

APPENDIX D

PUBLIC COMMENT

A public hearing was scheduled for December 11, 2007, in Austin. No commenters signed-up to provide oral testimony, therefore the hearing was not officially opened. One written comment was received during the comment period from the Sierra Club – Houston Regional Group (Sierra Club).

RESPONSE TO COMMENTS

The Sierra Club stated that their comments were in reference to the Texas Commission on Environmental Quality's (TCEQ) proposed Eight-Hour Ozone and Fine Particulate Matter Transport State Implementation Plan (SIP) revision for the Clean Air Interstate Rule (CAIR).

The commission would like to clarify that this proposed SIP revision is in reference to Section 110(a)(2)(D)(i) SIP revision and is not a SIP revision for the CAIR SIP. The proposed SIP revision is concerning ozone and fine particulate matter transport emissions to other states.

The Sierra Club also commented that the emissions inventory is faulty. “A faulty EI means faulty modeling; means faulty predictions of precursor and ozone transport; means faulty attainment of the ozone standard.”

The TCEQ continues to refine its information, including emissions inventory, with each SIP revision submittal. Emissions inventory data will always require close scrutiny because future projections as well as reported data are used in SIP revision development and submittals. However, this SIP revision concerning ozone and fine particulate matter transport emissions relies on existing SIP revisions the commission has submitted to the EPA and does not contain a revised emissions inventory. Nor does it contain modeling, but relies on technical work conducted by the EPA.

“The Sierra Club opposes the approval of the Transport SIP revision because it does not reduce significantly and/or resolve the transport of ozone, precursors, and nonattainment areas in Texas or other states.” The TCEQ should reduce transport within Texas and thus it would reduce transport outside of Texas.

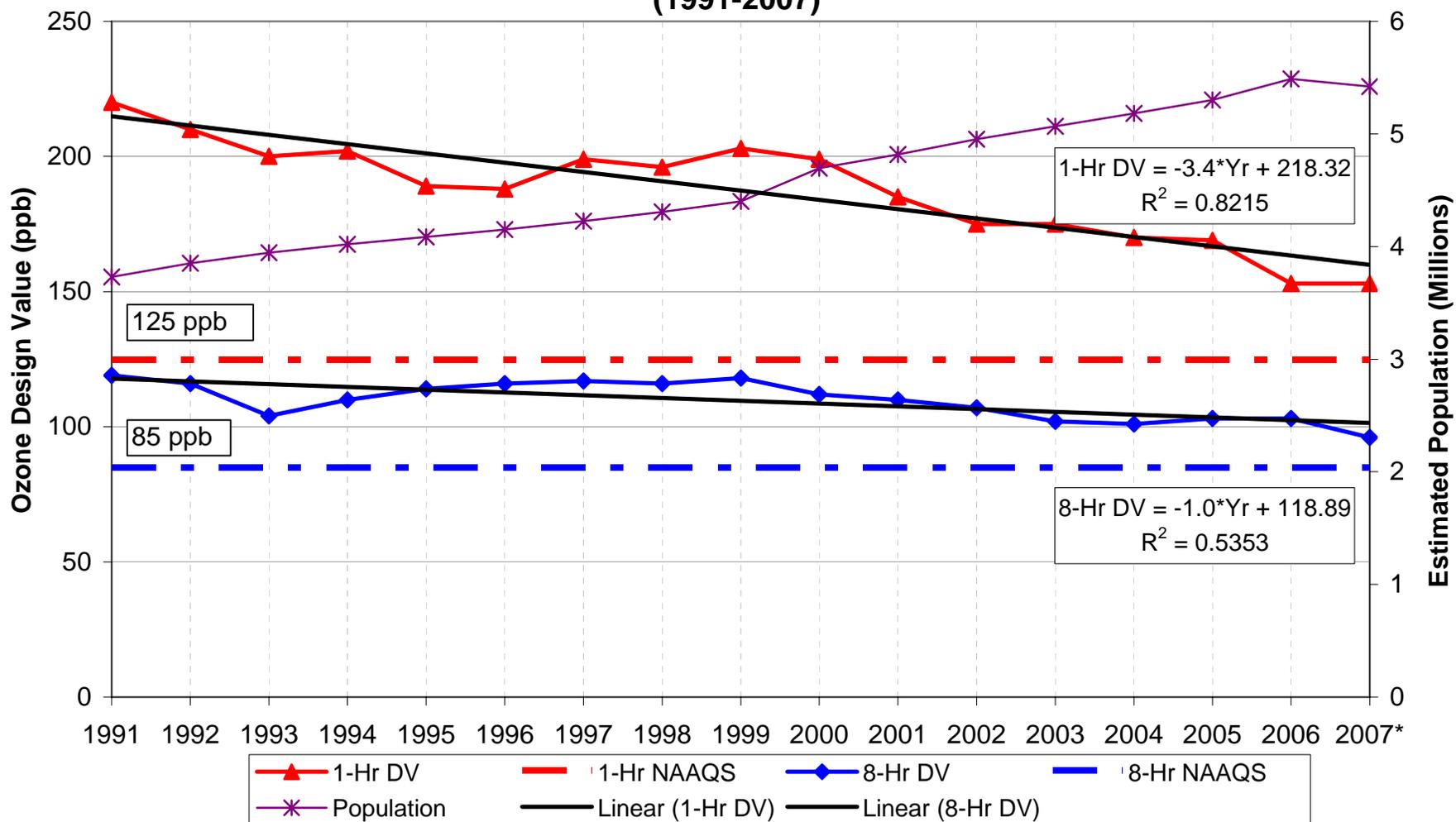
This SIP revision is not an attainment demonstration. The purpose of this SIP revision does not concentrate on how sources within Texas impact Texas, but how sources within Texas impact other states. The EPA is predicting, based on their modeling, that the impact of existing controls, in addition to the future controls from CAIR, will result in all nonattainment areas in adjacent states attaining the eight-hour ozone standard. In addition, the EPA's recognition that CAIR is adequate to demonstrate compliance with the PM_{2.5} transport requirement shows Texas has adequately addressed any potential transport issues associated with eight-hour ozone and PM_{2.5} and fulfilled its eight-hour ozone and PM_{2.5} transport SIP obligations.

The Sierra Club commented that they have many concerns regarding ozone pollution in Texas, specifically the Houston-Galveston-Brazoria (HGB) area. The Sierra Club commented that “for

over three decades the TCEQ and its predecessor agencies have adopted a minimalist and incremental policy of ozone and precursor air pollution control and reduction.”

The commission appreciates the commenter’s concerns regarding past and future attainment demonstrations in Texas. The commission recognizes the challenges, as well as the success that Texas, particularly the HGB area, has overcome and accomplished in the past thirty years. Trend data for the period 1991 through 2007 in the HGB area show that both the one-hour and eight-hour ozone design values have decreased over the past 17 years. The 2007 one-hour design value was 153 parts per billion (ppb), representing a 31 percent decrease from the value for 1991 (220 ppb). The 2007 eight-hour design value was 96 ppb, a 19 percent decrease from the 1991 value of 119 ppb. These decreases occurred in spite of a 31 percent increase in area population. The following graph depicts this information.

One-Hour and Eight-Hour Ozone Design Values and Estimated Population for the HGB Area (1991-2007)



*Source: Ozone -- EPA and Mother database. 2007 data is current as of January 8, 2008 and is subject to change.
 1991-2006 Population --<http://www.census.gov/popest/archives/1990s/MA-99-03b.txt> and <http://www.census.gov/popest/counties/CO-EST2006-01.html>, July 3, 2007
 2007 Population --<http://www.window.state.tx.us/ecodata/popdata/popfiles.html>