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West Virginia Department of Environmental Protection

Bob Wise
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

February 13, 2004

Donald S. Welsh
Regional Administrator
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103

RECEIVED

FEB 18 2004

**EPA, REGION III
OFFICE OF REGIONAL ADMINISTRATOR**

Re: Preliminary PM_{2.5} designation recommendations for the State of West Virginia

Dear Mr. Welsh

In a letter to Governor Wise dated May 29, 2003 on the above referenced subject, EPA Region III cited guidance which requests that states provide a list of recommended designations for the fine particle national ambient air quality standards by February 15, 2004¹. As with the 8-hour ozone designations, there is a potential discrepancy between the specified data set and the certified data that should be available to EPA in finalizing its designations by December 15, 2004, consistent with time-frames under TEA-21. To minimize confusion, we are choosing the 2001-2003 period rather than the 2000-2002 period for evaluation. Our Division of Air Quality has calculated the annual and three year averages based upon data from 2001, 2002 and 2003. The last has been uploaded to AQS but has not yet been formally certified. Therefore, we are now basing our draft recommendations on the 2001-2003 preliminary data whereas EPA plans to base final designations on the 2001-2003 certified data. We believe the two data sets should yield equivalent results for the purpose of designations.

Once again, we are placed in the awkward position of recommending designations in the absence of a final implementation rule. Indeed, EPA has not even issued a proposed fine particulate implementation policy to date. States can have little certainty about the consequences of nonattainment until the implementation rule is finalized. The recommendations contained herein (shown on attachment A) should be considered preliminary and subject to change until the 120 day deadline after EPA's response or such later date as may be approved by EPA.


The April 1, 2003 guidance presumes that nonattainment boundaries will be based on the 1999 federally defined Metropolitan Statistical Areas (MSA) and Consolidated MSAs (CMSA). The guidance also specifies nine factors which states should address to modify presumptive boundaries.

¹April 1, 2003 memorandum from Jeffrey R. Holmstead to Regional Administrators, Regions I-X, "Designations for the Fine Particle National Ambient Air Quality Standards"

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EPA has concurred with our preliminary 8-hour ozone nonattainment boundaries which are generally based upon the 1999 MSA definitions. We firmly believe that the same MSA/CMSA definitions should be used for both the 8-hour ozone standard and PM_{2.5} nonattainment area boundaries. This will help ensure consistency for air quality planning and control strategy implementation. The Eastern Panhandle of West Virginia, comprising Berkeley and Jefferson counties, is considered part of the Baltimore (MD) - Washington (DC) CMSA under the 1999 definitions. EPA acknowledged that the Eastern Panhandle (which has entered an Early Action Compact) should remain separate from Baltimore-Washington for ozone air quality planning and implementation purposes. As long as this is the case, we recommend that the area also remain separate from Baltimore-Washington for PM_{2.5} planning and implementation purposes. Conversely, if EPA incorporated the Eastern Panhandle into a Baltimore-Washington nonattainment area for ozone planning, then EPA should incorporate the same region into a consolidated PM_{2.5} nonattainment area.

Sincerely,

A handwritten signature in black ink, reading "Stephanie R. Timmermeyer" with a checkmark at the end.

Stephanie R. Timmermeyer
Cabinet Secretary

Enclosure

cc: Ms. Judith M. Katz, Director
Air Protection Division

John Benedict, Director

State of West Virginia
PM_{2.5} Designations - Attachment A
February 2004

Preliminary Recommendations:

WEST VIRGINIA

NONATTAINMENT AREAS:

Charleston (WV) MSA

- including Kanawha and Putnam (WV) Counties

Huntington (WV)-Ashland (KY)-Ironton (OH) MSA

- including Cabell and Wayne (WV) Counties

Parkersburg (WV)- Marietta (OH) MSA

- including Wood (WV) County

Steubenville (OH)-Weirton (WV) MSA

- including Brooke and Hancock (WV) Counties

Wheeling (OH/WV) MSA

- including Marshall and Ohio (WV) Counties

WV Eastern Panhandle

- including Berkeley and Jefferson (WV) Counties

Marion County

ATTAINMENT AREAS:

Rest of State