



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Douglas W. Domenech  
Secretary of Natural Resources

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Director

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June 2, 2011

Mr. Shawn M. Garvin  
Regional Administrator  
EPA Region III  
1650 Arch Street  
Mail Code: (3RA00)  
Philadelphia, PA 19103-2029

Dear Mr. Garvin:

Pursuant to Section 107 (d) (1) (A) of the Clean Air Act and on behalf of the Governor of the Commonwealth of Virginia, I hereby submit the initial recommendations and comments on the designations of areas in Virginia under the 2010 1-Hour National Ambient Air Quality Standard (NAAQS) for Sulfur Dioxide (SO<sub>2</sub>). Furthermore, this letter is in direct response to the guidance provided in the March 24, 2011, memorandum from Stephen D. Page that outlines the data and analyses to be considered in making these initial area designation recommendations.

The Department of Environmental Quality (DEQ) operates an ambient SO<sub>2</sub> monitoring network in Virginia. The latest ambient concentrations observed by this monitoring network are well below the level of the new standard (see Enclosure I) and have steadily decreased since 2000. At the same time, emissions of SO<sub>2</sub> have also significantly decreased as a result of both state and federal control programs. We believe that these observed levels and trends are generally representative of the Commonwealth as a whole with regard to the pollution exposure and air quality improvement experienced by the general public. However, it is recognized that these levels may not be representative of specific major source impacts and other high emissions locations that are targeted by the designation and evaluation procedures that have been promulgated along with the new standard. It is also recognized that a large portion of Virginia is and will not be directly monitored for SO<sub>2</sub> levels due to resource considerations and constraints.

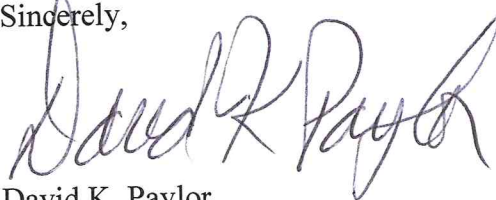
Therefore, I respectfully request that all of Virginia be designated as "unclassifiable" under the new SO<sub>2</sub> standard until additional data and analyses become available for future designation determination purposes (see Enclosure II). I do so with several reservations which are described below.

At this time, I must point out several serious concerns that the DEQ has regarding the implementation of this new standard.

- The implementation approach that EPA has chosen is troubling for several reasons. First and foremost, this approach represents a drastic departure from the normal process used in the past to designate areas and develop air quality plans for areas under previous NAAQS.
- This “hybrid” approach relies too heavily on highly conservative and resource intensive air quality modeling techniques over the more traditional monitoring approach. The subsequent requirement to develop and submit Section 110(a)(1) State Implementation Plans (SIPs) for areas that are designated “unclassifiable” further increases the burden and workload involved.
- The apparent choice to use allowable emissions to establish a source threshold to perform the required evaluation adds to our concern. This could require the combination of modeling and permitting for over 100 sources in Virginia alone. This represents an enormous workload to contend with during a period of limited and stretched state resources. Furthermore, this approach does not account for or acknowledge the difference between very large and very small sources in terms of actual air quality impacts.
- Given the complex and time consuming process involved, the standard implementation schedule and milestones are unrealistic and probably unachievable. This is particularly the case for the June 2013 deadline for submitting the Section 110(a) (1) maintenance SIPs.
- This standard will be a difficult challenge for existing and even new sources that must demonstrate compliance with the standard. In light of the concerns raised and shared by many states, EPA must issue reasonable and workable guidance in a timely manner to facilitate the implementation process. This is most important to continue to promote energy and economic development in Virginia.

Thank you again for this opportunity to provide input on this important issue for Virginia. Please contact me if you have any questions concerning these recommendations.

Sincerely,



David K. Paylor

Enclosures

cc: Diana Esher, EPA Region III Air Protection Division Director (3AP00) w/enclosures  
The Honorable Douglas W. Domenech, Secretary of Natural Resources w/enclosures  
Michael Dowd, DEQ Air Quality Division Director