

US EPA ARCHIVE DOCUMENT



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

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August 11, 2004

Ms. Judith M. Katz, Director  
Air Protection Division  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Dear Judy:

The purpose of this letter is to provide additional comments and information in support of the recent DEQ request to reclassify the Richmond area from a moderate to a marginal nonattainment area under the 8-hour Ozone National Ambient Air Quality Standard. This request was submitted to the EPA Regional Administrator on July 12, 2004 along with a detailed technical analysis document.

As stated before, we believe that a substantial and compelling case has been presented to support this request. We are concerned about some of the issues being raised by the Region regarding this request. The issue of transport is of particular concern to us in that EPA has already proposed its remedy to eliminate the significant contribution of interstate transport to 8-hour ozone nonattainment. The Enclosure to this letter provides additional comments and information regarding this and other pertinent issues. We will continue to work with your staff to address these issues as best we can given the limited time available to complete this process.

Thank you again for your consideration of this important matter.

Sincerely,

John M. Daniel, Jr.  
Air Division Director

Enclosure

cc: W. Tayloe Murphy, Jr.  
Robert G. Burnley

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**ENCLOSURE**  
**ADDITIONAL COMMENTS ON RICHMOND BUMP-DOWN REQUEST**

**Transport**

- The Interstate Air Quality Rule (CAIR) represents EPA's official proposal under Section 110 (a) (2) (D) to "*Eliminate*" the significant contribution of emissions from upwind states to downwind states' nonattainment of the 8-hour ozone standard.
- Intrastate ozone transport impacts can be evaluated and addressed internally as needed.
- Based on this EPA Region III has no basis to raise the issue of interstate transport as part of this process. It also represents a contradiction of national EPA policy concerning ozone transport and its remedy.

Level of Control

- As identified in the original bump-down request, significant reductions in both VOC and NO<sub>x</sub> emissions are expected to occur in the Richmond area by 2007. These reductions will occur regardless of the nonattainment classification of the area.
- The only difference between the moderate and marginal classification in terms of control strategies in the area is basic IM and possibly NO<sub>x</sub> RACT. The Richmond area is generally meeting all other moderate requirements already. The reductions that would be achieved from these additional controls have been estimated to be minor as shown below:
  1. Basic IM (~1 tpd reduction in VOC)
  2. NO<sub>x</sub> RACT (~1 to 2 tpd reduction in NO<sub>x</sub>)
- In terms of addressing transport that EPA has determined is a NO<sub>x</sub> issue, the significant contribution of the Richmond area to downwind nonattainment will be eliminated through the combination of the NO<sub>x</sub> SIP Call and the CAIR.

Modeling

- EPA cannot hold the Richmond bump-down modeling exercise to the same standards normally applied to attainment demonstrations.
- EPA cannot ignore their own modeling exercises that predict attainment in the Richmond area as soon as 2007.
- When discussing bump-down requests, EPA Headquarters acknowledged that modeling was not a requirement due to the short timeframe involved. Therefore, modeling cannot be used as the sole determinant for making these decisions.