JAMES H. DOUGLAS
GOVERNOR

State of Vermont
OFFICE OF THE GOVERNOR

May 7, 2003

The Honorable Robert W. Varney
Regional Administrator
Environmental Protection Agency, Region I
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Dear Administrator Varney:

In response to your March 20, 2003 letter, and in accord with the requirements of the Clean Air Act (CAA) pertaining to designations, I am pleased to be able to recommend that all of Vermont's fourteen counties be designated as attainment/unclassified for the eight-hour National Ambient Air Quality Standards (NAAQS) for ground-level ozone. This fulfills my obligation to identify areas in Vermont which have ozone levels above the Environmental Protection Agency's (EPA) eight-hour ozone standard, which was originally promulgated in July 1997, but only recently upheld by the U.S. Supreme Court.

The State of Vermont has used data from ozone-monitoring sites located in Bennington County and at Underhill in Chittenden County for the years 2000 through 2002 in arriving at our recommendation to the EPA. These monitoring locations effectively span the state in a north/south direction. The attached tables summarize the data and show that both of these monitoring locations currently attain the eight-hour ozone NAAQS. Regional concentration patterns for monitored ozone (displayed in recent years on the EPA's daily ozone forecast and archive mapping system web site) lend support to our belief that all other counties in Vermont similarly meet the eight-hour ozone standard.

In addition, I would like to re-emphasize, as my predecessors have, that Vermont's attainment status is precarious given ozone's regionally episodic nature and the proven transport of ozone precursors from regions upwind of us. We strongly believe that maintenance of our attainment status depends on the equitable implementation of control measures on sources of ozone-forming precursor emissions in the eastern half of the U.S. As the EPA moves to finalize eight-hour ozone designations for many urban areas in the eastern U.S., it is important that these designations not be a patchwork of small areas, each expected to independently achieve the standard through local control measures. This approach has proven to be insufficient for most of the Northeast.

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Vermont, though entirely in attainment, is committed to working with states in the Ozone Transport Region (OTR) on regional control strategies. However, evidence is strong that transport of ozone precursors does not stop at the OTR's borders and that more broadly applicable measures for at least the eastern half of the United States are needed to achieve the comprehensive emission reductions (of nitrogen oxides in particular) that will eliminate the current widespread non-attainment of ozone standards and the resulting toll on human health.

Sincerely,

James H. Douglas
Governor

JHD/jb
c: David Conroy, Air Planning Unit Manager (EPA Region I)
Enclosures

State of Vermont

Designations under CAA Section 107(d)

April 25, 2003

Pollutant	Designated Area	Non-Attainment	Attainment/Unclassified
8-Hour Ozone	Addison County		X
8-Hour Ozone	Bennington County		X
8-Hour Ozone	Caledonia County		X
8-Hour Ozone	Chittenden County		X
8-Hour Ozone	Essex County		X
8-Hour Ozone	Franklin County		X
8-Hour Ozone	Grande Isle County		X
8-Hour Ozone	Lamoille County		X
8-Hour Ozone	Orange County		X
8-Hour Ozone	Orleans County		X
8-Hour Ozone	Rutland County		X
8-Hour Ozone	Washington County		X
8-Hour Ozone	Windham County		X
8-Hour Ozone	Windsor County		X

Bennington, Vermont Ozone Data

Year	Annual Fourth Highest Daily Maximum Eight-Hour Average	3-Yr Average of the Annual Fourth Highest Daily Maximum Eight-Hour Average	3-Yr Average (rounded to two decimal places)	8-Hr NAAQS Compliance Y/N
1987	0.083			
1988	0.102			
1989	0.082	0.089	0.09	N
1990	0.086	0.090	0.09	N
1991	0.093	0.087	0.09	N
1992	0.081	0.087	0.09	N
1993	0.082	0.085	0.09	N
1994	0.081	0.081	0.08	Y
1995	0.078	0.080	0.08	Y
1996	0.079	0.079	0.08	Y
1997	0.082	0.080	0.08	Y
1998	0.075	0.079	0.08	Y
1999	0.083	0.080	0.08	Y
2000	0.071	0.076	0.08	Y
2001	0.083	0.079	0.08	Y
2002	0.086	0.080	0.08	Y

3-Yr Average rounded to two decimal places must exceed 0.08 to indicate non-compliance

Underhill, Vermont Ozone Data

Year	Annual Fourth Highest Daily Maximum Eight-Hour Average	3-Yr Average of the Annual Fourth Highest Daily Maximum Eight-Hour Average	3-Yr Average (rounded to two decimal places)	8-Hr NAAQS Compliance Y/N
1987				
1988				
1989	0.071			
1990	0.072			
1991	0.080	0.074	0.07	Y
1992	0.086	0.079	0.08	Y
1993	0.076	0.081	0.08	Y
1994	0.075	0.079	0.08	Y
1995	0.074	0.075	0.08	Y
1996	0.065	0.071	0.07	Y
1997	0.072	0.070	0.07	Y
1998	0.073	0.070	0.07	Y
1999	0.079	0.075	0.07	Y
2000	0.071	0.074	0.07	Y
2001	0.076	0.075	0.08	Y
2002	0.084	0.077	0.08	Y

3-Yr Average rounded to two decimal places must exceed 0.08 to indicate non-compliance