

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

DEC - 3 2003

Honorable Craig R. Benson
Governor of New Hampshire
107 North Main Street, State House - Room 208
Concord, NH 03301

Dear Governor Benson:

We have reviewed your July 15, 2003 and September 3, 2003 letters submitting New Hampshire's recommendations on air quality designations for the 8-hour national health based standard for ground-level ozone, a major constituent of smog. Consistent with the Clean Air Act, Section 107(d)(1), this letter is to inform you that the United States Environmental Protection Agency (EPA) does not intend to make modifications to your recommended designations and boundaries. We will continue to work with your office as we move forward to make final designations by April 15, 2004.

The Clean Air Act defines a nonattainment area as any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant. EPA guidance indicates that New Hampshire should use the larger of the Consolidated Metropolitan Statistical Area (CMSA), Metropolitan Statistical Area (MSA), or the 1-hour ozone nonattainment area as the presumptive boundary for 8-hour ozone nonattainment areas. The guidance provides 11 factors that New Hampshire should consider in determining whether to modify the presumptive boundaries. We have reviewed your July 15, 2003 and September 3, 2003 submissions and believe that your recommendations are consistent with our guidance.

As you know, I wrote to you on July 31, 2003 asking that you consider revising your recommended boundaries. While we believe there may be significant air quality planning advantages to including some additional towns in your recommended area, we believe you have made a compelling case to exclude certain towns pursuant to these 11 factors. We also agree with your position that the Southern New Hampshire nonattainment area should be separate from the Eastern Massachusetts nonattainment area, even though both are part of the Boston-Worcester-Lawrence, MA-NH-ME-CT Consolidated Metropolitan Statistical Area (CMSA). Critical to this agreement, however, is your commitment articulated in your July 15 letter that New Hampshire will "ensure reasonable and consistent nonattainment classifications across the region." At the time of your letter, you expected that this would result in a moderate ozone classification for the Southern New Hampshire nonattainment area which would be the

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same classification as the Boston CMSA. Based on this commitment, EPA intends to establish the same classification for the Southern New Hampshire nonattainment area and the Boston CMSA.

EPA has been tracking preliminary 2003 ozone monitoring data and assessing its impact on areas' 2001-2003 design values (DVs). EPA will continue to closely review monitoring data for differences that may occur as a result of data handling procedures to determine if it might affect the State's recommended designations. It is important for New Hampshire to expedite submittal of 2003 monitoring data to EPA so that air quality designations and classifications for the 8-hour standard will accurately reflect the State's air quality. To advance this process, please submit your final 2003 monitoring data into the Air Quality System as quickly as possible, if it has not already been done. In addition, please submit the 8-hour and 1-hour design values and the average expected 1-hour exceedance rate to David Conroy of my staff by official letter by February 6, 2004.

Both the State's and EPA's work to identify areas in attainment or in nonattainment is an important step in our joint commitment to achieving clear air in our Region. We look forward to working with New Hampshire as we proceed to finalize the designations for the 8-hour ozone standard. We appreciate your efforts and will review any future supporting information the State wishes to submit, keeping in mind that EPA will promulgate designations by April 15, 2004.

If you have any questions, please do not hesitate to call me or have your staff call Mr. David Conroy of my staff at (617) 918-1661.

Very truly yours,

Bob

Robert W. Varney
Regional Administrator

cc: Michael Nolin, NH DES
Robert Scott, NH DES

Enclosure

*Craig -
Bob Scott deserves alot
of credit for helping us
with this designation issue.
All my best to you and
your family during the holiday
season. - Bob*

Enclosure

The following table identifies the area within New Hampshire that EPA intends to designate as nonattainment. This is consistent with New Hampshire's recommendations of July 15, 2003. Where EPA intends to include only part of a county in a nonattainment area, we have indicated the boundaries of the portion of the county that will be included. EPA intends to designate as attainment/unclassifiable all counties or parts thereof not identified in the table below.

Area	New Hampshire Recommended Nonattainment Cities and Towns in Area	EPA Nonattainment Cities and Towns in Area (identical to New Hampshire recommendation)
Southern New Hampshire Area	<p>Hillsborough County (includes only the following cities and towns): Amherst, Bedford, Brookline, Goffstown, Hollis, Hudson, Litchfield, Manchester, Merrimack, Milford, Nashua, Pelham, and Peterborough</p> <p>Merrimack County (includes only the following town): Hooksett</p> <p>Rockingham County (includes only the following cities and towns): Atkinson, Auburn, Brentwood, Candia, Chester, Danville, Derry, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Kensington, Kingston, Londonderry, New Castle, Newfields, Newington, Newmarket, Newton, North Hampton, Plaistow, Portsmouth, Raymond, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, and Windham</p> <p>Strafford County (includes only the following cities and towns): Dover, Durham, Rochester, Rollinsford, and Somersworth</p>	<p>Hillsborough County (includes only the following cities and towns): Amherst, Bedford, Brookline, Goffstown, Hollis, Hudson, Litchfield, Manchester, Merrimack, Milford, Nashua, Pelham, and Peterborough</p> <p>Merrimack County (includes only the following town): Hooksett</p> <p>Rockingham County (includes only the following cities and towns): Atkinson, Auburn, Brentwood, Candia, Chester, Danville, Derry, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Kensington, Kingston, Londonderry, New Castle, Newfields, Newington, Newmarket, Newton, North Hampton, Plaistow, Portsmouth, Raymond, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, and Windham</p> <p>Strafford County (includes only the following cities and towns): Dover, Durham, Rochester, Rollinsford, and Somersworth</p>



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BOSTON, MASSACHUSETTS 02114-2023

December 10, 2003

Robert R. Scott, Director
Air Resources Division
Department of Environmental Services
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Dear Mr. Scott:

I am writing this letter to clarify the enclosure of the December 3, 2003 letter from EPA Regional Administrator Robert Varney to Governor Craig R. Benson indicating our agreement with the State of New Hampshire's recommended 8-hour ozone nonattainment boundaries identified by your July 15, 2003 and September 3, 2003 letters. We indicated agreement with your recommended boundaries but erroneously listed Peterborough, New Hampshire as part of your recommended nonattainment area. It should have not been listed. When EPA promulgates these designations, we do not intend to include Peterborough as 8-hour ozone nonattainment. A corrected enclosure is included.

I apologize for any confusion. Please contact Bob Judge of my staff at 617-918-1045, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Michael Kenyon".

Michael Kenyon, Manager
Air Program Branch

Enclosure

Enclosure

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