

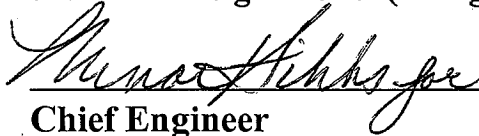
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
**AGENDA ITEM REQUEST**  
for 2008 Eight-Hour Ozone Designation and Boundary Recommendation


**AGENDA REQUESTED:** December 10, 2008


**DATE OF REQUEST:** November 21, 2008

**NAME & NUMBER OF PERSON TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED:** Kerry Howard, 239-0556

**CAPTION:** Docket No. 2008-1615-MIS. Discussion and consideration of recommendations regarding designation and boundary determinations for the 2008 revised eight-hour ozone National Ambient Air Quality Standard (NAAQS) for submittal to the Governor for his consideration and transmittal to the United States Environmental Protection Agency (EPA). The EPA will consider state recommendations in making final designations and boundary determinations for the 2008 revised eight-hour ozone NAAQS. On March 12, 2008, the EPA revised the 1997 eight-hour ozone standard from 0.08 parts per million to 0.075 parts per million. The Federal Clean Air Act requires state recommendations be submitted no later than one year after a new standard is issued, or March 12, 2009. Three years of quality-assured data is the basis of the EPA designations. (Margie McAllister, Terry Salem)

  
\_\_\_\_\_  
Chief Engineer

  
\_\_\_\_\_  
Division Director

  
\_\_\_\_\_  
Agenda Coordinator

Copy to CCC Secretary? NO X YES

# Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

**To:** Commissioners **Date:** November 21, 2008

**Thru:** LaDonna Castañuela, Chief Clerk

**Thru:** Mark R. Vickery, P.G., Executive Director

**From:** David C. Schanbacher, P.E., Chief Engineer *DCS*

**Docket No.:** 2008-1615-MIS

**Subject:** Commission Consideration of 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) nonattainment area designation and boundary determination recommendation

## **Introduction and reasons for the recommendation:**

On March 12, 2008, the United States Environmental Protection Agency (EPA) revised the 1997 eight-hour ozone NAAQS from 0.08 parts per million to 0.075 parts per million. Section 107(d)(1)(A) of the Federal Clean Air Act (FCAA) requires states to submit to the EPA a recommendation regarding attainment, nonattainment, or unclassifiable areas, including their boundaries, no later than one year after the promulgation of a new or revised NAAQS. The deadline for submitting a recommendation is March 12, 2009.

EPA designations are based on three years of quality-assured data. This recommendation relies on air quality monitoring data from 2005 thru 2007, and other factors. The EPA's designation, which is due by March 12, 2010, will be based on 2007 thru 2009 data. The EPA said states should use the EPA's March 28, 2000, boundary guidance memorandum as the basis for state recommendations. The EPA guidance memorandum recommends that the Metropolitan Statistical Area (MSA) be the default boundary for areas that included counties with monitors that violate the standard. EPA has interpreted FCAA §107(d)(4)(A)(iv) to require that for areas classified as serious, severe, or extreme, the MSA must define the boundary for the designated area. There are 45 Texas counties that have either monitors that are violating the standard, are nonattainment for the 1997 eight-hour ozone standard, or are part of an MSA or an air quality planning area with a violating monitor.

**Is this recommendation required by federal or state rule or statute?** Yes. Section 107(d)(1)(A) of the FCAA requires states to submit to the EPA, a recommendation regarding attainment, nonattainment, or unclassifiable for all areas of the state.

**Is this recommendation in response to state legislation?** No.

**Potential alternatives:** None. The FCAA requires that states submit a recommendation.

**What the ozone recommendation will do:** Consideration of this recommendation would allow the TCEQ to submit to the governor for his consideration, a designation and boundary determination recommendation for transmittal to the EPA, to comply with the FCAA.

Re: 2008 eight-hour ozone NAAQS nonattainment area designation and boundary determination recommendation

**What is the authority to submit this recommendation?** Section 107(d)(1)(A) of the FCAA and Texas Clean Air Act, §§ 382.002, 382.011, and 382.012.

**Effect on the**

- **Regulated community:** Regulated entities in areas designated nonattainment could be subject to regulatory requirements (some, for the first time). These may include permitting requirements, general conformity, transportation conformity, and requirements to reduce emissions.
- **Public:** The public will benefit from improved air quality but could be subject to regulatory requirements, for example, a vehicle inspection and maintenance program.
- **Agency programs:** Nonattainment areas will require that agency programs and functions associated with air quality planning issues have additional work in state implementation plan development and implementation, including rulemaking, program implementation, monitoring, permitting, and enforcement.

**Controversial issues:** Staff expects intense interest by regulated entities, public interest groups, citizens, and elected officials.

**Legislative interest:** Legislative interest received to date is limited to a request that Atascosa and Medina counties not be included in a nonattainment area.

**Schedule and constraints:** The Governor's recommendation is due to the EPA no later than March 12, 2009.

**Stakeholder involvement:** The Air Quality Division Director conducted public meetings in seven areas of the state in July, covering all affected areas, and invited comments for use in preparing a recommendation.

**Executive Director's Recommendation:** Considering 2005 through 2007 ozone monitoring data and other factors, the Executive Director recommends the following counties be designated nonattainment of the 2008 eight-hour ozone standard, listed by air quality planning area: **Austin Area:** Travis and Williamson; **Beaumont-Port Arthur Area:** Hardin, Jefferson, and Orange; **Dallas-Fort Worth Area:** Collin, Dallas, Denton, Ellis, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise; **El Paso County** with the exception of tribal lands, i.e. Ysleta Del Sur Reservation or Trust Lands; **Houston-Galveston-Brazoria Area:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller; **San Antonio Area:** Bexar; and **Tyler Area:** Gregg, Rusk, and Smith. All other Texas counties should be designated as attainment/unclassifiable.

**Agency contacts:**

Margie McAllister, Project Manager, 239-1967, Air Quality Division  
Terry Salem, Staff Attorney, 239-0469, Environmental Law Division

**Attachments**

- Executive summary technical support: decision matrix and rationale, maps
- Draft letter from Chairman Garcia to Governor Perry
- Draft letter from Governor Perry to EPA, Region 6 with a recommendation attachment

Commissioners  
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November 21, 2008

Re: 2008 eight-hour ozone NAAQS nonattainment area designation and boundary determination recommendation

cc: Chief Clerk, 5 copies  
Executive Director's Office  
David C. Schanbacher, P.E.  
Daniel Womack  
Kevin Patteson  
Betsy Bird  
Office of General Counsel  
Susana M. Hildebrand, P.E.  
Terry Salem  
Margie McAllister

2008 Eight-Hour Ozone Standard 0.075 Parts Per Million (75 Parts Per Billion) Decision Matrix for Blue Counties

PLANNING AREA <sup>1</sup> Red: 1997 eight-hour nonattain (85 ppb)	EMISSIONS INVENTORY		EMISSIONS INVENTORY		TRAFFIC % share of core county workforce	MET Historically upwind of design value monitor on high ozone >75 ppb days?	DENSITY Houses per sq. mi.  Population per sq. mi.	DESIGN VALUE 2005-07	DESIGN VALUE 2006-08 as of Nov. 3, 2008	4 <sup>th</sup> high ppb				EXECUTIVE DIRECTOR RECOMMENDATION  Nonattainment?
	Stationary Source 2005 tpd		Mobile Source 2005 tpd							'05	'06	'07	'08	
<b>AUS</b>														
Travis	NOx 11.77	VOC 55.39	NOx 61.42	VOC 33.14	75.67	Monitor: C3 Northwest	H 339.5 P 821.1	80	77	82	82	76	74	Yes
Bastrop <sup>2</sup>	NOx 3.58	VOC 5.91	NOx 6.14	VOC 2.95	2.53	Y	H 25.1 P 65.0 N							No
Caldwell	NOx 4.53	VOC 12.98	NOx 3.71	VOC 2.06	0.94	Y	H 21.8 P 59.0 N							No
Hays <sup>3</sup>	NOx 7.78	VOC 6.88	NOx 11.69	VOC 5.45	3.80	Y	H 52.6 P 144.0 N							No
Williamson <sup>4</sup>	NOx 0.54	VOC 17.43	NOx 21.76	VOC 9.81	12.76	Y	H 80.4 P 222.0 N							Yes
<b>BPA <sup>5</sup></b>														
Hardin	NOx 3.30	VOC 24.76	NOx 4.36	VOC 2.00	7.88	Y	H 22.2 P 53.8							Yes
Jefferson	NOx 48.18	VOC 130.66	NOx 43.60	VOC 9.89	73.90	Monitor: SETRPC 43 Jeff. Co. Airprt	H 113.0 P 279.0	83	81	83	84	82	78	Yes
Orange	NOx 26.60	VOC 35.74	NOx 13.03	VOC 4.18	10.59	Y	H 97.6 P 238.4	76	71	78	78	73	64	Yes
<b>DFW</b>														
Collin	NOx 2.74	VOC 20.29	NOx 38.46	VOC 19.05	10.76	Y	H 229.9 P 580.1	88	83	93	91	80	79	Yes
Dallas	NOx 17.01	VOC 107.58	NOx 174.75	VOC 87.87	42.57	Y	H 971.0 P 2522.6	86 <sup>6</sup>		95	86	79	76	Yes
								82 <sup>7</sup>		88	89	80	77	
Denton	NOx 24.61	VOC 57.00	NOx 38.47	VOC 16.31	9.65	Monitor: C56 Denton Airport South	H 189.2 P 487.3	94	91	94	100	89	84	Yes
Ellis	NOx 38.12	VOC 13.70	NOx 24.10	VOC 5.85	1.05	Y	H 41.6 P 118.5	78 <sup>8</sup>		81	82	72		Yes
								75 <sup>9</sup>			79	76	72	
Johnson	NOx 14.53	VOC 10.63	NOx 14.53	VOC 4.33	1.27	Y	H 63.4 P 173.9	85	83	90	80	87	83	Yes

PLANNING AREA <sup>1</sup> Red: 1997 eight-hour nonattain (85 ppb)	EMISSIONS INVENTORY Stationary Source 2005 tpd		EMISSIONS INVENTORY Mobile Source 2005 tpd		TRAFFIC % share of core county workforce	MET Historically upwind of design value monitor on high ozone >75 ppb days?	DENSITY Houses per sq. mi.  Population per sq. mi.	DESIGN VALUE 2005-07	DESIGN VALUE 2006-08 as of Nov. 3, 2008	4 <sup>th</sup> high ppb				EXECUTIVE DIRECTOR RECOMMENDATION  Nonattainment?
	'05	'06	'07	'08										
Kaufman	NOx 3.13	VOC 7.48	NOx 15.39	VOC 4.87	0.71	Y	H 33.2 P 90.7	76	73	77	77	74	69	Yes
Parker	NOx 7.77	VOC 12.28	NOx 13.81	VOC 4.08	0.92	N	H 37.7 P 97.9	91	84	97	89	88	77	Yes
Rockwall	NOx 0.12	VOC 2.18	NOx 7.74	VOC 3.19	0.53	Y	H 119.2 P 334.5	78	75	81	79	74	73	Yes
Tarrant <sup>10</sup>	NOx 23.3	VOC 75.87	NOx 118.93	VOC 53.73	28.71	Y	H 655.3 P 1675.0	95	89	103	98	84	85	Yes
Hunt	NOx 0.36	VOC 8.30	NOx 12.10	VOC 5.21	0.37	Y	H 38.6 P 91.1	76	70	81	78	69	63	No
Hood *	NOx 5.38	VOC 4.38	NOx 2.98	VOC 1.80	0.23	Y	H 45.3 P 97.5	84	81	84	89	81	73	Yes
Delta	NOx 0.01	VOC 0.30	NOx 1.12	VOC 0.93	0.01	Y	H 8.7 P 19.2							No
Wise	NOx 32.88	VOC 45.51	NOx 9.69	VOC 3.83	0.41	N	H 21.3 P 53.9							Yes
<b>ELP</b>														
El Paso	NOx 12.27	VOC 26.75	NOx 43.77	VOC 22.50	94.29		H 221.5 P 670.8	79	78	80	84	75	75	Yes
<b>HGB</b>														
Brazoria	NOx 53.92	VOC 60.98	NOx 19.51	VOC 9.64	1.99	Y	H 65.4 P 174.4	91	85	93	94	86	75	Yes
Chambers	NOx 11.79	VOC 26.68	NOx 12.68	VOC 3.42	0.32	Y	H 17.2 P 43.4							Yes
Fort Bend	NOx 27.36	VOC 59.89	NOx 20.84	VOC 9.06	5.73	Y	H 132.6 P 405.3							Yes
Galveston <sup>11</sup>	NOx 20.20	VOC 57.88	NOx 22.62	VOC 19.35	2.17	Y	H 280.4 P 627.8							Yes
Harris	NOx 115.29	VOC 259.60	NOx 283.55	VOC 118.77	83.10	Monitor: C53 Bayland Park	H 750.9 P 1967.0	96 <sup>12</sup>	91	100	106	84	83	Yes
Liberty	NOx 9.68	VOC 89.76	NOx 9.56	VOC 3.17	0.57	Y	H 22.7 P 60.5							Yes
Montgomery	NOx 4.64	VOC 22.84	NOx 24.32	VOC 12.31	3.42	Y	H 108.0 P 281.4	84	80	84	93	76	73	Yes
Waller	NOx 1.85	VOC 7.11	NOx 5.62	VOC 2.58	0.36	N	H 23.3 P 63.6							Yes
Austin	NOx 1.69	VOC 10.46	NOx 10.56	VOC 1.86	0.13	N	H 15.6 P 36.1							No

PLANNING AREA <sup>1</sup> Red: 1997 eight-hour nonattain (85 ppb)	EMISSIONS INVENTORY Stationary Source 2005 tpd		EMISSIONS INVENTORY Mobile Source 2005 tpd		TRAFFIC % share of core county workforce	MET Historically upwind of design value monitor on high ozone >75 ppb days?	DENSITY Houses per sq. mi.  Population per sq. mi.	DESIGN VALUE 2005-07	DESIGN VALUE 2006-08 as of Nov. 3, 2008	4 <sup>th</sup> high ppb				EXECUTIVE DIRECTOR RECOMMENDATION  Nonattainment?
	'05	'06	'07	'08										
San Jacinto	NOx 0.97	VOC 8.41	NOx 3.55	VOC 2.06	0.12	Y	H 20.2 P 39.0 N							No
<b>SAN</b>														
Bexar <sup>13</sup>	NOx 55.91	VOC 104.26	NOx 106.72	VOC 55.60	89.75	Monitor: C58 Camp Bullis	H 418.1 P 1117.2	82	78	86	87	74	74	Yes
Atascosa	NOx 13.76	VOC 10.46	NOx 5.11	VOC 2.08	1.04	Y	H 12.1 P 31.4 N							No
Bandera	NOx 4.09	VOC 1.30	NOx 2.21	VOC 2.65	0.46	Y	H 12.0 P 22.3 N							No
Comal <sup>14</sup>	NOx 11.25	VOC 6.48	NOx 11.07	VOC 6.70	1.76	Y	H 58.3 P139.0 N							No
Guadalupe <sup>15</sup>	NOx 4.15	VOC 16.04	NOx 11.72	VOC 4.91	2.07	Y	H 47.2 P125.2 N							No
Kendall	NOx 0.62	VOC 8.11	NOx 3.19	VOC 2.34	0.71	Y	H 14.2 P 35.8 N							No
Medina	NOx 0.26	VOC 9.40	NOx 5.14	VOC 2.14	1.03	Y	H 11.2 P 29.6 N							No
Wilson	NOx 1.29	VOC 4.59	NOx 2.59	VOC 1.26	1.21	Y	H 15.0 P 40.2 N							No
<b>TLM<sup>16</sup></b>														
Gregg	NOx 23.16	VOC 43.66	NOx 12.90	VOC 5.37	65.03	Monitor: C19 Longview	H 169.2 P 406.4	84	78	88	84	81	71	Yes
Rusk	NOx 66.03	VOC 35.06	NOx 4.97	VOC 2.98	7.44	Y	H 21.5 P 51.3 N							Yes
Upshur	NOx 9.50	VOC 26.00	NOx 4.64	VOC 1.74	9.05	Y	H 25.4 P 60.1 N							No
Harrison *	NOx 43.89	VOC 47.91	NOx 19.65	VOC 5.01	9.83	Y	H 29.2 P 69.1	77	72	84	80	69	68	No
Smith	NOx 30.49	VOC 40.15	NOx 23.73	VOC 10.20	2.87	Y	H 77.2 P 188.2	80	77	83	82	77	72	Yes
<b>45 20 19</b>														

\* Hood County in DFW air quality planning area and Harrison County in TLM are not in a Metropolitan Statistical Area.

## NOTES

- **DV:** Design value is 3 years of quality assured data; it is the average of each year's 4<sup>th</sup> highest value.
- **PPB:** parts per billion versus **PPM** parts per million: the 2008 eight-hour ozone standard is 0.075 parts per million; it can also be expressed as 75 parts per billion.
- **TPD:** tons per day
- **MSA** Metropolitan Statistical Area: a county-based area with a population nucleus of 50,000, and adjacent communities with a high degree of integration with that nucleus; it is a statistical representation of the social and economic linkages between urban cores and outlying, integrated areas. It is set by the federal Office of Management and Budget.
- **AUS:** Austin air quality planning area.
- **BPA:** Beaumont-Port Arthur air quality planning area.
- **DFW:** Dallas-Fort Worth air quality planning area.
- **ELP:** El Paso air quality planning area.
- **HGB:** Houston-Galveston-Brazoria air quality planning area.
- **SAN:** San Antonio air quality planning area.
- **TLM:** Tyler-Longview-Marshall air quality planning area.
- **Emissions Inventory (EI)** column is 2005 ozone season daily emissions, June, July, August Monday thru Friday, reported to EPA per the Consolidated Emissions Reporting Rule. Stationary sources include point and area sources; drilling rig emissions are included. Mobile source emissions include on-road and non-road sources.
- **Traffic** column is the percent commuting contribution of each county to an area's core county, i.e., counties with design value monitors. Core counties are: Travis (AUS), Jefferson (BPA), Harris (HGB), Bexar (SAN), and Gregg (TLM.). DFW area core counties are Collin, Dallas, Denton, and Tarrant counties. The value is the percent of commuters from each county relative to the total number of people who work in the core counties. Worker residence and workplace locations are from the 2000 Census, U.S. Department of Commerce, Census Bureau, Population Division, Journey-To-Work county-to-county worker flow files.
- **MET (meteorology)** column uses surface wind data to calculate prevailing surface winds in which high ozone days exceed 0.075 parts per million. (This does not reflect wind patterns the majority of the time. This indicates that at least 5 times during a 7-year period (2000-2006), winds impact the design value monitor.)
- **Density:** Density per square mile of land area for population and housing is from the 2000 Census, U.S. Department of Commerce, Census Bureau.

## DECISION CUTPOINTS

- Stationary Source EI: if significant emissions in [decision counties](#) are upwind of design value monitor on high ozone days, >75 ppb, then yes.
- Mobile Source EI: if significant emissions in [decision counties](#) are upwind of the design value monitor on high ozone days, >75 ppb, then yes.
- Traffic: if % [decision-county share](#) of core county workforce is significant, then yes.
- Met: If at least 5 times during a 7-year period (2000-2006) surface winds impact design value monitor, then yes.
- Density: If [decision county](#) is greater than 50% of the core county in housing and population density, then yes.



## END NOTES

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<sup>1</sup> EPA March 27, 2008, Federal Register publication of the 2008 eight-hour ozone standard refers states to its March 28, 2000, boundary guidance memorandum: the presumed nonattainment area boundary is the Metropolitan Statistical Area (MSA) where a monitor has a design value that exceeds the eight-hour ozone standard.

<sup>2</sup> The McKinney Roughs monitor in Bastrop County is run by the CAPCOG. It is not a regulatory monitor. The 06-08 DV is 71 ppb. The 4<sup>th</sup> high in 2006 was 71 ppb, in 2007 was 72 ppb, and in 2008 is 70 ppb.

<sup>3</sup> The San Marcos monitor in Hays County is run by the CAPCOG. It is not a regulatory monitor. It started collecting data in 2006. The 06-08 DV is 67 ppb; the 4<sup>th</sup> highest in 2006 was 71 ppb. In 2007 was 66 ppb, and in 2008 is 66 ppb. The CAPCOG's Dripping Springs School monitor is not a regulatory monitor; the 05-07 DV is 69 ppb and the 06-08 DV is 67 ppb; the 4<sup>th</sup> highest in 2005 was 72 ppb, in 2006 was 72 ppb, in 2007 was 65 ppb, and in 2008 is 66 ppb.

<sup>4</sup> The CAPCOG has 2 nonregulatory monitors in Williamson County. The Round Rock C614 monitor has a 06-08 DV of 72 ppb; the 4<sup>th</sup> high in 2006 was 76 ppb, in 2007 was 71 ppb, and in 2008 is 69 ppb. Lake Georgetown monitor started data collection in 2007: the 4<sup>th</sup> highest in 2007 was 57 ppb, and in 2008 is 69 ppb.

<sup>5</sup> The TCEQ has proposed for public comment redesignation to attainment of the 1997 eight-hour ozone standard with a maintenance plan for Hardin, Jefferson, and Orange counties. The TCEQ's scheduled to consider adopting the request and plan December 2008, and submitting to EPA shortly thereafter.

<sup>6</sup> Monitor: Dallas North No. 2 C63.

<sup>7</sup> Monitor: Dallas Executive Airport C402.

<sup>8</sup> Monitor: Midlothian Tower C94.

<sup>9</sup> Monitor: Midlothian OFW C52.

<sup>10</sup> Monitor: C75 Eagle Mtn Lake: prevailing winds from all DFW counties impact this monitor.

<sup>11</sup> There is an industry nonregulatory monitor in Texas City (Galveston County). The 05-07 DV is 84 ppb and the 06-08 DV is 79 ppb. The 4<sup>th</sup> high for 2005 was 86 ppb, for 2006 was 87 ppb, for 2007 was 80 ppb, and for 2008 is 72 ppb. Galveston County had two regulatory monitors in 2007, Galveston airport C34 and Galveston 99<sup>th</sup> St. C1034. The Galveston airport monitor was deactivated March 21, 2007, and does not meet the data completeness criteria. The Galveston 99<sup>th</sup> St. monitor is new and started collecting data in 2007; the 4<sup>th</sup> high value in 2007 was 87 ppb, and in 2008 is 69 ppb. The Texas City monitor will be used until there is enough data at the Galveston 99<sup>th</sup> St. monitor to calculate a valid design value; the EPA has said they will likely use this data if it is submitted to them by Monitoring Operations.

<sup>12</sup> Monitor: Houston Bayland Park C53.

<sup>13</sup> In addition to this regulatory monitor, the AACOG has 2 nonregulatory monitors in Bexar County. Each has three years of data: Elm Creek Elementary C501: 2007 DV 72 ppb, and Fair Oaks Ranch C502: 2007 DV 79 ppb.

<sup>14</sup> There are two AACOG nonregulatory monitors in Comal County. The 05-07 DV was 78 ppb at City of Garden Ridge C505; the monitor at Bulverde Elementary C503 had a 05-07 DV of 77 ppb. The 06-08 DV at Bulverde Elementary C503 is 76 ppb. The 4<sup>th</sup> high for 2005 was 78 ppb, for 2006 was 80 ppb, for 2007 was 74 ppb, and for 2008 is 74 ppb.

<sup>15</sup> There are two AACOG nonregulatory monitors in Guadalupe County. The 05-07 DV was 75 ppb at New Braunfels Airport C504; the monitor at Seguin Outdoor Learning Center had a 05-07 DV of 74 ppb. The 06-08 DV at New Braunfels Airport is 76 ppb. The 4<sup>th</sup> high for 2005 was 76 ppb, for 2006 was 78 ppb, for 2007 was 73 ppb, and for 2008 is 78 ppb.

<sup>16</sup> Note: TLM area consists of 2 MSAs and one county not in an MSA.

Decision Rationale for Matrix  
2008 Eight-Hour Ozone Standard of 0.075 parts per million (or 75 parts per billion)  
Boundary and Designation Determination Recommendation  
by Air Quality Planning Area

**Overview.** The Air Quality Division (AQD) reviewed all ozone monitor data to determine which monitors and counties show violations of the revised ozone standard. For counties with monitors that violate the standard (a design value that is greater than 0.075 parts per million), the AQD reviewed the Metropolitan Statistical Area (MSA) boundaries. The design values reviewed apply data from calendar years 2005 through 2007; 2008 data (not yet complete) was also reviewed. The AQD also considered whether the county was previously designated nonattainment for the 1997 eight-hour ozone standard (0.08 parts per million or, with allowed rounding, 85 parts per billion). The AQD analyzed historical wind patterns covering calendar years 2000 through 2007, concentrating on days with ozone measurements greater than 0.075 parts per million, as well as 2005 emissions inventory data, and population density and county-to-county commuting patterns from the 2000 Census. (EPA March 28, 2000, guidance memorandum recommends the default boundary be the MSA for areas with violating monitors, and provides criteria states can look at to make different recommendations.)

**Austin.** **Travis** County contains the area's federal regulatory design-value monitor with a reading of 80 parts per billion for 2005 through 2007. Mobile sources make up 78 percent of 2005 NO<sub>x</sub> emissions from the five-county MSA. More than 12 percent of the Travis County workforce commutes from **Williamson** County. Historical wind patterns indicate that ozone was transported from Williamson County to Travis County on more than five days with high ozone during the seven year period. Mobile and stationary emissions and commuting from the three remaining MSA counties (**Bastrop**, **Caldwell**, and **Hays**) are relatively insignificant. **Recommendation:** Travis and Williamson.

**Beaumont-Port Arthur.** The 2005 through 2007 design value in Jefferson County is 83 parts per billion, and in Orange County, 76 parts per billion. Three counties comprise the 1997 eight-hour ozone nonattainment area: Hardin, Jefferson, and Orange, and are the current MSA under consideration. Historical wind patterns indicate that ozone was transported from Hardin and Orange counties to the Jefferson County monitor on more than five days with high ozone during the seven year period. **Recommendation:** Hardin, Jefferson, and Orange.

**Dallas-Fort Worth.** Nine counties comprise the 1997 eight-hour ozone nonattainment area: Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant. Of these, four core counties have design values for 2005 through 2007 as follows: 88 parts per billion for Collin, 86 parts per billion for Dallas, 94 parts per billion for Denton, and 95 parts per billion for Tarrant. Three additional counties are part of the MSA: Delta, Hunt, and Wise. Mobile and stationary source emissions produced in **Delta** County are insignificant; it sends very few commuters into the core. The **Hunt** County design value for 2006 through 2008 is at 70 parts per billion as of September 9, 2008, below the revised standard; its commuters make up less than one-half of one percent of the core-county workforce. **Wise** County produces significant stationary source emissions, ranking 2<sup>nd</sup> in the 13-county air quality planning area for NO<sub>x</sub> emissions in 2005. **Hood** County, the thirteenth county in the air quality planning area, has a design value of 84 parts per billion for 2005 through 2007, and a preliminary design value for 2006 through 2008 of 77 parts per billion. While Hood County is not in the MSA it is contiguous to the DFW area. **Recommendation:** Collin, Dallas, Denton, Ellis, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise.

**El Paso.** The design value for El Paso County for 2005 through 2007 is 79 parts per billion, and the preliminary design value for 2006 through 2008 is 78 parts per billion. The county comprises the 1997 eight-hour ozone nonattainment area and is the current MSA under consideration. Tribes may choose to make recommended designations for land under their jurisdiction.

**Recommendation:** El Paso County with the exception of tribal lands, i.e. Ysleta Del Sur Reservation or Trust Lands.

**Houston-Galveston-Brazoria.** Eight counties comprise the 1997 eight-hour ozone nonattainment area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller). The MSA encompasses two additional counties: Austin and San Jacinto. Historical wind patterns indicate that ozone was transported from **Austin** County to an HGB monitor on fewer than five days with high ozone during the seven year period. Furthermore, its commuters make up less than one-half of one percent of the Harris County workforce, and mobile and stationary emissions are relatively insignificant. **San Jacinto** County commuters also comprise less than one-half of one percent of the Harris County workforce, and mobile and stationary emissions are insignificant. Regional planners expect very little growth in Austin and San Jacinto counties in coming years. **Recommendation:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller.

**San Antonio.** Bexar County contains the area's federal regulatory design-value monitor with a reading of 82 parts per billion for the calendar years 2005 through 2007. Mobile sources make up 61 percent of NO<sub>x</sub> emissions from the eight-county MSA. Almost 90 percent of the Bexar County workforce lives in Bexar County. Mobile and stationary emissions and commuting from the seven remaining MSA counties (**Atascosa, Bandera, Comal, Guadalupe, Kendall, Medina, and Wilson**) are relatively insignificant. Bexar, Comal, and Guadalupe counties were previously designated nonattainment deferred for the 1997 eight-hour ozone standard. **Recommendation:** Bexar.

**Tyler.** Five counties comprise the air quality planning area: Gregg, Harrison, Rusk, Smith, and Upshur. Gregg County contains the area's federal regulatory design-value monitor with a reading of 84 parts per billion for 2005 through 2007, and is in an MSA with Rusk and Upshur counties. Stationary sources make up 68 percent of NO<sub>x</sub> emissions from the five-county air quality planning area. **Rusk** County has a larger stationary source emissions inventory than its core county (Gregg). Also, historical wind patterns indicate that ozone was transported from Rusk County to the Gregg County monitor on more than five days with high ozone during the seven year period. **Smith** County, which is by itself an MSA, has a federal regulatory monitor with a design value of 80 parts per billion for 2005 through 2007. Although the **Harrison** County design value for 2005 through 2007 is 77 parts per billion, the design value for 2006 through 2008 is at 72 parts per billion as of September 9, 2008, below the revised standard. **Upshur** County mobile and stationary source emissions are relatively insignificant. **Recommendation:** Gregg, Rusk, and Smith.



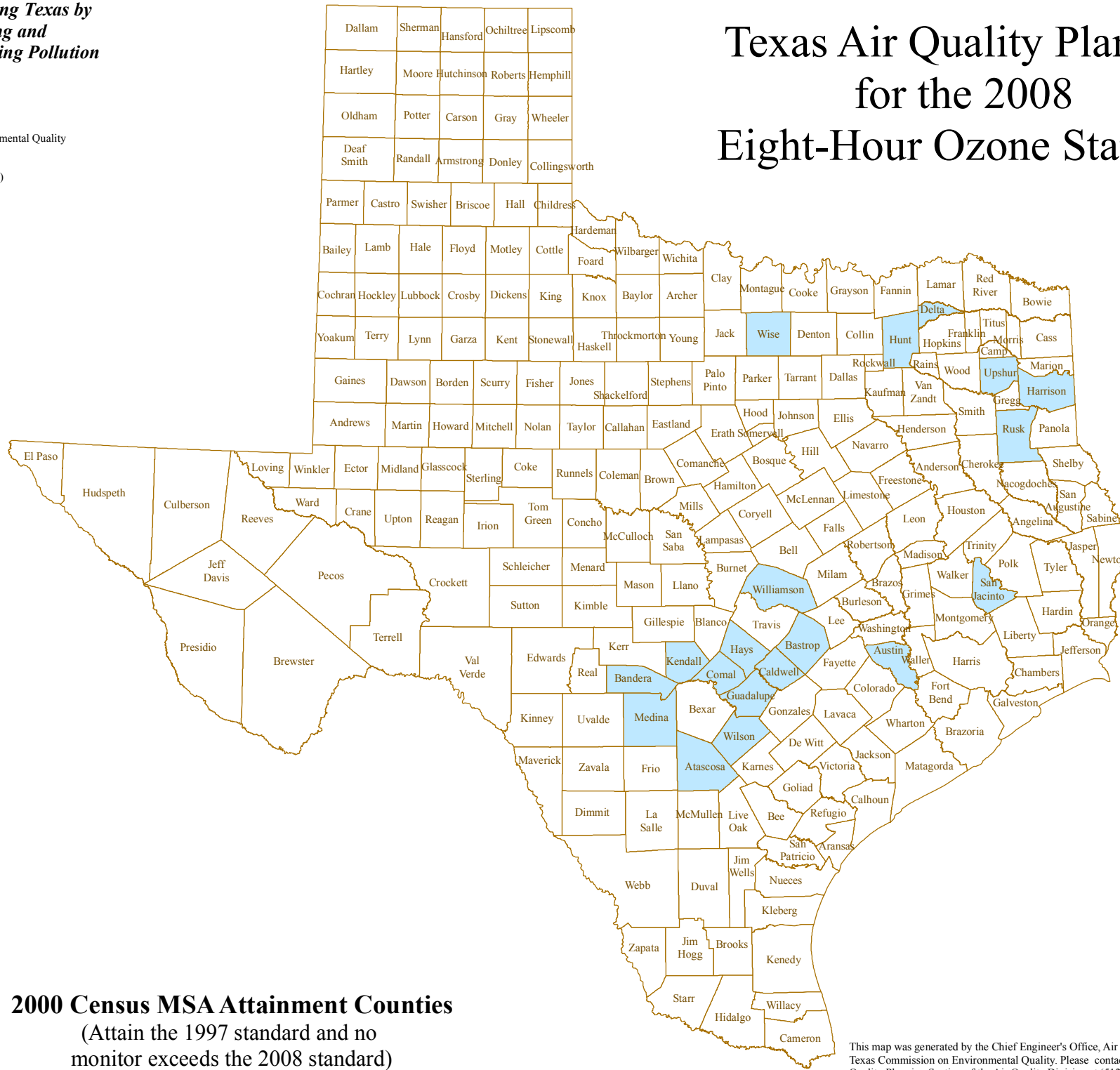


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**TCEQ**

Texas Commission on Environmental Quality  
Chief Engineer's Office  
Air Quality Division  
PO Box 13087 (Mail Code 164)  
Austin, Texas 78711-3087

# Texas Air Quality Planning for the 2008 Eight-Hour Ozone Standard



**2000 Census MSA Attainment Counties**  
(Attain the 1997 standard and no  
monitor exceeds the 2008 standard)

This map was generated by the Chief Engineer's Office, Air Quality Planning Division of the Texas Commission on Environmental Quality. Please contact Margie McAllister of Air Quality Planning Section of the Air Quality Division at (512) 239-1967. September 8, 2008

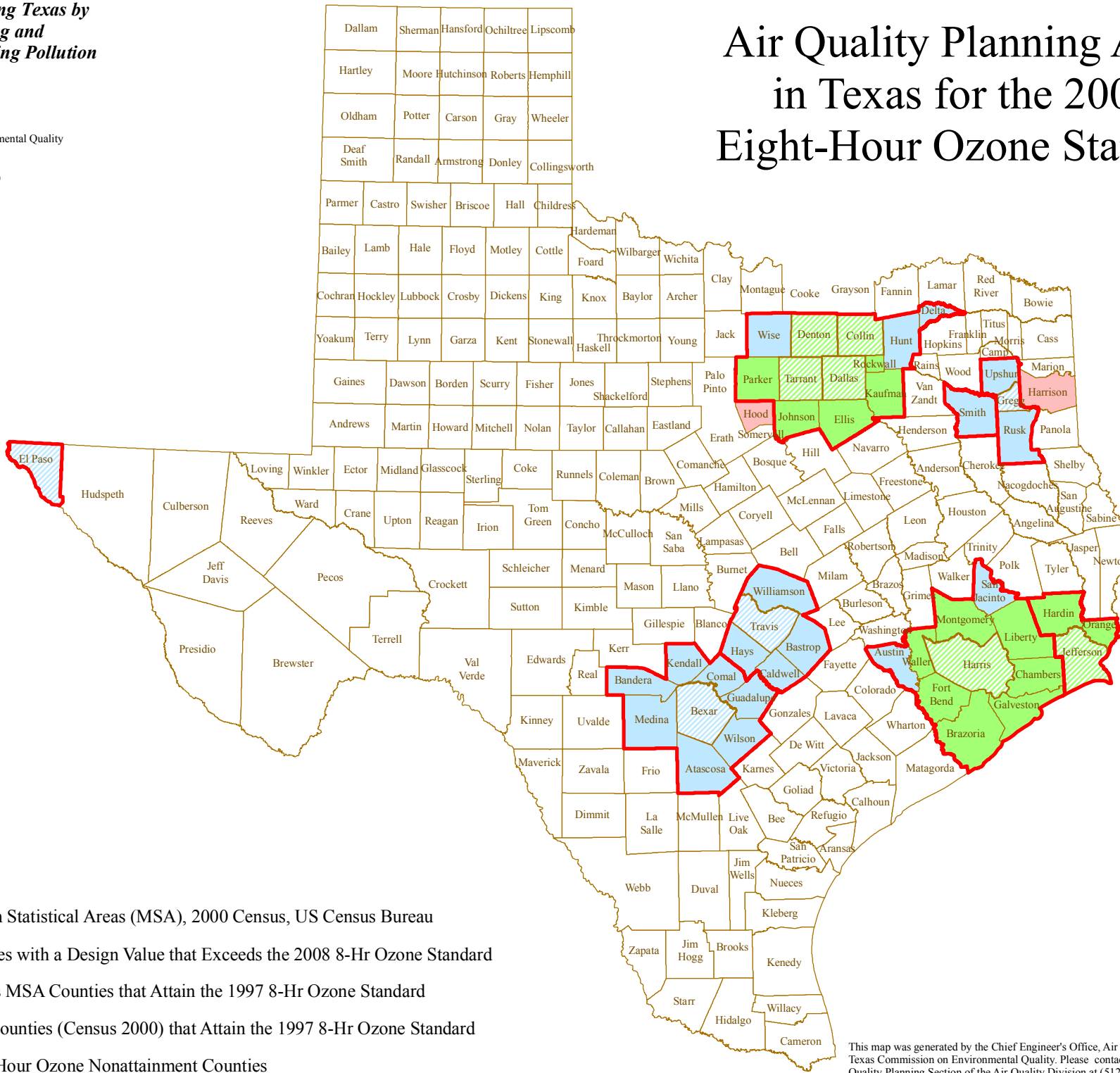


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# Air Quality Planning Areas in Texas for the 2008 Eight-Hour Ozone Standard



## Legend

- Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
- Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
- 2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
- Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
- 1997 Eight-Hour Ozone Nonattainment Counties

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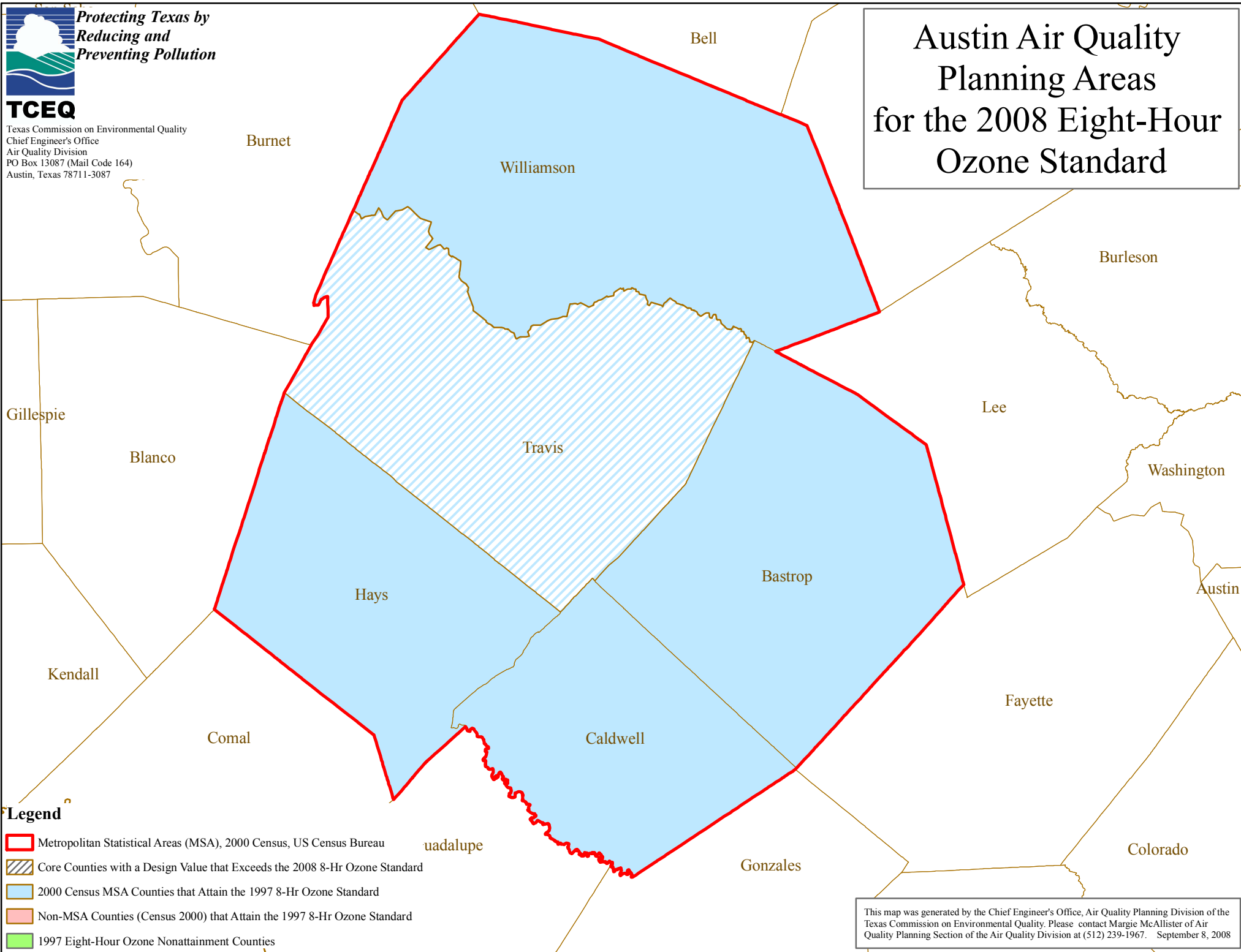


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# Austin Air Quality Planning Areas for the 2008 Eight-Hour Ozone Standard

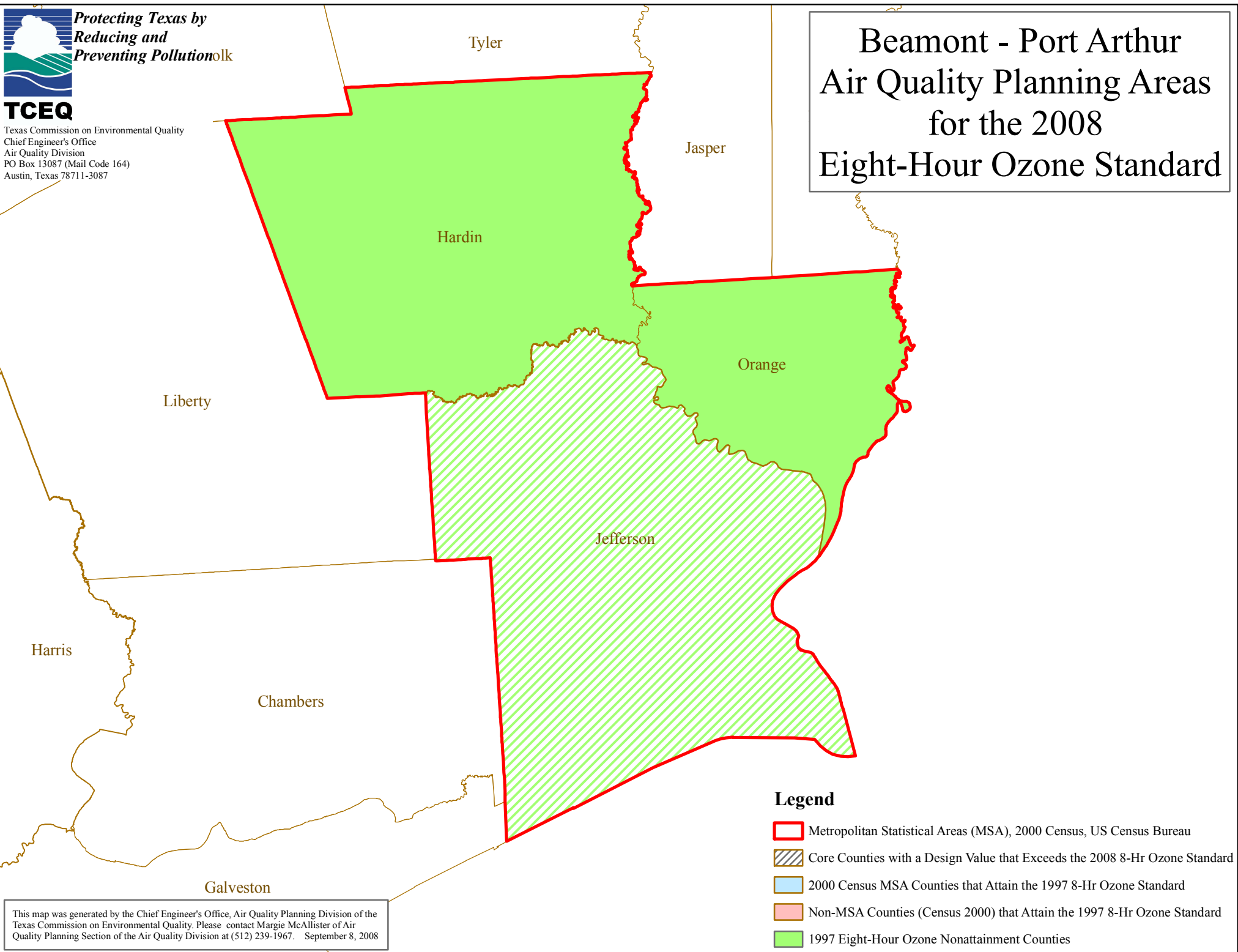


**Legend**






- Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
- Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
- 2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
- Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
- 1997 Eight-Hour Ozone Nonattainment Counties

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# Beaumont - Port Arthur Air Quality Planning Areas for the 2008 Eight-Hour Ozone Standard

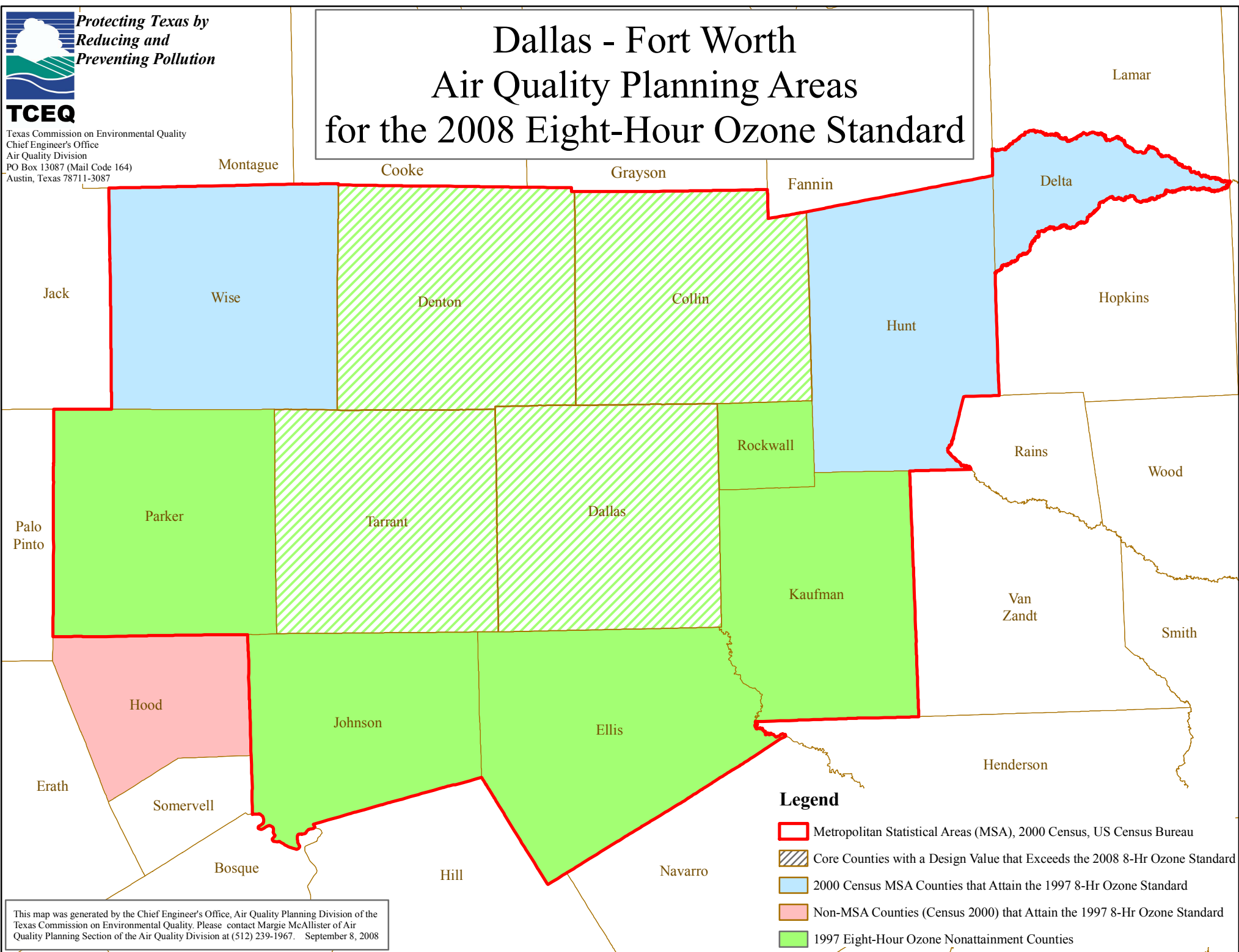


**Legend**






-  Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
-  Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
-  2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
-  Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
-  1997 Eight-Hour Ozone Nonattainment Counties



# Dallas - Fort Worth Air Quality Planning Areas for the 2008 Eight-Hour Ozone Standard



**Legend**

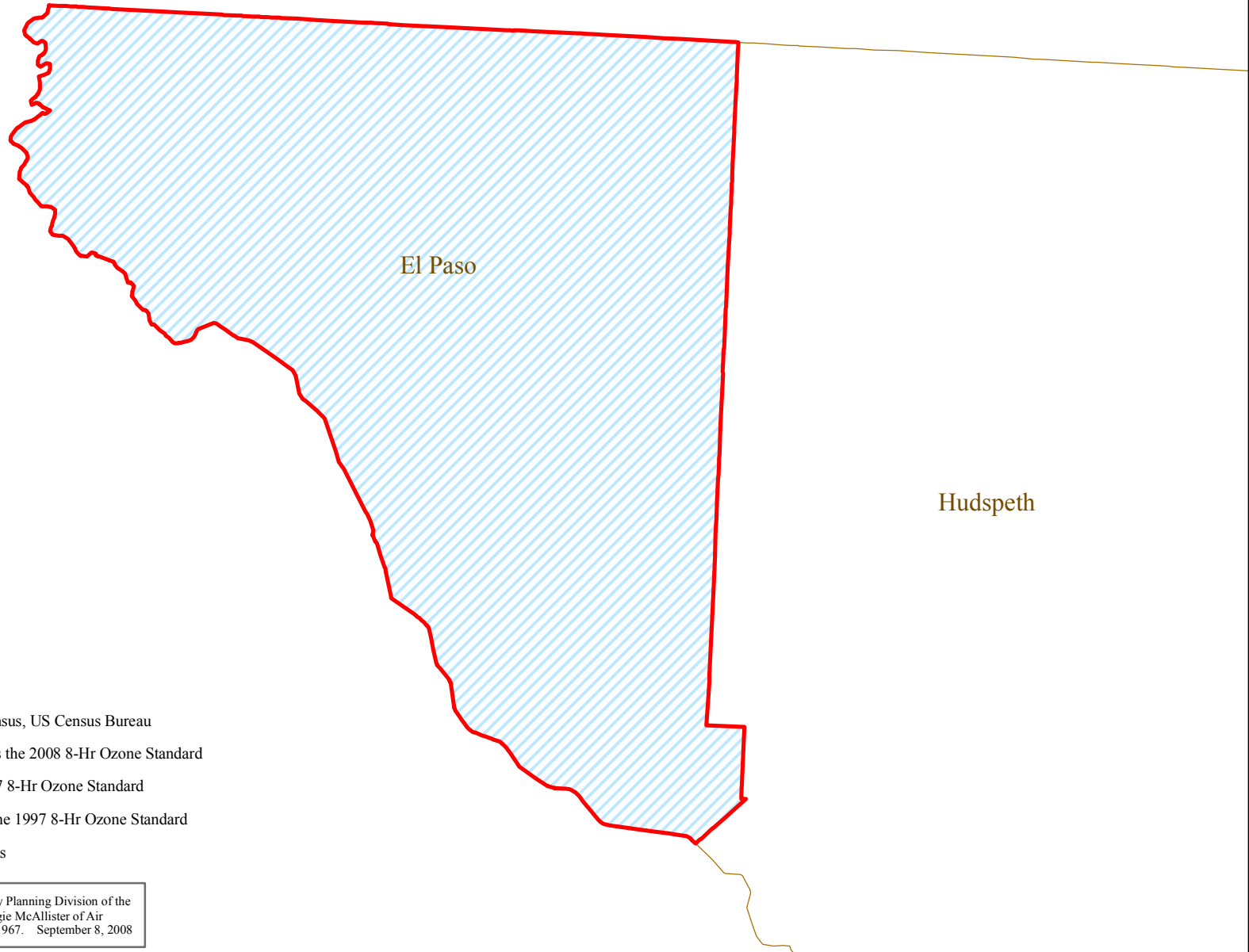
-  Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
-  Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
-  2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
-  Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
-  1997 Eight-Hour Ozone Nonattainment Counties

This map was generated by the Chief Engineer's Office, Air Quality Planning Division of the Texas Commission on Environmental Quality. Please contact Margie McAllister of Air Quality Planning Section of the Air Quality Division at (512) 239-1967. September 8, 2008



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# El Paso Air Quality Planning Area for the 2008 Eight-Hour Ozone Standard

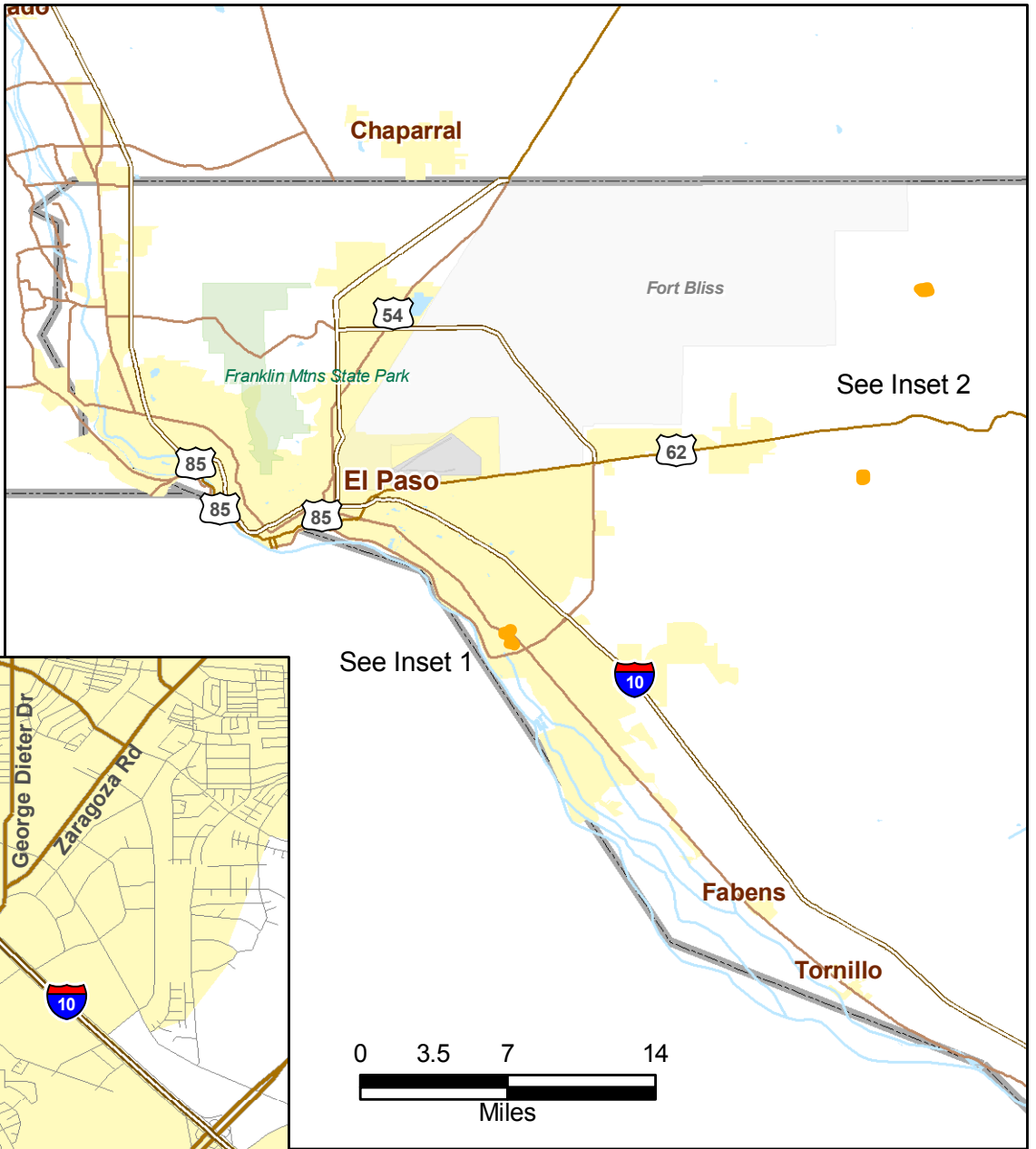


### Legend

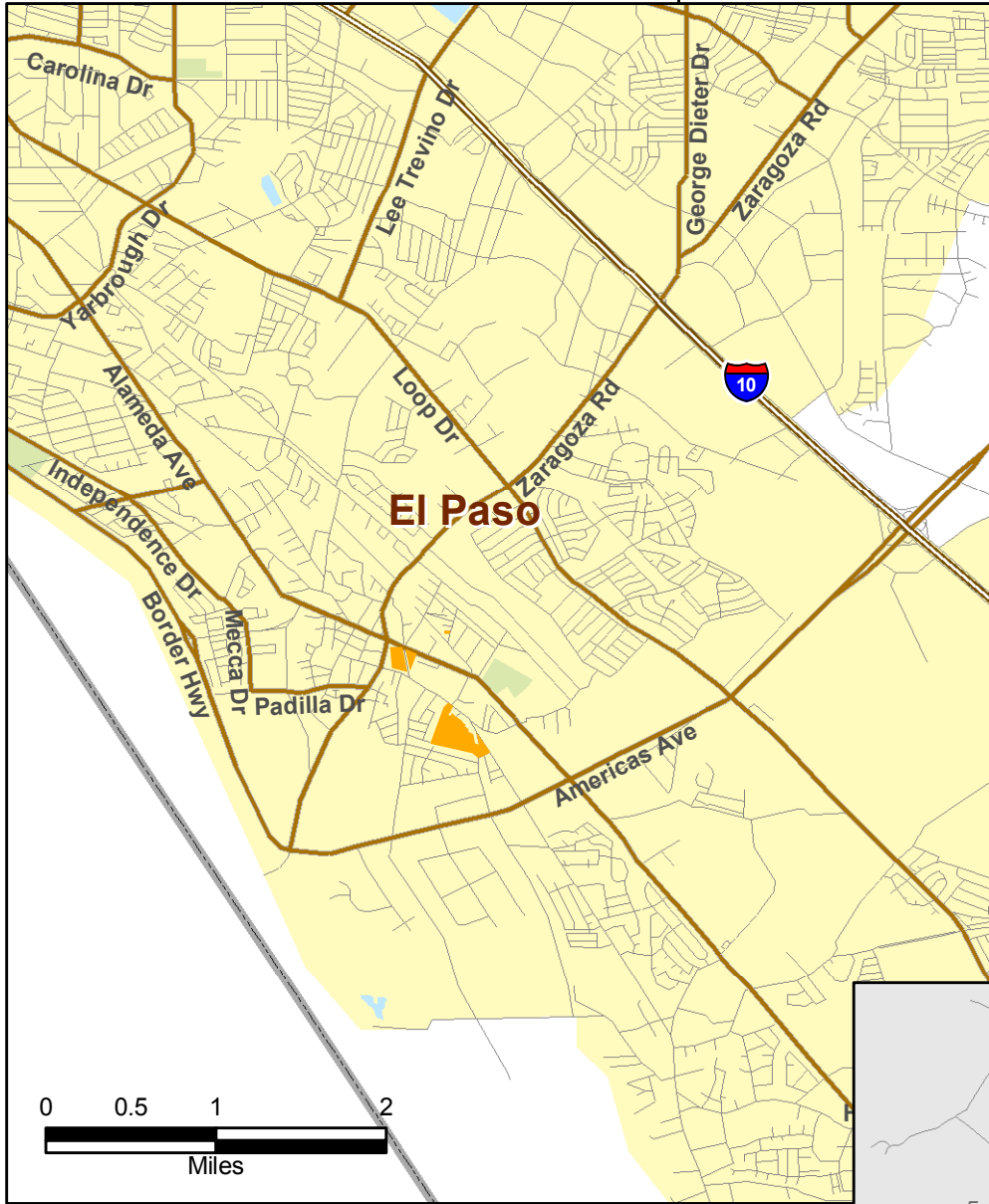
- Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
- Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
- 2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
- Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
- 1997 Eight-Hour Ozone Nonattainment Counties

This map was generated by the Chief Engineer's Office, Air Quality Planning Division of the Texas Commission on Environmental Quality. Please contact Margie McAllister of Air Quality Planning Section of the Air Quality Division at (512) 239-1967. September 8, 2008

# Ysleta Del Sur Lands El Paso County, TX

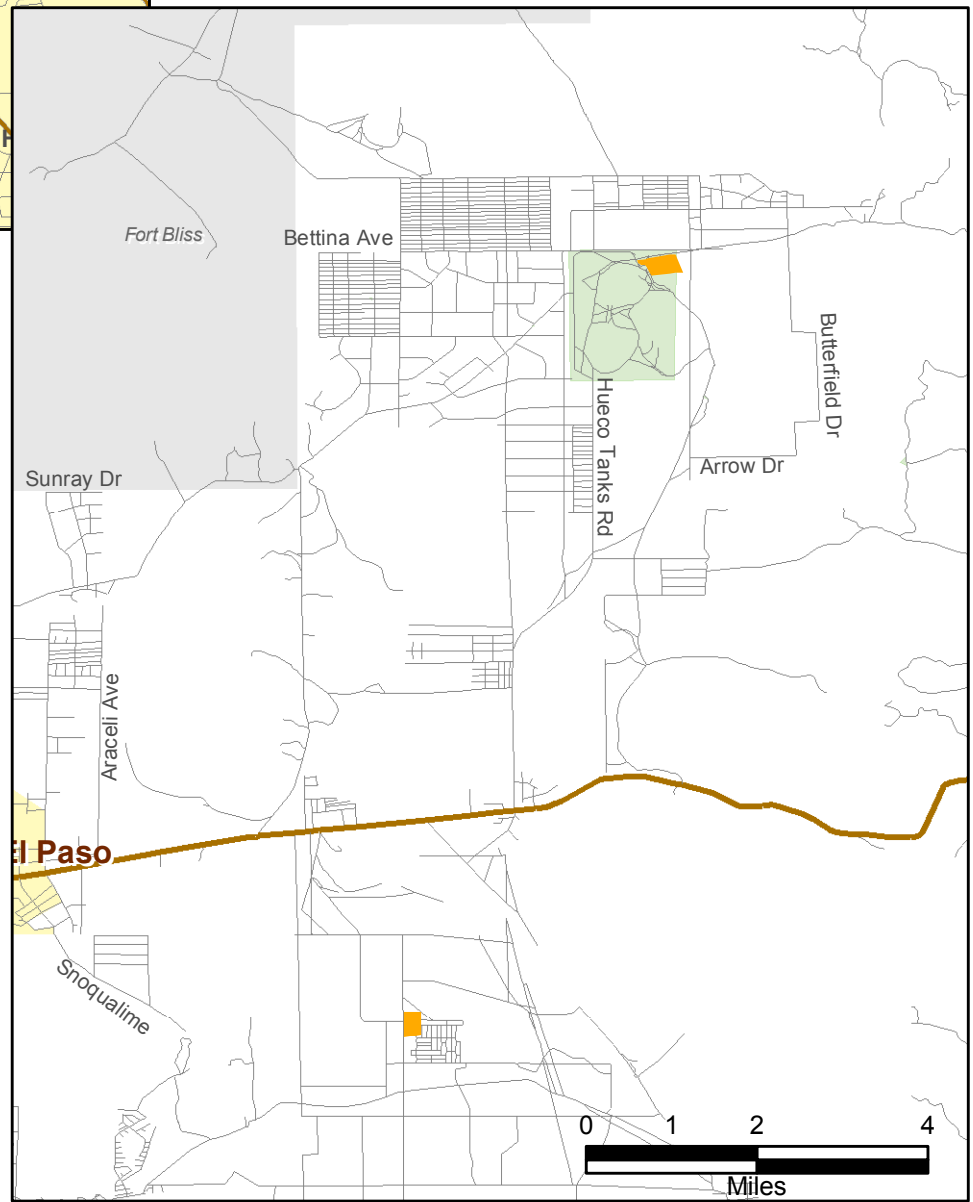


Inset 1



 Ysleta Del Sur Reservation or Trust Land

Inset 2



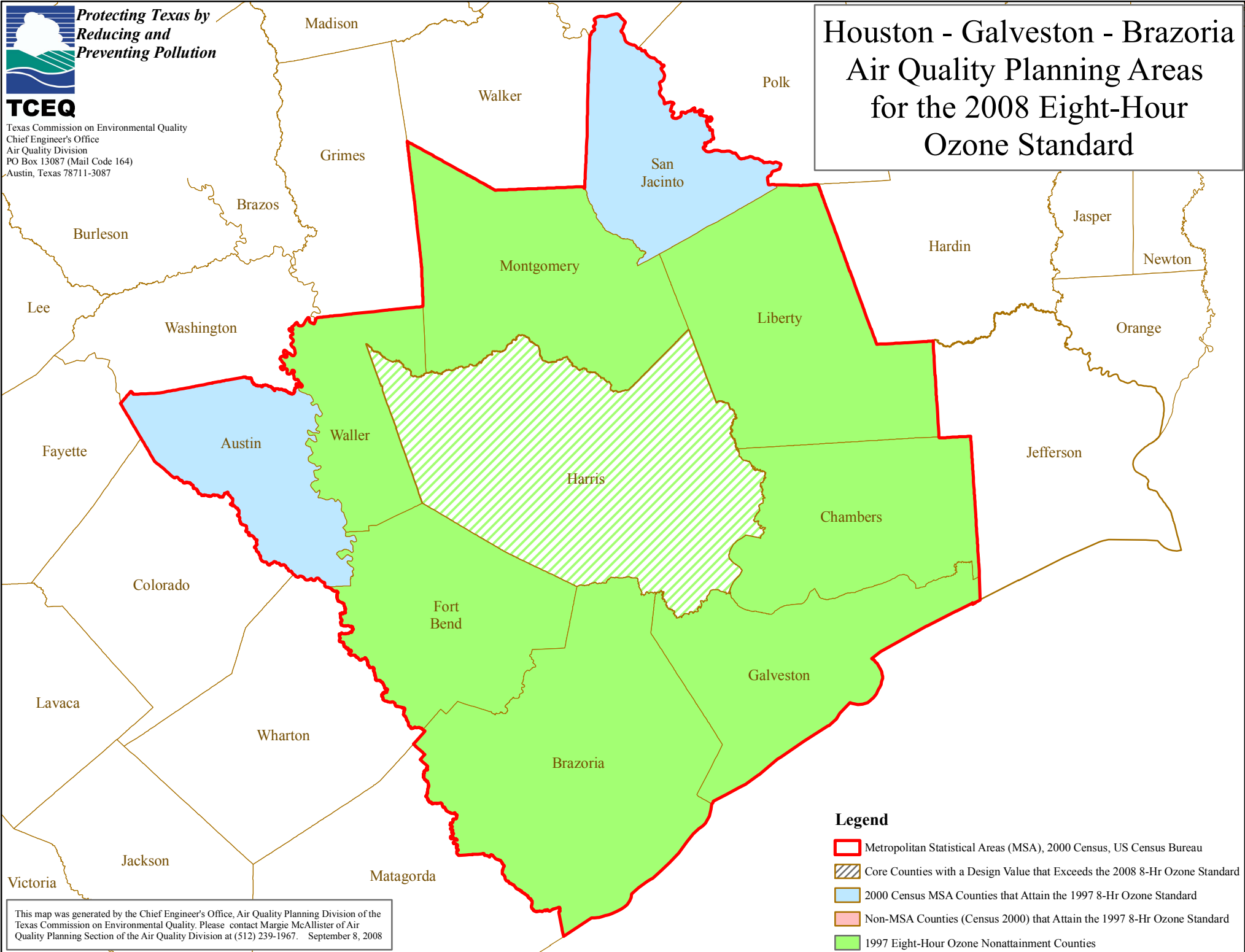
Source:  
US Census Bureau  
2000 TIGER/Line Files








EPA Region 6  
GIS Support  
09/11/2007



# Houston - Galveston - Brazoria Air Quality Planning Areas for the 2008 Eight-Hour Ozone Standard



**Legend**

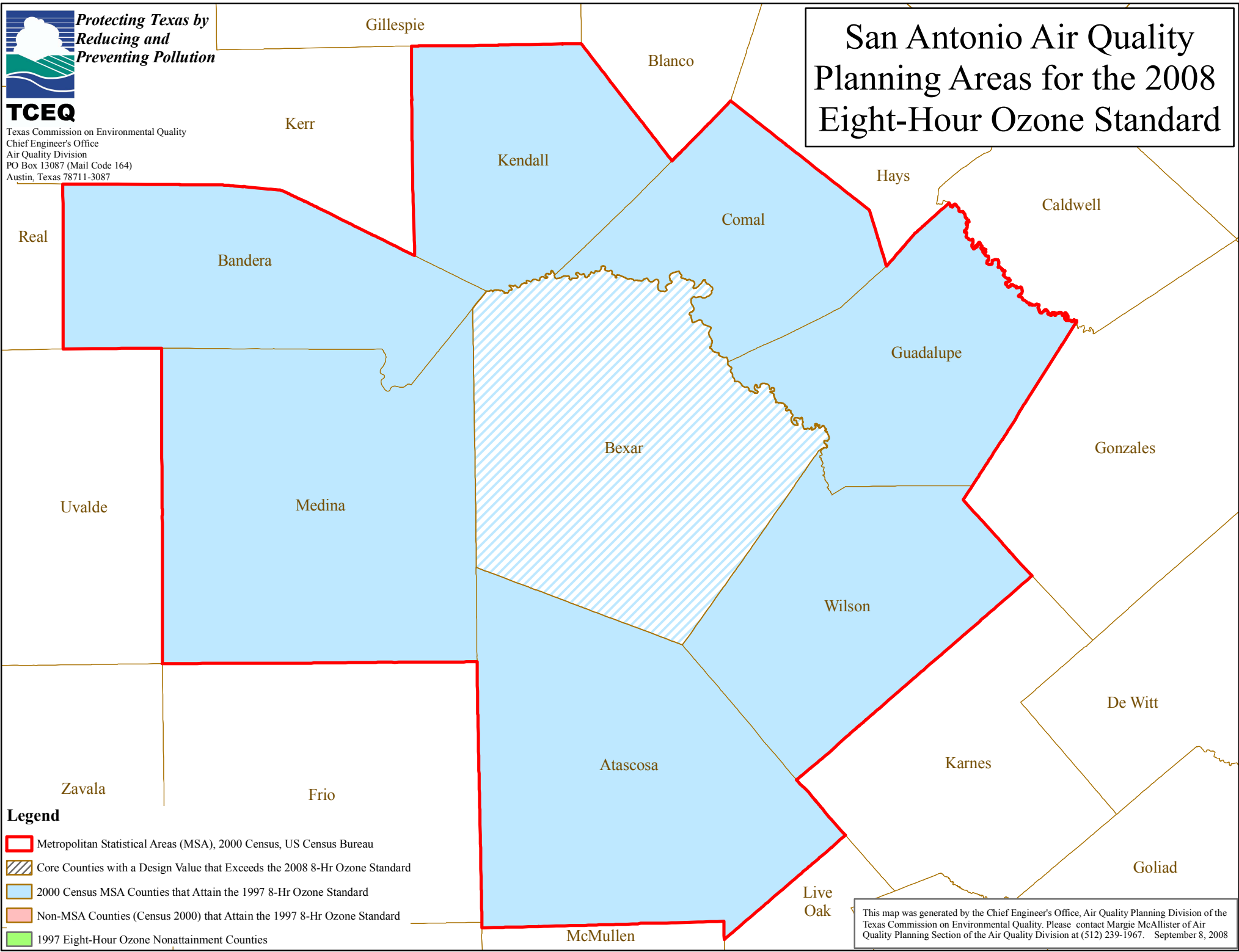
-  Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
-  Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
-  2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
-  Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
-  1997 Eight-Hour Ozone Nonattainment Counties

This map was generated by the Chief Engineer's Office, Air Quality Planning Division of the Texas Commission on Environmental Quality. Please contact Margie McAllister of Air Quality Planning Section of the Air Quality Division at (512) 239-1967. September 8, 2008



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 Texas Commission on Environmental Quality  
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 Air Quality Division  
 PO Box 13087 (Mail Code 164)  
 Austin, Texas 78711-3087

# San Antonio Air Quality Planning Areas for the 2008 Eight-Hour Ozone Standard



**Legend**

- Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
- Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
- 2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
- Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
- 1997 Eight-Hour Ozone Nonattainment Counties

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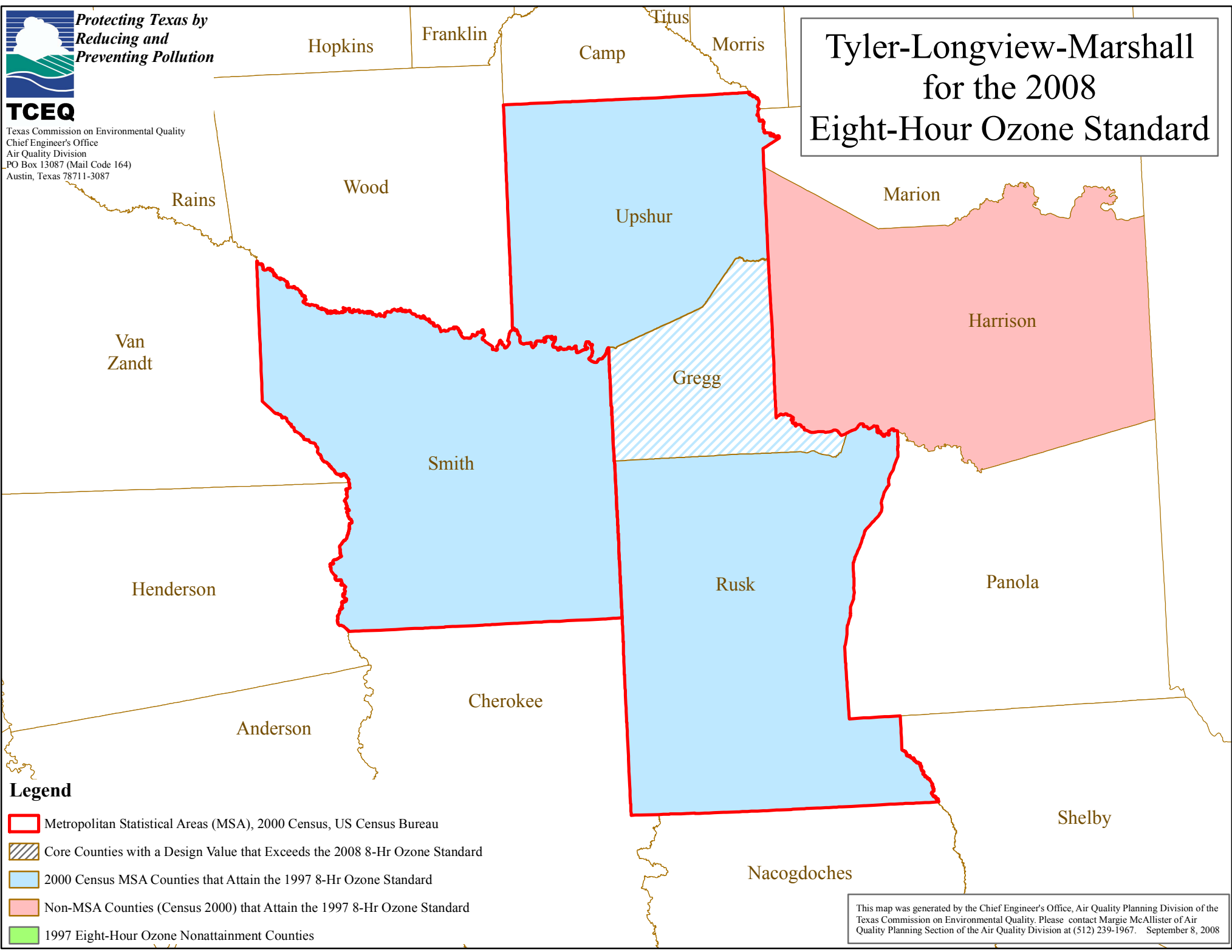


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# Tyler-Longview-Marshall for the 2008 Eight-Hour Ozone Standard



### Legend

- Metropolitan Statistical Areas (MSA), 2000 Census, US Census Bureau
- Core Counties with a Design Value that Exceeds the 2008 8-Hr Ozone Standard
- 2000 Census MSA Counties that Attain the 1997 8-Hr Ozone Standard
- Non-MSA Counties (Census 2000) that Attain the 1997 8-Hr Ozone Standard
- 1997 Eight-Hour Ozone Nonattainment Counties

This map was generated by the Chief Engineer's Office, Air Quality Planning Division of the Texas Commission on Environmental Quality. Please contact Margie McAllister of Air Quality Planning Section of the Air Quality Division at (512) 239-1967. September 8, 2008

The Honorable Rick Perry  
Governor of Texas  
State Capitol  
P. O. Box 12428  
Austin, TX 78711-2428

Dear Governor Perry:

The U.S. Environmental Protection Agency (EPA) revised the national ambient air quality standards (NAAQS) for eight-hour ozone on March 12, 2008. The standard was revised from 0.08 parts per million to 0.075 parts per million. The new standard became effective on May 27, 2008. Within one year of a new or revised air quality standard, Section 107(d)(1)(A) of the federal Clean Air Act requires the Governor of each state to submit to the EPA a list of all areas with a designation recommendation of attainment, nonattainment, or unclassifiable. The letter is due to the EPA by March 12, 2009.

Based on review and analysis of 2005 through 2008 ozone monitoring data and other factors, the Commission recommends the following counties be designated nonattainment, listed by air quality planning area: **Austin Area:** Travis and Williamson; **Beaumont-Port Arthur Area:** Hardin, Jefferson, and Orange; **Dallas-Fort Worth Area:** Collin, Dallas, Denton, Ellis, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise; **El Paso County** with the exception of tribal lands, i.e. Ysleta Del Sur Reservation or Trust Lands; **Houston-Galveston-Brazoria Area:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller; **San Antonio Area:** Bexar; and **Tyler Area:** Gregg, Rusk, and Smith. All other Texas counties should be designated as attainment/unclassifiable.

Many states, including Texas, face difficulty in meeting the standard due to background levels of ozone as well as timing issues related to the attainment date. Ozone concentrations in Texas continue to decrease. As we move forward, TCEQ will be in constant communication with the EPA regarding the achievability of this standard and the appropriate monitoring data to use.

Enclosed is a cover letter for your signature and the designation recommendation to be submitted to the EPA by the March 12, 2009, deadline.

Thank you for your support and assistance in this matter. If I can be of any assistance, please contact me at (512) 239-5515.

Sincerely

Buddy Garcia  
Chairman

Enclosures

Mr. Richard E. Greene  
Regional Administrator  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Dear Mayor Greene:

Pursuant to the requirements in Section 107(d)(1)(A) of the federal Clean Air Act, enclosed is the recommendation for designation of areas in Texas with regard to the revised National Ambient Air Quality Standard for eight-hour ozone of 0.075 parts per million.

The Texas Commission on Environmental Quality (TCEQ) developed the enclosed recommendation, considering currently available eligible monitoring data for all areas in Texas from the 2005 through 2007 period. The State of Texas recommendation also takes into account the 2008 data, which will be certified in accordance with EPA requirements.

The commission understands that the Environmental Protection Agency (EPA) plans to utilize the most recent three years of ambient monitoring data as the basis for designations. Additionally, 2009 certified data may be available for the EPA's consideration in making the designations. The TCEQ staff are available to work with you regarding the appropriate data submission.

If you have any questions or need additional information, please feel free to contact TCEQ Chairman Buddy Garcia at 512/239-5515.

Sincerely,

Rick Perry  
Governor

Enclosure

cc: Mr. Buddy Garcia, Chairman, TCEQ



State of Texas  
2008 Eight-Hour Ozone Standard of 0.075 parts per million  
Designation Recommendation

The following counties, listed by air quality planning area, should be designated nonattainment. All the rest of the counties in Texas should be designated attainment/unclassifiable.

**Austin-Area**

Travis  
Williamson

**Beaumont-Port Arthur Area**

Hardin  
Jefferson  
Orange

**Dallas-Fort Worth Area**

Collin  
Dallas  
Denton  
Ellis  
Hood  
Johnson  
Kaufman  
Parker  
Rockwall  
Tarrant  
Wise

**El Paso County** with the exception of tribal lands, i.e., Ysleta Del Sur  
Reservation or Trust Lands

**Houston-Galveston-Brazoria Area**

Brazoria  
Chambers  
Fort Bend  
Galveston  
Harris  
Liberty  
Montgomery  
Waller

**San Antonio Area**

Bexar

**Tyler Area**

Gregg  
Rusk  
Smith

**Resolution Concerning the 2008 Revised Eight-Hour Ozone National Ambient Air  
Quality Standard Designation Recommendations**

**Docket No. 2008-1615-MIS**

WHEREAS, the Texas Commission on Environmental Quality (Commission) met on December 10, 2008, to discuss and consider proposed designations for the revised eight-hour ozone National Ambient Air Quality Standard (NAAQS) for submittal to the Governor for his consideration and transmittal to the United States Environmental Protection Agency (EPA); and

WHEREAS, the Commission finds that the EPA revised the eight-hour ozone NAAQS effective May 27, 2008, changing the standard to 0.075 parts per million (ppm); and

WHEREAS, the Commission acknowledges that the Federal Clean Air Act (FCAA), § 107(d)(1), requires the EPA, after the promulgation of a new or revised NAAQS, to designate areas as attainment, nonattainment, or unclassifiable; and

WHEREAS, the Commission acknowledges that the FCAA, § 107(d)(1), also establishes a process for each Governor to provide recommendations to the EPA regarding appropriate designations for the revised eight-hour ozone NAAQS for their state, including appropriate geographic boundaries; and

WHEREAS, the Commission acknowledges that the EPA has specified a deadline for the submittal of recommended designations for the revised eight-hour ozone NAAQS of March 12, 2009; and

WHEREAS, the Commission acknowledges that the EPA recommends States identify areas not in compliance with the new or revised NAAQS using the most recent three years of air quality data, stored in the EPA Air Quality System (AQS), from Federal Reference Method and Federal Equivalent Method monitors that are sited and operated in accordance with 40 Code of Federal Regulations (CFR) Part 58; and

WHEREAS, the Commission finds that based on certified AQS monitoring data from 2005 through 2007, and the most recent data for 2008, which will be certified in accordance with EPA requirements, all monitors in Texas with data eligible for comparison to the revised eight-hour ozone NAAQS were reviewed, and there are areas of the state that should be recommended for designation as nonattainment, in addition to

areas that should be recommended for designation as attainment or unclassifiable, as noted in the attached Exhibit A; and

WHEREAS, the Commission finds that at the time EPA makes designations, AQS monitoring data from 2009 may also be available for EPA's consideration; and

RESOLVED, that the Commission hereby requests the Governor of Texas to submit a recommendation for the revised eight-hour ozone NAAQS to the EPA for consideration, consisting of the information in Exhibit A, along with data analysis supporting this recommendation by the EPA's requested deadline of March 12, 2009, and to provide supplemental information to EPA to support designations, as necessary.

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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Buddy Garcia, Chairman