



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

AUG 22 2017

The Honorable Philip B. Scott
Office of the Governor
109 State Street, Pavilion
Montpelier, Vermont 05609

Dear Governor Scott:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) intended designations for all areas in Vermont for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of EPA's commitment to a clean, healthy environment. These intended designations are a response to the designations-related recommendation and information you submitted in a letter dated April 21, 2017.

On July 25, 2013, 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 Vermont were designated in these previous actions. Pursuant to a March 2, 2015 court-ordered schedule,¹ 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, this letter is to notify you of EPA's assessment of your state's recommended designation for Vermont. We are in agreement with your recommendation.

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 EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at www.regulations.gov, and sending a copy to EPA Region 1. EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on EPA's intended designations.

Vermont has recommended a designation of unclassifiable/attainment for each county in the state as indicated below. After carefully considering Vermont's recommendation and all available information, we intend to designate each county in the state as unclassifiable/attainment. There are no areas in Vermont required to be characterized by modeling or monitoring and 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 enclosure to this letter provides the information that supports the intended designation decision for Vermont.²

¹ *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

² The enclosure is Chapter 2 of the Technical Support Document (TSD) for the designations EPA plans to complete by December 31, 2017 that addresses areas in Vermont. The TSD is also available at www.epa.gov/sulfur-dioxide-designations.

Unclassifiable/Attainment Area	Included Counties
Addison County	Addison County
Bennington County	Bennington County
Caledonia County	Caledonia County
Chittenden County	Chittenden County
Essex County	Essex County
Franklin County	Franklin County
Grand Isle County	Grand Isle County
Lamoille County	Lamoille County
Orange County	Orange County
Orleans County	Orleans County
Rutland County	Rutland County
Washington County	Washington County
Windham County	Windham County
Windsor County	Windsor County

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. Upon the completion of this designation action, there will be no remaining areas in Vermont 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 www.epa.gov/sulfur-dioxide-designations. Should you have any questions, please do not hesitate to call me, or have your staff contact Leiran Biton of my staff at 617-918-1267 or biton.leiran@epa.gov.

Sincerely,



Deborah A. Szaro
Acting Regional Administrator

Enclosure

cc: Emily Boedecker, Commissioner, VT DEC
Heidi Hales, Director, Air Quality and Climate Division, VT DEC