



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

DEC 5 2005

THE ADMINISTRATOR

Thomas C. Snyder, Director
Air & Radiation Management Administration
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230

Dear Mr. Snyder:

By letter dated February 22, 2005, you filed a Petition for Reconsideration ("Petition") of our January 5, 2005 Final Rule promulgating designations and boundaries for areas of the United States, including Maryland, with respect to the fine particles (PM 2.5) National Ambient Air Quality Standards ("PM 2.5 NAAQS") in accordance with the requirements of the Clean Air Act (CAA) (the "PM 2.5 NAAQS Designations Final Rule"). See 70 *Federal Register* 944. The Petition requested that the Environmental Protection Agency (EPA) exclude Washington County, Maryland from the areas designated as nonattainment through the PM 2.5 NAAQS Designations Final Rule. In support of this request, you submitted: 1) charts depicting wind data gathered from 1976-1986; 2) four maps depicting large point sources of air emissions; and, 3) statewide ambient air quality data for the years 2002 through 2004. By this letter, EPA is denying your Petition.

The Petition requests that Washington County, Maryland, be removed from the area defined as the Hagerstown-Martinsburg PM 2.5 NAAQS nonattainment area. Section 107(d) of the Clean Air Act directs EPA to designate as nonattainment "... any area that does meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant." See 42 U.S.C. § 7407(d). EPA's April 1, 2003 guidance entitled, "Designations for the Fine Particle Standard," and February 13, 2004 supplemental guidance entitled, "Additional Guidance on Defining Area Boundaries for PM2.5 Boundaries," set forth EPA's presumption that the boundaries for urban nonattainment areas should be based on the metropolitan area boundaries as defined by the U.S. Office of Management and Budget (OMB). As you are aware, the OMB has included Washington County, Maryland within the boundaries of the Hagerstown-Martinsburg metropolitan area. This guidance also presented nine factors that EPA suggested that States should consider, and that EPA would consider when assessing whether to exclude portions of a metropolitan statistical area ("MSA") and whether to include additional nearby areas outside a MSA as part of the designated nonattainment area ("the nine factor analysis").

In accordance with EPA's April 1, 2003 and February 13, 2004 guidances, EPA evaluated relevant data pertinent to Washington County, Maryland, in the context of: 1) the above described presumption and 2) the nine factor analysis. Based upon such evaluation, EPA determined that

Washington County, Maryland, contributes to air quality that violates the PM 2.5 NAAQS within the Hagerstown-Martinsburg MSA. Therefore, EPA determined that Washington County, Maryland should be included within the boundaries of the Hagerstown-Martinsburg the PM 2.5 NAAQS nonattainment area. A summary of data evaluated is found in section 6.3.3.3 of the Technical Support Document (TSD). A summary of EPA's evaluation of such data is set forth in section 6.3.3.4 of the TSD.

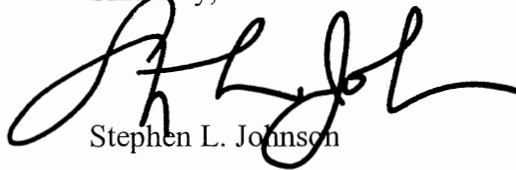
The Petition included additional data which is similar in nature to data which EPA reviewed in the context of the nine factor analysis pertinent to Washington County, Maryland. For example, the maps depicting the locations of large point sources of air emissions and the statewide ambient air quality data is updated information comparable to the data which EPA evaluated in the nine factor analysis relevant to Washington County, Maryland. The Petition also included charts depicting wind data gathered from 1976-1986. Such wind data, though similar in nature, differs from the wind data previously reviewed by EPA.

EPA recognizes that the newly submitted emission and ambient air quality data reflects a certain level of improvement of ambient air quality within the Hagerstown-Martinsburg nonattainment area. However, such newly submitted data does not negate EPA's determination that Washington County, Maryland contributes to air quality that violates the PM 2.5 NAAQS within the Hagerstown-Martinsburg nonattainment area.

The Petition asserts that the newly submitted 1976-1986 average wind data indicates that Washington County sources did not "affect the Berkeley monitor on high PM2.5 days." In general, long-term average wind directions alone are poor indicators of the distribution of hourly or even daily wind directions. The newly submitted wind data does not adequately reflect hourly or daily wind directions, and we believe that hourly and/or daily wind data are more relevant to determining the extent to which Washington County, Maryland contributes to air quality that violates the PM 2.5 NAAQS within the Hagerstown-Martinsburg nonattainment area. Therefore, the newly submitted wind data accompanying the Petition, due to its general nature, does not provide convincing evidence to contradict the wind rose analysis that EPA previously evaluated. For this reason, we continue to believe that Washington County, Maryland sufficiently contributes to air quality that violates the PM 2.5 NAAQS within the Hagerstown-Martinsburg nonattainment area to require its inclusion in the designated nonattainment area. Attachment 1 is a pollution rose diagram for the violating monitor located in Berkeley county. Each dot in the diagram represents a daily PM2.5 concentration (from the 2001-3 period) and the average wind direction and wind speed for that day from a nearby meteorological site. It shows that there were a number of days in the period when PM2.5 contributions toward the Berkeley county, WV monitor came from the northeast (the direction of Washington County, MD).

EPA understands Maryland's preference for the removal of Washington County from the Hagerstown-Martinsburg nonattainment area and appreciate your commitment to continued improvement of air quality. However, your letter did not provide information that persuades EPA to reconsider its decision. Therefore, your petition for reconsideration is denied.

Sincerely,

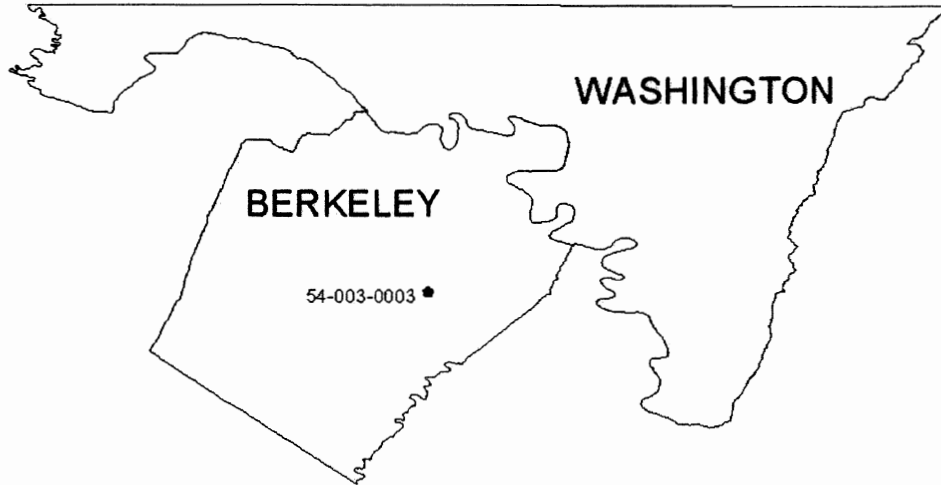
A handwritten signature in black ink, appearing to read 'S. L. Johnson', written in a cursive style.

Stephen L. Johnson

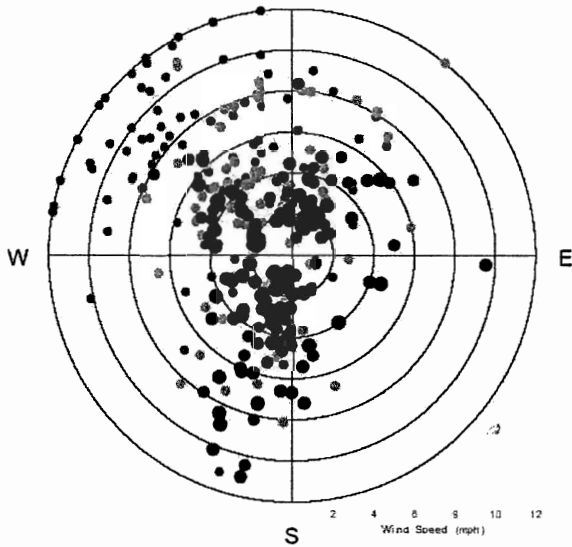
Enclosure

cc: Kendl Philbrick, Secretary, Maryland Department of the Environment
Gregory Snook, President, Washington County Commissioners

Attachment 1



Area= Washington-Baltimore, DC-MD-VA-WV; Site= 540030003



Plot indicates PM2.5 concentration, wind direction, and wind speed for days in 2001-2003 with PM2.5 monitoring data.

- pm > 25
- 20 > pm ≥ 25
- 15 > pm ≥ 20
- 10 > pm ≥ 15
- pm < 10