



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

OCT 8 2009

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

Dear Governor Perry:

I am writing to request that you provide your recommendation of whether an area within your state meets the National Ambient Air Quality Standard (NAAQS) for fine particles (PM<sub>2.5</sub>). If EPA determines that this area does not meet the PM<sub>2.5</sub> NAAQS, your state will have to submit a State Implementation Plan that contains strategies to control sources that emit this pollutant.

On January 5, 2005, the Environmental Protection Agency (EPA) designated Harris County, Texas, and surrounding areas, as "unclassifiable/attainment" for the 1997 annual PM<sub>2.5</sub> NAAQS because this area was then meeting the standards. Unfortunately, the most recent air quality monitoring data for PM<sub>2.5</sub>, for the period from 2006 to 2008, indicate that one monitor in Harris County is now violating the 1997 annual PM<sub>2.5</sub> NAAQS. As a result of this violation, EPA is initiating the process under Clean Air Act section 107(d)(3) to redesignate Harris County, and those nearby areas contributing to the violation in Harris County, as "nonattainment" for the 1997 annual PM<sub>2.5</sub> NAAQS.

The determination of an air quality violation in Harris County is based on a three-year average of data. This includes some data the Texas Commission on Environmental Quality (TCEQ) regards as being influenced by sources outside of Texas, and therefore potentially subject to exclusion from this determination. We have been working with the TCEQ as we review this data, and will determine shortly whether data for certain days were influenced by "exceptional events" and should be excluded from the three-year data set.

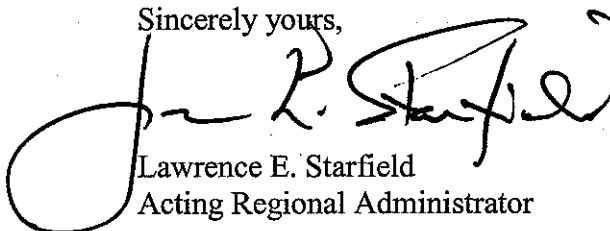
EPA requests that you provide your recommendations for the redesignation of Harris County, and any nearby areas that may be contributing to violations in Harris County, within 120 days of the receipt of this letter. EPA recommends that you assess the geographic boundaries for this area using the guidance for nonattainment area boundaries that EPA previously provided for designations for the 1997 PM<sub>2.5</sub> NAAQS. EPA provided this guidance in a Memorandum entitled "Designations for the Fine Particle National Ambient Air Quality Standards," from Jeffrey R. Holmstead, dated April 1, 2003 (the Holmstead Guidance, enclosed). EPA also provided additional guidance on defining area boundaries for 1997 PM<sub>2.5</sub> NAAQS designations in a memo from Lydia N. Wegman, dated February 14, 2004 (enclosed).

EPA will evaluate your recommendations to determine if any modifications are necessary, and if so, work with your staff to assure that the final designations and boundaries are appropriate, based on the facts and circumstances of this area. EPA will also evaluate Harris

County, and any nearby areas that may be contributing to the violation in Harris County, for inclusion within the nonattainment area in accordance with the Holmstead Guidance. After promulgation of the new designation for this area, EPA will likewise work with your staff to develop an appropriate State Implementation Plan for the area to assure the public health protections intended by the standards. We are aware of efforts currently underway by the State and local entities to reduce PM levels. We encourage you to continue these efforts to produce the improvements in air quality as quickly as possible.

We look forward to working with you and your staff to develop the designation for this area for the 1997 annual PM<sub>2.5</sub> NAAQS in a timely manner. If you have any questions, please do not hesitate to contact me. Your staff may wish to contact Mr. Carl E. Edlund, Director, Multimedia Planning and Permitting Division, EPA Region 6, at (214) 665-8124.

Sincerely yours,



Lawrence E. Starfield  
Acting Regional Administrator

Enclosures

cc: Bryan W. Shaw, Ph.D.  
Chairman, Texas Commission on Environmental Quality

Mark R. Vickery  
Executive Director, Texas Commission on Environmental Quality