



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

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

August 22, 2017

The Honorable Rick Scott
Governor
PL 05 The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0001

Dear Governor Scott:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's intended designations for all of the remaining areas in Florida for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). 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 letters dated May 26, 2011, January 28, 2013, and January 13, 2017.¹

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. In Florida, the following areas were designated in these previous actions: Hillsborough County (partial) and Nassau County (partial). Pursuant to a March 2, 2015, court-ordered schedule,² the agency must complete the remaining SO₂ 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 Florida. While we are in agreement with your recommendation for many of these areas, some areas 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, 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.

Florida has recommended a designation of attainment or unclassifiable for Hillsborough and Polk Counties indicated below. EPA regulations for implementing the SO₂ NAAQS require Florida to characterize SO₂ 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 Florida or by a third party. The air monitoring data are

¹ In June 2017, Florida transmitted additional information to the EPA to support their designation recommendations.

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

consistent with your recommendation. The air dispersion modeling data, however, show either that portions of Hillsborough and Polk Counties may be violating the 2010 primary SO₂ NAAQS or contain sources that may be contributing to air quality in a nearby area that may be violating the 2010 primary SO₂ NAAQS, which would require a modification of the recommended designation. We invite Florida to review the available information and further discuss this issue with the EPA in order to inform an appropriate final designation.

Area	Included Counties
Hillsborough – Polk County, FL Area *	Hillsborough County (p)
Area around Mosaic New Wales Plant	Polk County (p)

(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.

Florida has recommended a designation of attainment or unclassifiable for the area indicated below. The EPA regulations for implementing the SO₂ NAAQS require Florida to characterize SO₂ 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 Florida or a third party. The air monitoring data show a portion of Citrus County may be violating the 2010 primary SO₂ NAAQS, which would require a modification of the recommended designation. We invite Florida to review the available information and further discuss this issue with the EPA in order to inform an appropriate final designation.

Area	Included Counties
Citrus County, FL Area *	Citrus County (p)

(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.

Florida has recommended a designation of attainment or unclassifiable for the areas indicated below. The EPA regulations for implementing the SO₂ NAAQS require Florida to characterize SO₂ 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 Florida or a third party. Our review of this information indicates that it is consistent with your recommendation.

Unclassifiable/Attainment Area	Included Counties
Duval County, FL Area	Duval County
Escambia County, FL Area	Escambia County
Hamilton County, FL Area	Hamilton County
Hillsborough County, FL Area	Hillsborough County (p)
Nassau County, FL Area	Nassau County (p)
Orange County, FL Area	Orange County
Polk County, FL Area	Polk County (p)
Putnam County, FL Area	Putnam County

(p) indicates portion of county

Unclassifiable Area	Included Counties
Polk County, FL Area around Mosaic Fertilizer Bartow Plant	Polk County (p)

(p) indicates portion of county

The Technical Support Document provides the information that supports the intended designation decisions for all areas in Florida.³

Finally, we intend to designate as unclassifiable/attainment all remaining areas of Florida 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.⁴ 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 by December 31, 2020, consistent with the prescribed timing of the court order. Upon the completion of this designation action, there will be no remaining areas in Florida to be designated.

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 SO₂ NAAQS. For additional information regarding designations under the SO₂ 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.

Sincerely,



V. Anne Heard
Acting Regional Administrator

Enclosure

cc: Noah Valenstein, Secretary
Florida Department of Environmental Protection (FDEP)

Jeff Koerner, Director
Division of Air Resource Management, FDEP

³ See Chapter 9 of the Technical Support Document for the designations the EPA plans to complete by December 31, 2017, that addresses areas in Florida. The full Technical Support Document is available at <https://www.epa.gov/sulfur-dioxide-designations/sulfur-dioxide-designations-regulatory-actions>.

⁴ The EPA's intended designated areas include all areas of Indian country.

Enclosure

List of all remaining areas of Florida 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. 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 Florida recommended.

County or Partial County (p)	Included Area, If Partial County
Alachua County	
Baker County	
Bay County	
Bradford County	
Brevard County	
Broward County	
Calhoun County	
Charlotte County	
Citrus County	Remainder of Citrus County not designated as a separate area
Clay County	
Collier County	
Columbia County	
DeSoto County	
Dixie County	
Flagler County	
Franklin County	
Gadsden County	
Gilchrist County	
Glades County	
Gulf County	
Hardee County	
Hendry County	
Hernando County	

Highlands County	
Holmes County	
Indian River County	
Jackson County	
Jefferson County	
Lafayette County	
Lake County	
Lee County	
Leon County	
Levy County	
Liberty County	
Madison County	
Manatee County	
Marion County	
Martin County	
Miami-Dade County	
Monroe County	
Nassau County (p)	Remainder of Nassau County not previously designated (See 40 CFR 81.310)
Okaloosa County	
Okeechobee County	
Osceola County	
Palm Beach County	
Pasco County	
Pinellas County	
Santa Rosa County	
Sarasota County	
Seminole County	
St. Johns County	
St. Lucie County	

Sumter County	
Suwannee County	
Taylor County	
Union County	
Volusia County	
Wakulla County	
Walton County	
Washington County	