

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR QUALITY**

**COMMENT AND RESPONSE DOCUMENT
CONCERNING**

**Designation Recommendations
for the 2008 8-hour Ozone Standard
March 2009**

The Pennsylvania Department of Environmental Protection (“DEP” or “Department”) requested public comment on its proposed designation recommendations for Nonattainment/Attainment Areas for the 2008 Ozone National Ambient Air Quality Standards on February 14, 2009. Three public meetings were held March 3-4, 2009 in Harrisburg, Pittsburgh and Norristown. The Department’s comment period on the proposed designation recommendations closed on March 6, 2009.

COMMENTATORS:

1. Jennifer McKenna
President
528 Garland Drive
Carlisle, PA 17013
2. Stephen W. Klesic
President
United Environmental Group Inc.
241 McAleer Rd
Sewickley, PA 15143
3. Zachary Friedman
Clean Air Council
135 South 19th Street
Suite 300
Philadelphia PA 19103
4. Mrs. Denise Boersma
280 Oak Hill Ct.
Easton, PA 18042

COMMENTS AND RESPONSES

1. COMMENT: Air quality in the Harrisburg, Carlisle, and Lebanon metropolitan area does not meet the current 8-hour ozone standard and agrees with DEP that Cumberland County and Lebanon County should be declared nonattainment based on the data from nearby monitors. (1)

RESPONSE: The Department agrees and has recommended to the U.S. Environmental Protection Agency (EPA) that the area be designated as nonattainment for the 2008 ozone health-based standard of 75 parts per billion.

2. COMMENT: The data identified by DEP to support a non-attainment designation of the metropolitan area are from monitors located in Harrisburg and Hershey (Dauphin County) and at Little Buffalo State Park (Perry County). There are no ozone monitors in Cumberland or Lebanon counties. The commentator urges DEP to install an ozone monitor in Cumberland County. (1)

RESPONSE: The Department is currently meeting the monitoring requirements as defined in 40 CFR Part 58 Appendix D for the number of ozone sites in the Harrisburg-Carlisle Metropolitan Statistical Area (MSA). We believe an ozone monitor in Cumberland County is not necessary to assess air quality for the recommended nonattainment area. As required by EPA regulations, the Department will be performing an assessment of our air monitoring network to identify any gaps or duplication in monitoring as we develop our network monitoring plan for 2011. This assessment, which will occur every five years, is due to EPA by July 1, 2010. An opportunity will be provided for public review and comment on the proposed monitoring network plan.

The Lebanon area is now a separate MSA with a population of less than 350,000. The Department is anticipating that new monitoring requirements for ozone may require the location of an ozone monitor in the Lebanon MSA in 2011 or 2012.

3. COMMENT: The current requirement for Stage II vapor recovery should be rescinded due to the On-board Refueling Vapor Recovery (ORVR) canisters being required on vehicles. Currently 70 percent plus of the registered motor vehicles in the southwest and southeast portions of Pennsylvania have ORVR canisters. Stage II is currently causing more volatiles being released into the environment than what would occur if the requirement was eliminated. (2)

RESPONSE: While the Department appreciates your concern, this comment is not relevant for the designation of ozone nonattainment areas. However, for the commentator's information, 25 Pa. Code § 129.91(d) states that if an onboard canister refueling emissions control program has been fully implemented by EPA by December 31, 2010, the operation and maintenance of Department-approved Stage II systems will

no longer be required in the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland.

4. COMMENT: The commentator supports the Pennsylvania Department of Environmental Protection recommendations for each of the areas it has designated as non-attainment for the 2008 8-hour Ozone National Ambient Air Quality Standard. (3)

RESPONSE: The Department appreciates the support.

5. COMMENT: The commentator believes that the Commonwealth should use the larger Pittsburgh-New Castle Combined Statistical Area as the nonattainment area boundary for the Pittsburgh-Beaver Valley nonattainment area. The commentator believes that emissions from Lawrence County contribute to ozone exceedances in the Pittsburgh-Beaver Valley nonattainment area. The commentator also believes the Commonwealth's recommendation of the Pittsburgh metropolitan statistical area as the nonattainment area boundary is inconsistent with EPA's guidance. (3)

RESPONSE: The Commonwealth continues to believe that Lawrence County should be designated attainment for the 2008 8-hour ozone standard. EPA's guidance recommends that the Core Based Statistical Area (CBSA) or Combined Statistical Area (CSA) serve as the starting point for considering the appropriate boundaries for ozone nonattainment areas. There are two types of CBSAs depending on population: metropolitan and micropolitan statistical areas. The Commonwealth's recommendation of the Pittsburgh metropolitan statistical area as the boundary for the Pittsburgh-Beaver Valley nonattainment area is consistent with EPA's guidance. Lawrence County, a micropolitan statistical area, was designated as attainment for the 1997 8-hour ozone standard. Most importantly, the monitor located in Lawrence County shows that the ambient air quality meets the 2008 8-hour ozone standard.

6. COMMENT: The commentator recommends that the Commonwealth adopt the same measures to reduce increasing emissions in Lawrence County as in the Pittsburgh area. The commentator stated that EPA emphasizes using larger geographic areas because of the wide dispersal of ozone emissions and the increased stringency of the 2008 8-hour ozone standard as a result of the recognition of ozone's more serious adverse health effects. The Commonwealth's argument that the continued separation of these two areas because of their designation under the 1-hour standard is irrelevant and unpersuasive. (3)

RESPONSE: The entire Commonwealth is included the Ozone Transport Region established by operation of law under Section 184 of the Clean Air Act. Therefore, the entire Commonwealth is treated as a moderate ozone nonattainment area for nitrogen oxides and volatile organic compounds. Because Pennsylvania is included in the Ozone Transport Region, the requirements for moderate ozone nonattainment areas apply throughout Pennsylvania. In addition, the requirements of the federal Clean Air Interstate Rule (CAIR) will apply to the power plant located in Lawrence County. EPA guidance

specifically includes “existing nonattainment areas” under the “jurisdictional boundaries” criterion for evaluation.

7. COMMENT: The Commonwealth cannot argue that geographic features make the Pittsburgh metropolitan statistical area the natural boundary because the area contains three distinct air basins, making the argument that there is a common emissions control plan across the Pittsburgh metropolitan statistical area inapplicable. These air basins do not include all of the counties in the Pittsburgh metropolitan statistical area, and thus cannot be used as a reason to exclude Lawrence County from the nonattainment area designation. (3)

RESPONSE: The Commonwealth agrees that the boundaries of the recommended Pittsburgh-Beaver Valley nonattainment area are not identical to the Southwestern Pennsylvania air basins. However, the counties recommended to be designated nonattainment are included in one single transportation-planning agency as designated by the U.S. Department of Transportation (U.S. DOT) based on economic and commuting patterns. Most importantly, the monitor located in Lawrence County shows that the ambient air quality meets the 2008 8-hour ozone standard.

8. COMMENT: Based on Clearfield County’s emissions and monitoring data, the commentator urges the Commonwealth to recommend retaining the 1997 nonattainment area boundary that included both Clearfield and Indiana counties in the nonattainment area (3)

RESPONSE: Clearfield County was included in the 1997 ozone nonattainment area because, at the time designations were made for the 1997 8-hour ozone standard, it was not attaining the standard. Clearfield is now monitoring attainment. Clearfield County has relatively low NO_x and VOC emissions. In addition, the impact of Clearfield County emissions on Indiana County is minimal because the Clearfield County sources are predominantly downwind of the monitor in Indiana County that is not attaining the current standard. Monitoring data shows that counties downwind of the sources in Clearfield County are attaining the 2008 8-hour ozone standard.

9. COMMENT: The commentator suggests that the Commonwealth recommend Lycoming and Clinton counties be designated a single nonattainment area. The commentator cites the contribution of emissions from Clinton County to nonattainment in Lycoming County and the definition of the two counties as the Williamsport-Lock Haven CSA as support. (3)

RESPONSE: EPA’s guidance recommends that the Core Based Statistical Area (CBSA) or Combined Statistical Area (CSA) serve as the starting point for considering the appropriate boundaries for ozone nonattainment areas. The Commonwealth’s recommendation of Lycoming County as the nonattainment area is consistent with EPA’s guidance. Clinton County has very low NO_x and VOC emissions as well as a very low and declining population density. The two counties are also located in separate transportation planning regions. After considering these factors, the Commonwealth

concludes that it is reasonable to exclude Clinton County from the recommended nonattainment area.

10. COMMENT: The commentator supports the Commonwealth's recommendation to include York and Adams counties in the nonattainment area for the 2008 ozone standard.

RESPONSE: The Commonwealth appreciates the commentator's support.

11. COMMENT: The commentator suggests that the Commonwealth also include Franklin County in the York nonattainment area based on Franklin County's emissions inventory, population growth, and original nonattainment status for the 1997 ozone standard. (3)

RESPONSE: Franklin County was included in the 1997 ozone nonattainment area because, at the time designations were made for the 1997 8-hour ozone standard, it was not attaining the standard. Franklin County is now monitoring attainment. Franklin County has very low NOx and VOC emissions.

12. COMMENT: The commentator urges the Commonwealth to reconsider its recommendation that Monroe County be designated as a single county nonattainment area. The commentator suggests either including Monroe County in a nonattainment area with Wyoming, Lackawanna, and Luzerne counties or including it in the Allentown-Bethlehem-Easton nonattainment area with Carbon, Lehigh and Northampton counties. The commentator believes that Luzerne and Lackawanna counties should be designated nonattainment. The commentator cites Luzerne and Lackawanna counties' emissions and monitoring data as support. (3)

RESPONSE: The Commonwealth continues to believe that Monroe County should be designated as a single county nonattainment area for the 2008 8-hour ozone standard and that Luzerne and Lackawanna counties should be designated as attainment. Currently, all of the monitors in Lackawanna and Luzerne counties are monitoring attainment of the 2008 8-hour ozone standard. In addition, trajectory analysis for Monroe County indicates that on days exceeding the ozone standard, air flow from the Allentown-Bethlehem-Easton area was much more common than air flow from the Scranton-Wilkes-Barre area. Consideration of these factors supports the Commonwealth's recommendation that Lackawanna and Luzerne counties be designated attainment for the 2008 8-hour ozone standard.

Monroe County is not included in the Allentown-Bethlehem-Easton metropolitan area (Carbon, Lehigh, and Northampton counties) or the Scranton-Wilkes-Barre metropolitan area (Lackawanna, Wyoming, and Luzerne counties). The EPA's guidance recommends that the CBSA or CSA serve as the starting point for considering the appropriate boundaries for ozone nonattainment areas. The Commonwealth's recommendation of Monroe County as the nonattainment area boundary is consistent with this guidance.

13. COMMENT: The commentator is concerned about high inventory levels in the Sunbury-Lewisburg-Selinsgrove CBSA, which includes Montour, Northumberland, and Snyder Counties, and urges the Commonwealth to determine whether emissions from these counties are contributing to nonattainment in the adjacent Lycoming and Clinton County nonattainment area. (3)

RESPONSE: The Sunbury-Lewisburg-Selinsgrove CBSA, which does not include Montour County, is not located predominantly upwind of the monitor in Lycoming County, limiting the impact of emissions from the CBSA on Lycoming County. Montour County's very high NOx emission density is due to a large power plant being located in a small county. The requirements of the CAIR program will apply to the power plant located in Montour County that will ensure already-installed NOx control equipment will continue to operate. The Sunbury-Lewisburg-Selinsgrove CBSA has relatively low NOx and VOC emissions.

14. COMMENT: The commentator expresses concern about air quality issues and Northampton County being in an "unhealthy" range for ozone. The commentator also expresses concern about the compliance of landfills and the expansion of landfills in populated areas. (4)

RESPONSE: The Commonwealth appreciates the commentator's interest in air quality issues and shares the commentator's concern for public health. The Commonwealth has recommended that Northampton County be designated nonattainment for the 2008 8-hour ozone standard as part of the Allentown-Bethlehem-Easton nonattainment area. This means that the Commonwealth will develop an attainment plan for the Allentown-Bethlehem-Easton nonattainment area that will include specific permanent and enforceable control measures. Air quality in the Commonwealth has improved greatly, and the Department will work to ensure it continues to improve.