

US EPA ARCHIVE DOCUMENT



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 14 2012

Mr. Danny Adair
President
U.S. Ply Inc.
P.O. Box 11740
Fort Worth, Texas 76110

Dear Mr. Adair:

I am pleased to respond to your July 17, 2012, letter in which you filed a petition for reconsideration on behalf of U.S. Ply Inc. of Bridgeport, Wise County, Texas, concerning the U.S. Environmental Protection Agency's final rule, "Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards." *See 77 Federal Register 30008 (May 21, 2012)*. The petition requests that the EPA reconsider the nonattainment designation for Wise County, Texas, as part of the Dallas-Fort Worth ozone nonattainment area.

The EPA has carefully evaluated the issues and information in your petition. For the reasons provided in the enclosure, the EPA is denying your petition. The EPA continues to believe that Wise County is properly designated nonattainment based on our conclusion that it is an area that contributes to ozone nonattainment in the Dallas-Fort Worth area.

The enclosure addresses the specific issues raised in your petition and provides the basis for this denial. The EPA hopes that the responses will help to explain the agency's conclusions so that you will better understand our final decision. The EPA considers the designation of nonattainment areas with appropriate boundaries to be an important step in implementing the 2008 ozone standards.

We look forward to working with the state of Texas and other interests in the Dallas-Fort Worth area to ensure achievement of the 2008 ozone standards.

In the meantime, I thank you for your interest in protecting the quality of our environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson".

Lisa P. Jackson

Enclosure

Enclosure

EPA Response to Petition for Reconsideration from U.S. Ply, Inc.

By letter dated July 17, 2012, U.S. Ply, Inc., of Bridgeport, Wise County, Texas petitioned the EPA to reconsider the final area designation for Wise County in the Dallas Forth-Worth (DFW) area. For the reasons discussed below, the EPA is denying the Petition.

Issue: The Petitioner claims that there was insufficient EPA analysis of facts and scientific and technical data and that in lieu of a formal EPA study and review, many incorrect and unrealistic assumptions were relied upon to support the EPA's final decision for Wise County. Furthermore, the Petitioner states that information was submitted to the EPA by Texas and others affirming that the EPA's original conclusions were not sufficiently supported by scientific facts and data.

Response: We note that your petition provides no details specifying in what manner you believe the EPA analysis was deficient or specifically what information submitted by Texas and others demonstrate that the EPA's original conclusions were not supported. Thus, it does not provide a sufficient basis for reconsideration. The record demonstrates that the EPA considered information and comments submitted by the State of Texas, the Texas Commission on Environmental Quality and other interested parties during the public comment period. *See* our final DFW Technical Support Document (TSD) titled "Dallas-Fort Worth, Texas Final Area Designations for the 2008 Ozone National Ambient Air Quality Standards" in the docket for this action at pages 4-20. As stated in our TSD, the 2008 Emissions Inventory for Wise County shows that Wise County's nitrogen oxide emissions of 11,911 tons per year (tpy) are the 6th highest of the 19 county DFW Combined Statistical Area and the County's volatile organic compound emissions of 17,609 tpy are the fourth highest of the 19 counties. *See* TSD pages 6-7. The TSD demonstrates that there are six ozone monitors violating the standard in the two counties adjacent to Wise County (TSD Figure 1, page 3) and notes that Wise County is less than ½ mile from a violating monitor with a design value of 0.085 parts per million (TSD 2008 to 2010 data, pages 5 and 23). We also evaluated meteorological transport patterns during exceedances using NOAA's HYSPLIT model. These patterns indicate that emissions from Wise County are transported to the DFW ozone monitors violating the standard based on 2008-2010 data, and we conclude that the Wise County emissions are large enough that they can contribute to ozone exceedances on certain days. *See* TSD pages 14-17, 19, 20, and 23.