



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Secretary of Natural Resources

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October 3, 2016

Mr. Shawn M. Garvin  
Regional Administrator  
EPA Region III  
1650 Arch Street  
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 2015 8-hour Ozone National Ambient Air Quality Standard (NAAQS).

Let me first state that great progress has been made in improving ozone air quality in Virginia and nationwide since the 1997 and 2008 ozone standards were implemented. This progress is due to coordinated efforts at the federal, state, and local levels to reduce ozone precursor pollutants and the transport of ozone from one area to another. This progress is clear in that most of Virginia is already in attainment status for the 2015 ozone standard.

However, the new 2015 ozone standard poses a significant challenge to us all that will require an even higher level of cooperation. We believe that new or revised regional and national control programs must be a key component to the overall attainment strategy for this standard if states and individual nonattainment areas are to achieve timely compliance. Emission inventory analyses and air quality modeling results show that sectors such as non-road and on-road diesel engines as well as on-road gasoline engines are very important sectors to ozone formation. Implementation of control programs for these sectors is problematic for states due to statutory constraints and the ubiquitous nature of these emissions sectors. Therefore, I urge the EPA to move forward quickly to evaluate and implement new or updated strategies that can assist the states in this regard.

Virginia jurisdictions have successfully used both the Early Action Compact program and the Ozone Advance program to implement voluntary measures aimed at reducing ozone precursors. EPA should continue to offer these flexible programs as options for effective

ozone planning. EPA should also offer the option of participating in such a program to marginal ozone nonattainment areas. Such areas have a short timeline for compliance and no formal planning requirements other than inventory development. Allowing marginal areas to participate would encourage local and regional reductions of precursors to further aid in timely compliance so that citizens may breathe healthier air sooner.

The specific area recommendations of the Commonwealth are provided with this letter, and the enclosures to this letter provide more detail and supporting documentation. While the certified 2013 through 2015 ozone air quality data for Virginia presented in Enclosure I demonstrates that all monitors in the Commonwealth complied with the 2015 ozone standard, the most recent preliminary ozone air quality data for Virginia shows one monitor in Northern Virginia (i.e., Aurora monitor, Arlington, VA) is likely to be slightly above the new standard. Therefore, these recommendations are partially based on uncertified air quality data and cover the years 2014 through 2016. A copy of the uncertified 2014-2016 air quality data is included as part of the supporting documentation for these recommendations contained in Enclosure II.

#### **Northern Virginia Nonattainment Area**

The Commonwealth's recommendation for this area, which is part of the Greater Washington DC/MD/VA Metropolitan statistical Area (MSA), is that the nonattainment area boundary in Virginia be the same as the previous 2008 8-hour nonattainment area. We believe that this recommendation is supported by the marginal nature and scope of the nonattainment situation in the DC area with only two potentially violating monitors at the current time. As such, Virginia believes that a designation of marginal nonattainment for this area is most appropriate based on preliminary air quality data for years 2014-2016. The Commonwealth further recommends that the greater Washington, DC/MD/VA area remain a separate nonattainment area under the new standard, as this area already has well established and effective air quality and transportation planning processes.

#### **Remaining Areas in Virginia**

As I mentioned previously, all other monitors in the Commonwealth are in compliance with the new ozone standard. Therefore, Virginia recommends that all the remaining areas in Virginia be designated unclassified/attainment for this standard. Further specifics on these recommended designations can be found in Enclosure III.

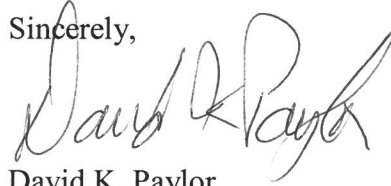
As always, the Commonwealth reserves the right to provide additional and/or updated information to inform the designation process as it proceeds. This information could include, but is not limited to, updated ozone monitoring data as it becomes available.

In summary, the Commonwealth of Virginia requests that the EPA carefully consider and adopt the area recommendations provided by this letter. We believe that the recommendations made are both reasonable and appropriate given the supporting

documentation provided. These area designations, along with timely and effective programs at the national level addressing significant sources of ozone precursor emissions and the continuance of voluntary programs like Ozone Advance, will provide the tools needed to further improve air quality 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,

A handwritten signature in black ink, appearing to read "David K. Paylor". The signature is fluid and cursive, with the first name "David" being the most prominent.

David K. Paylor

Enclosures

cc: Cristina Fernandez, EPA Region II Air Protection Division Director  
Michael G. Dowd, DEQ Air Division Director