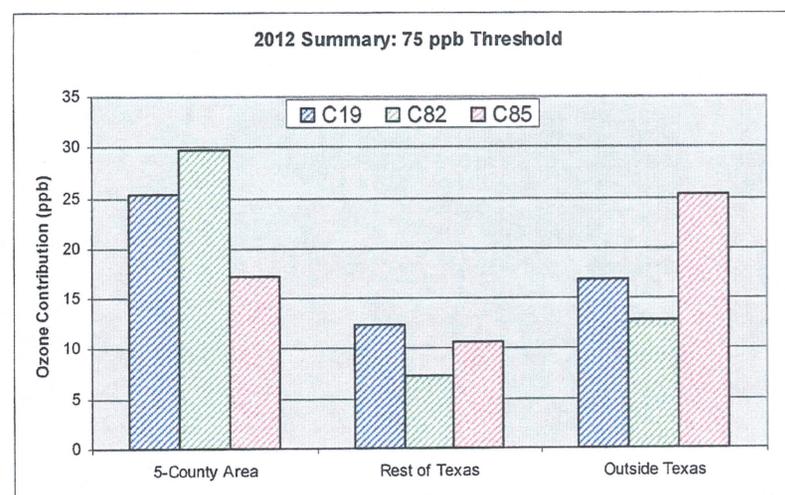
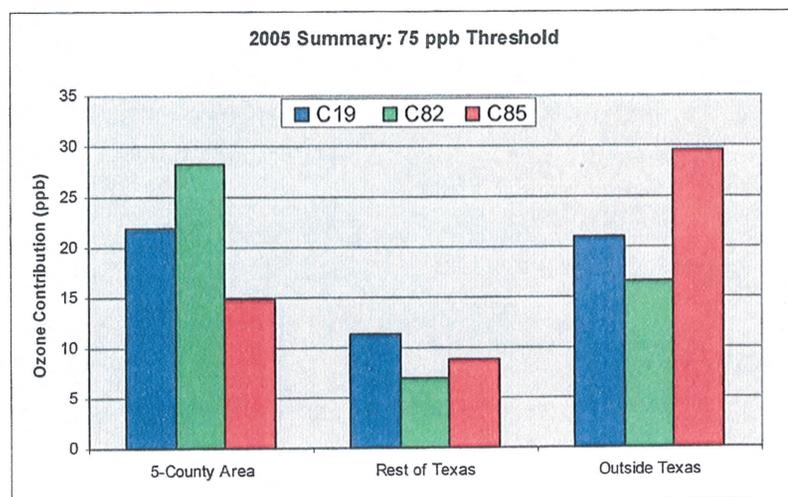
- Baylor aircraft flight, northeasterly winds
- 8-hour daily max ozone ranged from 76 ppb at Tyler to 88 ppb at Karnack



Contributions to Ozone at Monitors When Ozone > 75 ppb

2005

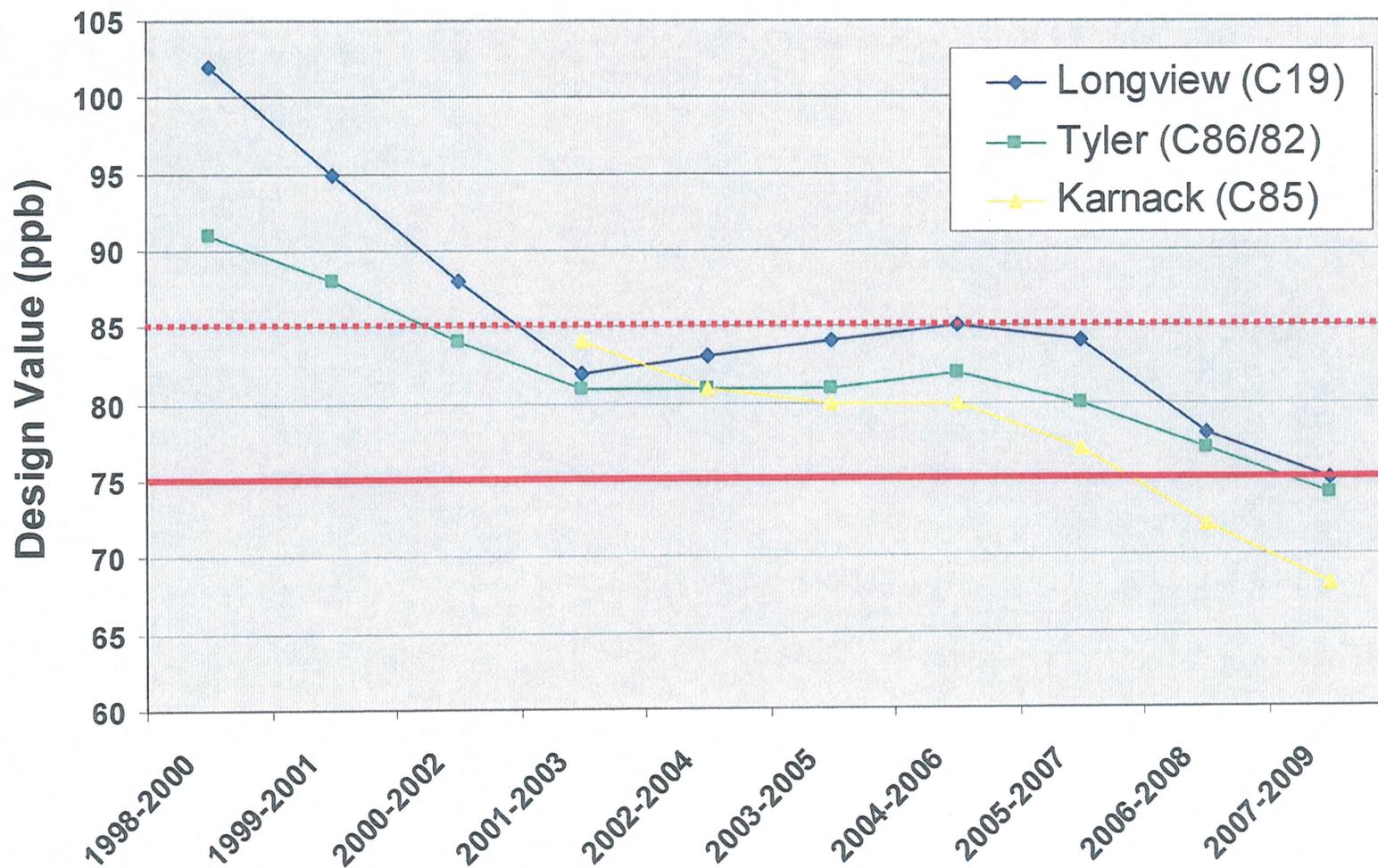
2012



PAGE 3 OF 6

- Local sources and transport both important
- Transport from outside Texas decreases at all three monitors going from 2005 to 2012
- Transport contributions larger at Karnack and Longview than Tyler
- Local sources make largest contribution at Tyler
 - Tyler tends to be downwind of more of the 5-County area on high ozone days
- Local contributions increase from 2005 to 2012 at all three monitors

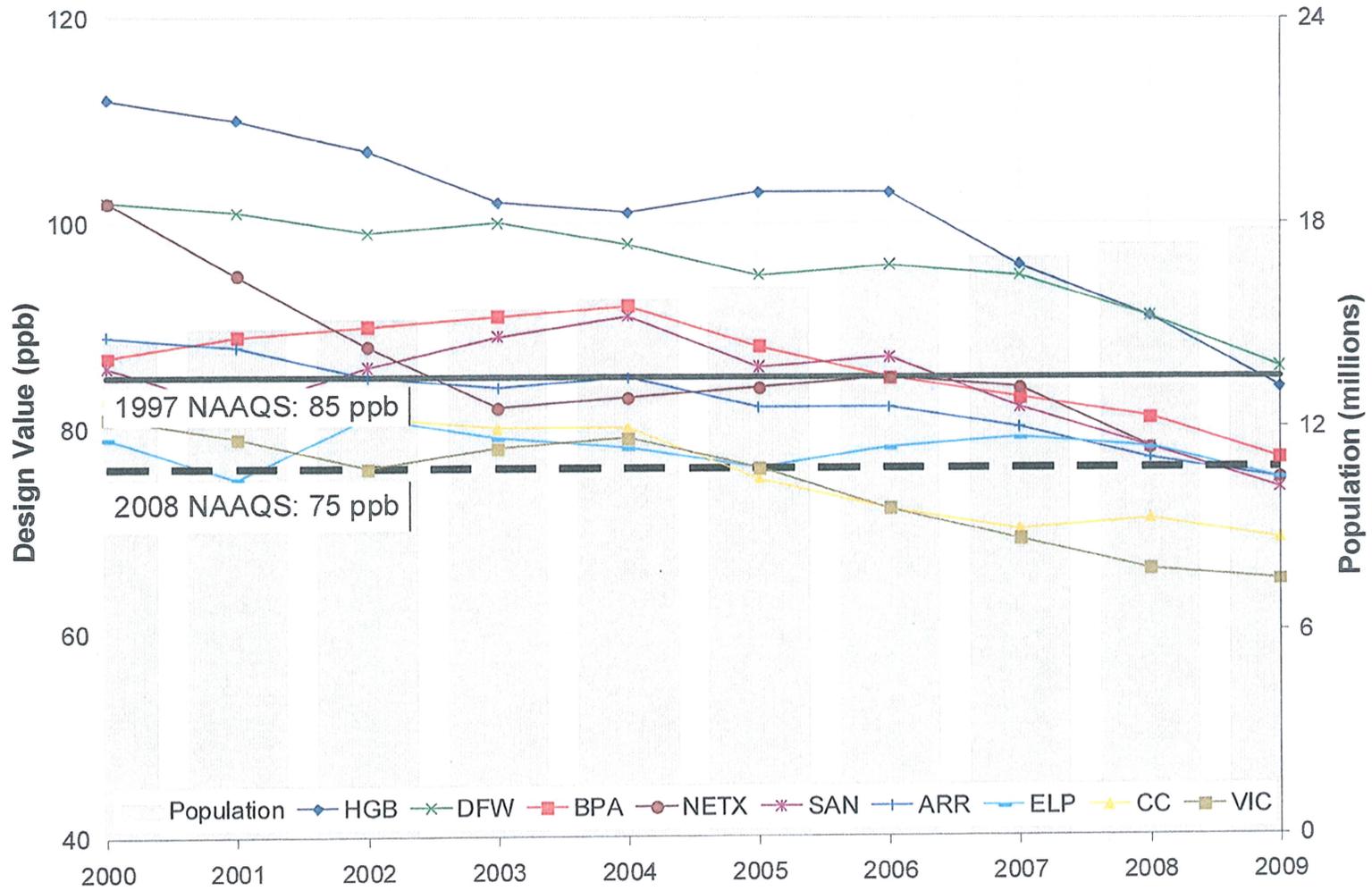
8-hour Ozone Design Value Trends





Texas Primary Ozone Design Value and Population Trends

PAGE 5 OF 6



NOx Emission Reductions from the NETAC FAR Agreement

| Company | Facility | 1999 Emissions (Tons/Day) | Reduction (Tons/Day) | Reduction (Percent) |
|----------------|----------------|---------------------------|----------------------|---------------------|
| Luminant (TXU) | Martin Lake | 78.5 | -21 | -27% |
| AEP/SWEPCO | Pirkey | 23.4 | -5.4 | -23% |
| Eastman | Chemical Plant | 14.4 | -3.9 | -27% |

- These emission reductions resulted from voluntary board orders negotiated by NETAC under the FAR agreement
- The daily emission totals are from the ozone modeling analysis performed by NETAC and utilized the ozone SIP revision



TEXAS HOUSE OF REPRESENTATIVES
CHARLES "DOC" ANDERSON

STATE REPRESENTATIVE DISTRICT 56

COMMITTEES: AGRICULTURE & LIVESTOCK, VICE-CHAIR

PENSIONS, INVESTMENTS, & FINANCIAL SERVICES • HOUSE RULES & RESOLUTIONS

**REMARKS BY REPRESENTATIVE CHARLES "DOC" ANDERSON
TCEQ PUBLIC MEETING ON EPA OZONE STANDARDS**

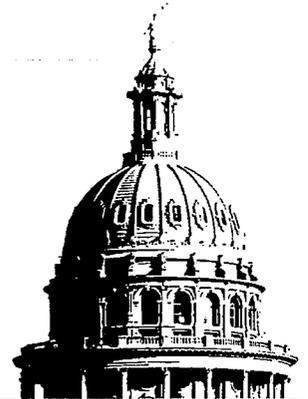
June 17, 2010

I appreciate the opportunity to present comments on behalf of my constituents and many other concerned Texans regarding proposed revisions to the 2008 National Ambient Air Quality Standards. As a legislator who has successfully fought for clean air, against obsolete coal plant technology, and in favor of forward-looking policy on gasification and alternative energy sources, it should be clear that any collaborative policy should reflect consensus, proper utilization of sound technological resources, and reason. The EPA's proposed revisions are lacking in all three.

The common efforts of both the public and private sectors in Texas have produced quantifiable results and a demonstration of this state's commitment to being responsible stewards of our environment. Together over the past ten years, Texans have achieved a 22% reduction in ozone and 46% reduction in NOx emissions, while at the same time growing 16% in population. These achievements are well ahead of reductions nationwide (8% ozone, 22% NOx). This should be noted for more than its irony; it should serve as a model for level-headed action by other states and--unfortunately, as we've come to discover--our own federal government.

In addition to other observations already made which assert that the EPA is exceeding even the boundaries of the law it is charged to uphold, I would emphasize that federal overreaching in this area is more than a threat to the concept of decentralized governance. This new NAAQS is: 1) inconsistent with the Clean Air Act, review process, and implementation schedule, which clearly does not provide EPA with the authority to alter or expedite implementation schedules. Furthermore, 2) there is no new significant scientific evidence to support revisiting the 2008 NAAQS; 3) the cost to public health benefit analysis has not been substantiated to support such an arbitrary change; and 4) these standards are so stringent as to possibly preclude effective compliance.

In conclusion, the proposed revisions to 2008 NAAQS should be withdrawn. I submit that sound policy and clean air need not be mutually exclusive. Our continued, collaborative, successful work in Texas has shown that. Thank you again for this opportunity.



Impacts of an Ozone NAAQS Non-Attainment Designation on McLennan County

The Federal Clean Air Act requires that states with nonattainment areas submit a State Implementation Plan (SIP) that demonstrates how each nonattainment area will attain the applicable 8-hour ozone standards. McLennan County is currently designated as unclassifiable/attainment for the ozone National Ambient Air Quality Standards (NAAQS).

1. **Subject to New TCEQ Rules:** If McLennan County is designated as non-attainment, the county would be subject to an EPA-approved State Implementation Plan (or SIP), which is a large-scale emission control strategy designed to reduce ozone. The TCEQ would be responsible for developing the SIP, and it is likely that TCEQ would create new rules including more stringent regulations for industrial sources, businesses and residents in McLennan County.
2. **Potential Reduction in Industrial Activity:** Ozone nonattainment areas are not conducive to attracting industrial development projects that have the potential to emit large volumes of emissions. If McLennan County is declared to be a nonattainment area, development projects would likely be located in other counties, which would adversely impact the local economy and tax base. Nonattainment New Source Review is a very lengthy permitting process, which may include requirements to offset proposed emission increases at a ratio of 1.1 to 1 or higher in marginal nonattainment areas. In addition, facilities could more easily be defined as "major sources" under a nonattainment definition, requiring them to obtain a Federal Operating Permit (Title V) which adds more burden on the industrial sites in terms of reporting and recordkeeping requirements.
3. **Emissions Offsets & LAER:** Any new major sources and major modifications in McLennan County would be subject to emissions offsets and a stringent emission control standard known as "LAER" (Lowest Achievable Emission Rate). Any existing sources would be subject to Reasonably Available Control Technology (RACT).
4. **Potential Impact on Transportation and Sanctions:** As part of the SIP process, states with nonattainment areas must demonstrate that reasonable further progress is being made to achieve the standards and that existing emission sources are subject to reasonably available control technology. Any state that fails to submit a timely SIP or fails to have its SIP approved is subject to "offset sanctions" and "highway sanctions." Mobile sources would also be more tightly regulated (e.g., Inspection & Maintenance Programs, low sulfur gasoline, heavy-duty diesel standards, or speed limit restrictions).
5. **Potential Impact on Non-Road Mobile Sources:** If designated a non-attainment area, McLennan County may be subject to non-road mobile source strategies including the following:
 - Standards for diesel engines and locomotives;
 - Stationary diesel engines may be prohibited from testing and maintenance between 6am – noon;
 - Combustion sources may have specific requirements including fuel type and emissions limitations;
 - Gas-fired lean-burn and rich-burn engines may have emissions limits.

From: Cynthia Redwine <CRedwine@breathehealthy.org>
To: "mmcallis@tceq.state.tx.us" <mmcallis@tceq.state.tx.us>
Date: 6/14/2010 4:52 PM
Subject: FW: Ozone Designation and Boundaries

Dear Margie,

Please find pasted below the comments I shared on behalf of the American Lung Association of the Central States at the public meeting last week regarding the EPA proposed revised Ozone standards. Thank you for this opportunity. Please contact me with any questions.

Sincerely,
Cynthia

Cynthia Redwine
Director of Environmental Health
American Lung Association of the Central States
serving Arkansas, Kansas, Missouri, Nebraska, Oklahoma, and Texas
2030 North Loop West, Suite 250
Houston, Texas 77018
p (713)629-5864 ext 206
f (713)629-5828
www.breathehealthy.org<<http://www.breathehealthy.org/>>
Fighting for Air.

Air pollution continues to threaten the lives and health of millions of people in the United States despite great progress. Overwhelming evidence shows that the current primary standard failed to meet the requirements of the law and protect public health from serious harm. The American Lung Association recommends the EPA adopt the most protective level in the proposed range: 60 ppb.

Ozone is a powerful respiratory irritant that leads to shortness of breath, chest pain, inflammation of the lung lining, wheezing and coughing, increased risk of asthma attacks, need for medical treatment and for hospitalization for people with lung diseases, and premature death. Children who grow up in areas of high ozone pollution may never develop full lung capacity in adulthood. Ground level ozone is one of the nation's most widespread air pollutants and threatens the health of millions of people. Where we are meeting today, the Houston-Baytown-Huntsville metropolitan statistical area alone is comprised of a population of over 5.7 million people that are regularly exposed to unhealthy and dangerous levels of ozone smog. The American Lung Association's "State of the Air 2010" report shows that the air quality in many places has improved, but that over 175 million people-roughly 58 percent-still suffer pollution levels that are too often dangerous to breathe.

The Clean Air Act requires that air quality standards must be set at levels that protect public health, including that of sensitive populations, with an adequate margin of safety. The people at greatest risk of suffering the adverse health effects of ground level ozone include individuals with lung disease, children, people who work or exercise outdoors, senior citizens, those suffering from cardiovascular diseases and diabetes, and otherwise healthy individuals who experience health effects at lower levels of exposure than the average person. While many suffer the greatest risk, the fact remains that the serious health effects of Ozone pollution affect us all. Therefore, the American Lung Association of the Central States recommends inclusion of the greatest area possible to be designated as non-attainment to protect the greatest number of Texas possible from these serious health effects.

In addition to adverse health effects ranging from respiratory symptoms, lung function changes, emergency department visits for respiratory disease, and hospital admissions, we also know that breathing ozone can shorten human life at levels currently considered safe. All Americans deserve to breathe clean air and we are counting on the EPA and the TCEQ to deliver cleaner air in our communities.

RECEIVED

SEP 01 2010

**AIR QUALITY
DIVISION**

Ms. Margie McAllister
Air Quality Division,
Chief Engineers Office
P.O.Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

Dear Ms. McAllister,

These comments are being submitted on behalf of COPPS FOR CLEAN AIR, an organization with members located throughout Texas, including the D/FW nonattainment area, Navarro County and Freestone County addressing the TCEQ's ability and responsibility to submit a list of areas to be designated attainment, nonattainment or unclassifiable for new or revised air quality standards to be submitted in the near future to the United States EPA from the state of Texas.

We fully understand the impact it will have on our lives in Navarro and Freestone Counties, but it is in the best interest of the residents that we request Navarro and Freestone County, Texas be declared nonattainment and on that list to the EPA for the following reasons.

Navarro County obtained an operating air monitor on June 17th, 2009. After only one year of operation, the readings are showing high levels of sulfur dioxides and PM 2.5 in our air quality, which is causing spikes in our ozone levels. In July 2010 we questioned the TCEQ's air monitor data division about these readings. We were told the readings were reflective of the south/southwest winds and the coal-fired power plants in two counties on Navarro County's southern borderlines. Freestone and Limestone counties are home to EFH's Big Brown and NRG's massive power plant coal operations and those emissions are being read on our air monitor in Navarro County. We have had personal meetings with the TCEQ and EPA that confirm, Navarro County is the fall out area concerning those coal-fired power plants' emissions to our south.

The population density of Navarro County is less than 50,000 people and 53% of those people live in the city limits of Corsicana, Texas our county seat, which is northwest of our air monitor. The vast size of our county is farm and ranch land without much industry that would create a sulfur dioxide, PM 2.5, ozone air quality problem on the air monitor readings. The only positive population growth we have seen here in years happened when Richland Chambers Lake was created in the late 1980s and that has been a very slow and limited process.

As for the traffic and commuting patterns in Navarro County, we know of no stats or reports to refer back to. Interstate 45 and State Hwy. 287 run north and south through our county and State Hwy. 31 runs east and west here. We will concede the weather/air transport patterns are of great concern to us as the normal wind flow into our county is from the south/southwest direction at most times. That is another reason to mention the coal plants to our south once again and their emissions flowing into our area that we have no way to stop.

The geography/topography of Navarro County is low bottomland prone to flooding where ozone created by the emissions coming from the coal-fired power plants in Freestone and Limestone Counties gathers. There is a white cloud of haze in the lower elevations of Navarro County that can be seen with the naked eye on most days. We have

captured it on many pictures and given those pictures to the TCEQ and Region 6 EPA. Those areas are populated farms and ranches with livestock, stock ponds and crops, which suffer the worse effects of the ozone coming from the coal plants.

As for the jurisdictional boundaries, we would remind you that Navarro County falls into the air quality region north to the D/FW nonattainment area, if we have read that map correctly. That would indicate our substandard air quality is lending to the failure of the D/FW area to meet the CLEAN AIR ACT as set forth by the United States' EPA standards.

Although the CLEAN AIR INTERSTATE RULE is on hold, we would remind you that the state of Texas continues to violate the air quality in surrounding states. That is not a fact that can be easily ignored and the issue will come up again in the future.

The failure of the Texas Commission on Environmental Quality to provide air monitors in rural areas, where they permit so many coal-fired power plants, should have gotten someone's attention, in charge, at the TCEQ many years ago. "Rural does not mean dead people." The lack of air monitor data in a concentrated area full of coal-fired power plants is an insult to the people who must live with those TCEQ permits.

We live, have kids, build homes, buy land, raise cattle, goats, hogs, sheep, raise crops such as corn, cotton, hay, wheat, maize, plus produce we sell around the world, we support our local economy and pay our taxes !! We are the backbone of America and we are ignored ? That old saying sacrifice a few for the good of many stinks and we are very tired of the smell.

COPPS FOR CLEAN AIR respectfully request that Navarro County and Freestone County to be declared nonattainment, with full knowledge of the ramifications of that request. Limestone County should also be declared nonattainment as the NRG's power plant continues to grow even larger with new TCEQ permits. All three of the above counties should be off limits to any more power plants permitted by the TCEQ until the coal-fired plants in our area have run their life spans out. At that point in time the air in these three counties could be re-evaluated and the nonattainment status could be lifted if the air quality proves to be acceptable for humans to inhale.

With respect,
Vicky Prater, Spokesperson for COPPS FOR CLEAN AIR
Navarro and Freestone Counties, Texas
P. O. Box 1896
Corsicana, Texas 75151
903-879-5841

CC: TCEQ's David Brymer
CC: EPA's Dr. Alfredo Armendariz
EPA's Thomas Diggs
EPA's Jeff Robinson
EPA's Lisa Jackson



Ms. Margie McAllister
Air Quality Division,
Chief Engineers Office
P.O.Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087
mmcallis@tceq.state.tx.us

Sept. 3, 2010

Dear Ms. McAllister,

These comments are being submitted on behalf of COPPS FOR CLEAN AIR, an organization with members located throughout Texas, including the D/FW nonattainment area, Navarro County and Freestone County addressing the TCEQ's ability and responsibility to submit a list of areas to be designated attainment, nonattainment or unclassifiable for new or revised air quality standards to be submitted in the near future to the United States EPA from the state of Texas.

I and my neighbors fully understand the impact it will have on our lives in Freestone Counties, but it is in the best interest of the residents here that I request Freestone County, Texas be declared nonattainment and on that list to the EPA for the following reasons.

Freestone County Texas is a county which, according to published statistics, has the dubious distinction of emitting more than 5% of the air pollution in Texas. That's out of 254 counties. The TCEQ came to meet with our County Commissioners and told them that our county is the worst in the State of Texas for Sulfur Dioxide emissions. And just to throw in one more statistic, in 2002 we ranked among the dirtiest top 10% of counties in the U.S. for chemical and waste releases (according to Scorecard). Our County is known to have a high cancer rate and incidence of childhood asthma and autism.

We are home to Big Brown I and II, an old coal fired power plant burning lignite coal. Big Brown ranks among the dirtiest power plants in the country for Sulfur Dioxide, Carbon Dioxide and Mercury emissions. One of the main sources of the precursor emissions of ozone-~~Nox~~ and VOCs are fossil fuel fired electric generating units, as well as industrial boilers and automobiles.

Within only a few miles of Big Brown is a large gas fired power plant, Freestone Generation, putting out CO₂, SO₂ and Nox and Vocs.

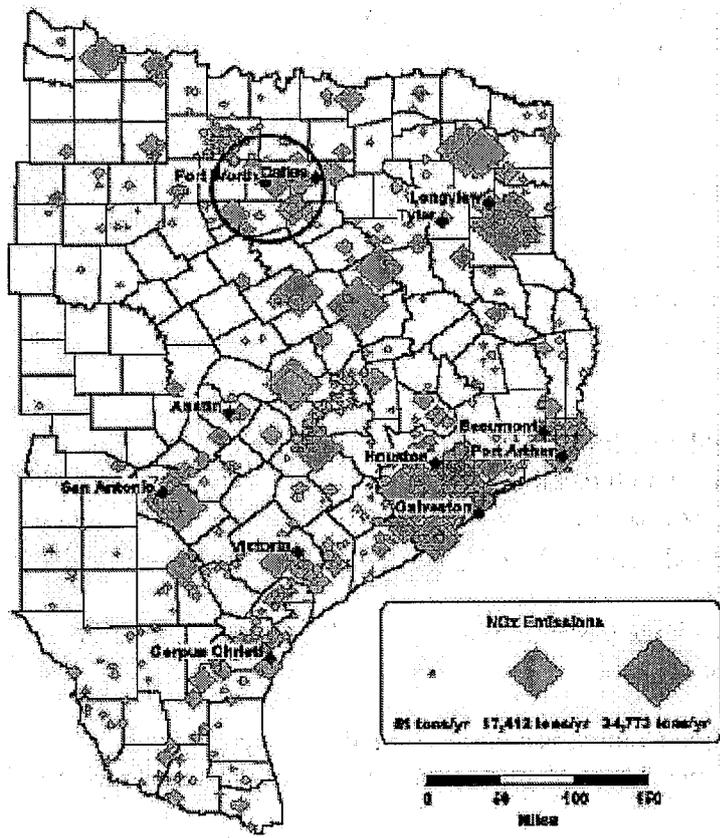
In Streetman, where I live, also in Freestone County, is a large TXI Industries plant, with expanded shale and clay products operations. These plants are known to emit Particulate Matter and Mercury among other chemicals.

You can't spit in Freestone County without hitting a gas well. We have 130 compressor stations in Freestone County. Each is allowed to emit 250 tons per year of Nitrogen Oxides and 25 tons per year of Sulfur Dioxide. That's adding a total of 32,500 tons of Nox and 3,250 tons of SO₂.

Just south across the County line in Limestone County is NRG I, II, and III (being permitted). These large coal fired power plants also rank among the leading polluters in the country.

A 2004 modeling study of sources of ozone for the DFW area showed Freestone and Limestone Counties as major point sources of Nox and Voc emissions. Those big red dots on the map (in that study) are Big Brown and NRG Limestone. This report (prepared by Environ International, for the Dallas Fort Worth Transport Project) went on to say “MacDonald et al. (2001) also examined data from six flights designed to measure ozone production within rural NOx point source plumes in eastern Texas. **Well defined plumes were identified during three of these flights which measured NOx, ozone, and SO₂ downwind of the Big Brown coal-fired power plant in Freestone Co.**”

The diagram below shows major point sources of Nox in East Texas. Those two very large blue boxes below the DFW metroplex are Big Brown and NRG Limestone, blanketing Freestone County, which is obscured by blue squares. (This is from the NETPS, which lists Big Brown and Limestone as major sources affecting DFW.)



Now, within only a few miles of Big Brown and Freestone Generation, another gas fired power plant is requesting an air permit. And, just to keep the record straight, another gas fired power plant is requesting an air permit just across the County line in Navarro County.

If this sounds like an endless litany of polluters, it is.

How many power plants in a small area does one community have to endure? I am aware that we do not have the population density of urban areas. Our population is probably at 20,000, with perhaps an 8-10% growth rate. We also don't have the traffic that urban areas have. We have only one major Highway, Interstate 45. We can eliminate that source of ozone. We do, however, have a source the urban areas don't have. We have coal fired power plants.. We are living under a major source contributor to the ozone in the DFW area.

Why shouldn't the Clean Air Act apply to citizens in rural areas as well as to those in urban areas.

In past years the TCEQ has declined to provide us with an air monitor, i.e. there is and will not be any data.. We've been told that we don't need an air monitor, because there is a new one in Navarro County, which is close enough. No air monitor automatically makes us in attainment (or at least unclassified) for air quality purposes.

The readings on the air monitor in Navarro County show that the ozone levels are above the proposed new standards. This will make Navarro probably in non attainment. Ellis County, to their north is already considered in non attainment. As far as I am aware, Navarro County does not have a power plant and Ellis has only one power plant. So, where does their air pollution come from? It comes from the south. That's us. It comes from Big Brown and just to our south, from NRG Limestone. Our wind direction is consistently from the south/southwest, exactly where the large, coal fired power plants are. As recently as twenty five years ago a major lake was impounded, and another one is planned, because we are low lying bottom lands, consisting of farms, ranches, wetlands, and small towns. These low areas are prone to flooding, which made/makes them ideal for lake creation, but also allows emissions from these coal plants and other local sources to collect. Our dirty air also travels north to the DFW area and heavily influences their air problem.

The refusal to give us an air monitor is playing a game with our health. Here's the game. We are in attainment because we have no air monitor. We can't have an air monitor because we're too small, and besides Navarro has one. Navarro and Ellis get their air pollution from us, and therefore can be in non attainment. If Navarro is declared in non attainment, that decision will not affect us, even though their air monitor is good enough for us. We remain in attainment because we have no data. No one will take data.

Because we are considered in attainment we are a dumping ground for new power plants, etc. If you can't go anywhere else, you can always build, drill, dump, etc. in Freestone County.

Freestone County should be declared in non attainment just because we are a major source of air pollution in this part of the state. There are folks here breathing this dirty air every day and we are just as important as the folks in the cities.

If you won't give us an air monitor, at least give us a fighting chance.

Thank you,

Barbara Lawrence
286 Lincoln Dr.
Streetman, TX 75859
(903) 389-4301
blawrence@tgi.net

From: [redacted e-mail address]
To: MMCALLIS@tceq.state.tx.us
Date: 6/24/2010 1:10 PM
Subject: Proposed ozone standards

Please leave the ozone standards where they are.
Our economy is fragile at best. We need to do everything we can to
promote business.
Our country already has some of the strictest air regulations in the world.
Kathy O'Callaghan

Ms. Margie McAllister
Air Quality Division
Chief Engineers Office
P. O. Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

RECEIVED
SEP 01 2010
AIR QUALITY
DIVISION

CERT.: 7010 1060 000180858205

RE: Navarro County, Texas
Non-Attainment Status,
Air Quality

Dear Ms. McAllister:

With a complete understanding of what said designation will mean for the people of this area: On behalf of **People United for the Environment**, please accept the following comments urging Navarro County, Texas, be designated a NON-ATTAINMENT county for air quality and placed on the list to the EPA for the following reasons.

Navarro County has a working air monitor placed here in June of 2009. At this time the readings are reflecting high Sulfur Dioxide levels and high PM 2.5 levels. Also we are having spikes in the Ozone levels. Our topography is low bottom land and this contributes to the effects of the collection of the Sulfur Dioxide and PM 2.5 in our farming and agricultural area as well as in our many small towns.

It has become clear to us that the sources for the above listed readings are coming to us from other counties over which we have no control. The most prominent sources for our air problems are the power plants located directly to our south (with more planned to locate there).

The Ellis County line on our north border is the closest non-attainment area at this time. Ellis and Dallas Counties are dependent on the cleaner air from Navarro County. Should Navarro County air degrade it will directly negatively further impact the existing SIP area—in fact, it will make it almost impossible for them to meet their federal mandates under the CLEAN AIR ACT.

We have a population of 50,000 here in Navarro County and most live in the City of Corsicana. We have had slow residential development around Richland Chambers Lake over the past decade. However, I am attaching and including as part of my official comment (Please see Attachment A) materials which were given to the Corsicana City Council as a preview for its re-districting after the current census. As you will see the area of most growth in Texas comes right

through Navarro County. This means we will have many more mobile source emissions to deal with and THEREFORE must be very cautious of our Point Source Emissions within Navarro County. Also, we must take a greater interest in emissions being created South of Navarro County.

Navarro County as part of Texas violates the CLEAN AIR INTERSTATE RULE with the NOx flowing into other states. The high levels of sulfur dioxide in Texas should be included in that list.

The TCEQ mandate is to keep the existing air quality and to make sure that it is not further degraded. There is no other help for us here other than to ask for designation as a NON-ATTAINMENT area so that we will have better controls to keep what air quality we have left and not have it degraded further and thus avoid negative impacts to the existing SIP area.

Sincerely yours,



Diana Peairs Rawlins

Spokesperson, **People United for the Environment**

1541 W. 4th Ave.

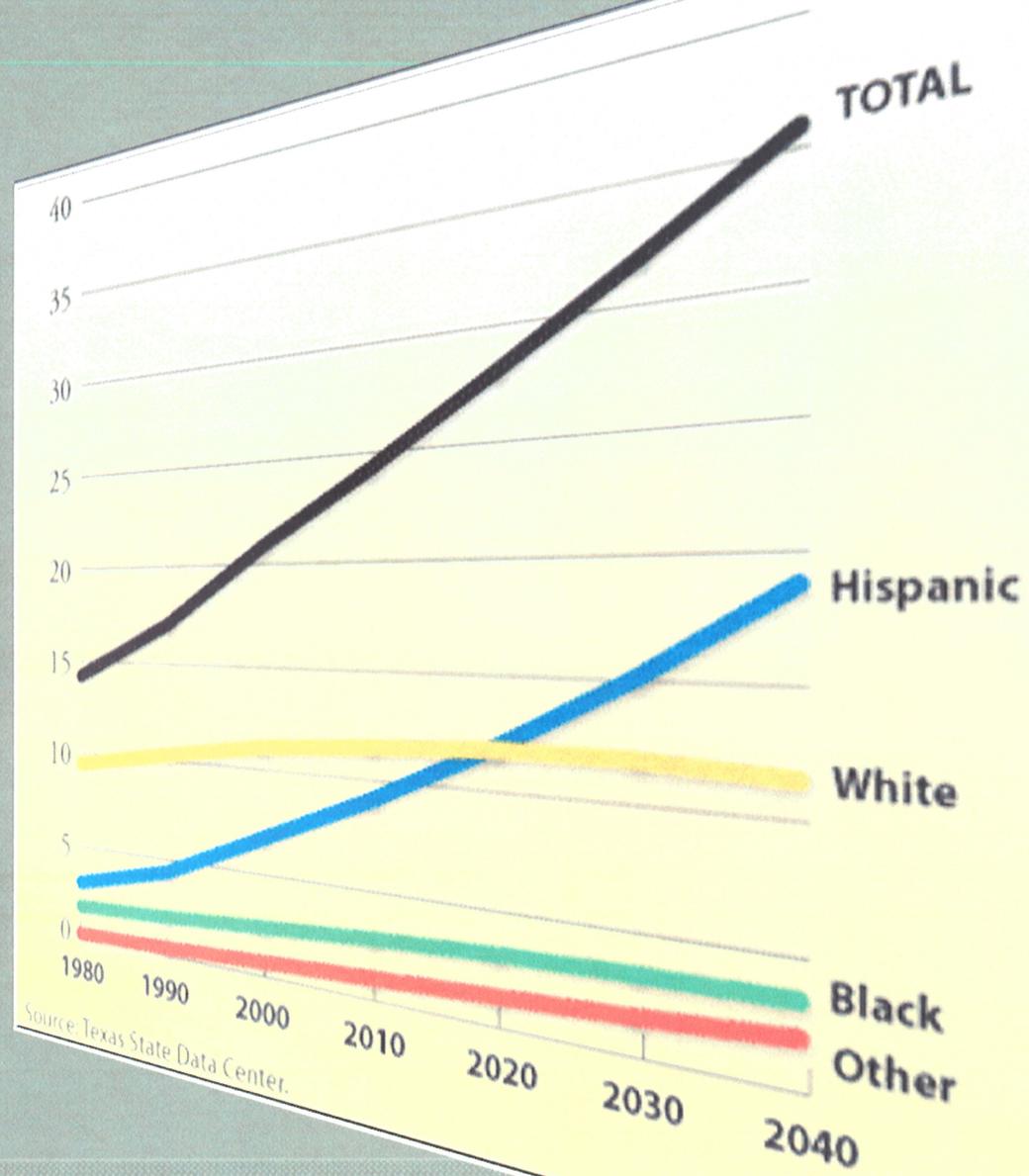
Corsicana, Tx. 75110

903-872-3336

Enc: Attachment A

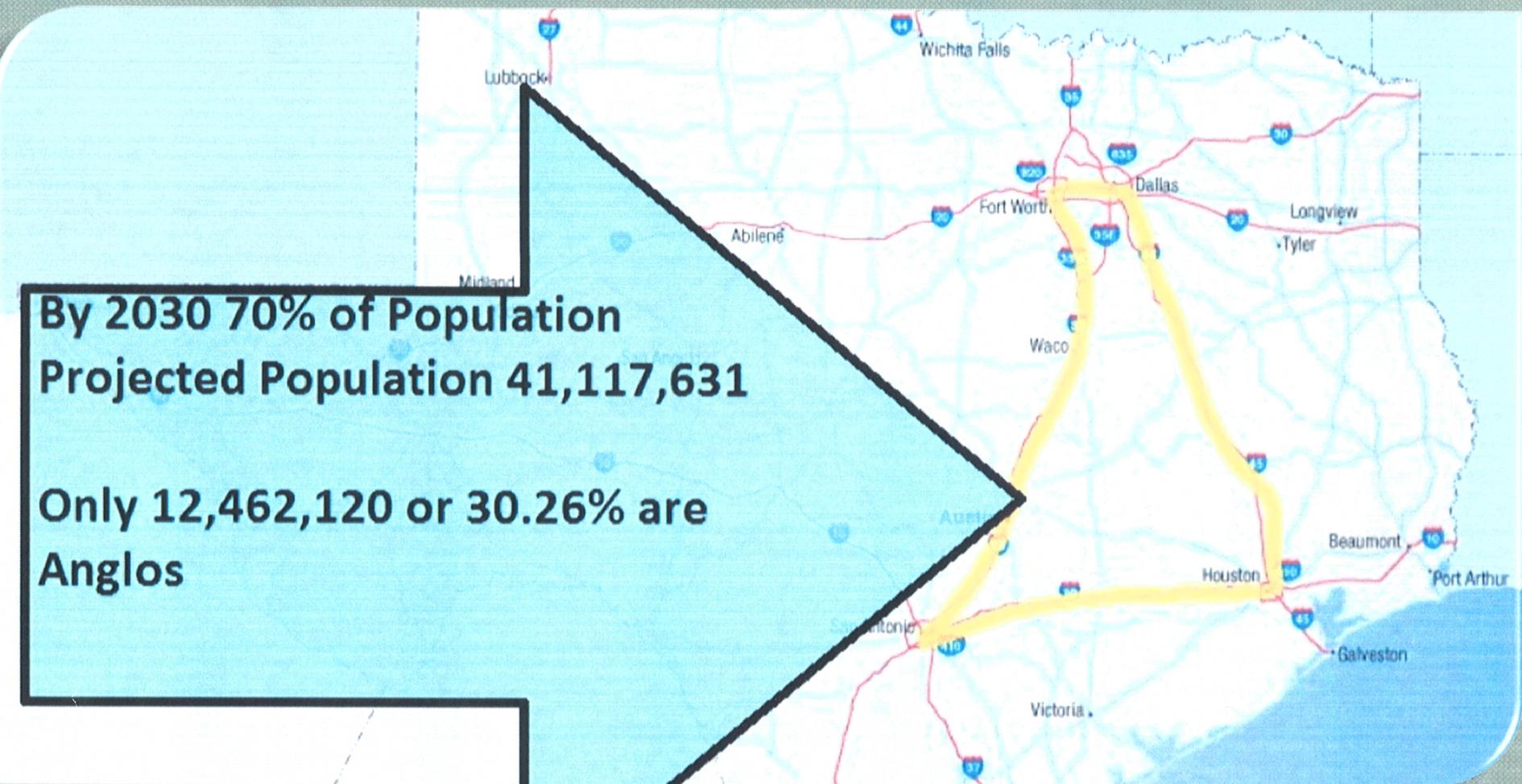
CC: Dr. Alfredo Armendariz
Regional Administrator, Region 6, US EPA
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Texas Changing Population



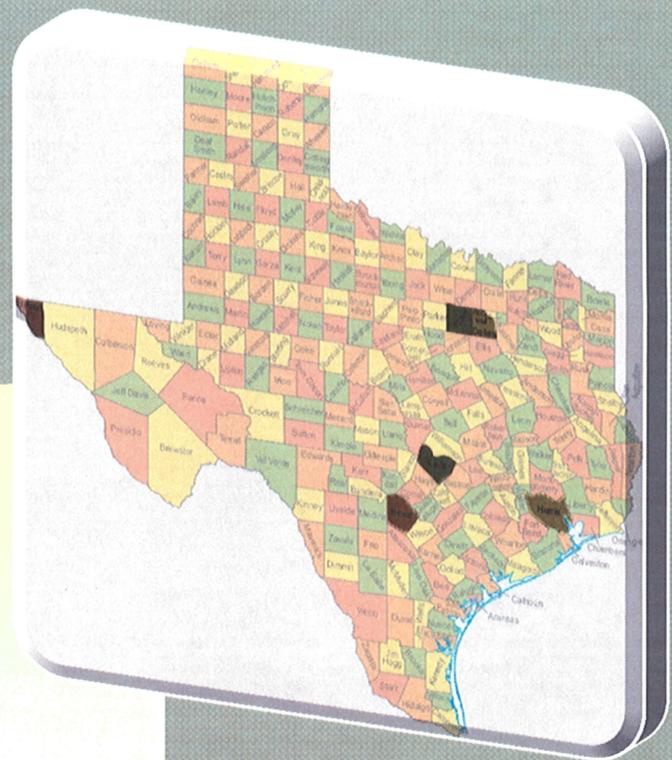
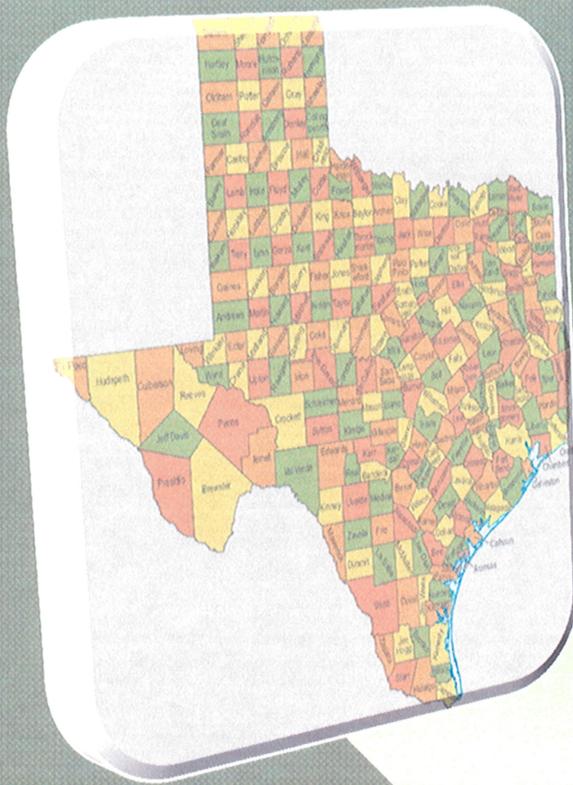
Source: Texas State Data Center.

Attachment # of Page 2



**By 2030 70% of Population
Projected Population 41,117,631**

**Only 12,462,120 or 30.26% are
Anglos**



Texas Census
 1950 = 7,711,194
 1960 = 9,579,677
 1970 = 11,196,730
 1980 = 14,229,191
 1990 = 16,986,335
 2000 = 20,851,820
 2010 = 25,373,947

2030 = 41,117,631 = 30.25% Anglo

Texas is larger than New England, New York, Pennsylvania and Ohio

NORTH CAROLINA

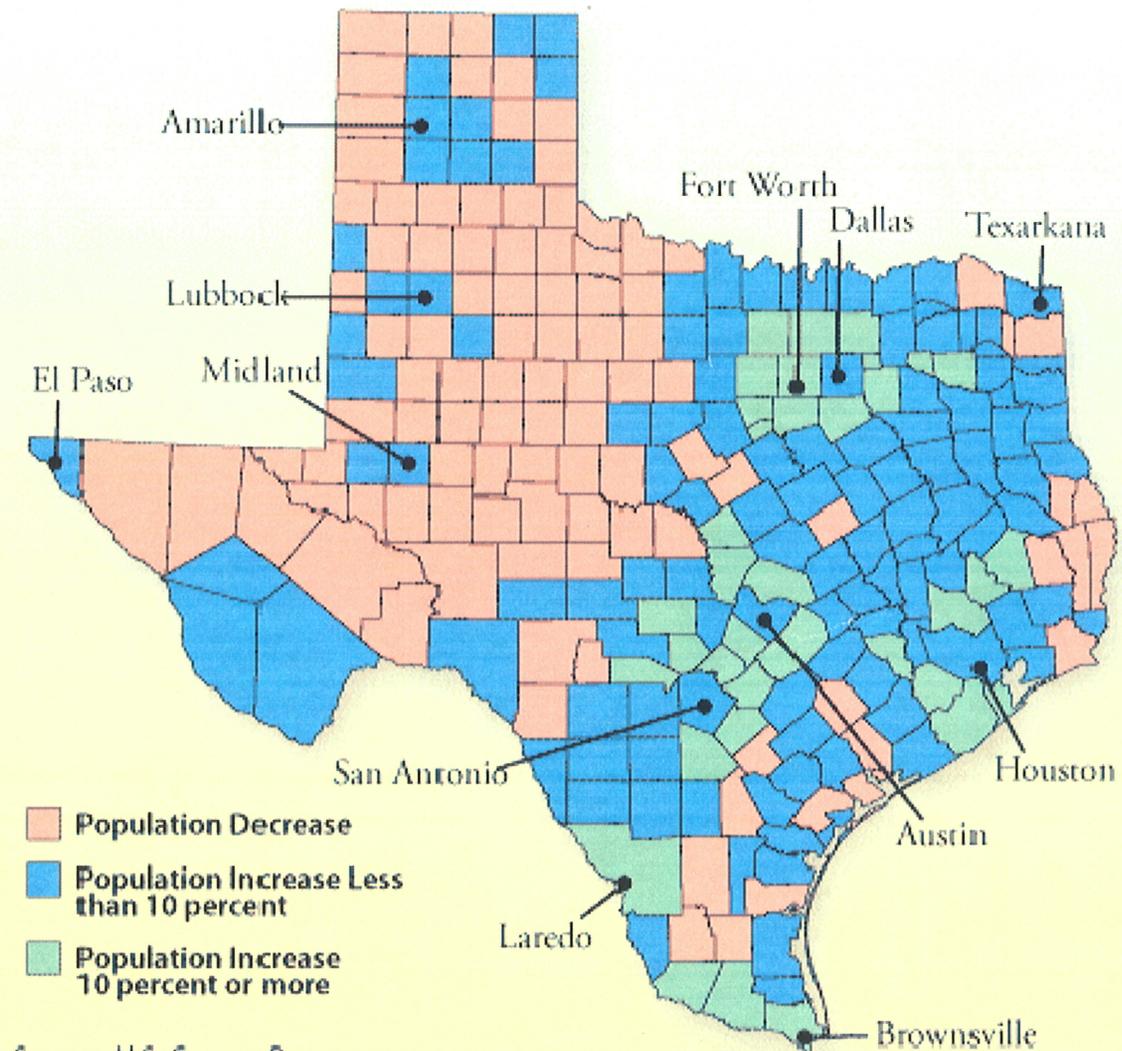
268,518 square miles

6,916 = total for 6 counties (Bexar-Travis-El Paso-Harris-Tarrant-Dallas)

2.575% of total land mass of Texas is located in 6 Counties

47.29% of population

Between 2000 and 2005, 11 of Texas' "metro" counties – counties with one or more urban areas – saw population increases of at least 20 percent, while 93 non-metro counties experienced losses



Source: U.S. Census Bureau.

November 2, 2010

RECEIVED
NOV 08 2010
AIR QUALITY
DIVISION

Ms. Margie McAllister
Air Quality Division,
Chief Engineers Office
P.O.Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

Dear Ms. McAllister,

I am a property owner in Navarro County, Texas. My property is located on Lake Richland Chambers about 25 miles from Corsicana. Lake Richland Chambers is the state's third largest inland lake and is the crown jewel of central Texas lakes. It is a reservoir for Tarrant County and water is also sold to other cities and municipalities in central Texas.

I am personally shocked and extremely concerned to learn that the supposedly fresh, country air around this most beautiful lake is in fact polluted and poses a health hazard to my family, friends and neighbors, livestock and crops and likely the reservoir water quality as well. I have personally viewed the air monitor readings and understand that many elements fall short of the air quality standards set forth by the Clean Air Act. Given the prevailing winds and the absence of major highways and population centers that could affect the air quality monitor located in Navarro County, there is no question that the source for the sulfur dioxide, PM 2.5, ozone air quality problem are EFH's Big Brown and NRG's massive power plant coal operations just to our south and southwest in Freestone and Limestone Counties.

As far as I can tell there are no real efforts being made to improve the air quality from these pollution sources, instead only requests for additional permits and additional plants and operations that would only further negatively impact the air quality in Navarro County and around Lake Richland Chambers.

Therefore, I too am asking that the EPA and TCEQ take immediate action to stop this pollution trend by taking the following actions:

1. Declare Navarro County and Freestone County to be non attainment.
2. Deny all permits for additional capacity or power plants in Navarro, Freestone and Limestone Counties to alleviate the high concentration of such pollution sources for this area.
3. Add additional air monitors in the area
4. Actively pursue all regulatory means available to have existing power plants and coal operations upwind affecting the air quality in Navarro County to reduce their emissions.

It is appropriate that I am writing this letter on Election Day. My sincere request and hope is that you will elect to take action to reverse the rapidly increasing and troubling trend of pollution impacting Navarro County and remedy the root cause- the high concentration of polluting sources in the area.

Respectfully,

A handwritten signature in black ink, appearing to read "Buddy Green", with a long horizontal flourish extending to the right.

Buddy Green
Plettenburg Bay
Navarro County, Texas
USA

CC: TCEQ's David Brymer
EPA's Dr. Alfredo Armendariz
EPA's Thomas Diggs
EPA's Jeff Robinson
EPA's Lisa Jackson
Vicky Prater

Ms. Margie McAllister
Air Quality Division,
Chief Engineers Office
P.O.Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

Dear Ms. McAllister,

These comments are being submitted on behalf of COPPS FOR CLEAN AIR, an organization with members located throughout Texas, including the D/FW nonattainment area, Navarro County and Freestone County addressing the TCEQ's ability and responsibility to submit a list of areas to be designated attainment, nonattainment or unclassifiable for new or revised air quality standards to be submitted in the near future to the United States EPA from the state of Texas.

We fully understand the impact it will have on our lives in Navarro and Freestone Counties, but it is in the best interest of the residents that we request Navarro and Freestone County, Texas be declared nonattainment and on that list to the EPA for the following reasons.

Navarro County obtained an operating air monitor on June 17th, 2009. After only one year of operation, the readings are showing high levels of sulfur dioxides and PM 2.5 in our air quality, which is causing spikes in our ozone levels. In July 2010 we questioned the TCEQ's air monitor data division about these readings. We were told the readings were reflective of the south/southwest winds and the coal-fired power plants in two counties on Navarro County's southern borderlines. Freestone and Limestone counties are home to EFH's Big Brown and NRG's massive power plant coal operations and those emissions are being read on our air monitor in Navarro County. We have had personal meetings with the TCEQ and EPA that confirm, Navarro County is the fall out area concerning those coal-fired power plants' emissions to our south.

The population density of Navarro County is less than 50,000 people and 53% of those people live in the city limits of Corsicana, Texas our county seat, which is northwest of our air monitor. The vast size of our county is farm and ranch land without much industry that would create a sulfur dioxide, PM 2.5, ozone air quality problem on the air monitor readings. The only positive population growth we have seen here in years happened when Richland Chambers Lake was created in the late 1980s and that has been a very slow and limited process.

As for the traffic and commuting patterns in Navarro County, we know of no stats or reports to refer back to. Interstate 45 and State Hwy. 287 run north and south through our county and State Hwy. 31 runs east and west here. We will concede the weather/air transport patterns are of great concern to us as the normal wind flow into our county is from the south/southwest direction at most times. That is another reason to mention the coal plants to our south once again and their emissions flowing into our area that we have no way to stop.

The geography/topography of Navarro County is low bottomland prone to flooding where ozone created by the emissions coming from the coal-fired power plants in Freestone and Limestone Counties gathers. There is a white cloud of haze in the lower elevations of Navarro County that can be seen with the necked eye on most days. We

have captured it on many pictures and given those pictures to the TCEQ and Region 6 EPA. Those areas are populated farms and ranches with livestock, stock ponds and crops, which suffer the worse effects of the ozone coming from the coal plants.

As for the jurisdictional boundaries, we would remind you that Navarro County falls into the air quality region north to the D/FW nonattainment area, if we have read that map correctly. That would indicate our substandard air quality is lending to the failure of the D/FW area to meet the CLEAN AIR ACT as set forth by the United States EPA standards.

Although the CLEAN AIR INTERSTATE RULE is on hold, we would remind you that the state of Texas continues to violate the air quality in surrounding states. That is not a fact that can be easily ignored and the issue will come up again in the future.

The failure of the Texas Commission on Environmental Quality to provide air monitors in rural areas, where they permit so many coal-fired power plants, should have gotten someone's attention, in charge, at the TCEQ many years ago. "Rural does not mean dead people." The lack of air monitor data in a concentrated area full of coal-fired power plants is an insult to the people who must live with those TCEQ permits.

We live, have kids, build homes, buy land, raise cattle, goats, hogs, sheep, raise crops such as corn, cotton, hay, wheat, maize, plus produce we sell around the world, we support our local economy and pay our taxes !! We are the backbone of America and we are ignored ? That old saying sacrifice a few for the good of many stinks and we are very tired of the smell.

COPPS FOR CLEAN AIR in Navarro County and Freestone County respectfully request to be declared nonattainment, with the full knowledge and ramifications of that request. Limestone County should also be added as the NRG's power plant continues to grow even larger with new TCEQ permits. All three of the above counties should be off limits to any more power plants permitted by the TCEQ until the coal-fired plants in our area have run their life spans out. At that point in time the air in these three counties could be re-evaluated and the nonattainment status could be lifted if the air quality proves to be acceptable for humans to inhale.

With respect,

Vicky Prater, Spokesperson for COPPS FOR CLEAN AIR

Navarro and Freestone Counties, Texas

P. O. Box 1896

Corsicana, Texas 75151

903-879-5841

CC: TCEQ's David Brymer

CC: EPA's Dr. Alfredo Armendariz

EPA's Thomas Diggs

EPA's Jeff Robinson

EPA's Lisa Jackson

November 9, 2010

RECEIVED
NOV 12 2010
AIR QUALITY
DIVISION

Ms. Margie McAllister
Air Quality Division
Chief Engineers Office
P. O. Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

Re: Air Quality in Navarro County

Dear Ms. McAllister,

I am a property owner in Navarro County, Texas. My property is located on the north shores of Lake Richland Chambers, just three miles east of Corsicana.

I am extremely concerned about the air quality in this area and distressed to learn that it is in fact polluted and poses a health hazard to my family.

I have seen the air monitor reading and understand that many elements fall short of the air quality standards set forth by the Clean Air Act. Given the location of the air quality monitor located in Navarro County, there is no question that the source for the sulfur dioxide, PM 2.5, ozone air quality problems are EFH's Big Brown and NRG's massive power plant coal operations just to our south.

There appears to be no effort being made to improve the air quality from these pollution sources, instead only requests for additional permits and additional plants and operations that would add to the already poor air quality.

Therefore, I too am asking that the EPA and TCEQ take immediate action to stop this pollution trend by taking the following actions:

1. Declare Navarro County and Freestone County to be in non-attainment.
2. Deny all permits for additional capacity or any power plants to be built in Navarro, Freestone and Limestone Counties to alleviate the high concentration of such pollution sources for this area.
3. Add additional air monitors in the area.
4. Actively pursue all regulatory means available to have existing power plants and coal operations upwind affecting the air quality of Navarro County to reduce their emissions.

I am asking you to please take action to reverse the rapidly increasing and troubling trend of pollution impacting Navarro County and remedy the root cause, the high concentration of polluting sources in the area.

Sincerely,



Ted H. Taylor
2680 SE County Road 0070
Corsicana, Texas 75109
Navarro County

Cc: TCEQ's David Brymer
EPA's Dr. Alfredo Armendariz
EPA's Thomas Diggs
EPA's Jess Robinson
EPA's Lisa Jackson
Vicky Prater

November 9, 2010

RECEIVED
NOV 12 2010
AIR QUALITY
DIVISION

Ms. Margie McAllister
Air Quality Division
Chief Engineers Office
P. O. Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

Re: Air Quality in Navarro County

Dear Ms. McAllister,

I am a property owner in Navarro County, Texas. My property is located three miles east of Corsicana, on the north shores of Lake Richland Chambers Lake.

I have been extremely concerned about the air quality in this area for some time. You can imagine my concern when I learned that the air is in fact polluted and poses a health hazard to my family and friends and neighbors and even our cattle and could soon if not already affect the reservoir water quality as well.

It was with great interest that I viewed the air monitor readings and found that many elements fall short of the air quality standards set forth by the Clean Air Act. The prevailing winds make us particularly vulnerable, even more so than the air quality monitor located in Navarro County near the airport would indicate. This makes the report that we are in non-attainment in that area even more unnerving for us since we are in the direct line for emissions from EFH's Big Brown and NRG's massive power plant coal operations just to our south. There is no question that the sulfur dioxide, PM 2.5, ozone air quality problems come from them.

There appears to be no real effort being made to improve the air quality from these pollution sources, instead only requests for additional permits and additional plants and operations that would add to the already poor air quality.

Therefore, I too am asking that the EPA and TCEQ take immediate action to stop this pollution trend by taking the following actions:

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Sincerely,



Margie Taylor
2680 SE County Road 0070
Corsicana, Texas 75109
Navarro County

Cc: TCEQ's David Brymer
EPA's Dr. Alfredo Armendariz
EPA's Thomas Diggs
EPA's Jess Robinson
EPA's Lisa Jackson
Vicky Prater

October 29, 2010

Ms. Margie McAllister
Air Quality Division
Chief Engineers Office
TCEQ
P.O.Box 13087, Mail Code 164
Austin, Texas 78711-3087

RECEIVED
NOV 22 2010
AIR QUALITY
DIVISION

Dear Ms. McAllister,

I have attached Vicky Prater's letter requesting a designation of nonattainment for Navarro and Freestone Counties. Although she has made a very emotional appeal, I do agree with her that our health and the quality of the air in our county is in jeopardy if more coal-fired power plants are allowed.

My property is located in Richland, Texas, Navarro County and permitting is in process for yet another coal-fired power plant within one mile of the property. We raise cattle, rabbits, chickens and guineas on the property; and my elderly parents, children and grandchildren live and play here.

If flooding contributes to the gathering of ozone, then in addition to my concerns about increased flooding and the subsequent loss of access to 25 acres for grazing and farming (Navarro County Generating has not even contacted us to offer to build a bridge to allow continued access) as a result of the recent wastewater discharge permit, I must also be concerned about the gathering of ozone along the creek running through my property.

I respectfully request a designation of nonattainment to prevent the addition of more coal-fired power plants in Navarro and Freestone Counties.

Sincerely,


Judy Burton
6335 SW CR 2150
Richland, TX 76681
Cell 972.742.4934

CC: TCEQ's David Brymer
CC: EPA's Dr. Alfredo Armendariz
EPA's Thomas Diggs
EPA's Jeff Robinson
EPA's Lisa Jackson

Ms. Margie McAllister
Air Quality Division,
Chief Engineers Office
P.O.Box 13087, Mail Code 164
TCEQ
Austin, Texas 78711-3087

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With respect,

Vicky Prater, Spokesperson for COPPS FOR CLEAN AIR

Navarro and Freestone Counties, Texas

P. O. Box 1896

Corsicana, Texas 75151

903-879-5841

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EPA's Thomas Diggs

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