# OFFICE OF THE GOVERNOR

RICK PERRY
GOVERNOR

June 2, 2011

Alfredo Armendariz, Ph.D.
Regional Administrator
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Dear Dr. Armendariz:

Pursuant to the requirements in Section 107(d)(3) of the Federal Clean Air Act, enclosed is the State of Texas' recommendation for area designations under the 2010 one-hour sulfur dioxide ($SO_2$) primary National Ambient Air Quality Standard (NAAQS) of 75 parts per billion (ppb).

The Texas Commission on Environmental Quality (TCEQ) recommends nonattainment designation for Texas counties with $SO_2$ regulatory design values exceeding 75.4 ppb; attainment designations for counties with $SO_2$ regulatory design values of 75.4 ppb or less; and identification as unclassifiable for all other counties in Texas at this time. Staff recommends a nonattainment designation for Jefferson County; attainment designations for Dallas, Ellis, El Paso, Galveston, Gregg, Harris, Kaufman, McLennan and Nueces counties; and identification as unclassifiable for all other Texas counties.

Enclosed is a resolution containing the State of Texas' recommendation for area designations under the 2010 $SO_2$ one-hour primary NAAQS, along with supporting documentation.

If you have any questions or need additional information, please feel free to contact TCEQ Chairman Dr. Bryan Shaw at (512) 239-5510.

Sincerely,

Rick Perry

Rick Perry
Governor

RP:tbp

Enclosures

cc: Bryan W. Shaw, Ph.D.

ENCLOSURE

## One-Hour Design Values (DV) in Texas Counties with Regulatory Sulfur Dioxide (SO2) Monitors

| County | 2009 Design Values* | 2010 Preliminary Design Values** |
|---|---|---|
| Jefferson | **80** | 77 |
| Gregg | 75 | 66 |
| Ellis | 57 | 31 |
| Harris | 56 | 47 |
| Galveston | 41 | 42 |
| Nueces | 28 | 33 |
| Kaufman | 14 | 14 |
| El Paso | 11 | 11 |
| Dallas | 9 | 8 |
| McLennan | 6 | 6 |

* 2009 DV calculated using 2007 through 2009 verified monitoring data

** 2010 DV calculated using 2008 and 2009 verified data and 2010 data not yet verified

Note: Bolded text depicts DVs exceeding the 2010 SO2 primary NAAQS of 75 ppb.

**ENCLOSURE**

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**Resolution Concerning Sulfur Dioxide**
**National Ambient Air Quality Standard Designations**

2011-0204-RES

WHEREAS, the Texas Commission on Environmental Quality (Commission) met on April 20, 2011, to discuss and consider designation recommendations for the 2010 one-hour primary sulfur dioxide ($SO_2$) National Ambient Air Quality Standard (NAAQS) for submittal to the Governor for his consideration and transmittal to the United States Environmental Protection Agency (EPA); and

WHEREAS, the Commission finds that the EPA revised the $SO_2$ NAAQS effective August 23, 2010, establishing a new one-hour primary $SO_2$ NAAQS at 75 parts per billion (ppb); and

WHEREAS, the Commission acknowledges that the Federal Clean Air Act (FCAA), § 107(d), requires the EPA, after the promulgation of a new or revised NAAQS, to designate areas as attainment, nonattainment, or unclassifiable; and

WHEREAS, the Commission acknowledges that the FCAA, § 107(d), also establishes a process for each Governor to provide recommendations to the EPA regarding appropriate designations for the 2010 one-hour primary $SO_2$ NAAQS for their state, including appropriate geographic boundaries; and

WHEREAS, the Commission acknowledges that the EPA has specified a deadline for the submittal of recommended designations for the 2010 one-hour primary $SO_2$ NAAQS of June 2, 2011; and

WHEREAS, the Commission acknowledges that the EPA recommends states identify areas not in compliance with the new or revised NAAQS using the most recent three years of air quality data, preferably data from calendar years 2008 through 2010, stored in the EPA Air Quality System (AQS), from Federal Reference Method and Federal Equivalent Method monitors that are sited and operated in accordance with 40 Code of Federal Regulations (CFR) Part 58;

NOW THEREFORE, BE IT RESOLVED THAT:

The Commission hereby requests the Governor of Texas to submit a recommendation for the 2010 one-hour primary $SO_2$ NAAQS to the EPA for consideration, consisting of nonattainment designations for Texas counties with $SO_2$ regulatory design values exceeding 75.4 ppb; attainment designations for counties with $SO_2$ regulatory design values of 75.4 ppb or less; and identification as unclassifiable for all other counties in Texas, along with data analysis supporting this recommendation, by June 2, 2011; and

The Commission directs commission staff to provide supplemental information to the EPA to support designations, as necessary.

Issued date: APR 29 2011

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Bryan W. Shaw

Bryan W. Shaw, Ph.D., Chairman