

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 5, 2010

The Honorable Rick Perry  
Governor of Texas  
State Capitol  
P. O. Box 12428  
Austin, TX 78711-2428

Dear Governor Perry:

On October 8, 2009, the United States Environmental Protection Agency (EPA) sent a letter to your office requesting that you make a recommendation regarding the appropriate designations in the State of Texas for the 1997 annual primary National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM<sub>2.5</sub>) due to monitored concentrations at the Clinton Drive monitor in Harris County during 2006 through 2008. Section 107(d)(3) of the Federal Clean Air Act requires the governor of each state to submit to the EPA a list of all areas with a designation recommendation of attainment, nonattainment, or unclassifiable. The letter is due to the EPA by February 5, 2010.

The annual primary PM<sub>2.5</sub> standard was set to protect the public from exposure to particles smaller than 2.5 micrometers in diameter, but the sampler that collects official PM<sub>2.5</sub> samples also collects some particles larger than 2.5 micrometers in diameter. Analysis of particle samples from the Clinton Drive monitor has shown a significant amount of mass from particles greater than 2.5 micrometers in diameter. A measured fine particulate mass influenced by particles larger than 2.5 micrometers suggests a lower health impact for an area near the regulatory level.

The EPA's rules for comparing air quality data to the NAAQS allow the exclusion of certain data caused by exceptional events beyond the control of U.S. regulatory agencies, including transport of dust from the Sahara Desert, of smoke from agricultural burning in southern Mexico and Central America, and of dust from dust storms in West Texas and New Mexico. Based on review and analysis of 2006 through 2008 PM<sub>2.5</sub> monitoring data with the exclusion of exceptional events flagged days, the 2009 PM<sub>2.5</sub> monitoring data collected to date, and the proactive actions taken to successfully address this issue, the Texas Commission on Environmental Quality (TCEQ) recommends that Harris County continue to be designated attainment for the 1997 annual PM<sub>2.5</sub> standard.

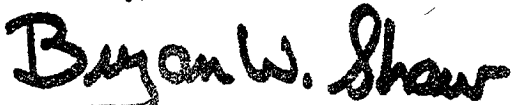
As we move forward, the TCEQ will be in regular communication with the EPA regarding the achievability of this standard and the appropriate monitoring data to use.

Governor Perry  
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Enclosed is a cover letter containing the designation recommendation for your signature to be submitted to the EPA by the February 5, 2010, deadline.

Thank you for your support and efforts in this matter. If I can be of any assistance, please contact me at 512-239-5510.

Sincerely,

A handwritten signature in black ink that reads "Bryan W. Shaw". The signature is written in a cursive, slightly slanted style.

Bryan W. Shaw, Ph.D  
Chairman

Enclosures