



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 21 2004

OFFICE OF
AIR AND RADIATION

Mr. Forrest M. Mims III
Geronimo Creek Observatory
433 Twin Oak Road
Seguin, TX 78155

Re: Request for Correction (RFC 04-018) received on May 24, 2004 regarding two statements in the document, "Response to Comments Document on EPA's Designation and Classification of Areas for the 8-hour Ozone National Ambient Air Quality Standard," Docket Number OAR-2003-0083-1658.

Dear Mr. Mims,

This letter is in response to your request for correction (RFC 04-018) received on May 24, 2004 under the Information Quality Guidelines (IQG) regarding two statements in the document, "Response to Comments Document on EPA's Designation and Classification of Areas for the 8-hour Ozone National Ambient Air Quality Standard," Docket Number OAR-2003-0083-1658 for the Federal Register notice entitled "8-Hour Ozone National Ambient Air Quality Standards; Final Rules" (69 Federal Register 23858, April 30, 2004).

The response to comments document is associated with a rulemaking that sets forth the air quality designations and classifications for every area in the United States for the 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Environmental Protection Agency (EPA) promulgated a revised 8-hour ozone NAAQS in July 1997. Section 107(d)(1) of the Clean Air Act (CAA or Act) requires the EPA to designate whether a geographic area is in attainment, unclassifiable or nonattainment following the promulgation of a NAAQS. This section of the Act establishes the process for designations and requires areas to be designated nonattainment if they do not meet the standard or contribute to ambient air quality in a nearby area that does not meet the standard.

The designation process began in the summer of 2003 when States and Tribes submitted formal recommendations regarding the designation for each area within the State and Reservation. After carefully evaluating each State and Tribal recommendation and the supporting documentation, on December 3, 2003, EPA wrote a letter to each State and Tribe notifying them which of their recommendations we intended to modify and identifying the recommendations with which we agreed. We provided an opportunity until February 6, 2004, for the States and Tribes to submit a demonstration as to why our modification was not appropriate. In response to our December 3, 2003 letters, we received letters and

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demonstrations from many States and Tribes addressing why they believed our modifications were not appropriate. We evaluated each letter and all of the timely technical information provided to us before arriving at the decisions reflected in the final rule. Some designations reflect the recommendation of the State or Tribe while others reflect our modifications of the recommendations.

As this process was moving forward, EPA also provided the public with an opportunity to participate. The EPA published a Notice of Availability (NOA) announcing the availability of the State and Tribal recommendations in the Federal Register on September 8, 2003 (68 FR 52933). Similarly, EPA published a NOA announcing the availability of our December 3, 2003, letters in the FR on December 10, 2003 (68 FR 68805). Throughout the designation process, we received letters from interested parties. We considered these letters as we moved forward with the designation process and we have placed these letters and our responses to the substantive issues raised by them in the docket for this rulemaking, OAR-2003-0083.

After carefully reviewing your email, which requests correction of a supporting document to the final rule, EPA has determined that your email does not contain significant new information or analysis that would warrant reopening or reconsidering the final decision. Nevertheless, I would like to take the opportunity to respond to the concerns in your request for correction.

Your request for correction under the IQG challenged two statements in the response to comments document placed in the docket for the final designations. First, you questioned our description that Guadalupe County is east-southeast of Bexar County. Enclosed is a map of the San Antonio Consolidated Metropolitan Statistical Area (CMSA), which is included in Docket Number OAR-2003-0083-1772. Guadalupe County is east of Bexar County and rapidly developing portions of Guadalupe County are southeast of Bexar County. The EPA's guidance for nonattainment boundary determination, "Boundary Guidance on Air Quality Designations for the 8-Hour Ozone National Ambient Air Quality Standards (NAAQS or Standard)", March 28, 2000, states that expected growth (including extent, pattern and rate of growth) is one of eleven factors to consider in determining the nonattainment boundary for a violating area (the Boundary Guidance is also in EPA's docket, Docket Number OAR-2003-0083-0130 and can be found on the EPA web site at <http://www.epa.gov/ozonedesignations/guidance.htm>; and is also cited in the final rule at <http://www.epa.gov/oar/oaqps/glo/designations/finalrule.pdf> on page 226).

Some of the most rapidly developing areas of Guadalupe County are east of the Northwest San Antonio monitor (CAMS 23) and east-southeast of the Camp Bullis monitor (CAMS 58). Both of these monitors are violating the 8-hour ozone standard (monitors are noted on the enclosed map). The enclosed map of the San Antonio metropolitan area has several lines that traverse the map. These lines illustrate that the developing portion of far west Guadalupe County and the City of Seguin are east-southeast of the violating Camp Bullis monitor. Emissions originating from these developing portions of Guadalupe County are east-southeast of the Camp Bullis monitor. Therefore, EPA will not be changing its findings regarding the location of Guadalupe County.

Your request for correction also questions EPA's statement, "This county is upwind of the core metroplex during the ozone season and, therefore, emissions in this county tend to carry into the San Antonio area more frequently." Your email states: "The prevailing wind during the May-October ozone season is from the southeast. Thus, Guadalupe County is not upwind of the core metroplex during the ozone season. According to the wind data provided to the Texas Commission on Environmental Quality (TCEQ), Guadalupe County is upwind of the core metroplex during only 1.8 days (October) to 2.8 days (May) per ozone season month. Moreover, the two population centers in Guadalupe County (Seguin and Schertz) are upwind from the ozone monitors at CAMS 23 and CAMS 58 fewer than 1.5 days per ozone season month." Unfortunately, the wind data you provided in your email were not of sufficient quality, as submitted, to be considered. Data submitted by the TCEQ to the EPA dated February 5, 2004, specifically for consideration in our ozone designation deliberations states that "...Guadalupe County is upwind of the urban core 60% of the time during the ozone season..." The TCEQ documentation, based on wind readings from 1999-2002, is included in the ozone designations docket as Docket Numbers OAR-2003-0083-1329 and OAR-2003-0083-1332.

The enclosed windrose (Docket Number OAR-2003-0083-1657) shows that winds from the east, east-southeast, and east-northeast do pass over Guadalupe County greater than 10% of the time during the March - October ozone season for the period of 1988-1992. The EPA's finding is not that the majority of the winds come from the direction of Guadalupe County, but rather that the most frequent winds during the ozone season are from the south-southeast. Back trajectories on the days when one or more of the Bexar County ozone monitors exceeded the 8-hour ozone standard do indicate winds coming from the east-southeast. The winds that pass over Guadalupe County in the summer from the east, east-southeast and east-northeast are certainly more frequent than winds coming from the north, west-northwest and west. Therefore, EPA will not change its findings regarding the upwind location of Guadalupe County.

Guadalupe County is participating in the Early Action Compact (EAC) for San Antonio, Texas. This compact, which was signed December 2002 by the 4-county metropolitan area, the Texas Commission on Environmental Quality and EPA, is a voluntary commitment by the local area to reduce ozone pollution earlier than otherwise required by the CAA. On April 15, 2004, we designated all areas of the country for the 8-hour standard. However, because all except two EAC areas met and agreed upon milestones in accordance with EPA guidance and the EAC protocol, the effective date of the nonattainment designation for the 8-hour ozone standard has been initially deferred until September 30, 2005, for these areas, including Bexar, Comal and Guadalupe Counties in the San Antonio EAC. If EAC areas continue to meet all subsequent milestones through December 2007, we will defer the effective date two additional times, until December 31, 2006 and April 15, 2008. By April 2008, EPA will determine whether the area has attained the standard. As long as the effective date of the designation is deferred, CAA requirements that apply to areas designated nonattainment for the 8-hour standard, such as controls and offsets for new sources, will not apply. By reducing pollution ahead of schedule, San Antonio and other compact communities will bring substantial, sustainable health and environmental improvements to their residents sooner than would have been achieved without these agreements.

Thank you for your interest in this important matter. If you are dissatisfied with this response, you may submit a Request for Reconsideration (RFR). EPA recommends that this request be submitted within 90 days of the date of this letter. To do so, send a written request to the EPA Information Quality Guidelines Processing Staff via mail (Information Quality Guidelines Staff, Mail Code 2811R, U.S. EPA, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460), electronic mail (quality@epa.gov) or fax (202-565-2441). The RFR should reference the request number assigned to the original request for correction (identified in the heading of this response). Additional information that should be included in the request is listed on the EPA Information Quality Guidelines web site www.epa.gov/quality/informationguidelines.

Sincerely,

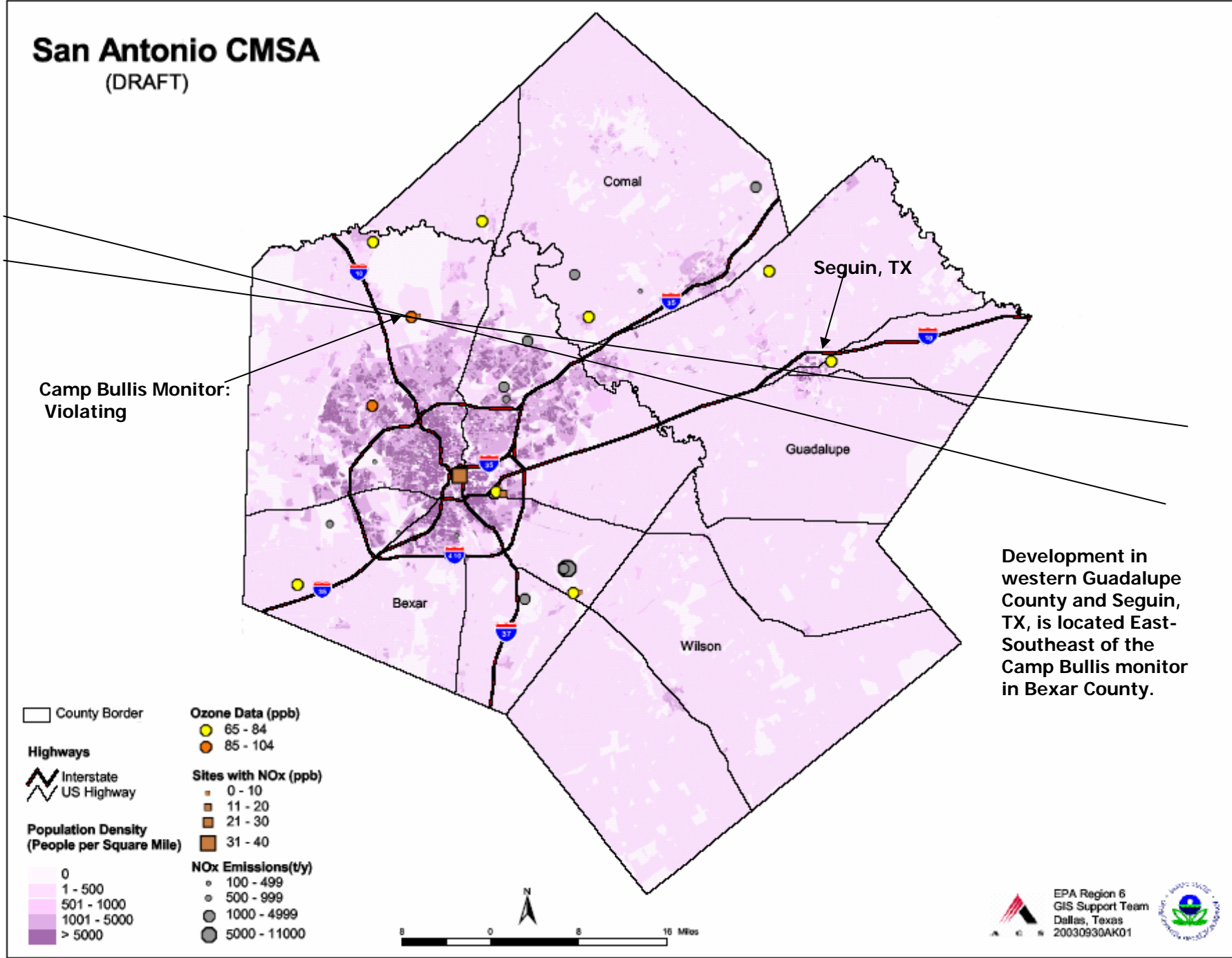
A handwritten signature in black ink, appearing to read "J. Holmstead" with a stylized flourish at the end.

Jeffrey R. Holmstead
Assistant Administrator

Enclosures:

1. Map of San Antonio CMSA area
2. Windrose

San Antonio CMSA (DRAFT)



Camp Bullis Monitor:
Violating

Seguin, TX

Development in western Guadalupe County and Seguin, TX, is located East-Southeast of the Camp Bullis monitor in Bexar County.

County Border

Highways

Interstate
US Highway

Population Density
(People per Square Mile)

0
1 - 500
501 - 1000
1001 - 5000
> 5000

Ozone Data (ppb)

65 - 84
85 - 104

Sites with NOx (ppb)

0 - 10
11 - 20
21 - 30
31 - 40

NOx Emissions(t/yr)

100 - 499
500 - 999
1000 - 4999
5000 - 11000

