



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 5 2005

THE ADMINISTRATOR

Ronald Methier, Chief
Air Protection Branch
Environmental Protection Division
Georgia Department of Natural Resources
2 Martin Luther King, Jr. Drive, S.E.
Suite 1152 East Tower
Atlanta, Georgia 30334-9000

Dear Mr. Methier:

Thank you for your letter of February 22, 2005, concerning fine particulate matter (PM_{2.5}) designations and Putnam County, Georgia. In your letter you requested that the Environmental Protection Agency (EPA) consider an alternate partial area which includes portions of census block group 9603-1 in Putnam County rather than the entire block group in the Atlanta nonattainment area for the PM_{2.5} National Ambient Air Quality Standard (NAAQS). As the basis for this request, you indicate that the emissions from Plant Branch would be captured in the alternate boundary. For the reasons discussed herein, EPA denies your request.

In determining an area's designation, we rely on the Clean Air Act (CAA) definition of a nonattainment area in section 107(d)(1)(A)(i): an area that is violating an ambient standard or is contributing to a nearby area that is violating the standard. If an area meets this definition, EPA is obligated to designate the area as nonattainment. On April 1, 2003, EPA issued guidance for states and tribes to use in identifying areas that meet or do not meet EPA's national air quality standards for PM_{2.5}. In making designations, we used the most recent 3 years of monitoring data. Once we determined that a monitor was recording a violation, the next step was to determine if there were any nearby areas that were contributing to the violation and include them in the designated nonattainment area. In making this determination, we reviewed all available technical data related to nine factors set out in the April 1, 2003, guidance such as air quality, source locations and emissions, meteorology, terrain, population, commuting, and growth in the area. The technical support analyses for all nonattainment areas are located on EPA's web site at <http://epa.gov/pmdesignations/documents/final/TSD/Ch6.pdf>.

On June 29, 2004, EPA sent letters to the Governors of several states, including to Governor Perdue of Georgia, responding to the Governors' designation recommendations and providing the Agency's recommendations for PM_{2.5} designations. EPA's goal was to insure that nonattainment areas include the local sources that are contributing to violations of the NAAQS, including nearby large stationary sources, where appropriate.

In many instances, EPA recommended designations of nonattainment for entire counties containing a single large emitting facility such as a power plant. Most of these facilities were located in counties adjacent to a metropolitan area. In EPA's letter to Governor Perdue, EPA recommended that Putnam County should be included in the Atlanta PM2.5 nonattainment area, primarily due to high SO_x and NO_x emissions from a power plant that contributes to the nearby nonattainment problem. EPA also invited Governor Perdue, and other similarly situated Governors, to propose a partial county boundary, encompassing the identified large emitting facility, for inclusion in the nonattainment area.

A number of States responded to this suggestion with a series of connected townships or other unique boundaries. Some States also suggested an alternative approach in which partial county areas for power plants in some cases could be small "free-standing" boundaries that are considered part of the nearby nonattainment area. In this way, it would not be necessary to include additional townships or other minor civil divisions comprising an odd-shaped "land connector" extending from the main part of the nonattainment area to the power plant. The State of Georgia did not submit a partial county boundary recommendation for Putnam County.

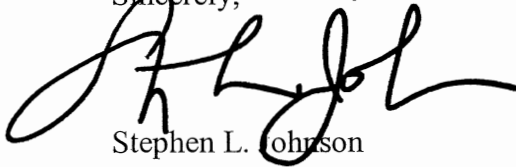
After considering comments from the States, EPA determined that partial county boundaries should be selected by relying on legally recognized governmental boundaries that encompassed the entire property boundary of the identified large emitting facility. These partial county areas could be either free-standing, or contiguous to other designated nonattainment counties. EPA determined that this kind of partial county boundary must include the entire facility property boundary to ensure that all emission sources from the facility were captured but that the area should not be defined simply as the boundary of the facility. In the case of Putnam County, EPA consequently designated the census block group identifier (StateFIPs-CoFIPs-Tract#-Block Group#) 13-237-9603-1 as part of the Atlanta nonattainment area.

In drawing the boundaries for Putnam County and other similarly situated counties, EPA consistently applied an approach of selecting boundaries that encompassed entire power plant property boundaries. In different parts of the country, this resulted in areas of various sizes due to the different types of legally recognized governmental boundaries available. For example, in northern states, townships were commonly selected as the legally recognized governmental boundary. However, in the southeast, many counties have large spans of unincorporated areas with no townships. Here, the Agency considered different legally recognized governmental boundary types and found that census block group boundaries were the most appropriate. In most instances, such as with Putnam County, the power plant property boundary was captured with a single census block group. In one instance, the power plant property fell into three census block groups, and EPA selected the nonattainment boundary accordingly. In the case of the Putnam County, the size of the partial-county nonattainment area falls at the median among all partial PM2.5 nonattainment areas in the country.

In EPA's view, the Putnam County partial nonattainment area correctly consists of a single census block group, which is the legally recognizable governmental boundary EPA selected in the southeast in the absence of other options such as townships. The fact that census block groups are comprised of census blocks, and this provides a convenient mechanism for carving the nonattainment area boundary closer to the plant property boundary, is not a sufficient basis for the Agency to reconsider its selected boundaries. To do so would be inconsistent with the approach we followed for other partial county boundaries and would inequitably provide an opportunity not available to areas where larger governmental boundaries were utilized.

EPA understands Georgia's preference for a smaller nonattainment boundary and further understand your reasons for requesting exclusion of one census block from the block group. The information presented in your letter regarding the census block group, census blocks, and the power plant, was available to the Agency at the time it made its decisions on partial nonattainment boundaries and does not persuade the Agency to reconsider its decision. Therefore, your petition for reconsideration is denied.

Sincerely,



Stephen L. Johnson

cc: Carol A. Couch, Ph.D., Director
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Mr. J.I. Palmer, Jr.
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