



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

MAR 20 2015

OFFICE OF
AIR AND RADIATION

The Honorable Bryan W. Shaw
Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Dear Mr. Shaw:

I am writing to update you on the status of the U.S. Environmental Protection Agency's progress in implementing the primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂) set in 2010 at 75 parts per billion (ppb) as a 1-hour average. In July 2013, the EPA identified areas in 16 states as nonattainment and expressed the intent to address designations for the remainder of the country in separate future actions.

On March 2, 2015, the U.S. District Court for the Northern District of California accepted as an enforceable order an agreement between the EPA and Sierra Club and Natural Resources Defense Council to resolve litigation concerning the deadline for completing the designations. The court's order directs the EPA to complete designations in three additional rounds: the first round by July 2, 2016, the second round by December 31, 2017, and the final round by December 31, 2020. The EPA will complete these designations by designating areas as either nonattainment, unclassifiable/attainment, or unclassifiable.

In the first round of designations, the EPA will designate two groups of areas: 1) areas that have newly monitored violations of the 2010 SO₂ standard, and 2) areas that contain any stationary source that according to the EPA's Air Markets Database either emitted more than 16,000 tons of SO₂ in 2012 or emitted more than 2,600 tons of SO₂ and had an emission rate of at least 0.45 lbs SO₂/mmbtu in 2012 and that has not been announced (as of March 2, 2015) for retirement. In the enclosure to this letter, the EPA provides the schedule we intend to follow to meet the July 2, 2016, deadline.

The EPA has identified the following electric power plant sources in your state as meeting the criteria established in the court's order:

State	County	Facility Name	2012 SO ₂ Emissions (tons)	2012 SO ₂ Emissions Rate (lb/mmbtu)
TX	Freestone	Big Brown Power Plant	60,681	1.594
TX	Goliad	Coletto Creek Power Station	16,218	0.615

TX	Potter	Harrington Generating Station	15,383	0.463
TX	Leon	Limestone Generating Station	20,671	0.359
TX	Titus	Monticello Steam Electric Station	31,447	0.784
TX	Robertson	Optim Energy Twin Oaks Power Station	4,038	0.509
TX	Atascosa	San Miguel Electric	10,950	0.630
TX	Milam	Luminant Sandow Yorktown Power Plant	22,511	1.000
TX	McLennan	Sandy Creek Energy Station	4,955	1.137
TX	Fort Bend	W A Parish Electric Generating Station	37,861	0.493
TX	Rusk	Luminant Power Plant at Martin Lake	43,093	0.550
TX	Lamb	Tolk Generating Station	19,168	0.519

The EPA will use the most recent available information when making designation and boundary decisions for the indicated areas. If you would like to submit updated recommendations and supporting information for the EPA to consider for the affected areas in your state, we request that you do so by September 18, 2015.

In addition, the EPA has identified the following electric power plant source in the neighboring state of Oklahoma that also meets the criteria established in the court's order, and may potentially be impacting your state:

State	County	Facility Name	2012 SO ₂ Emissions (tons)	2012 SO ₂ Emissions Rate (lb/mmBtu)
OK	Choctaw	Hugo Plant	8,066	0.603

You may wish to discuss the designation for this area with representatives of Oklahoma and provide your own designation recommendation for the potentially affected area in your state. Again, please provide any information you would like us to consider by September 18, 2015.

The EPA has updated its March 24, 2011, designation guidance for the 2010 SO₂ standard to support analysis of designations and boundaries for these next rounds of designations. The updated guidance can be found on the EPA's website at <http://epa.gov/airquality/sulfurdioxide/guidance.html>. The EPA has also provided two technical assistance documents that provide advice on the use of modeling and monitoring data when determining if an area is meeting or not meeting the 2010 SO₂ standard. These documents can be found on the EPA's website at <http://epa.gov/airquality/sulfurdioxide/implement.html>.

The court's order directs the EPA to complete the second round of area designations by December 31, 2017. These designations would address areas where states have not installed and begun operating a new SO₂ monitoring network meeting the EPA's specifications referenced in our proposed rule titled, "Data Requirements Rule for the 1-hour SO₂ primary NAAQS". This rule, which was proposed in the *Federal*

Register on May 13, 2014, would direct state and tribal air agencies to provide data to characterize current air quality in areas with large sources of SO₂ if such areas do not have sufficient air quality monitoring in place to identify maximum SO₂ concentrations. The data collected as a result of this proposed rule would be used in the designations process. Lastly, the court's order directs the EPA to designate all remaining areas by December 31, 2020. The EPA will provide states with additional information on the designations process associated with these later deadlines at a later date.

We look forward to continued dialogue with you and your staff as we work together to implement the 2010 SO₂ standard and achieve its intended public health protection. For additional information regarding designations for the 2010 SO₂ standard, please visit our website at www.epa.gov/so2designations. Should you have any questions, please do not hesitate to call me or Scott Mathias of my staff at 919-541-5310 and mathias.scott@epa.gov.

Sincerely,



Janet G. McCabe
Acting Assistant Administrator

Enclosure

cc: Ron Curry
EPA Region 6 Administrator

ENCLOSURE

TIMELINE FOR 2010 PRIMARY SO ₂ NAAQS DESIGNATION PROCESS FOR AREAS ASSOCIATED WITH JULY 2, 2016, COURT-ORDERED DEADLINE*	
Milestone	Date**
Court Order	March 2, 2015
States may submit updated recommendations and supporting information for area designations to the EPA	No later than September 18, 2015
The EPA notifies states concerning any intended modifications to their recommendations (120-day letters)	o/a January 22, 2016, but absolutely no later than 120 days prior to final designations, <i>i.e.</i> , March 2, 2016
The EPA publishes public notice of state recommendations and the EPA's intended modifications and initiates 30-day public comment period	o/a February 3, 2016
End of 30-day public comment period	o/a March 4, 2016
States provide additional information to demonstrate why an EPA modification is inappropriate	o/a April 8, 2016
The EPA promulgates final SO ₂ area designations (no later than 16 months from Court Order)	No later than July 2, 2016

* The court's order directs the EPA to promulgate additional rounds of designations by December 31, 2017, and by December 31, 2020.

** o/a = on or about