

**DESIGNATION OF THE  
HOUSTON-GALVESTON-BRAZORIA NONATTAINMENT AREA  
UNDER NEW OZONE STANDARD**

**Background**

The Texas Commission on Environmental Quality (TCEQ) has requested comments on potential considerations for recommending nonattainment boundaries for the 2010 revisions to the National Ambient Air Quality Standard (NAAQS) for ozone. As a result of this request, the August 2010 H-GAC Board meeting will include a request for approval of a statement concerning possible expansion of the eight-county Houston-Galveston-Brazoria (HGB) nonattainment area.

On September 16, 2009 the U.S. Environmental Protection Agency (EPA) announced it would reconsider the 2008 NAAQS for ground level ozone. The EPA sought comment on setting the primary ozone standard between 60 and 70 ppb and a secondary standard, designed to protect the environment. The EPA is expected to announce the final proposed NAAQS for ozone by the end of August 2010. The EPA must designate nonattainment areas under the new standard by August 2011. Governor Perry's recommendations are due to EPA by January 2011.

Based on 2005 Census estimates and Clean Air Act provisions, the EPA may consider adding Austin, Matagorda, San Jacinto, and Walker counties to the current eight-county Houston-Galveston-Brazoria (HGB) nonattainment area. In August 2008 an H-GAC Board action commented that under the 2008 ozone standard of 75 ppb, based on the EPA criteria, neither Austin nor San Jacinto counties should be added to the current nonattainment region.

**Current Situation**

March 2000 EPA guidance indicates specific factors that should be used to determine the size of a nonattainment area. H-GAC staff has reviewed the factors and presented the following comments to the August 2010 H-GAC Board of Directors Meeting:

- Austin, San Jacinto, and Walker counties do not have significant concentrations of industrial sources which contribute to formation of ozone precursors.
- Austin, San Jacinto, Matagorda, and Walker counties do not have air quality monitors and therefore show no violations of the ozone standard or suggest that emissions from these counties have a significant impact on air quality in the nonattainment region.
- Commuters from Austin, Matagorda, San Jacinto, and Walker counties who travel into the current nonattainment region make up less than 1% of the total commuters within the HGB region.
- The Texas State Data Center projects Austin, Matagorda, San Jacinto, and Walker County population will be:

<u>County</u>	<u>2011</u>	<u>2020</u>
Austin	29,283	34,226
Matagorda	38,883	38,566
San Jacinto	28,714	33,546
Walker	65,113	63,133

## **TAC Agenda Item 9b**

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The modest population increases and decreases shown indicate that these counties will remain rural and as a result make only minor consumer and mobile contributions to HGB region air quality.

- A significant portion of Austin County land use is devoted to agriculture, over a third of Matagorda County is agricultural, public land reserves, or under water, about 60% of San Jacinto County is national forest and over 80% of Walker County is either national forest or agricultural land.
- All four counties are subject to vehicle fuel standards that are common to the eastern half of Texas. Currently there does not appear to be significant additional emission control measures that could be effectively implemented in these counties.
- There is a valid concern regarding permitting of major new point or stationary sources located adjacent to the nonattainment area and the impact these new sources will have on overall air quality region wide. This becomes an even larger concern as the range of the proposed new ozone standard is approaching background levels for ozone and may call for additional data and analysis of impacts on the nonattainment area

H-GAC staff recommendation to the Board of Directors was to:

- (a) Continue the current Houston-Galveston-Brazoria nonattainment area under new EPA standards
- (b) Recommend forwarding the recommendation and supporting background information to TCEQ

TCEQ is soliciting local comments by early September 2010. EPA has not yet announced the final proposed NAAQS for ozone nor has the EPA released its proposed guidance for setting nonattainment boundaries. H-GAC staff recommendations and the Board recommendation remain tentative given that the ozone standard and nonattainment boundaries guidance have not been published.

### **Action Requested**

For information only