



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

August 22, 2017

The Honorable Kay Ivey  
Governor of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130-2751

Dear Governor Ivey:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's intended designations for certain areas in Alabama for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO<sub>2</sub>). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment. These intended designations are a response to designation-related recommendations and information your state submitted in a letter dated May 25, 2011.<sup>1</sup>

On July 25, 2013, the EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016, and November 29, 2016. No areas in Alabama were designated in these previous actions. Pursuant to a March 2, 2015, court-ordered schedule,<sup>2</sup> the agency must complete the remaining SO<sub>2</sub> designations by two specific deadlines: December 31, 2017, and December 31, 2020. Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act (CAA), this letter is to notify you of the EPA's assessment of your state's recommended designations for all remaining undesignated areas in Alabama except areas that are associated with sources for which Alabama elected to install and begin operating a new SO<sub>2</sub> monitoring network. Some areas in Alabama warrant further discussion as explained below and in the referenced technical support document. We stand ready to assist and hope to resolve any differences regarding the proper designation for these areas within this 120-day period provided by the CAA.

To this end, if you or your staff have additional information that the EPA should consider prior to finalizing the designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at [www.regulations.gov](http://www.regulations.gov), and sending a copy to EPA Region 4. The EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on the EPA's intended designations.

---

<sup>1</sup> In 2017, Alabama transmitted additional information to the EPA to support their designation recommendations.

<sup>2</sup> *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).  
Internet Address (URL) • <http://www.epa.gov>

Alabama has recommended a designation of attainment for the areas indicated below. The EPA regulations for implementing the SO<sub>2</sub> NAAQS require Alabama to characterize SO<sub>2</sub> air quality in each listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Alabama or by a third party. Our review of this information indicates that it is not consistent with your recommendation due to either a lack of air dispersion modeling or unresolved air dispersion modeling issues, which would require a modification of the recommended designation. The EPA intends to designate each listed area as a separate unclassifiable area, as indicated.<sup>3</sup> We invite Alabama to review the available information and further discuss this issue with the EPA in order to inform an appropriate final designation.

<b>Intended Unclassifiable Area</b>	<b>Included Counties</b>
Autauga County, AL Area *	Autauga County
Escambia County, AL Area *	Escambia County
Mobile County, AL Area *	Mobile County
Morgan County, AL Area *	Morgan County
Pike County, AL Area *	Pike County
Russell County, AL Area *	Russell County
Shelby County, AL Area *	Shelby County (p)
Walker County, AL Area *	Walker County
Washington County, AL Area *	Washington County

(p) indicates portion of county

An asterisk (\*) indicates that the EPA's review of the available information is not consistent with your recommendation for this county, or for a portion of it.

The Technical Support Document provides the information that supports the intended designation decisions for these areas in Alabama.<sup>4</sup>

Finally, we intend to designate as unclassifiable/attainment all remaining areas of Alabama that were not required to be characterized and for which the EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. A list of these remaining areas is included in the enclosure.

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. We are prepared to work with you to resolve any disagreements with respect to the available information or information gaps. We are then required to designate all other remaining undesignated areas in Alabama by December 31, 2020, consistent with the prescribed timing of the court order. Upon the completion of this designation action, the remaining area in Alabama to be designated by December 31, 2020, will be a portion of Shelby County.

<sup>3</sup> The EPA's intended designated areas include all areas of Indian country.

<sup>4</sup> See Chapter 3 of the Technical Support Document for the designations the EPA plans to complete by December 31, 2017, that addresses areas in Alabama. The full Technical Support Document is available at <https://www.epa.gov/sulfur-dioxide-designations/sulfur-dioxide-designations-regulatory-actions>.

We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO<sub>2</sub> NAAQS. For additional information regarding designations under the SO<sub>2</sub> NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Beverly Banister of my staff at 404-562-9326 or [banister.beverly@epa.gov](mailto:banister.beverly@epa.gov).

Sincerely,



V. Anne Heard  
Acting Regional Administrator

Enclosure

cc: Lance R. LeFleur, Director  
Alabama Department of Environmental Management (ADEM)

Ron Gore, Chief  
Air Division, ADEM

Enclosure

List of all remaining areas of Alabama that were not required to be characterized and for which EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. The EPA intends to designate each of these areas as a separate unclassifiable/attainment area. The EPA's intended designation concurs with the designation that Alabama recommended.

<b>County</b>
Baldwin County
Barbour County
Bibb County
Blount County
Bullock County
Butler County
Calhoun County
Chambers County
Cherokee County
Chilton County
Choctaw County
Clarke County
Clay County
Cleburne County
Coffee County
Colbert County
Conecuh County
Coosa County
Covington County
Crenshaw County
Cullman County
Dale County
Dallas County



De Kalb County
Elmore County
Etowah County
Fayette County
Franklin County
Geneva County
Greene County
Hale County
Henry County
Houston County
Jackson County
Jefferson County
Lamar County
Lauderdale County
Lawrence County
Lee County
Limestone County
Lowndes County
Macon County
Madison County
Marengo County
Marion County
Marshall County
Monroe County
Montgomery County
Perry County
Pickens County
Randolph County
St. Clair County
Sumter County

Talladega County
Tallapoosa County
Tuscaloosa County
Wilcox County
Winston County