

US EPA ARCHIVE DOCUMENT



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
DIVISION OF AIR POLLUTION CONTROL  
9<sup>TH</sup> FLOOR L & C ANNEX, 401 CHURCH STREET  
NASHVILLE, TENNESSEE 37243-1531

October 29, 2003

This letter is to provide you a status report of our efforts to continue meeting the requirements of the Early Action Compact that we have entered into with the United States Environmental Protection Agency (EPA). I am pleased to report that thus far, the state and signatory local governments have met every deadline established in the agreement.

The next major EAC milestone to meet is the March 31, 2004 deadline for local governments to submit a copy of the local measures they will take to achieve compliance with the new, eight-hour ozone standard by December 31, 2007. This is a particularly critical milestone for local governments because those measures will be made state and federally enforceable as part of the Tennessee State Implementation Plan (SIP). A quote of the milestone requirements from the November 14, 2002 EPA Early Action Compact guidance memorandum is as follows:

3. March 31, 2004 – The resulting local plan must be completed and submitted to the State or Tribal leader by March 31, 2004 for inclusion in the SIP or TIP and a copy must be provided to EPA by that date. The local plan shall include measures that are specific, quantified, and permanent, and that if approved by EPA, will be Federally enforceable as part of the SIP or TIP. The March 31, 2004 submission also must include specific implementation dates for the adopted local controls. In addition, the local plan must include detailed documentation supporting the plan and reports outlined in the protocol, as well as a modeling analysis based on local controls demonstrating attainment of the 8-hour ozone NAAQS by December 31, 2007.

The Division of Air Pollution Control will continue to provide technical support to local governments to assist you in meeting this deadline. To that end, we are working with the University of Tennessee to convert the list of likely measures your area submitted for the June 16, 2003 milestone into quantified emission reductions that can be used as inputs for the computer modeling. We will take these inputs from all of the local government EAC signatories and enter them into an atmospheric chemistry/dispersion model to determine whether or not the federal, state and local government measures to reduce NO<sub>x</sub> and VOC are sufficient to predict attainment of the new eight-hour ozone standard by December 31, 2007.

October 29, 2003

Page 2

The computer model encompasses most of the Eastern United States and as such, the sensitivity of the model will not likely show the ozone air quality improvements of any one county's measures in reducing ozone levels. The model is not that sensitive to changes. We should be able to tell you what sort of NO<sub>x</sub> and VOC ozone precursor emission reductions will be expected from your control measures, but again, we will not likely be able to tell you what impact they had in reducing ozone. As EPA evaluates the March 31, 2004 submittal, one aspect of its review will be a satisfactory showing that local governments are serious about implementing their measures. In addition to ordinances or contracts that you may be submitting, any documentation you can provide in the way of federal or local funding requests to implement transportation control measures that will improve air quality would be beneficial

We are doing our calculations and will perform the modeling run on the belief that all of the June 16, 2003 likely measures you reported will be made into final measures that are permanent. If you are considering or want to make changes to the list of likely control measures for your area, submit your updated list of likely control measures by November 15<sup>th</sup>. A Progress Report must be submitted to EPA by December 31, 2003. We are almost certain to need all of the measures we can get to predict attainment of the new, more restrictive ozone standard by December 2007. We hope to issue a report to you no later than mid-January so you can begin the process of making your local measures permanent and enforceable according the rules that govern your rulemaking or ordinance process.

If you should have any questions, please feel free to contact my deputy, Quincy Styke III at (615) 532-0554 or me at the same telephone number.

Sincerely,

Barry R. Stephens, P. E.  
Director  
Division of Air Pollution Control

cc: Local Air Agencies  
Terry Miller, UT