



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

June 9, 2011

William J. Skrabak
Deputy Director, Department of Transportation &
Environmental Services
Office of Environmental Quality
City of Alexandria
City Hall, 301 King Street, Room 3900
Alexandria, Virginia 22314

Dear Mr. Skrabak:

This is to acknowledge your June 2, 2011 letter to Director Paylor and to me concerning the designation of areas in Virginia under the 2010 1-hour NAAQS for sulfur dioxide (SO₂) which were due to the EPA by June 3, 2011. I am also transmitting to you the initial area designation recommendations for Virginia that were submitted to the EPA on June 2, 2011 (see Enclosure). As you will see, the DEQ has recommended that all areas in the Commonwealth should be designated as "unclassifiable" for this standard which is consistent with the EPA designation guidance issued on March 24, 2011.

We did receive the modeling information developed by the Sierra Club on May 13, 2011 that is referenced in your letter. However, we are still reviewing this information and do not currently have an opinion or position as to its conclusions. However, we will consider this information as well as all other data and analyses that any interested parties may have regarding area designations and source-specific impacts as the designation process moves forward. As you know, the EPA is the final decision maker in this process which will be completed in June of 2012.

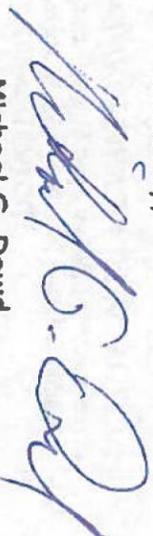
Please also note that the DEQ Air Quality Division is developing a comprehensive plan to evaluate all major sources in Virginia that will be subject to the air quality assessment requirements of this standard, including the Potomac River Generating Station. We believe that it is very important to address all sources in the same manner and allow them to be fully engaged in the assessment process as required

Mr. William J. Skrabak
Page 2 of 2

by EPA modeling guidance. We will certainly share this plan with you once the EPA implementation guidance is released and the DEQ plan is finalized.

Thank for your input on this matter which is of great importance to us all.

Sincerely,



Michael G. Dowd
Air Quality Division Director

Enclosure

24/12



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Fax: 804-698-4019 - TDD (804) 698-4021

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David K. Paylor
Director

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1-800-592-5482

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 (SO₂). 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 SO₂ 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 SO₂ 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 SO₂ levels due to resource considerations and constraints.

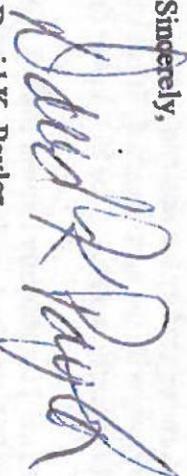
Therefore, I respectfully request that all of Virginia be designated as "unclassifiable" under the new SO₂ standard until additional data and analyses become available for future designation determination purposes (see Enclosure II). I do so with several reservations which are described below.

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

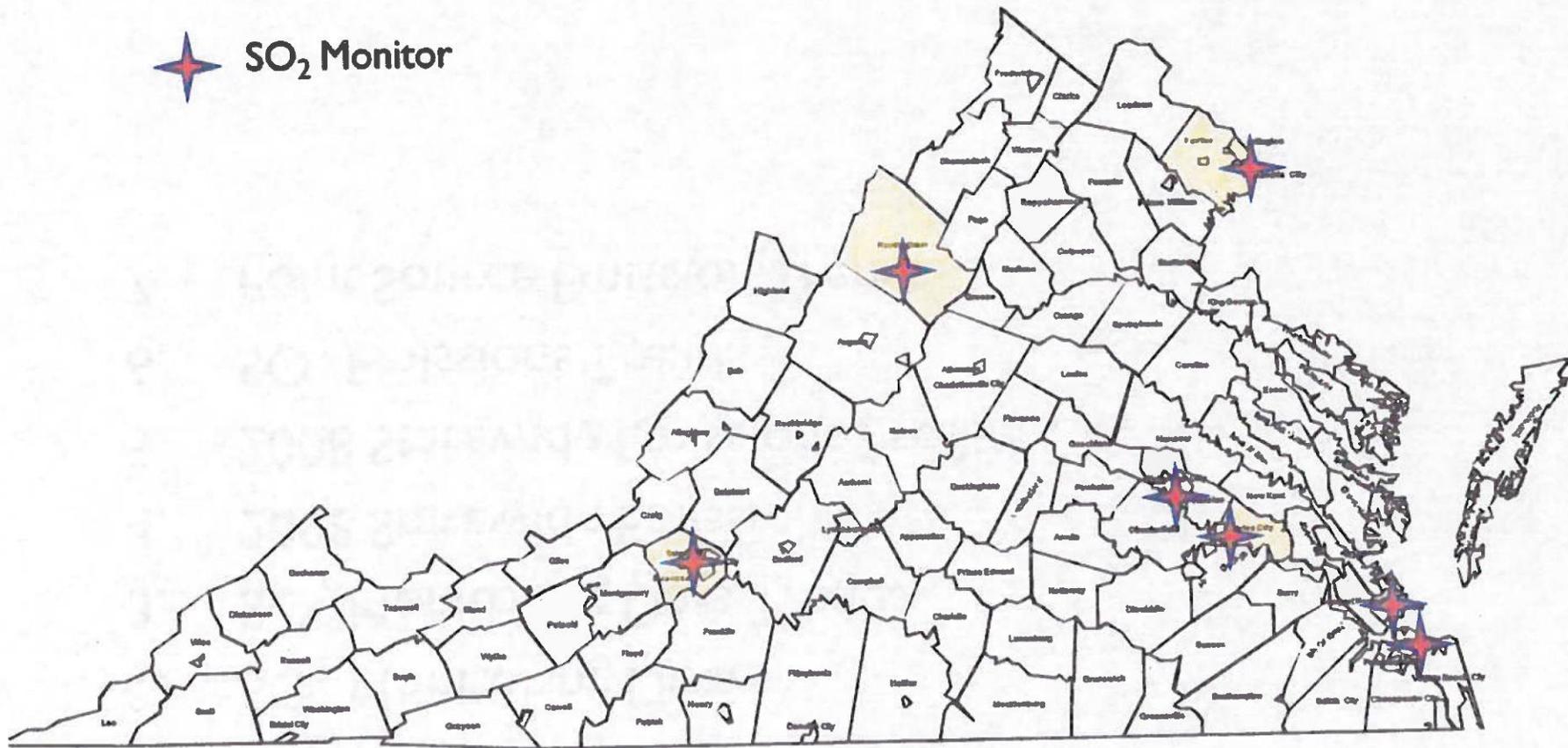
Enclosure I

Virginia SO₂ Air Quality and Emissions Data

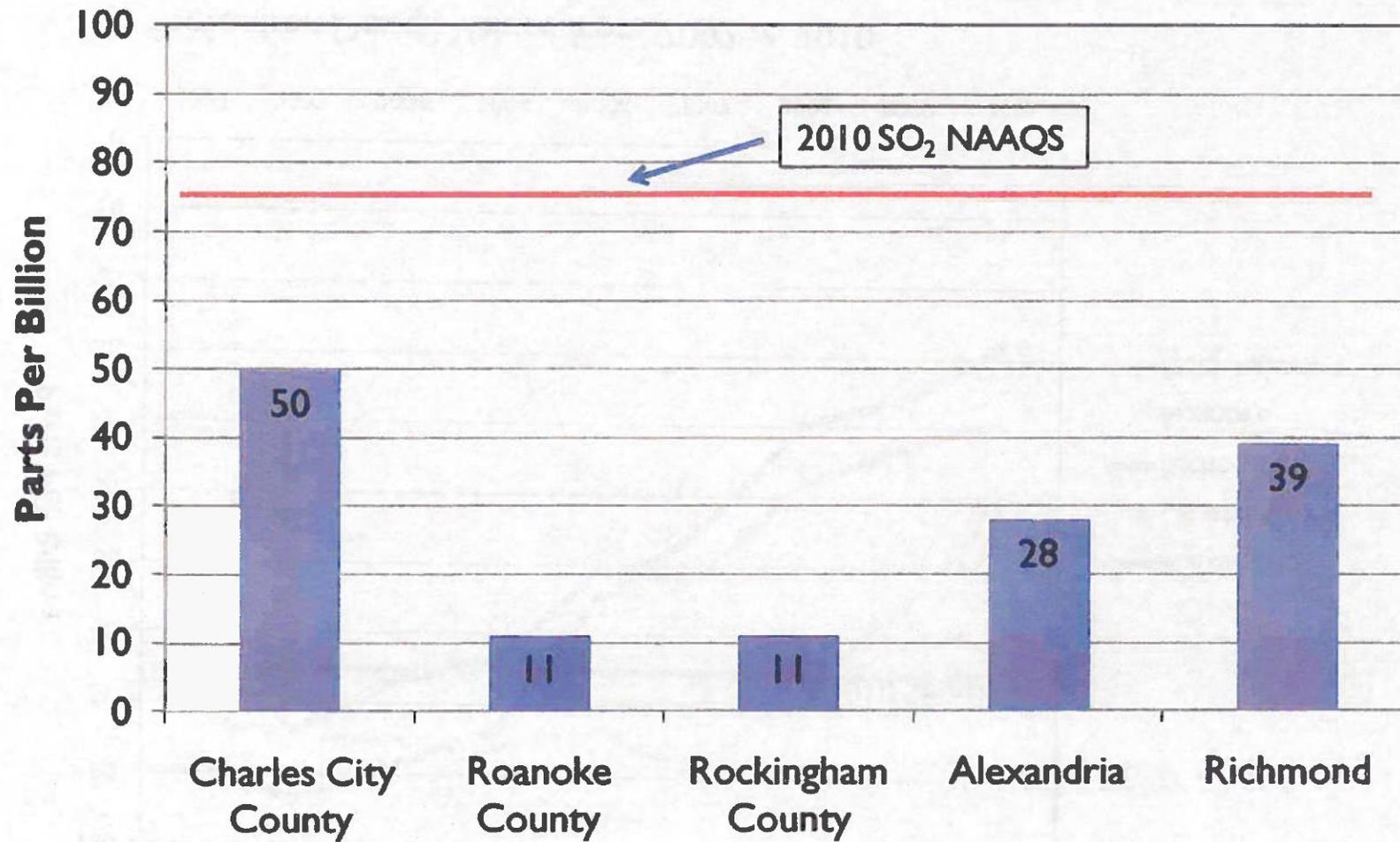
1. SO₂ Monitoring Network
2. SO₂ Monitoring Data
3. SO₂ Monitoring Data Trends
4. 2008 Statewide Emissions
5. 2008 Statewide Emissions Profile
6. SO₂ Emissions Trends
7. Point Source Emission Trends

SO₂ MONITORING NETWORK

 SO₂ Monitor

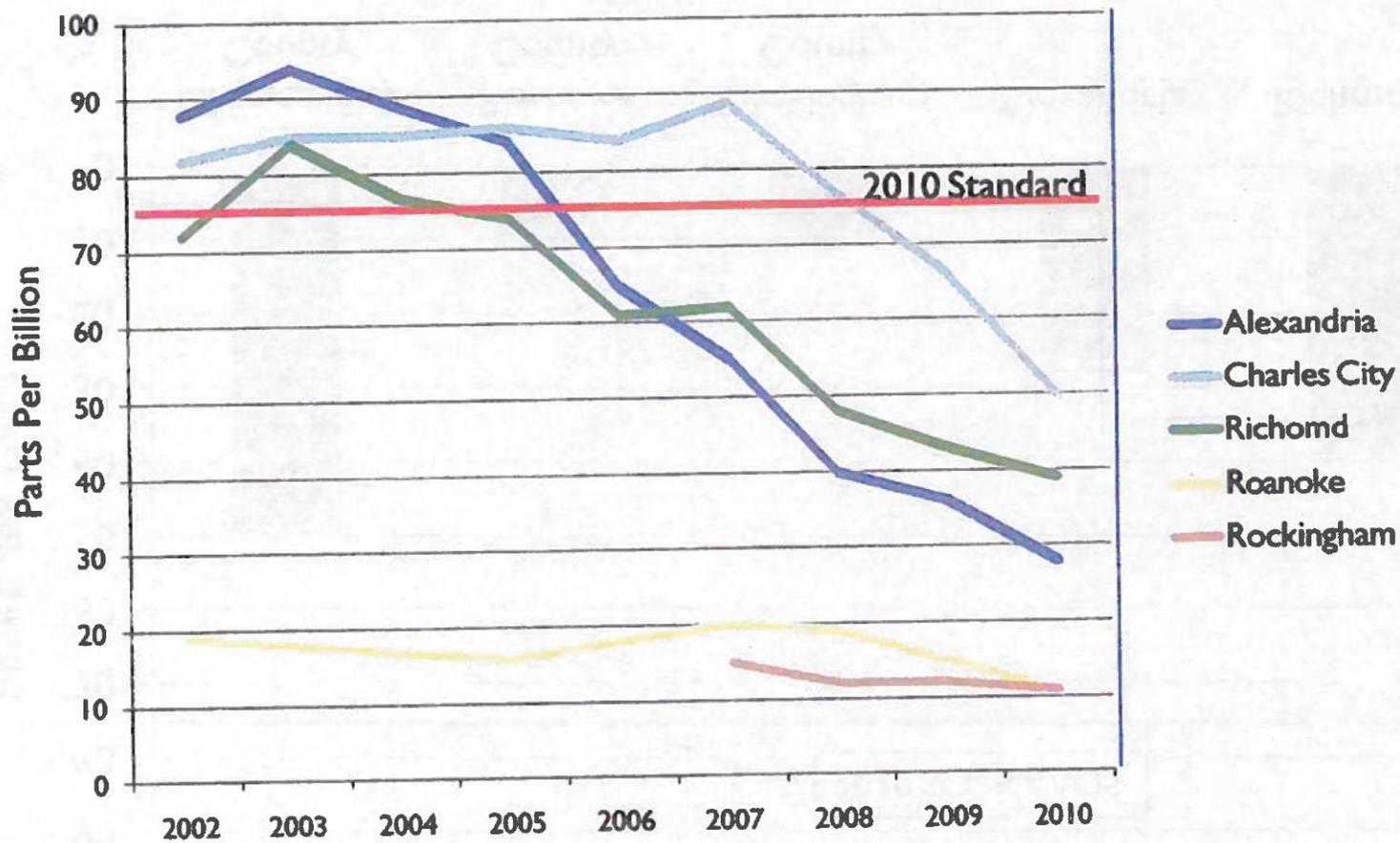


SO₂ MONITORING DATA (2008-2010)



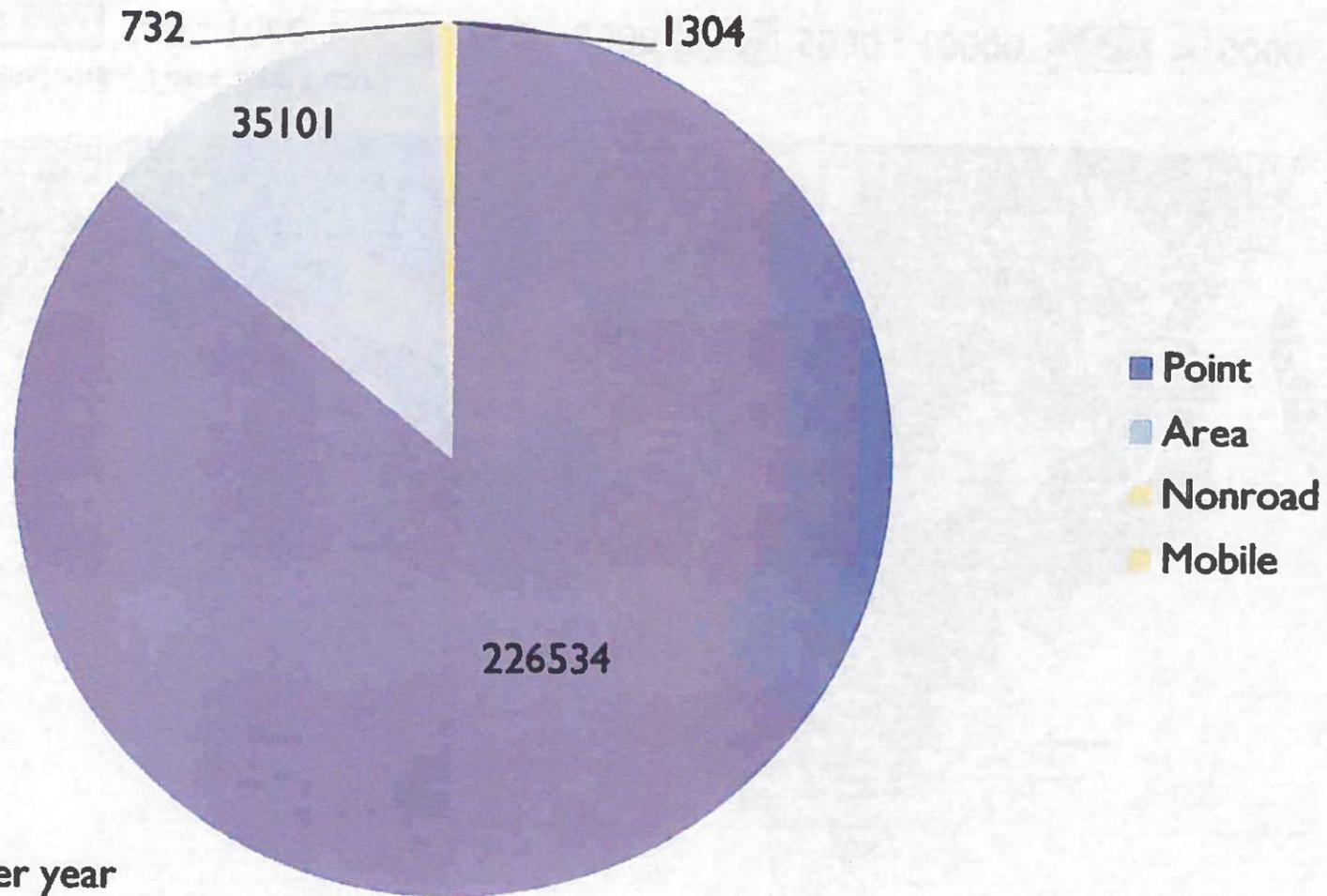
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SO₂ MONITORING DATA TRENDS*



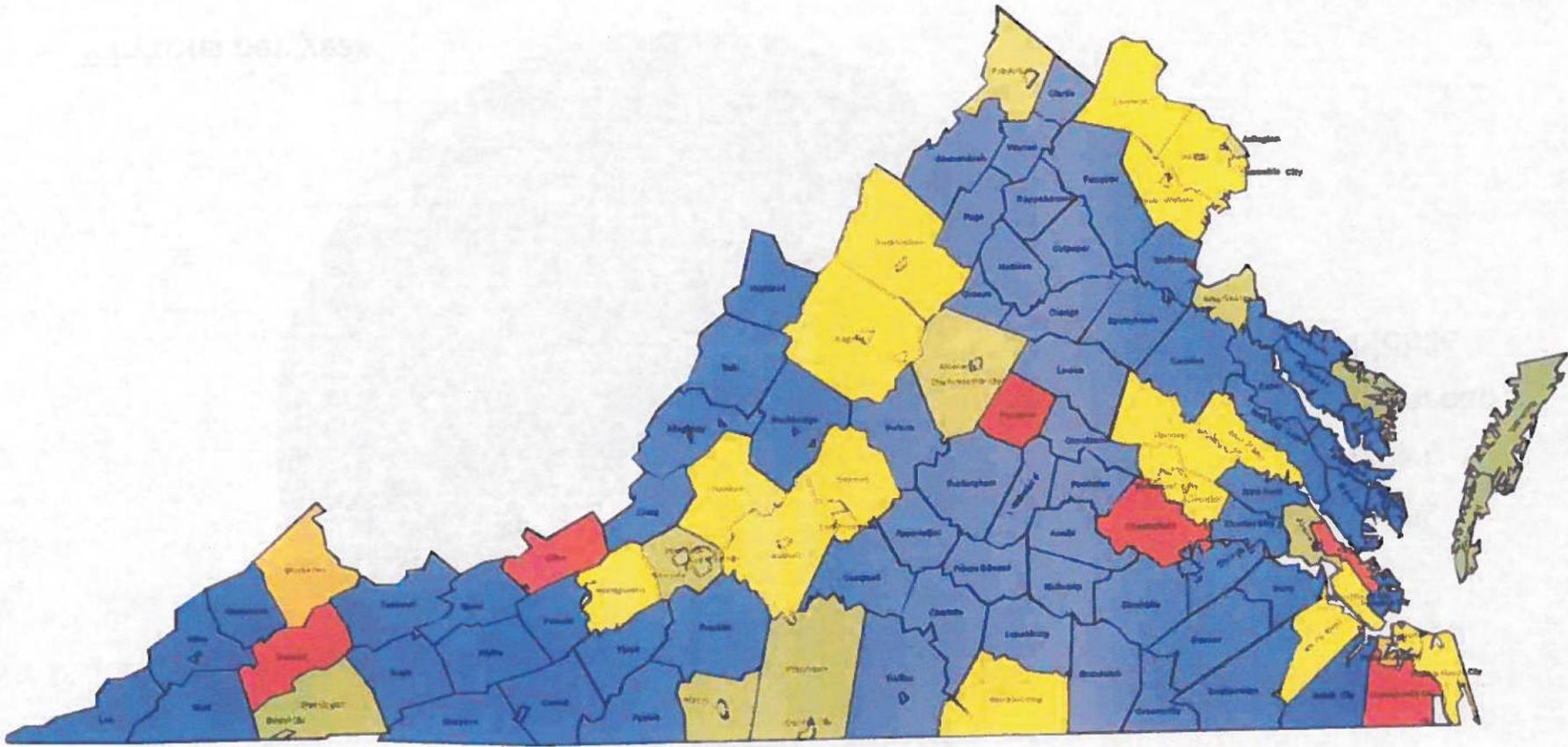
* Monitor Design Values from 2002 to 2010

Virginia Statewide 2008 SO₂ Emissions*

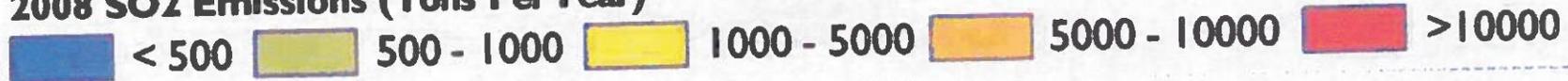


* In tons per year

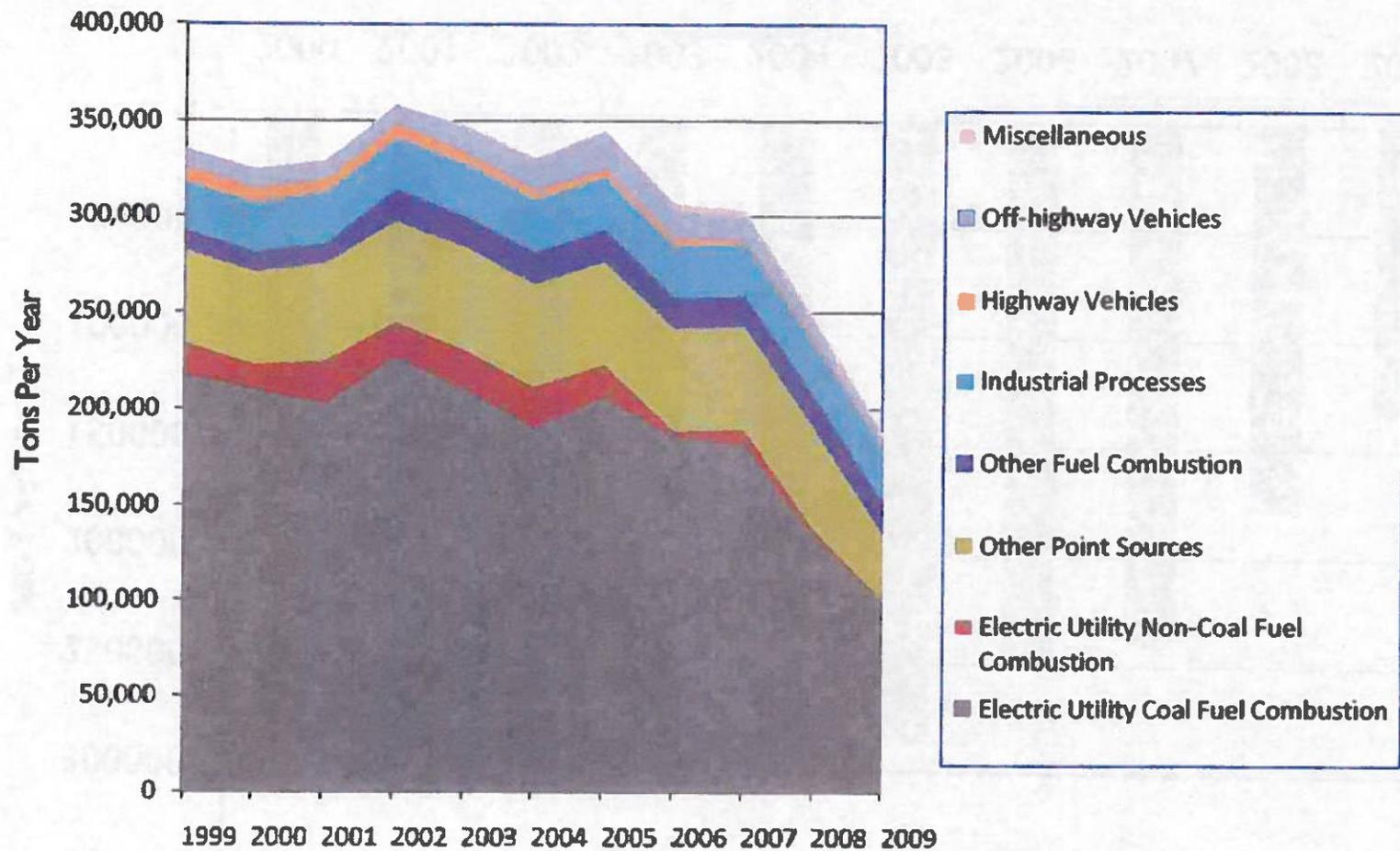
STATEWIDE SO₂ EMISSIONS PROFILE



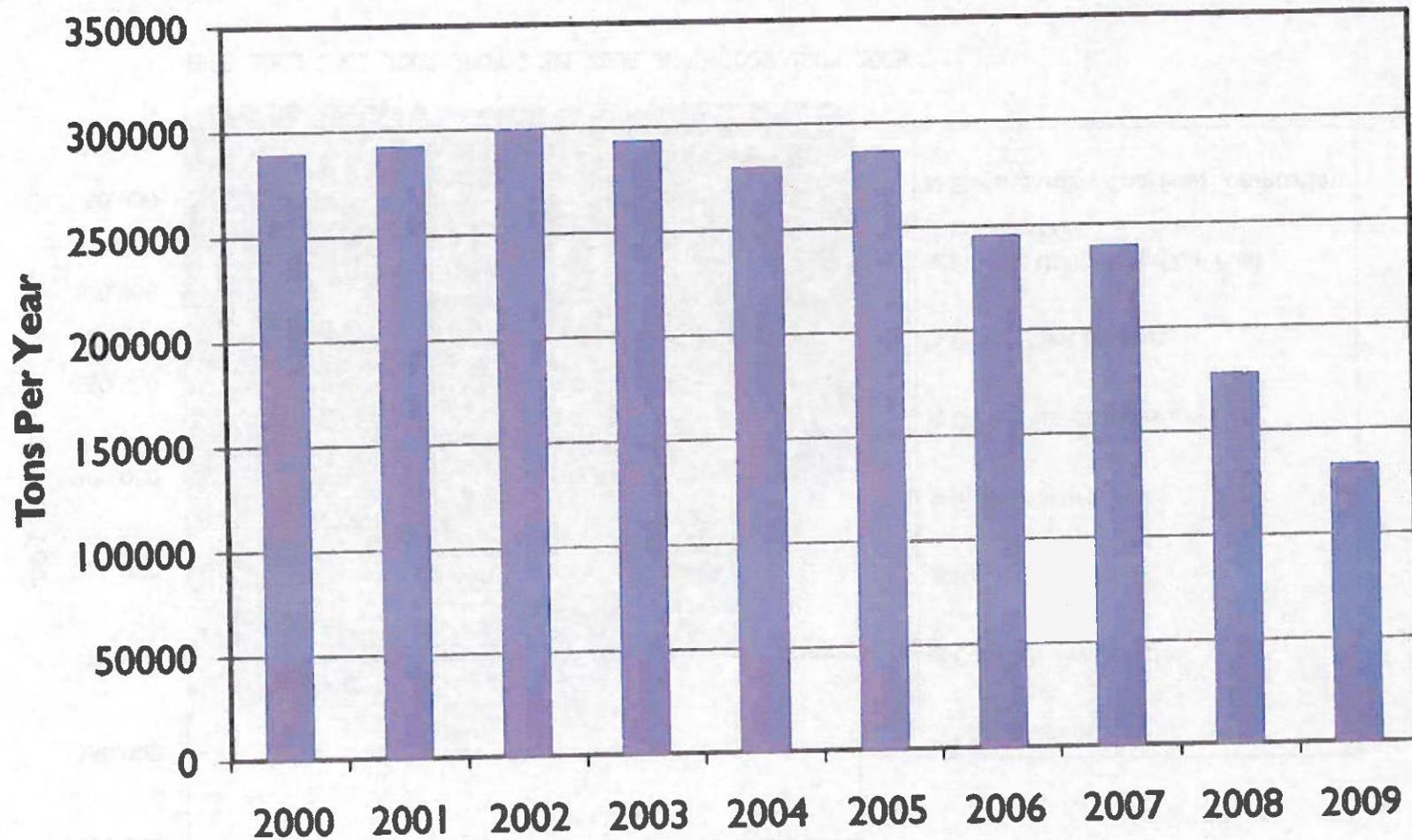
2008 SO₂ Emissions (Tons Per Year)



VA SO₂ EMISSIONS TRENDS



VA Point Source SO₂ Emissions Trend*



VA SO₂ Emissions Trends

Enclosure II

§ 81.347 Virginia

Virginia-Sulfur Dioxide

Designated Area	Designation	Classification
	Type	Type
Accomack County	Unclassifiable	
Albemarle County	Unclassifiable	
Alexandria	Unclassifiable	
Alleghany County	Unclassifiable	
Amelia County	Unclassifiable	
Amherst County	Unclassifiable	
Appomattox County	Unclassifiable	
Arlington County	Unclassifiable	
Augusta County	Unclassifiable	
Bath County	Unclassifiable	
Bedford	Unclassifiable	
Bedford County	Unclassifiable	
Bland County	Unclassifiable	
Botetourt County	Unclassifiable	
Bristol	Unclassifiable	
Brunswick County	Unclassifiable	
Buchanan County	Unclassifiable	
Buckingham County	Unclassifiable	
Buena Vista	Unclassifiable	
Campbell County	Unclassifiable	
Caroline County	Unclassifiable	
Carroll County	Unclassifiable	
Charles City County	Unclassifiable	
Charlotte County	Unclassifiable	
Charlottesville	Unclassifiable	
Chesapeake	Unclassifiable	
Chesterfield County	Unclassifiable	
Clarke County	Unclassifiable	
Clifton Forge	Unclassifiable	
Colonial Heights	Unclassifiable	
Covington	Unclassifiable	
Craig County	Unclassifiable	
Culpeper County	Unclassifiable	
Cumberland County	Unclassifiable	
Darville	Unclassifiable	
Dickenson County	Unclassifiable	

Dinwiddie County	Unclassifiable	
Emporia	Unclassifiable	
Essex County	Unclassifiable	
Fairfax	Unclassifiable	
Fairfax County	Unclassifiable	
Falls Church	Unclassifiable	
Fauquier County	Unclassifiable	
Floyd County	Unclassifiable	
Fluvanna County	Unclassifiable	
Franklin	Unclassifiable	
Franklin County	Unclassifiable	
Frederick County	Unclassifiable	
Fredericksburg	Unclassifiable	
Galax	Unclassifiable	
Giles County	Unclassifiable	
Gloucester County	Unclassifiable	
Goochland County	Unclassifiable	
Grayson County	Unclassifiable	
Greene County	Unclassifiable	
Greensville County	Unclassifiable	
Halifax County	Unclassifiable	
Hampton	Unclassifiable	
Hanover County	Unclassifiable	
Harrisonburg	Unclassifiable	
Henrico County	Unclassifiable	
Henry County	Unclassifiable	
Highland County	Unclassifiable	
Hopewell	Unclassifiable	
Isle Of Wight County	Unclassifiable	
James City County	Unclassifiable	
King And Queen County	Unclassifiable	
King George County	Unclassifiable	
King William County	Unclassifiable	
Lancaster County	Unclassifiable	
Lee County	Unclassifiable	
Lexington	Unclassifiable	
Louisa County	Unclassifiable	
Loudoun County	Unclassifiable	
Lunenburg County	Unclassifiable	
Lynchburg	Unclassifiable	
Madison County	Unclassifiable	
Manassas	Unclassifiable	
Manassas Park	Unclassifiable	
Martinsville	Unclassifiable	
Mathews County	Unclassifiable	
Mecklenburg County	Unclassifiable	
Middlesex County	Unclassifiable	

Montgomery County	Unclassifiable	
Nelson County	Unclassifiable	
New Kent County	Unclassifiable	
Newport News	Unclassifiable	
Norfolk	Unclassifiable	
Northampton County	Unclassifiable	
Northumberland County	Unclassifiable	
Norton	Unclassifiable	
Notoway County	Unclassifiable	
Orange County	Unclassifiable	
Page County	Unclassifiable	
Patrick County	Unclassifiable	
Petersburg	Unclassifiable	
Pittsylvania County	Unclassifiable	
Poquoson	Unclassifiable	
Portsmouth	Unclassifiable	
Powhatan County	Unclassifiable	
Prince Edward County	Unclassifiable	
Prince George County	Unclassifiable	
Prince William County	Unclassifiable	
Pulaski County	Unclassifiable	
Radford	Unclassifiable	
Rappahannock County	Unclassifiable	
Richmond	Unclassifiable	
Richmond County	Unclassifiable	
Roanoke	Unclassifiable	
Roanoke County	Unclassifiable	
Rockbridge County	Unclassifiable	
Rockingham County	Unclassifiable	
Russell County	Unclassifiable	
Salem	Unclassifiable	
Scott County	Unclassifiable	
Shenandoah County	Unclassifiable	
Smyth County	Unclassifiable	
South Boston	Unclassifiable	
Southampton County	Unclassifiable	
Spotsylvania County	Unclassifiable	
Stafford County	Unclassifiable	
Staunton	Unclassifiable	
Suffolk	Unclassifiable	
Surry County	Unclassifiable	
Sussex County	Unclassifiable	
Tazewell County	Unclassifiable	
Virginia Beach	Unclassifiable	
Warren County	Unclassifiable	
Washington County	Unclassifiable	
Waynesboro	Unclassifiable	

Westmoreland County Williamsburg Winchester Wise County Wythe County York County	Unclassifiable Unclassifiable Unclassifiable Unclassifiable Unclassifiable Unclassifiable	
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David K. Paylor
Director

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1-800-592-5482

Douglas W. Dorniech
Secretary of Natural Resources

June 3, 2011

Ms. Marcia L. Spink, Associate Director
Office of Air Programs (3AP20)
Air Protection Division
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Reference: Ambient Air Quality Standard for
Sulfur Oxides (Rev. H10)

Dear Ms. Spink:

Please find enclosed the notice which is to appear in each Air Quality Control Region to consider a proposed revision to the State Implementation Plan.

The notice announces an opportunity for public comment period on the proposed revision which concerns the ambient air quality standard for sulfur oxides. The notice provides the opportunity to request a public hearing. No hearing will be held unless requested. If a hearing is requested, we will publish another notice of public comment and hearing, and will conduct the hearing. This approach is allowed under 40 CFR 51.102(a) for actions expected to be minor or noncontroversial.

Please consider this as formal notice pursuant to § 51.102 of 40 CFR Part 51
(Requirements for Preparation, Adoption, and Submittal of Implementation Plans).

Sincerely,



Michael G. Dowd
Director
Air Division

MGD\geg

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Enclosure

cc: District of Columbia Environmental Control Division
Maryland Air and Radiation Management Administration
Tennessee Division of Air Pollution Control
Fairfax County Air Pollution Control Division
City of Alexandria Health Department

78.20

Public Notice -- Environmental Regulation

Notice of action: The Department of Environmental Quality (DEQ) is announcing an opportunity for public comment on a proposed revision to the Commonwealth of Virginia State Implementation Plan (SIP). The SIP is a plan developed by the Commonwealth in order to fulfill its responsibilities under the federal Clean Air Act to attain and maintain the ambient air quality standards promulgated by the U.S. Environmental Protection Agency (EPA) under the Act. The Commonwealth intends to submit the regulation to the EPA as a revision to the SIP in accordance with the requirements of § 110(a) of the federal Clean Air Act.

Regulations affected: The regulations of the board affected by this action are as follows: Documents Incorporated by Reference (9VAC5-20-21) and Ambient Air Quality Standards 9VAC5 Chapter 30, Revision H10.

Purpose of notice: DEQ is seeking comment on the issue of whether the regulation amendments should be submitted as a revision to the SIP.

Public comment period: June 6, 2011 to July 7, 2011.

Public hearing: A public hearing may be conducted if a request is made in writing to the contact listed below. In order to be considered, the request must include the full name, address and telephone number of the person requesting the hearing and be received by DEQ by the last day of the comment period. Notice of the date, time, and location of any requested public hearing will be announced in a separate notice, and another 30-day comment period will be conducted.

Public comment stage: The regulation amendments are exempt from the state administrative procedures for adoption of regulations contained in Article 2 of the Administrative Process Act by the provisions of § 2.2-4006 A 4 c of the Administrative Process Act because they are necessary to meet the requirements of the federal Clean Air Act and do not differ materially from the pertinent EPA regulations. Since the amendments are exempt from administrative procedures for the adoption of regulations, DEQ is accepting comment only on the issue cited above under "purpose of notice" and not on the content of the regulation amendments.

Description of proposal: In essence, the proposed revision will consist of amendments to existing regulation provisions concerning the ambient air quality standard for sulfur oxides. The major provisions of the proposal are summarized below:

- (i) Appendix A-1 to 40 CFR Part 50 has been added to the federal documents incorporated by reference list;
- (ii) Appendix A to 40 CFR Part 50 has been renamed as Appendix A-2 in the federal documents incorporated by reference list;
- (iii) Appendix T to 40 CFR Part 50 has been added to the federal documents incorporated by reference list;
- (iv) a new ambient air quality standard for SO₂ has been added to 9VAC5-30-30 A;
- (v) provision has been made for the existing primary standards to no longer apply to an area in 9VAC5-30-30 A;
- (vi) use of the reference methods in Appendices A-1 and A-2 to

40 CFR Part 50 has been specified in 9VAC5-30-30 C; and (vii) data requirements for demonstrating attainment of the new standard have been added as 9VAC5-30-30 D.

Federal information: This notice is being given to satisfy the public participation requirements of federal regulations (40 CFR 51.102) and not any provision of state law. The proposal will be submitted as a revision to the Commonwealth of Virginia SIP under § 110(a) of the federal Clean Air Act in accordance with 40 CFR 51.104. It is planned to submit all provisions of the proposal as a revision to the Commonwealth of Virginia SIP.

How to comment: DEQ accepts written comments by email, fax, and postal mail. In order to be considered, comments must include the full name, address and telephone number of the person commenting and be received by DEQ by the last day of the comment period. Commenters submitting faxes are encouraged to provide the signed original by postal mail within one week. All testimony, exhibits and documents received are part of the public record.

To review regulation documents: The proposal and any supporting documents are available on the DEQ Air Public Notices for Plans web site (<http://www.deq.state.va.us/air/permitting/planotes.html>). The documents may also be obtained by contacting the DEQ representative named below. The public may review the documents between 8:30 am and 4:30 pm of each business day until the close of the public comment period at the following DEQ locations: 1) Main Street Office, 8th Floor, 629 E Main St, Richmond VA, 804-698-4070, 2) Southwest Regional Office, 355 Deadmore St, Abingdon VA, 540-676-4800, 3) Blue Ridge Regional Office, Roanoke Location, 3019 Peters Creek Rd, Roanoke VA, 540-562-6700, 4) Blue Ridge Regional Office, Lynchburg Location, 7705 Timberlake Rd, Lynchburg VA, 804-582-5120, 5) Valley Regional Office, 4411 Early Rd, Harrisonburg VA, 540-574-7800, 6) Piedmont Regional Office, 4949-A Cox Rd, Glen Allen VA, 804-527-5020, 7) Northern Regional Office, 13901 Crown Court, Woodbridge VA, 703-583-3800, and 8) Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach VA, 757-518-2000.

Contact for public comments, document requests and additional information:
Gary Graham, Regulatory Analyst, Office of Regulatory Affairs, Department of Environmental Quality, PO Box 1105, Richmond VA 23218 (phone 804-698-4103, fax 804-698-4510, email gary.graham@deq.virginia.gov).

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