

US EPA ARCHIVE DOCUMENT

B CITY OF BRIDGEPORT

July 20, 2012

Ms. Lisa Jackson
Administrator of USEPA
USEPA Headquarters
12000 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, DC 20460

RE: ATTENTION DOCKET ID NO. EPA-HQ_OAR-2008-0476.

RESOLUTION OPPOSITION WITH REQUEST FOR RECONSIDERATION AND CALL FOR CONGRESSIONAL INTERVENTION IN THE MATTER OF WISE COUNTY, TEXAS BEING DESIGNATED AS MEMBER OF DALLAS-FORT WORTH (DFW) AREA NAAQS 2012 EIGHT HOUR OZONE NONATTAINMENT AREA.

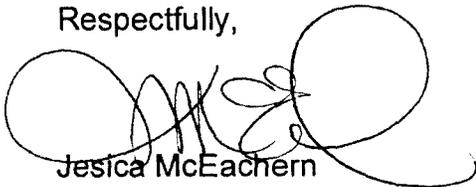
Director Jackson:

On behalf of the City of Bridgeport, Texas, located in Wise County, please accept this letter with attached Resolution No. 2012-16 as official notice of the City's request for re-review and reconsideration of your Conclusion Decision to add Wise County to the DFW Area nonattainment designation.

This resolution was adopted by the Bridgeport City Council during the regular meeting held on Tuesday, July 17, 2012. It is in support of Wise County Commissioners Court Resolution No. FY12-07 adopted on May 29, 2012 and mailed to you on June 15, 2012.

If you have any questions regarding this resolution, please contact me at 940-683-3402 or via e-mail at jmceachern@cityofbridgeport.net. The City of Bridgeport appreciates your consideration of this matter.

Respectfully,



Jessica McEachern
City Secretary
City of Bridgeport, Wise County, Texas

Enclosure

cc: (see next page)

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RESOLUTION NO. 2012-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, IN OPPOSITION OF THE CONCLUSION BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA) TO DESIGNATE WISE COUNTY, TEXAS AS AN ADDITION TO THE DALLAS-FORT WORTH AREA NAAQS 2012 EIGHT-HOUR OZONE NONATTAINMENT AREA.

In the matter of the United States Environmental Protection Agency (EPA) Responses to State and Tribal 2008 Ozone Designation Recommendations and its conjunctive conclusive decisions made from the EPA final "2012 Spring Review" of said 2008 Ozone Designation Recommendations in regards to ATTENTION DOCKET ID NO. EPA-HQ-OAR-2008-0476, the City of Bridgeport, Wise County, Texas, respectfully submits this vigorous Resolution of Protest to the EPA and associated Administrative Officials, along with a Call for warranted United States Congressional Intervention of the EPA 2012 designation of inclusion of Wise County, Texas into the Dallas-Fort Worth Area (DFW) Nonattainment Regional Area.

With this Resolution of Protest, the City of Bridgeport, Texas requests a full re-review by the EPA of the Technical Analysis Support Documentation and other associated Scientific Facts as were duly and timely submitted during the called EPA Comment Periods, by both Wise County, Texas and the Texas Commission on Environmental Quality (TCEQ).

Thus, the basis of this Resolution with call for review is formulated on justification of the previous actions and is so cited as being as follows:

WHEREAS, On or about May 1, 2012, the Environmental Protection Agency (EPA) announced that Wise County, Texas, is to be designated as an addition to the present nine (9) county Dallas-Fort Worth (DFW) Area list of designated nonattainment of the 2008 eight-hour ozone standard; and

WHEREAS, On October 31, 2011, the Texas Commission on Environmental Quality (TCEQ) recommended to the appropriate EPA departments, with supporting technical documentation, as to why Wise County should not be designated as part of the DFW non-attainment area; and

WHEREAS, From October 2011 through February 2012 and during the EPA's designated public comment period, Wise County and the TCEQ presented the EPA with additional support documentation which clearly demonstrates that the EPA's assessment of its own emission and meteorological factors (*EPA's Factor 2: Emissions and Emissions-Related Data*) were either ignored, incorrect, and/or did not include revised TCEQ scientific and monitoring data, including TCEQ report revisions related to the oil and gas sector pneumatic emissions for the Periodic Emissions Inventory; and

WHEREAS, According to EPA data, Wise County's minute 2010 population was 59,127, (or only approximately 0.95% of the current nine county DFW non-attainment population of approximately 6.2 million) and Wise County's 2008 vehicles miles traveled (VMT) of 969 million miles compared to the DFW area's 61,900 million (61.9 Billion) VMT reasons that it would be highly unexpected that VMT emissions for Wise County would have any significant contribution to DFW ozone-formation.; and

WHEREAS, Data from the *EPA's Factor 3: Meteorology (weather/transport patterns for the DFW Area)*, clearly shows that prevailing winds are from the east and southeast, meaning that Wise County is usually downwind of the DFW urban plume and unlikely to contribute to high ozone values (There are currently no ozone monitors located within Wise County) and given the DFW area's large population, automobile fleet, and variety of industry, the DFW area produces enough emissions on its own to result in a high ozone day – without the contributions of any of Wise County's factor numbers of population, VMT, and oil and gas activities.; and

WHEREAS, under the TCEQ's Supplemental Analysis on *Factors 2; Emissions and Emissions Related Data* and *Factor 3: Meteorology (weather/transport patterns)* for the DFW area, the TCEQ utilized an additional modeling tool, Comprehensive Air Quality Model with extensions (CAMx) Anthropogenic Precursor Culpability Assessment (APCA) as additional complementary information to the meteorology and emissions factors. The EPA did not use the updated oil and gas sector pneumatic emissions being submitted by the TCEQ in October 2011 to the EPA for Periodic Emissions Inventory from scientific and technical modeling and source apportionment analysis as provided, and therefore the VOC emissions as calculated by the stated resources/analysis methods are most likely overestimated in the modeling; and

WHEREAS, the City of Bridgeport, Texas has concluded from all the noted information and attached reports reviewed in other Analysis and Reports, along with the stated comments and conclusions as contained herein, that the EPA has not provided the citizens of Wise County a sufficient and accurate review of the evidence and data as submitted by Wise County and the TCEQ to support its conclusive decision to add Wise County to the designated nonattainment area of DFW Region, and therefore has denied, with prejudice, a lawful offer or opportunity to interact and work together with Wise County's local government officials, the State of Texas TCEQ, industry leaders, Economic Development Boards, Chambers of Commerce, and other stakeholders of Wise County in regards to EPA's air quality monitoring / decision making process, nor has EPA directly shared its specific data and justification leading to said Conclusion to place Wise County in the nonattainment region with no rebuttal process; and,

WHEREAS, the City of Bridgeport, Texas fully agrees with and supports Wise County Judge Bill McElhane's previous comments to the EPA, including scientific and technical data, other pertinent information, and the June 15, 2012, Resolution of the Wise County Commissioners Court respectfully requesting re-consideration of the EPA 2012 designation of inclusion of Wise County, Texas into the Dallas-Fort Worth Area (DFW) Nonattainment Regional Area; and

WHEREAS, a nonattainment designation would impose unwarranted significant economic ramifications on members of the City of Bridgeport, Texas, citizens of the City of Bridgeport Area, and Wise County in general, and that it is clear that EPA lacks sufficient scientific data to justify this Conclusion decision in regards to Wise County's inclusion designation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS:

SECTION 1

That the City of Bridgeport strongly and respectfully requests that the EPA Director and other Congressional Officials remove Wise County from its Conclusion list of designated nonattainment Counties within the DFW Area immediately, being for those reasons and associated justification so stated within this Resolution.

SECTION 2

That the City recognizes the benefits of Wise County governments and leadership working with the Texas Commission on Environmental Quality (TCEQ) and to develop and implement plans, policies, programs and projects to improve the air quality in the Dallas-Fort Worth Metropolitan Area and comply with EPA regulations.

SECTION 3

That the City affirms its full support for Wise County governments to work with the TCEQ and EPA in apprising and determining true present and future statuses of air quality in Wise County, Texas.

SECTION 4

That this resolution will also be transmitted to the TCEQ Commissioners, the Governor of the State of Texas, the North Central Texas Council of Governments, other Entities and concerned stakeholders of Wise County; and all of Wise County's Honorable Federal and State Legislative Representatives.

SECTION 5

That this resolution was voted upon and unanimously approved by the City Council of the City of Bridgeport to be in effect immediately upon its adoption; said City Council members being: Scott Cheves, Kathy Kennedy, Ilene Enochs, Bobby Brazier and Billy Fred Walker.

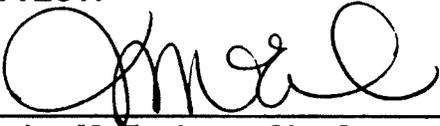
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 17th DAY OF July, 2012.

APPROVED:



Keith McComis, Mayor

ATTEST:



Jesica McEachern, City Secretary

